

A RESOLUTION

22-577

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2018

To declare the existence of an emergency with respect the need to amend the Rental Housing Act of 1985 to prohibit the execution of residential evictions during precipitation, to establish eviction procedure and requirements that a housing provider shall meet before, during, and immediately after a residential eviction, and to establish standards for the handling of an evicted tenant’s personal property; and to clarify, in an eviction not subject to the Rental Housing Act of 1985, the legal status of an evicted tenant’s remaining personal property and a landlord’s civil liability for such property.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Eviction Procedure Reform Emergency Declaration Resolution of 2018”.

Sec. 2. (a) The Eviction Procedure Reform Emergency Amendment Act (“Act”) will repeal and replace the Eviction Reform Emergency Amendment Act of 2018, passed on emergency basis on June 26, 2018 (Enrolled version of Bill 22-864).

(b) The Act will prohibit the eviction of a tenant when precipitation is falling at the location of the rental unit and the placement of the personal property of the evicted tenant outdoors.

(c) Rather than require the housing provider to deliver notice of eviction simply by telephone, electronic communication, or first-class mail, the Act will add the requirement of a conspicuous posting.

(d) Rather than require the housing provider to store an evicted tenant’s personal property for 30 days, the housing provider will be required to give the evicted tenant 7 days to remove his or her personal property from the rental unit.

(e) Rather than require the housing provider to photograph, package, and transport the evicted tenant’s personal property to a storage facility within a 10-mile radius of the unit, the Act will require the housing provider to hold an evicted tenant’s personal property in the rental unit and give the evicted tenant reasonable access to remove the personal property.

(f) Rather than require a storage facility to dispose of abandoned property, the Act will authorize the housing provider to dispose of abandoned property in a lawful manner, to include sale. If the housing provider receives funds from the sale of the evicted tenant’s abandoned

property, the housing provider will be required to apply such funds to the account of the evicted tenant.

(g) Finally, the housing provider will not be liable to the evicted tenant for civil damages for loss or damage to the evicted tenant's abandoned personal property and the District of Columbia Housing Authority will be exempted from these eviction requirements.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Eviction Procedure Reform Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.