

A BILL

22-25

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Rental Housing Act of 1985 to stabilize rents and help preserve the affordability of the District's rental housing stock by limiting rent increases when a rent control apartment is vacated to 10% of the rent charged.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may be cited as the "Vacancy Increase Reform Amendment Act of 2018".

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.13), is amended to read as follows:

~~(a) When a tenant vacates a rental unit on the tenant's own initiative or as a result of a notice to vacate for nonpayment of rent, violation of an obligation of the tenant's tenancy, or use of the rental unit for illegal purpose or purposes as determined by a court of competent jurisdiction, the housing provider may elect to increase the amount of rent charged by 10% of the current allowable amount of rent charged for the vacant unit, except that no increase under this section shall be permitted unless the housing accommodation has been registered under section 205(f).~~

“(a) When a tenant vacates a rental unit on the tenant's own initiative or as a result of a notice to vacate for nonpayment of rent, violation of an obligation of the tenant's tenancy, or use

of the rental unit for illegal purpose or purposes as determined by a court of competent jurisdiction, the housing provider may elect to increase the amount of rent charged by:

“(1) 10% of the current allowable amount of rent charged for the vacant unit, if the previous tenant occupied the unit for 10 years or less; or

“(2) 20% of the current allowable amount of rent charged for the vacant unit, if the previous tenant occupied the unit for more than 10 years.

“(a-1) No increase under this section shall be permitted unless the housing accommodation has been registered under section 205(f).

“(b) No rent increase under subsection (a) may be sought or granted within the 12-month period following the implementation of any rent increase pursuant to section 212.

“(c) As part of a lease agreement for a new tenancy, the housing provider shall disclose to the tenant on a form published by the Rent Administrator:

“(1) The rent charged for the rental unit at the commencement of the tenancy; and

“(2) The amount of the increases in the rent charged for the rental unit during the preceding 3 years, including the basis for each rent adjustment.

“(d) For the purposes of this section, “Rent charged” means the entire amount of money, money’s worth, benefit, bonus, or gratuity a tenant must actually pay to a housing provider as a condition of occupancy or use of a rental unit, its related services, and its related facilities, pursuant to the Rent Stabilization Program.”.

Sec. 3. Applicability.

(a) This Act shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.