

A BILL

20-594

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



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To amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to establish affordable housing requirements and to require that specific documents accompany a proposed resolution for a land disposition transmitted to the Council.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Disposition of District Land for Affordable Housing Amendment Act of 2014”.

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended as follows:

(a) A new subsection (a-3) is added to read as follows:

“(a-3)(1) If a proposed disposition of real property will result in the development of multifamily residential property consisting of 10 or more units (“multifamily units”), the following affordable housing requirements shall apply:

“(A) If the multifamily units are located in the following areas, at least 30% of the units shall be dedicated as affordable housing:

“(i) Within 1/2 mile of a Metrorail station that is currently in operation or for which a construction contract has been awarded;

1 “(ii) Within 1/4 mile of a streetcar line that is currently in
2 operation or for which a construction contract has been awarded; or

3 “(iii) Within 1/4 mile of a Priority Corridor Network
4 Metrobus Route as designated by the Washington Area Metropolitan Transit Authority, located
5 entirely or partially within the District of Columbia;

6 “(B) If the multifamily units are located outside of the areas
7 described in subparagraph (A) of this paragraph, at least 20% of the units shall be dedicated as
8 affordable housing;

9 “(C) The multifamily units dedicated as affordable housing
10 pursuant to subparagraphs (A) and (B) of this paragraph shall remain affordable housing units for
11 the life of the building; and

12 “(D) The purchase price for the second and subsequent sales of the
13 multifamily units dedicated as affordable housing described in subparagraphs (A) and (B) of this
14 paragraph shall be determined by a formula established by the Mayor.

15 “(2) The multifamily units dedicated as affordable housing pursuant to
16 subparagraphs (A) and (B) of this paragraph shall be made available according to the following
17 affordability levels:

18 “(A) In the case of rental units, 25% of the units shall consist of
19 housing for which a very low-income household will pay no more than 30% of its income toward
20 housing costs, and 75% of such units shall consist of housing for which a low-income household
21 will pay no more than 30% of its income toward housing costs; and

1 “(B) In the case of ownership units, 50% of the units shall consist
2 of housing for which a low-income household will pay no more than 30% of its income toward
3 housing costs, and 50% of the units shall consist of housing for which a moderate-income
4 household will pay no more than 30% of its income toward housing costs.

5 “(3) The Mayor shall take into account the affordable housing
6 requirements of this subsection when establishing the terms and conditions under which real
7 property is to be disposed. The Mayor may transfer real property at less than its appraised value
8 or provide additional subsidies to a developer, as necessary, to ensure that the affordable housing
9 requirements imposed by this subsection are met.

10 “(4) The Mayor may waive the affordable housing requirements of this
11 subsection, provided that the Chief Financial Officer certifies that:

12 “(A) The appraised value of the property to be disposed is
13 insufficient to support the affordable housing requirements, taking into account all other
14 available sources of public funding for affordable housing whether provided by the District of
15 Columbia or the federal government; and

16 “(B) The terms and conditions under which the real property is to
17 be disposed satisfy the housing requirements to the maximum extent possible.

18 “(5) Paragraph (4) of this subsection shall not apply to the disposition of
19 the building and property owned by the District located at 425 2nd Street, N.W., unless the
20 District commits to using all of the proceeds from the disposition of the property for the
21 construction of a new homeless shelter and affordable housing to serve homeless populations.”.

1 (b) Subsection (b)(5) is amended to read as follows:

2 “(5) If applicable, a finding that the Developer will achieve the affordable housing
3 requirements established by subsection (a-3) of this section or, if those requirements will not be
4 achieved, a written certification by the Chief Financial Officer described in subsection (a-3)(4) of
5 this section;”.

6 (c) A new subsection (n) is added to read as follows:

7 “(n) For the purposes of this section, the term:

8 “(A) “Area median income” means:

9 “(i) For a household of 4 persons, the area median income in the
10 Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the
11 United States Department of Housing and Urban Development;

12 “(ii) For a household of 3 persons, 90% of the area median income
13 for a household of 4 persons;

14 “(iii) For a household of 2 persons, 80% of the area median income
15 for a household of 4 persons;

16 “(iv) For a household of one person, 70% of the area median
17 income for a household of 4 persons; and

18 “(v) For a household of more than 4 persons, the area median
19 income for a household of 4 persons, increased by 10% of the area median income for a
20 household of 4 persons for each household member exceeding 4 persons.

21 “(B) “Housing costs” means:

1 “(i) In the case of rental units, rent and utilities.

2 “(ii) In the case of ownership units, mortgage payments, including
3 principal, interest, and property insurance, taxes, homeowner association, condominium, or
4 cooperative fees, and utilities.

5 “(C) “Low-income household” means a household consisting of one or
6 more persons with a total household income that is more than 30% and less than or equal to 50%
7 of the area median income.

8 “(D) “Moderate-income household” means a household consisting of one
9 or more persons with total household income more than 50% and less than or equal to 80% of the
10 area median income.

11 “(E) “Very low-income household” means a household consisting of one
12 or more persons with total household income less than or equal to 30% of the area median
13 income.”.

14 Sec. 3. Fiscal impact statement.

15 The Council adopts the fiscal impact statement in the committee report as the fiscal
16 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
17 approved December 24, 1974 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

18 Sec. 4. Effective date.

19 This act shall take effect following approval by the Mayor (or in event of a veto by the
20 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
21 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENGROSSED ORIGINAL

- 1 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
- 2 Columbia Register.