

1 AN ACT

2 \_\_\_\_\_  
3 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
4 \_\_\_\_\_

5 To protect, on a temporary basis, unpaid federal workers, employees of contractors of the federal  
6 government, and household members of federal workers and employees of contractors  
7 from eviction, late fees, and foreclosure during a federal government shutdown.

8 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
9 act may be cited as the “Federal Worker Housing Relief Extension Temporary Act of 2019”.

10 Sec. 2. Definitions.

11 For the purposes of this act, the term:

12 (1) “Borrower” shall have the same meaning as provided in section 539b(a)(1) of  
13 An Act To establish a code of law for the District of Columbia, effective March 12, 2011 (D.C.  
14 Law 18-314; D.C. Official Code § 42-815.02(a)(1)).

15 (2) “Contractor” shall have the same meaning as provided in 41 U.S.C. § 7101(7).

16 (3) “Covered period” means:

17 (A) For a federal worker, the period from the date of a federal worker’s  
18 first unpaid payday during a shutdown through the earlier of:

19 (i) 30 days after the effective date of an appropriations act or  
20 continuing resolution that funds a federal worker’s government agency; or

21 (ii) 90 days after the date of the federal worker’s first unpaid  
22 payday.

23 (B) For an employee of a contractor, the period from the date an employee  
24 of a contractor is laid off or otherwise stops receiving pay because of the shutdown through the  
25 earlier of:

26 (i) 30 days after the effective date of an appropriations act or  
27 continuing resolution that funds the agency with which the contractor has a contract; or

28 (ii) 90 days after the employee of a contractor is laid off or  
29 otherwise stops receiving pay because of the shutdown.

30 (4) "Federal worker" means an employee of a government agency.

31 (5) "Government agency" means each authority of the executive, legislative, or  
32 judicial branch of the government of the United States, the District of Columbia Courts, or the  
33 District of Columbia Public Defender Service.

34 (6) "Household member" means an individual who resides with a federal worker  
35 or an employee of a contractor in a housing unit.

36 (7) "Housing provider" shall have the same meaning as provided in section  
37 103(15) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C.  
38 Official Code § 42-3501.03(15)).

39 (8) "Housing unit" means any room or group of rooms forming a single-family  
40 residential unit, including an apartment, semi-detached condominium, cooperative, or semi-  
41 detached or detached home that is used or intended to be used for living, sleeping, and the  
42 preparation and eating of meals by human occupants.

43 (9) "Lender" shall have the same meaning as provided in section 539b(a)(3) of  
44 An Act To establish a code of law for the District of Columbia, effective March 12, 2011 (D.C.

45 Law 18-314; D.C. Official Code § 42-815.02(a)(3)).

46 (10) “Mediation Administrator” shall have the same meaning as provided in  
47 section 539b(a)(6) of An Act To establish a code of law for the District of Columbia, effective  
48 March 12, 2011 (D.C. Law 18-314; D.C. Official Code § 42-815.02(a)(6)).

49 (11) “Residential mortgage” shall have the same meaning as provided in section  
50 539a(a) of An Act To establish a code of law for the District of Columbia, effective May 8, 1984  
51 (D.C. Law 5-82; D.C. Official Code § 42-815.01(a)).

52 (12) “Shutdown” means any period in which there is a lapse in appropriations for  
53 a government agency that continues through any unpaid payday for a federal worker employed  
54 by that agency.

55 (13) “Superior Court” means the Superior Court of the District of Columbia.

56 Sec. 3. Stay of proceedings for evictions and foreclosures.

57 (a)(1) Notwithstanding any other provision of law, if a housing provider initiates an  
58 eviction proceeding in Superior Court against a federal worker, an employee of a contractor, or a  
59 household member during the covered period, the federal worker, employee of a contractor, or  
60 household member eligible for relief under subsection (c) or subsection (d) of this section, as  
61 applicable, may move the court to stay proceedings until the covered period elapses. The movant  
62 shall attach to the motion the documentation required by subsection (c) or subsection (d) of this  
63 section, as applicable, to establish the movant’s eligibility under this section. The court shall  
64 grant the motion to stay the proceeding if the court determines that the federal worker, employee  
65 of a contractor, or household member has submitted the required documentation necessary to  
66 establish eligibility for relief in accordance with subsection (c) or subsection (d) of this section,

67 as applicable.

68 (2) Notwithstanding any other provision of law, a federal worker, an employee of  
69 a contractor, or a household member eligible for relief under subsection (c) or subsection (d) of  
70 this section, as applicable, may also move the court to void late fees charged by a housing  
71 provider pursuant to section 531 of the Rental Housing Act of 1985, effective July 17, 1985  
72 (D.C. Law 6-10; D.C. Official Code § 42-3505.31). The court shall grant the motion if the late  
73 fees accrued during the covered period.

