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Councilmember Elissa Silverman



Councilmember Anita D. Bonds



Councilmember Mary M. Cheh

A BILL

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 the standard annual rent increase for most rent control units to the lesser of the Consumer Price Index (CPI-W) or 5% of the rent charged; and by limiting rent increases when a rent control apartment is vacated to 5% of the rent charged.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may be cited as the "Rental Housing Affordability Stabilization Amendment Act of 2017".

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) Section 103 (D.C. Official Code § 42-3501.03) is amended by adding a new paragraph (29A) to read as follows:

"(29A) "Rent charged" means the monthly rent a housing provider actually demands or receives from a tenant.

(b) Section 208(h) (D.C. Official Code § 42-3502.08(h)) is amended to read as follows:

"(h) Unless the adjustment in the amount of rent charged is implemented pursuant to

section 210, 211, 212, 214, or 215, an adjustment in the amount of rent charged shall not exceed the rent charged for the unit, plus the adjustment of general applicability taken as a percentage of the rent charged, the total adjustment not to exceed 5%; provided, that for a unit occupied by an elderly tenant or a tenant with a disability, the amount of any adjustment shall not exceed the least of the following:

(1) The adjustment of general applicability;

(2) The most recent annual cost-of-living adjustment of benefits for social security recipients established pursuant to section 415(i) of the Social Security Act, approved August 28, 1950 (64 Stat. 506; 42 U.S.C. § 415(i)) (CPI-W); or

(3) Five percent of the current rent charged.

(c) Section 213 (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 5% of the current allowable amount of rent charged for the vacant unit.

“(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:

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

“(b) 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.”.

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 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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.