

AN AMENDMENT
BILL 20-139, "CONDOMINIUM AMENDMENT ACT OF 2014"
(ENGROSSED ORIGINAL)
MARCH 4, 2014

AMENDMENT:

Section 2(j)(2); Page 11, Lines 12-17 (amending D.C. Code § 42-1903.08(a)(14A)) is amended to read as follows:

- 1 (2) Paragraph (14A) is amended to read as follows:
2 "(14A) Power to reasonably restrict the leasing of residential units; provided, that
3 any restriction described under this paragraph shall not apply to a unit that is leased at the time of
4 any action taken to restrict the leasing of residential units until the unit is subsequently occupied
5 by the owner or ownership transfers."

Section 2(k)(2); Page 11, Lines 22 and Page 12, Lines 1-4 (amending D.C. Code § 42-1903.10(d-1)) is amended to read as follows:

- 6 (2) A new subsection (d-1) is added to read as follows:
7 "(d-1) Each unit owner shall, to the extent reasonably available, purchase condominium
8 owner's insurance coverage with dwelling (whether residential or commercial) property
9 coverage at a minimum of \$10,000 and condominium owner personal liability insurance
10 coverage at a minimum of \$300,000, provided that the executive board may increase the
11 minimum amounts required under this section at a meeting properly noticed under this act."

RATIONALE:

The proposed amendment makes two modifications to the Engrossed Original of Bill 20-139. The first amendment clarifies the language regarding the powers of the unit owners' association to enact leasing restrictions. Though the law is currently silent, such restrictions can be imposed through an amendment to the bylaws. This amendment would codify the current practice with two modifications: first, the unit owners' association would be able to delegate this authority to the executive board, and (2) the statute would clarify that any leasing restriction would not apply to a unit that was currently under lease. Any leasing restriction on the latter would apply only upon the transfer or sale of the unit. The current version of the bill allows for an opt out provision that creates problems for enforceability of any properly adopted leasing provision.

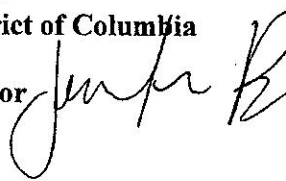
COUNCIL OF THE DISTRICT OF COLUMBIA
Office of the Budget Director



Jennifer Budoff
Budget Director

FISCAL IMPACT STATEMENT

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jennifer Budoff, Budget Director 

DATE: March 4, 2014

SHORT TITLE: Bill 20-139, "Condominium Amendment Act of 2014"

TYPE: Amendment

REQUESTED BY: Chairman Phil Mendelson

Conclusion

This amendment will not have an adverse impact on the District's budget and financial plan because there is no cost associated with the amendment.

Background

This amendment would clarify the language regarding the powers of the unit owners' association to enact leasing restrictions and, to the extent reasonably available, require unit owners to obtain condominium unit insurance. The legislation currently only allows condominium bylaws to require owner's insurance coverage. The amendment would further clarify the minimum amount of insurance coverage and allow the executive board to increase insurance amounts.

Analysis of Impact on Spending

This amendment will not adversely impact spending.

Analysis of Impact on Revenue

This amendment will not adversely impact revenue.