

## **2913        CONDITIONS        OF        ABATEMENT        AGREEMENT: SINGLE FAMILY HOMESTEAD**

- 2913.1 Each homesteader at the time of property settlement shall enter into an abatement agreement with the District which shall include, but not be limited to, the requirements of this section.
- 2913.2 Each homesteader shall agree to maintain the property as his or her principal dwelling place and residence for a period commencing with the date of property settlement and ending on the fifth (5th) anniversary of the settlement date.
- 2913.3 If the property cannot be lawfully occupied on the date of conveyance because the property does not meet the requirements of the D.C. Building and Housing Codes, the Homesteader shall be considered in compliance with § 2913.2; provided, that he or she takes occupancy of the homestead within thirty (30) days of a determination by the Administrator that the property is habitable.
- 2913.4 Each homesteader shall agree to satisfactorily complete, to the extent required by the Administrator, a Technical Training Program conducted for the benefit of the Program.
- 2913.5 Each homesteader shall agree to improve the property within twelve (12) months of the starting date of the Technical Training Program sufficient to meet all applicable requirements of the D.C. Building Code (DCMR Title 12A) and D.C. Housing Code (DCMR Title 14).
- 2913.6 In addition, each homesteader shall agree to do the following:
- (a) Not to sell, convey, lease, or otherwise alienate the homestead, or place liens or encumbrances on it, for at least five (5) years from the date of conveyance without the written approval of the Administrator;
  - (b) To permit periodic inspections of the dwelling by DHCD or its agents or other persons duly authorized by DHCD for the purpose of examining the dwelling to determine the homesteader's compliance with the requirements of the Program during the five (5) year period;
  - (c) To maintain at all times during the five (5) year residency period fire and extended coverage insurance with a face amount equal to at least eighty percent (80%) of the fair market value of the premises; and
  - (d) To pay all property taxes and other fees and assessments levied by the District, except as otherwise provided by District law.
- 2913.7 The Administrator may grant an exemption from the residency requirement of § 2913.2 if a homesteader dies or becomes totally disabled and if, in the opinion of the Director, the exemption would relieve the homesteader's heirs, devisees and immediate family of an

unreasonable burden arising from the requirements of the abatement agreement.

2913.8 Alienation of a homesteader's interest in the homestead property may be approved, at the discretion of the Administrator, during the first five (5) years of ownership, provided that the following percentages of the tax assessment value (as determined at the time of conveyance of title to the homesteader) shall be paid as an assessment fee to the District:

- (a) Eight percent (80%), if the alienation occurs within fifteen (15) months of the date of conveyance;
- (b) Sixty percent (60%), if the alienation occurs within sixteen (16) to thirty (30) months from the date of conveyance;
- (c) Forty percent (40%), if the alienation occurs within thirty-one (31) to forty-five (45) months from the date of conveyance; or
- (d) Twenty percent (20%), if the alienation occurs within forty-six (46) to sixty (60) months from the date of conveyance.

SOURCE: Notice of Final Rulemaking published at 34 DCR 4947, 4958-59 (July 31, 1987).