

4705 NOTICE OF INTENT TO CONVERT

- 4705.1 The owner shall provide each of the tenants or subtenants of the housing accommodation at least one hundred twenty (120) days notice of intent to convert to cooperative or condominium ownership. The notice shall be in a form approved by the Conversion and Sale Regulatory Office, and shall set forth the rights of tenants and subtenants pursuant to the Act.
- 4705.2 A tenant may not waive the right to receive a notice of intent before an owner has requested an election pursuant to § 4701.
- 4705.3 The one hundred twenty (120) day notice of intent to convert shall be sent by first class mail to each tenant or subtenant, and copies shall be submitted to the Conversion and Sale Regulatory Office.
- 4705.4 The one hundred twenty (120) day notice of intent to convert shall be given no sooner than ten (10) business days after incorporation as a housing cooperative, or no sooner than ten (10) business days after the condominium is registered.
- 4705.5 During the first sixty (60) days of the notice period, each of the tenants or subtenants shall have the exclusive right to contract for the purchase of the unit occupied by him or her on terms and conditions at least as favorable as those being offered by the owner to the general public.
- 4705.6 If the notice of intent to convert specifies a date by which the apartment unit shall be vacated, then the notice shall constitute and be the equivalent of a valid statutory notice to vacate, so long as the date to vacate is no sooner than one hundred and twenty (120) days from the date of the notice and the tenant or subtenant has received a full sixty (60) days to contract for his or her unit.
- 4705.7 The owner shall give the tenant or subtenant thirty (30) days written notice to vacate no sooner than ninety (90) days after the tenant has received the one hundred twenty (120) day notice of intent to convert, or after the expiration of the sixty (60) day right to purchase period, whichever is later.
- 4705.8 A notice to vacate shall be sent by first class mail and copies shall be submitted to the Conversion and Sale Regulatory Office.
- 4705.9 No notice to vacate in connection with the conversion of a housing accommodation to condominium or cooperative shall be sent to any low income elderly tenant who qualifies for a statutory tenancy pursuant to § 208 of the Act unless one (1) or more of the following conditions exists:
- (a) The tenant violates an obligation of the tenancy and fails to correct the violation within thirty (30) days after receiving notice of the violation from the owner;

- (b) A court of competent jurisdiction has determined that the tenant has performed an illegal act within the rental unit or housing accommodation; or
- (c) The tenant fails to pay rent.

SOURCE: Notice of Final Rulemaking published at 28 DCR 2443 (May 29, 1981), incorporating by reference the text of Notice of Emergency and Proposed Rulemaking published at 28 DCR 694, 701 (February 13, 1981).

EDITOR'S NOTE: The District of Columbia Office of the Chief Financial Officer published a Notice of Public Interest at 44 DCR 2345 (April 18, 1997) which advised that "[t]he OFFICE OF TAX AND REVENUE will assume all of the duties and functions previously performed by the DEPARTMENT OF FINANCE AND REVENUE, as set forth in Commissioner's Order 69-96, dated March 7, 1969." All references to the "Department of Finance and Revenue" in the original text of these regulations have been replaced with the "Office of Tax and Revenue."