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2 Councilmember Anita Bonds


Chairman Phil Mendelson

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7 A PROPOSED RESOLUTION

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11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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16 To declare the existence of an emergency with respect the Rental Housing Act of 1985 to
17 prohibit the execution of residential evictions during precipitation; to establish the
18 eviction procedure and requirements of a housing provider before, during, and
19 immediately after a residential eviction; to establish standards for the handling of an
20 evicted tenant's personal property; to clarify, in an eviction not subject to the Rental
21 Housing Act, the legal status of an evicted tenant's remaining personal property and a
22 landlord's civil liability for such property.
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24 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
25 act may be cited as the "Eviction Procedure Reform Emergency Declaration Resolution of
26 2018".

27 Sec. 2. (a) The Eviction Procedure Reform Emergency Amendment Act will repeal and
28 replace the Bill 22-864, the Eviction Reform Emergency Amendment Act of 2018, which was
29 passed on June 26, 2018.

30 (b) This legislation would prohibit the eviction of a tenant when precipitation is falling at
31 the location of the rental unit and from placing personal property of the evicted tenant outdoors.

32 (c) Rather than require the housing provider to deliver notice of eviction by telephone,
33 electronic communication, or first-class mail, this legislation would add the requirement of a
34 conspicuous posting.

35 (d) Rather than require the housing provider to store an evicted tenant's personal property
36 for 30 days, the landlord would be required to give the tenant 7 days to remove the personal
37 property from the rental unit.

38 (e) Rather than an opt-in process for the packaging, transportation, and storage of evicted
39 tenants' personal property, the legislation would require an opt-in process for the 7-day period by
40 the tenant, prior to and up until the time of eviction, if a tenant does not opt in the housing
41 provider will be required to store the evicted tenant's personal property for 24 hours after the
42 time of eviction.

43 (f) Rather than require the housing provider to photograph, package and transport the
44 tenant's personal property to a storage facility within a 10-mile radius of the unit, the legislation
45 would require the housing provider to hold an evicted tenant's personal property in the rental
46 unit and give the evicted tenant reasonable access to remove the personal property.

47 (g) Rather than require a storage facility to dispose of abandoned property, this
48 legislation would authorize the housing provider to dispose of abandoned property in a lawful
49 manner, to include sale. If the housing provider receives funds from the sale of the evicted
50 tenants abandoned property, the housing provider would be required to apply such funds to the
51 account of the evicted tenant.

52 (h) Finally, the housing provider would not be liable to the evicted tenant for civil
53 damages and subject to civil fines of up to \$5,000 for the loss, damage, or destruction of an

54 evicted tenant's personal property; and the District of Columbia Housing Authority would be
55 exempted from these eviction requirements.

56 Sec. 3. The Council of the District of Columbia finds that the circumstances enumerated
57 in section 2 constitute emergency circumstances making it necessary that the "The Eviction with
58 Dignity Emergency Amendment Act" be adopted.

59 Sec. 4. This resolution shall take effect immediately.