

A RESOLUTION

23-519

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2020

To declare the existence of an emergency with respect to the need to amend the Rental Housing Act of 1985 to prohibit housing providers from issuing notices to vacate for the remaining duration of the public health emergency and for 60 days thereafter.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Eviction Notice Moratorium Emergency Declaration Resolution of 2020”.

Sec. 2. (a) To protect residents during the public health emergency, the Council enacted an evictions moratorium on March 17, 2020, in the COVID-19 Response Emergency Amendment Act of 2020, effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093). This moratorium runs concurrently with the Mayor’s declaration of a public health emergency, and for 60 days after the public health emergency expires. The evictions moratorium prohibits filing a complaint to seek eviction and evicting a tenant.

(b) However, the moratorium does not specify whether the notices that housing providers are required to send prior to filing for eviction are allowed or prohibited. Rental housing providers continue to issue notices to vacate during the period of the eviction moratorium. The notices specify a date by which the tenant must either move or cure the cause for eviction and indicate that the housing provider can file for eviction after that date. These notices are currently unenforceable due to the eviction moratorium, but still lead to renters moving out.

(c) Often renters who move after a notice to vacate do so due to fear, negative court experiences in the past, confusion, immigration status, or language barriers. Allowing these notices to vacate to proceed furthers housing inequities for District residents.

(d) Prohibiting notices to vacate during the period of the eviction moratorium would prevent unnecessary moves, which the Council has already taken action in previous legislation to try to avoid. Avoiding these unnecessary moves will reduce doubling up and exposure to the coronavirus and protect vulnerable residents.

(e) A prohibition on notices to vacate may improve equity of the eviction moratorium for immigrant renters, who are more likely to experience these informal evictions outside of the court process.

**ENROLLED ORIGINAL**

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 Notice Moratorium Emergency Amendment Act of 2020 be adopted after a single reading.

Sec 4. This resolution shall take effect immediately.