

A RESOLUTION

25-544

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 25, 2024

To declare the existence of an emergency with respect to the need to amend the Rental Housing Act of 1985 to maintain a moratorium on voluntary agreements.

RESOLVED, BY THE COUNCIL DISTRICT OF COLUMBIA, That this resolution may be cited as the “Voluntary Agreement Moratorium Emergency Declaration Resolution of 2024”.

Sec. 2. (a) Section 215 of the Rental Housing Act of 1985 (D.C. Code § 42-3502.21) allows housing providers to enter into an agreement with 70% or more of the tenants in a housing accommodation to establish the rent charged, to make changes to services and facilities, and to provide for capital improvements. These agreements are called voluntary agreements and must be filed with the Rent Administrator.

(b) In September 2020, the former Committee on Housing and Neighborhood Revitalization held a hearing to contemplate Bill 23-878, the Voluntary Agreement Moratorium Amendment Act of 2020, which would impose a 2-year moratorium on voluntary agreements. According to the committee report, a majority of public witnesses, then-Director of the Department of Housing and Community Development Polly Donaldson, and Chief Tenant Advocate Johanna Shreve testified in support of the moratorium; many expressed that the legislation should go further and eliminate voluntary agreements altogether. A few testimonies stated the importance of voluntary agreements to small landlords, though most focused on the negative impact voluntary agreements have had on tenants’ rights and the affordable housing stock.

(c) In December 2020, the Council unanimously passed the 2-year moratorium. Because the measure was subject to appropriations, the moratorium ultimately took effect at the beginning of Fiscal Year 2022 on October 1, 2021, and expired on October 1, 2023.

(d) In July 2023, Councilmember Bonds introduced the Voluntary Agreement Abolition Amendment Act of 2023, which would eliminate voluntary agreements on a permanent basis. The Committee on Housing is currently considering this legislation and held a hearing on the measure on March 18, 2024.

(e) In September 2023, the Council unanimously passed legislation to extend the 2-year moratorium for one additional year to give the Council time to deliberate a permanent legislative solution that will support tenants and minimize harm to both

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tenants and landlords.

(f) The emergency measure is necessary to maintain the existing moratorium and extend it through the end of the Council Period to allow passage of a permanent measure.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Voluntary Agreement Moratorium Emergency Amendment Act of 2024 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.