

4201 BASE RENT AND INITIAL LAWFUL RENT

- 4201.1 Pursuant to § 103(4) of the Act (D.C. Official Code § 42-3501.03(4)), the “base rent” for each rental unit covered by the Rent Stabilization Program on July 17, 1985, the effective date of the Act, was the rent ceiling for the unit as of April 30, 1985.
- 4201.2 Pursuant to the Rent Control Reform Amendment Act of 2006 (D.C. Law 16-145; 53 DCR 4889 (June 23, 2006)), the lawful rent for a rental unit covered by the Rent Stabilization Program on August 5, 2006, when rent ceilings were abolished, shall be the amount of rent charged that was lawfully calculated and on file with the Rental Accommodations Division on August 4, 2006.
- 4201.3 The initial, lawful rent that shall be the basis for future rent adjustments for a newly established rental unit that is not exempt from the Rent Stabilization Program shall be the amount of rent charged by the housing provider for the initial leasing period or the first year of tenancy, whichever is shorter.
- 4201.4 The initial, lawful rent for an existing rental unit that becomes covered by the Rent Stabilization Program by termination of an exclusion or exemption shall be established as follows:
- (a) Upon the termination of the rental unit’s exclusion from the coverage of the Act by § 205(e) and § 4105 of this title, as provided by § 4202; or
 - (b) Upon the termination of the rental unit’s exemption from the Rent Stabilization Program pursuant to § 205(a) of the Act and § 4106 of this title, including by reason of the housing provider’s failure to file a valid Registration/Claim of Exemption Form, as provided by § 4203.
- 4201.5 If a housing provider has reduced the number of rental units in a housing accommodation containing more than three (3) and fewer than eleven (11) rental units and claims any exempted unit when calculating the applicable unit reduction fee under § 910(a) of the Act (D.C. Official Code § 42-3509.10(a)), the initial, lawful rent for the fee-exempted unit shall be determined in accordance with § 210(b)(3)(A) of the Act ((D.C. Official Code § 42-3509.10(b)(3)(A))), and the unit shall be registered as covered by the Rent Stabilization Program for the duration of the tenancy or five (5) years, whichever is longer.

SOURCE: Notice of Final Rulemaking published at 33 DCR 1336, 1384 (March 7, 1986); as amended by Notice of Final Rulemaking published at 33 DCR 2656, 2663-2664 (May 2, 1986); as amended by Final Rulemaking published at 68 DCR 012634 (December 3, 2021).