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2 Councilmember Trayon White, Sr.


3 Councilmember Anita Bonds

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

14 To amend Chapter 28 of Title 47 of the District of Columbia Official Code to clarify the scope of
15 practice for licensed property managers; and to create pre-licensure education
16 requirements for applicants seeking to possess a license as a property manager in the
17 District of Columbia that includes education on the management of common interest
18 communities.

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20 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
21 act may be cited as the “Property Manager Licensing Amendment Act of 2017”.

22 Sec. 2. Chapter 28 of Title 47 of the District of Columbia Official Code is amended as
23 follows:

24 (a) Section 47-2853.141 is amended to read as follows:

25 “(a) For the purposes of this section:

26 “(1) “Property manager” means an individual who renders or offers to render
27 services as an agent for the owner of real estate in connection with the leasing, renting or
28 offering to lease or rent, managing, marketing, and the overall operation and maintenance of real
29 estate for a commission, fee, or other valuable consideration. The term shall include individuals
30 engaged in the physical, administrative, and fiscal management of any real property and the

31 provision of management services to any common interest community.

32 “(2) “Common interest community” means real estate described in a declaration
33 with respect to which a person, by virtue of the person’s ownership of a unit, is obligated to pay
34 for a share of real estate taxes, insurance premiums, maintenance, or improvement of, or services
35 or other expenses related to, common elements, other units, or other real estate described in the
36 declaration.

37 “(3) “Management services” means:

38 “(A) Acting with the authority of a common interest community
39 association in its business, legal, financial, or other transactions with association members and
40 nonmembers;

41 “(B) Executing the resolutions and decisions of an association or, with
42 the authority of the association, enforcing the rights of the association secured by statute,
43 contract, covenant, rule, or bylaw;

44 “(C) Collecting, disbursing, or otherwise exercising dominion or control
45 over money or other property belonging to an association;

46 “(D) Preparing budgets, financial statements, or other financial reports
47 for an association;

48 “(E) Arranging, conducting, or coordinating meetings of an association
49 or the governing body of an association; and

50 “(F) Negotiating contracts or otherwise coordinating or arranging for
51 services or the purchase of property and goods for or on behalf of an association.

52 “(b) (1) A property manager shall be held accountable for the day-to-day job-related
53 activities of the property manager’s employees.

54 “(2) The property manager shall not perform any activities that relate to listing for
55 sale, offering for sale, buying or offering to buy, negotiating the purchase, sale, or exchange of
56 real estate, or negotiating a loan on real estate for a fee, commission, or other valuable
57 consideration.

58 (b) Section 47-2853.142 is amended as follows:

59 (1) Subsection (a) is amended as follows:

60 (A) Paragraph (5) is amended by striking the phrase “; and”.

61 (B) Paragraph (6) is amended by striking the period at the end and
62 inserting the phrase “; and” in its place.

63 (C) A new paragraph (7) is added to read as follows:

64 “(7) Has successfully completed a course of study in property management, wherein at
65 least 25% of the coursework relates to the management of common interest communities, as
66 prescribed by the Commission at a school approved by the Commission.”.

67 (2) Subsection (b) is repealed.

68 (c) Section 47-2853.143 is amended to read as follows:

69 “Unless licensed under this subchapter, no person shall assume or use the title or
70 designation “property manager”, “common interest community manager”, or any other title
71 designation, words, letters, abbreviations, sign, card, or device tending to indicate that the person
72 is licensed as a property manager or otherwise authorized to practice the profession in the
73 District.”.

74 Sec. 3. Rulemaking.

75 The Real Estate Commission shall establish the educational requirements described in
76 Section 2 of this act within 180 days of the effective date of this act.

77 **Sec. 4. Fiscal impact statement.**

78 **The Council of the District of Columbia adopts the fiscal impact statement in the**
79 **committee report as the fiscal impact statement required by section 4a of the General Legislative**
80 **Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-**
81 **301.47a).**

82 **Sec. 5. Effective date.**

83 **This act shall take effect upon its approval by the Mayor (or in the event of veto by the**
84 **Mayor, action by the Council to override the veto), a 30-day period of congressional review as**
85 **provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December**
86 **24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of**
87 **Columbia Register.**