



Councilmember Anita Bonds

1
2
3
4
5 A BILL
6
7

8 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
9
10

11
12 To amend the Rental Housing Act of 1985 to reflect changes in jurisdiction over administrative
13 hearings, to increase the time in which parties aggrieved by final decisions of the Rent
14 Administrator or Office of Administrative Hearings in contested cases may prepare and
15 file an appeal to the Rental Housing Commission, to expedite the processing and improve
16 the content of administrative records, to provide parties before the Rental Housing
17 Commission sufficient time to brief arguments on appeal, to provide the Rental Housing
18 Commission sufficient time to afford due consideration to the issues on appeal, and to
19 provide greater opportunity for mediation and settlement of disputes.
20

21 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
22 act may be cited as the “Rental Housing Commission Fair Opportunity for Appeal Amendment
23 Act of 2023”.

24 Sec. 2. Section 216 of The Rental Housing Act of 1985, effective July 17, 1985 (D.C.
25 Law 6-10; D.C. Official Code § 42-3502.16(h)), is amended as follows:

26 (a) Subsection (h) is amended to read as follows:

27 “(h) Decisions of the Rent Administrator or Office of Administrative Hearings shall be
28 made on the record relating to any petition filed pursuant to this act. An appeal from any decision
29 of the Rent Administrator or Office of Administrative Hearings arising under this act may be
30 taken by an aggrieved party to the Rental Housing Commission within 30 days after the decision
31 is issued, or the Rental Housing Commission may review a decision on its own initiative. The
32 Rent Administrator or Office of Administrative Hearings shall transmit the complete, official
33 record of the proceeding, including transcripts of any hearings, to the Rental Housing

34 Commission within 30 days of receiving notice that an appeal has been filed. The Rental
35 Housing Commission may reverse, in whole or in part, any decision that it finds to be arbitrary,
36 capricious, an abuse of discretion, not in accordance with the provisions of this act, or
37 unsupported by substantial evidence on the record of the proceedings, or it may affirm, in whole
38 or in part, the decision. The Rental Housing Commission shall issue a decision with respect to an
39 appeal within 120 days after the appeal is submitted for consideration.”.

40 (b) A new subsection (h-1) is added to read as follows:

41 “(h-1) While a petition filed under this section is pending before the Rent Administrator
42 or the Rental Housing Commission, the Rent Administrator or Rental Housing Commission,
43 respectively, may order the petitioner(s) and respondent(s) to attend mediation, to be facilitated
44 by that office, for the purposes of reaching a mutually agreeable settlement of any or all issues
45 relevant to the petition and may impose appropriate sanctions on any party that fails to appear for
46 mediation as ordered.”.

47 Sec. 3. Fiscal impact statement.

48 The Council adopts the fiscal impact statement in the committee report as the fiscal
49 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
50 approved December 23, 1974 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

51 Sec. 4. Effective date.

52 This act shall take effect following approval by the Mayor (or in the event of a veto by
53 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
54 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
55 23, 1974 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
56 Columbia Register.