

4708 APPLICABILITY OF TITLE II OF THE ACT

- 4708.1 If a notice of filing has been issued to the declarant and the certificate of eligibility for conversion of the housing accommodation to a condominium issued pursuant to D.C. Law 1-89 was valid on the effective date of the Act, that housing accommodation is exempt from the provisions of Title II of the Act, provided that the certificate of eligibility remains valid upon registration.
- 4708.2 If articles of incorporation have been filed by the cooperative association for the housing accommodation, and the underlying certification of exemption for conversion of the housing accommodation to a cooperative was valid on the date of the Act, that housing accommodation is exempt from the provisions of Title II of the Act, provided that the certificate of exemption remains valid upon incorporation.
- 4708.3 A housing accommodation lawfully vacant on January 1, 1980, and vacant continuously since that time, shall be exempt from the provisions of Title II of the Act. The owner or contract purchaser shall provide evidence of the vacancy, including when and how the units in the housing accommodation became vacant. The application for exemption shall include the information required by §§ 4701.5(a)-(f) and (h).
- 4708.4 Any structure that does not fall within the definition of a housing accommodation, as defined in § 103(11) of the Act shall be exempt from title II of the Act. The owner or contract purchaser shall provide documentation of the structure's use, and the information required by §§ 4701.5(a)-(f) and (h).
- 4708.5 Unless there is a specific exemption applicable under §§ 4707.1, 4708.1, 4708.2, 4708.3 or 4708.4, an owner of a housing accommodation shall comply with Title II of the Act.

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, 703 (February 13, 1981).