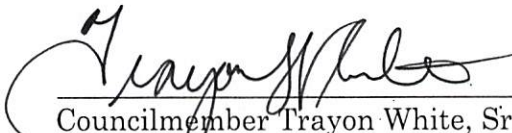


1   
2 Chairman Phil Mendelson

  
Councilmember Charles Allen

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5 Councilmember Mary Cheh

  
Councilmember Trayon White, Sr.

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10 Councilmember Anita Bonds

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12  
13 A BILL  
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18 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
19  
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21

22  
23 To amend the Housing Production Trust Fund Act of 1988 to authorize fees collected  
24 pursuant to the Conversion of Rental Housing to Condominium or Cooperative Status  
25 Act of 1980 to be deposited in the Housing Production Trust Fund; to amend the  
26 Conversion of Rental Housing to Condominium or Cooperative Status Act of 1980 to  
27 provide that an owner of housing who reduces the number of units in an  
28 accommodation of 10 or fewer units shall pay a fee to the Mayor, to expand the fee  
29 exemption if a unit is rented in certain circumstances, and to direct the Mayor to  
30 deposit in the Housing Production Trust Fund all fees collected pursuant to this  
31 section; and to amend the Rental Housing Act of 1985 to provide for damages when a  
32 housing provider repossess a rental unit from a tenant in order to personally use and  
33 occupy or sell a housing unit for personal use and occupancy and subsequently  
34 receives rent within the following 12-month period, and to provide that a tenant who  
35 recovers damages shall not be barred from bringing any other civil action.  
36

37 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
38 act may be cited as the "Housing Conversion and Eviction Clarification Amendment Act of  
39 2019".

40 Sec. 2. Section 3(c) of the Housing Production Trust Fund Act of 1988, effective  
41 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(c)) is amended as follows:

42 (a) Paragraph (16) is amended by striking the phrase "; and" and inserting a  
43 semicolon in its place.

(b) Paragraph (17) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new paragraph (18) is added to read as follows:

“(18) All fees collected pursuant to section 204 of the Conversion of Rental Housing to Condominium or Cooperative Status Act of 1980, effective September 10, 1980 (D.C. Law 3-86, D.C. Official Code § 42-3402.04).”.

Sec. 3. Section 204 of the Conversion of Rental Housing to Condominium or Cooperative Status Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3402.04) is amended as follows:

(a) The existing subsection (a-1) is redesignated as (a-1)(1).

(b) A new subsection (a-1)(2) is added to read as follows:

“(2) An owner who converts a housing accommodation containing 10 or fewer units, including vacant buildings, and thereby reduces the number of units in the housing accommodation, shall pay the Mayor an additional conversion fee of 5% of the appraised value of the most valuable unit in the building multiplied by the net decrease in units.”.

(c) Subsection (b) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “Is sold to a low-income household” and inserting the phrase “Is sold or rented to a low-income household” in its place.

(2) Paragraph (2) is amended by striking the phrase “Is sold to a member of a household” and inserting the phrase “Is sold or rented to a member of a household” in its place.

(3) Paragraph (3) is amended by striking the phrase “Is sold to a person” and inserting the phrase “Is sold or rented to a person” in its place.

(d) A new subsection (d) is added to read as follows:

69           “(d) The Mayor shall deposit in the Housing Production Trust Fund, created  
70   pursuant to the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C.  
71   Law 7-202; D.C. Official Code § 42-2801, *et seq.*), all fees paid pursuant to this section.”.

72           Sec. 4. Section 501 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C.  
73   Law 6-10: D.C. Official Code § 42-3505.01) is amended by adding a new subsection (e-1) to  
74   read as follows:

75           “(e-1)(1) A housing provider who recovers possession pursuant to subsection (d) or (e)  
76   of this section, or who purchases property from a housing provider who recovers possession  
77   pursuant to subsection (e), and, during the 12-month period beginning on the date on which  
78   the rental unit was originally repossessed by the housing provider, demands or receives  
79   rent for the rental unit which was repossessed, or fails to personally use and occupy the  
80   rental unit, shall be liable to the former tenant for:

81                       “(A) Reasonable relocations costs; and

82                       “(B) Additional damages in the amount of the rent charged in the last  
83   month before the rental unit was repossessed multiplied by whichever of the following is  
84   fewer:

85                       “(i) The number of months that have elapsed between the date  
86   on which the rental unit was originally repossessed and the date on which the housing  
87   provider sells or begins to personally use and occupy the rental unit; or

88                       “(ii) Twelve.

89           “(2) A housing provider shall not be liable for damages pursuant to paragraph  
90   (1) of this subsection if the housing provider can demonstrate that, acting in good faith, he  
91   or she failed to sell or to personally use and occupy the housing accommodation due to  
92   circumstances outside of the housing provider’s control that arise after the rental unit was  
93   repossessed.

94           “(3) A tenant who recovers damages pursuant to this subsection shall not be  
95   barred from bringing any other civil action that may arise from the same circumstances.”.

96           Sec. 5. Fiscal impact statement.

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

100          Sec. 6. Effective date.

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