

## 4899      **DEFINITIONS**

4899.1    When used in this chapter, the following terms and phrases shall have the meanings ascribed:

“**Act**” means the Residential Drug-Related Evictions Re-enactment Act of 2000 (the “Act”), effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 42-3601 et seq.) (2001)

“**Attorney General**” means the Attorney General of the District of Columbia or his or her designee.

“**Controlled dangerous substance**” means any of the controlled dangerous substances as defined in D.C. Official Code § 48-901.02(4).

“**Controlled Substances Act**” means the Controlled Substances Act of 1970, approved October 27, 1970 (84 Stat. 1243; 21 U.S.C.S. § 801 et seq.).

“**Court**” means the Landlord and Tenant Branch of the Civil Division of the Superior Court.

“**Drug haven**” means a housing accommodation, or land appurtenant to or common areas of a housing accommodation where drugs are illegally stored, manufactured, used, or distributed.

“**Drug**” means a controlled substance as defined in D.C. Official Code § 33-504(4) or the Controlled Substances Act.

“**Housing accommodation**” means a building that is or contains at least one rental unit and the land appurtenant to the building.

“**Manufacture**” shall have the same meaning as that term has in D.C. Official Code § 48-901.02(13) or the Controlled Substances Act.

“**Nuisance**” means a property that is used:

- (a)      By persons who assemble for the specific purpose of illegally using a controlled dangerous substance;
- (b)      For the illegal manufacture or distribution of:
  - (1)      A controlled dangerous substance; or
  - (2)      Drug paraphernalia, as defined in D.C. Official Code § 48-1101(3); or
- (c)      For the illegal storage or concealment of a controlled dangerous

substance in sufficient quantity to reasonably indicate under all the circumstances an intent to manufacture, distribute, or dispense:

- (1) A controlled dangerous substance; or
- (2) Drug paraphernalia, as defined in D.C. Official Code § 48-1101(3).

**“Occupant”** means a person authorized by the tenant or housing provider to be on the premises of the rental unit.

**“Rental unit”** means an apartment, room, or part of a publicly or privately owned housing accommodation that is rented or offered for rent for residential occupancy, and the land appurtenant to the apartment, room, or part of the housing accommodation.

**“Resident”** means:

- (1) any individual who is domiciled or maintains a place of abode within a housing accommodation, multifamily building, or a single complex of jointly managed multifamily buildings that is alleged to be a drug haven or nuisance;
- (2) a member of a tenant’s family who is identified on the tenant’s lease or sublease for a housing accommodation that is alleged to be a drug haven or nuisance; or
- (3) a nontenant who resides, with the permission of the tenant, within a tenant’s housing accommodation that is alleged to be a drug haven or nuisance.

**“Resident association”** means an organization of residents of a multifamily building or a single complex of jointly managed multifamily buildings.

**“Tenant”** means a lessee, sublessee, or other person entitled to the possession or occupancy of a rental unit.

**“Uniform”** Controlled Substances Act means Chapter 9 of Title 48 of the D.C. Official Code.

SOURCE: Notice of Final Rulemaking published at 53 DCR 5044-5048 (June 23, 2006), incorporating by reference the text of Notice of Emergency and Proposed Rulemaking published at 53 DCR 933-937 (February 10, 2006).