74 (b)(1) Notwithstanding the requirements set forth in section 539b of An Act To establish  
75 a code of law for the District of Columbia, effective March 12, 2011 (D.C. Law 18-314; D.C.  
76 Official Code § 42-815.02), upon the request of a borrower who is a federal worker, an employee  
77 of a contractor, or a household member eligible for relief under subsection (c) or subsection (d)  
78 of this section, as applicable, the Mediation Administrator shall stay the mediation and shall not  
79 issue a mediation certificate to a lender until the covered period elapses. The borrower shall  
80 provide the documentation required by subsection (c) or subsection (d) of this section, as  
81 applicable, to establish the borrower's eligibility.

82 (2) Notwithstanding any other provision of law, if during the covered period but  
83 before the effective date of this act, the Mediation Administrator issued a mediation certificate  
84 and the lender gave written notice of the intention to foreclose on a residential mortgage, a  
85 federal worker, employee of a contractor, or household member eligible for relief under  
86 subsection (c) or subsection (d) of this section, as applicable, may petition the Superior Court to  
87 stay the sale until the covered period has elapsed. The petitioner shall attach to the petition the  
88 documentation required by subsection (c) or subsection (d) of this section, as applicable, to

89 establish the petitioner's eligibility under this section. The court shall grant the petition to stay  
90 the sale if the court determines that the federal worker, employee of a contractor, or household  
91 member has submitted the required documentation necessary to establish eligibility for relief in  
92 accordance with subsection (c) or subsection (d) of this section, as applicable.

93 (3) Notwithstanding any other provision of law, if a lender initiates a foreclosure  
94 proceeding in Superior Court against a federal worker, an employee of a contractor, or a  
95 household member during the covered period, the federal worker, employee of a contractor, or  
96 household member eligible for relief under subsection (c) or subsection (d) of this section, as  
97 applicable, may move the court to stay the proceeding until the covered period elapses. The  
98 movant shall attach to the motion the documentation required by subsection (c) or subsection (d)  
99 of this section, as applicable, to establish the movant's eligibility under this section. The court  
100 shall grant the motion to stay the proceeding if the court determines that the federal worker,  
101 employee of a contractor, or household member has submitted the required documentation  
102 necessary to establish eligibility for relief in accordance with subsection (c) or subsection (d) of  
103 this section, as applicable.

104 (c) To be eligible for the relief set forth in this section:

105 (1) A federal worker shall submit to the court or Mediation Administrator one of  
106 the following:

107 (A) A pay stub issued by a government agency showing zero dollars in  
108 earnings for the federal worker for a pay period within the period of the shutdown; or

109 (B) A copy of a furlough notification letter or essential employee status  
110 letter; and

111 (2) An employee of a contractor shall submit to the court or Mediation  
112 Administrator a letter from the contractor, issued and signed by an officer or owner of the  
113 company or by the company's human resources director, stating:

114 (A) That the employee of the contractor was laid off or is otherwise not  
115 receiving pay from the contractor because of the shutdown;

116 (B) The date that the employee of the contractor was laid off or otherwise  
117 stopped receiving pay from the contractor; and

118 (C) The name of the agency with which the contractor had a contract.

119 (d)(1) A household member who is a party to the rental agreement subject to an eviction  
120 action or the residential mortgage subject to a foreclosure proceeding shall be eligible for the  
121 relief set forth in this section if the household member submits to the court or Mediation  
122 Administrator:

123 (A) Sufficient documentation that a federal worker or employee of a  
124 contractor resides in the same household unit as the household member, which shall include any  
125 2 of the following that displays a name and home address for the federal worker or employee of a  
126 contractor:

127 (i) A current government-issued photo identification;

128 (ii) A utility bill dated no more than 60 days before the beginning  
129 of the covered period;

130 (iii) A bank or credit card statement dated no more than 60 days  
131 before the beginning of the covered period;

132 (iv) A student loan statement dated no more than 60 days before  
133 the beginning of the covered period; or

134 (v) Official mail received from a government agency or a District  
135 government agency dated no more than 60 days before the beginning of the covered period;

136 (B) The documentation required to be submitted by the federal worker or  
137 the employee of the contractor under subsection (c) of this section; and

138 (C) Sufficient documentation that the federal worker or employee of a  
139 contractor contributes at least 25% of the monthly rent or mortgage payment, which shall include  
140 any of the following for at least 2 of the 6 months before the beginning of the covered period:

141 (i) Cancelled checks;

142 (ii) Bank statements;

143 (iii) Electronic records of payment; or

144 (iv) Receipts.

145 (2) A household member shall continue to timely pay the household member's  
146 percentage share of the rent or mortgage payments. Failure of a household member to make  
147 timely payment of the household member's share of the rent or mortgage payment shall be  
148 grounds for lifting a stay of the proceeding.

149 Sec. 4. Fiscal impact statement.

150 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
151 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
152 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

153 Sec. 5. Effective date.

154 (a) This act shall take effect following approval by the Mayor (or in the event of veto by  
155 the Mayor, action by the Council to override the veto), a 30-day period of congressional review  
156 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
157 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
158 Columbia Register.

159 (b) This act shall expire after 225 days of its having taken effect.