

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the District of Columbia Housing Authority Act of 1999 to allow applicants for local rent supplement vouchers to self-certify eligibility factors and to prohibit the District of Columbia Housing Authority from inquiring into an applicant's immigration status, prior criminal arrests or convictions, or pending criminal matters.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Rent Supplement Program Eligibility Temporary Amendment Act of 2023".

Sec. 2. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 26a(c) (D.C. Official Code § 6-226(c)) is amended to read as follows:

"(c)(1) Except as prescribed in paragraphs (2), (3), and (4) of this subsection, the Authority shall apply its existing Partnership Program and Housing Choice Voucher Program rules to govern eligibility, admission, and continuing occupancy by tenants in units receiving tenant-based, sponsor-based, or project-based voucher assistance under this section, section 26b, section 26c, and section 26d.

"(2) The Authority shall neither inquire about nor consider for the purposes of eligibility, admission, or continued occupancy any information about citizenship, immigration status, prior criminal arrests or convictions, or pending criminal matters.

"(3) Rules governing eligibility, admission, and continuing occupancy by tenants in units receiving tenant-based, sponsor-based, or project-based voucher assistance under this section, section 26b, section 26c, or section 26d shall not be inconsistent with this section, section 26b, section 26c, or section 26d.

"(4)(A) The Authority shall allow applicants or participants to self-certify any required eligibility, admission, or continued occupancy factors when an applicant cannot easily obtain verification documentation.

"(B) Self-certification by the applicant at the time of initial eligibility shall be final and remain sufficient for purposes of continued occupancy recertifications.

"(5) The Authority shall promulgate such additional rules as are necessary to ensure that eligibility for tenancy in the units supported by grants under this section is limited to households with gross income at or below 30% of the area median income."

(b) Section 26b(c) (D.C. Official Code § 6-227(c)) is amended to read as follows:

“(c)(1) Except as prescribed in paragraphs (2), (3), and (4) of this subsection, the Authority shall apply its existing Partnership Program and Housing Choice Voucher Program rules to govern eligibility, admission, and continuing occupancy by tenants in units receiving sponsor-based or project-based voucher assistance under this section, section 26a, and section 26d.

“(2) The Authority shall not inquire about nor consider for the purposes of eligibility, admission, or continued occupancy any information about citizenship, immigration status, prior criminal arrests or convictions, or pending criminal matters.

“(3) Rules governing eligibility, admission, and continuing occupancy by tenants in units receiving sponsor-based or project-based voucher assistance under this section, section 26a, or section 26d shall not be inconsistent with this section, section 26a, or section 26d.

“(4)(A) The Authority shall allow applicants or participants to self-certify any required eligibility, admission, or continued occupancy factors when an applicant cannot easily obtain verification documentation.

“(B) Self-certification by the applicant at the time of initial eligibility shall be final and remain sufficient for purposes of continued occupancy recertifications.

“(5) The Authority shall promulgate such additional rules as are necessary to ensure that eligibility for tenancy in the units supported by grants under this section is limited to households with gross income at or below 30% of the area median income.”.

(c) Section 26c(a) (D.C. Official Code § 6-228(a)) is amended to read as follows:

“(a)(1) The funds allocated for tenant-based assistance shall be administered through the Authority’s Housing Choice Voucher Program.

“(2) Except as provided in paragraphs (3), (4), and (5) of this section, tenant-based assistance provided through the Rent Supplement Program shall be subject to the Authority’s existing rules, regulations, policies, and procedures for the Housing Choice Voucher Program;

“(3) The Authority shall not inquire about nor consider for the purposes of eligibility, admission, or continued occupancy any information about immigration status, prior criminal arrests or convictions, or pending criminal matters.

“(4) Rules governing eligibility, admission, and continuing occupancy by tenants in units receiving tenant-based voucher assistance under this section shall not be inconsistent with this section or section 26a.

“(5)(A) The Authority shall allow applicants or participants to self-certify any required eligibility, admission, or continued occupancy factors when an applicant cannot easily obtain verification documentation.

“(B) Self-certification by the applicant at the time of initial eligibility shall be final and remain sufficient for purposes of continued occupancy recertifications.

“(6) Existing rules, regulations, policies, and procedures affecting the Rent Supplement Program shall be submitted to the Council for Council review.”.

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Sec. 3. Applicability.

This act shall apply as of July 27, 2022.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia