

**2214 VERIFICATION OF HOUSEHOLD ELIGIBILITY;  
REQUIRED CERTIFICATIONS**

2214.1 Except as set forth in § 2208.2(a), an Owner shall sell or rent an Inclusionary Unit only to a Household which:

- (a) Has been certified as an Eligible Household by a Certifying Entity, as evidenced by a Certification of Income, Affordability, and Housing Size, that complies with the requirements of this § 2214, and
- (b) Has executed and provided a Declaration of Eligibility that complies with the requirements of this § 2214.

2214.2 A Declaration of Eligibility required by this section shall be made on a form prescribed by DHCD and shall include a notarized statement sworn under penalty of perjury by all members of the Household who are at least eighteen (18) years of age that:

- (a) The Certification of Income, Affordability, and Housing Size provided to the Owner was obtained from a Certifying Entity;
- (b) The Household provided accurate and complete information to the Certifying Entity;
- (c) Each member of the Household will occupy the Inclusionary Unit as his or her principal residence;
- (d) No member of the Household has an ownership interest in any other housing or the member will divest such interest before closing on the purchase of, or signing the lease for, the Inclusionary Unit and present evidence to DHCD confirming divestment;
- (e) If a For Sale Inclusionary Unit, at least one (1) member of the Household who is at least eighteen (18) years of age satisfactorily completed an Inclusionary Zoning Program homeownership training program approved by DHCD and evidence of such satisfactory completion is attached to the Declaration of Eligibility;
- (f) At least one (1) member of the Household who is at least eighteen (18) years of age satisfactorily completed an Inclusionary Zoning Program orientation class approved by DHCD and evidence of such satisfactory completion is attached to the Declaration of Eligibility;
- (g) The Household has received a copy of the Inclusionary Development Covenant and understands its rights and obligations thereunder;

## District of Columbia Municipal Regulations

- (h) If a Rental Inclusionary Unit, the Household has received a copy of the lease rider and understands its rights and obligations thereunder; and
- (i) Any other representations required by DHCD as part of the form.

2214.3 A Certification of Income, Affordability, and Housing Size required by this § 2214 shall be made on a form prescribed by DHCD and signed by an authorized representative of a Certifying Entity, certifying:

- (a) The Household's Annual Income;
- (b) The Household's Annual Income as a percentage of MFI;
- (c) The Household's size;
- (d) That the Household's size meets the size requirements applicable to the Inclusionary Unit under § 2214.4 upon initial occupancy only;
- (e) For a For Sale Inclusionary Unit, that the Household has been advised of the recommendation from DHCD that it should not expend more than forty-one percent (41%) and confirms that it will not expend more than fifty percent (50%) of its Annual Income on mortgage payments, Insurance, real property taxes, Utilities and condominium and homeowner association fees for the applicable Inclusionary Unit;
- (f) For a Rental Inclusionary Unit, that the Household has been advised of the recommendation from DHCD that it should not expend more than thirty-eight percent (38%) and confirms that it will not expend more than fifty percent (50%) of its Annual Income on rent and Utilities; and
- (g) Any other information or certifications required by DHCD.

2214.4 Unit size eligibility shall be determined based upon the following standards, regardless of the number of bathrooms or the existence of dens or other rooms that are not Bedrooms:

Unit Size (Bedroom)	Minimum Number of Persons in Unit
Studio (0)	1

## District of Columbia Municipal Regulations

1	1
2	2
3	3
4	4
5	5
6	5

2214.5 A Certifying Entity shall finalize its review of the information in § 2214.3 and notify the Household within ten (10) days after receipt of all required information and documentation.

SOURCE: Notice of Final Rulemaking published at 56 DCR 3907 (May 15, 2009); as amended by Final Rulemaking published at 56 DCR 9295, 9296 (December 11, 2009); as amended by Final Rulemaking published at 64 DCR 13582 (December 29, 2017).