

A RESOLUTION

25-256

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 19, 2023

To declare the existence of an emergency with respect to the need to continue existing requirements for providers of commercial or residential rental property to abide by agreed upon rent payment plans with eligible tenants.

RESOLVED, BY THE COUNCIL DISTRICT OF COLUMBIA, That this resolution may be cited as the “Tenant Payment Plan Phasing Continuation Emergency Declaration Resolution of 2023”.

Sec. 2. (a) During the COVID-19 pandemic, the Council created protections and procedural changes to address the widespread ramifications of the public health emergency and its aftermath. The District ended the initial COVID-19 public health emergency in July 2021. The Coronavirus Support Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824) (“Temporary Act”), which contained many of the longer-term protective measures, expired on February 4, 2022.

(b) For commercial and residential tenants, provisions in the Temporary Act provided that their rental provider shall offer a rent payment plan for eligible tenants between March 11, 2020 and July 25, 2022. The payment plans shall have a minimum term length of one year, unless otherwise agreed upon by the tenant and provider, during which time providers shall not report to credit reporting agencies as delinquent any payments made under an agreed upon plan. The Temporary Act also required providers to retain tenant payment plan applications for at least 3 years.

(c) The Council passed 2 rounds of emergency and temporary legislation to continue these protections to residential and commercial tenants. These new emergency and temporary measures are similarly necessary to maintain the legislated payment plan protections for residential and commercial tenants whose payment plans have not yet been completed and to uphold the requirement that providers retain payment plan application records for at least 3 years.

ENROLLED ORIGINAL

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Tenant Payment Plan Phasing Continuation Emergency Amendment Act of 2023 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.