

## **4702 SCHEDULING AND CONDUCT OF ELECTIONS**

- 4702.1 After receipt of a request for election, a tenant organization, if one exists or is established, may give notice and conduct an election.
- 4702.2 Within thirty (30) days of receipt of the owner's request for election and after coordinating with the Conversion and Sale Regulatory Office, the tenant organization shall set the date of the election, and notify the owner of the date, time and place of the election.
- 4702.3 The date of the election shall be within sixty (60) days of receipt of the owner's request for election.
- 4702.4 The place and time of the election shall be of greatest convenience to all tenants, to the degree practicable.
- 4702.5 In addition to providing a notice of the election to the Conversion and Sale Regulatory Office, the tenant organization shall provide the following:
- (a) Names, addresses and phone numbers of tenant organization officers;
  - (b) The name, address and phone number of the tenant who will be coordinating the election;
  - (c) A list of tenant members of the organization; and
  - (d) A notarized statement attesting to the truthfulness of the information provided.
- 4702.6 At least fifteen (15) days prior to an election, notice of the election shall be sent by first class mail to each tenant household and shall be posted in conspicuous areas throughout the housing accommodation.
- 4702.7 Notice of the election sent to the tenants shall include the following:
- (a) The date, place and time of the election;
  - (b) The tenant information available at the Conversion and Sale Regulatory Office;
  - (c) A Voter Qualification Form, available at the Conversion and Sale Regulatory Office; and
  - (d) An Absentee Ballot Information Form, available at the Conversion and Sale Regulatory Office.
- 4702.8 Voter Qualification Forms must be completed and sent to the Conversion and Sale

Regulatory Office as soon as possible but in any event so as to be received by the Conversion and Sale Regulatory Office at least seven (7) business days prior to the election. Tenants shall provide information on income and age as required by the Voter Qualification Form. Such information is necessary to qualify for benefits under the Act.

- 4702.9 The Conversion and Sale Regulatory Office shall determine the qualified voters and prepare a Qualified Voters List which will be available at the election.
- 4702.10 Qualified voters may vote by absentee ballot if unable to attend the election. Proxy voting is prohibited.
- 4702.11 The election shall be monitored by an independent party selected by the Department of Housing and Community Development. The monitoring body shall set up polling booths, verify qualified voters and certify the election results to the Conversion and Sale Regulatory Office and to the tenant organization. Any person may observe the counting of the ballots.
- 4702.12 If no election is scheduled pursuant to § 4702.2, the owner, or a tenant who is eligible to vote, may request that the Conversion and Sale Regulatory Office schedule and conduct an election.
- 4702.13 A request from an owner or tenant shall be made within fifteen (15) days of the expiration of the thirty (30) day period allowed for the tenant organization to set a date for an election after coordinating the date with the Conversion and Sale Regulatory Office.
- 4702.14 Within forty-five (45) days of such request, or such longer time as may be necessary, the Conversion and Sale Regulatory Office shall schedule and conduct an election, following the procedures set out in § 4702.6 through § 4702.11.
- 4702.15 Within three (3) business days of the election, the tenant organization or, if the election is held pursuant to §§ 4702.12 through 4702.14 or § 4703.5, the Conversion and Sale Regulatory Office shall do the following:
- (a) Notify the owners of the results; and
  - (b) Post the results in common areas of the housing accommodation.
- 4702.16 If no election is requested, the owner may request verification, in lieu of election, that the housing accommodation is eligible to convert.

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, 696 (February 13, 1981).