


Councilmember Anita Bonds

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis due to congressional review, Chapter 39 of Title 28 of the District of Columbia Official Code to clarify that the Office of the Attorney General is authorized to petition the Superior Court to issue temporary or permanent injunctions against housing providers that violate certain consumer protection laws that protect tenants.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “At-Risk Tenant Protection Clarifying Congressional Review Emergency Amendment Act of 2017”.

Sec. 2. Chapter 39 of Title 28 of the District of Columbia Official Code is amended as follows:

(a) Section 28-3909 is amended as follows:

(1) Strike the phrase “Corporation Counsel” wherever it appears and insert the phrase “Office of the Attorney General” in its place.

(2) Subsection (c)(5) is amended by striking the phrase “Corporation’s Counsel’s” and inserting the phrase “Office of the Attorney General’s” in its place.

(3) A new subsection (d) is added to read as follows:

“(d) The Office of the Attorney General may apply the provisions and exercise the duties of this section to landlord-tenant relations.”.

(b) Section 28-3910(a) is amended by striking the phrase “Corporation Counsel” and inserting the phrase “Office of the Attorney General” in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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. 4. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



OFFICE OF THE GENERAL COUNSEL

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MEMORANDUM

TO: Councilmember Anita D. Bonds

FROM: Ellen A. Efros, General Counsel *EAE*

DATE: December 5, 2016

RE: Legal sufficiency determination for the At-Risk Tenant
Protection Clarification Emergency Amendment Act of
2016

The measure is legally and technically sufficient for Council consideration.

The emergency legislation would amend the consumer protection procedure provisions of Chapter 39 of Title 28 to clarify that the Office of the Attorney General is authorized to petition the Superior Court to issue temporary and permanent injunctions against housing providers that violate certain consumer protection laws that protect tenants.

I am available if you have any questions.

COUNCIL OF THE DISTRICT OF COLUMBIA
Office of the Budget Director

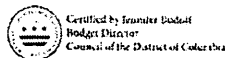


Jennifer Budoff
Budget Director

FISCAL IMPACT STATEMENT

TO: The Honorable Phil Mendelson, Chairman, Council of the District of Columbia

FROM: Jennifer Budoff, Budget Director



DATE: December 02, 2016

SHORT TITLE: The At-Risk Tenant Protection Clarifying Emergency Amendment Act of 2016

TYPE: Emergency

REQUESTING OFFICE: Councilmember Anita Bonds

Conclusion

This legislation will not have an adverse impact on the District's current budget and financial plan because there is no cost to the District associated with implementing this legislation.

Background

The At-Risk Tenant Protection Clarifying Emergency Amendment Act would authorize, but not require, the Attorney General to apply certain consumer protection procedures to landlord-tenant relations if it is in the public interest. Specifically, it would authorize the Attorney General to petition the Superior Court of the District of Columbia to issue a temporary or permanent injunction and recover restitution for loss or damages.

Analysis of Impact on Revenue

This legislation will not impact revenue.

Analysis of Impact on Spending

This legislation will not impact spending because it provides an authorization, not a mandate. If the Attorney General were to apply consumer protection procedures to landlord-tenant relations, he may need to reallocate resources within the budget and financial plan.