

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON HOUSING AND NEIGHBORHOOD REVITALIZATION
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

**COUNCILMEMBER ANITA BONDS, CHAIRPERSON
COMMITTEE ON HOUSING AND NEIGHBORHOOD REVITALIZATION**

ANNOUNCE A PUBLIC HEARING

on

Monday, November 9, 2020, 9:00 AM

**Virtual Hearing via WebEx
To Watch Live**

Broadcast on D.C. Cable Channel 13 or online at <https://dccouncil.us/council-videos/>

on

B23-0873 – “Rent Stabilization Program Reform and Expansion Amendment Act of 2020”

&

B23-0972 – “Hardship Petition Reform Amendment Act of 2020”

On Monday, November 9, 2020, Councilmember Anita Bonds, Chairperson of the Committee on Housing and Neighborhood Revitalization will hold a Public Hearing on B23-0873, the “Rent Stabilization Program Reform and expansion Amendment Act of 2020” and B23-0972 – “Hardship Petition Reform Amendment Act of 2020.” The hearing will be take place via WebEx.

B23-0873 would clarify the definitions of rent surcharge and various definitions associated with hardship, limit the exemption for newly-constructed rental units to those built in the prior 15 years, limit the exemption for small housing providers to those who own three or fewer rental units, amend references to rent adjustments and to rent surcharges, and eliminate any rent adjustment based on a rental unit vacancy. B23-0873 also clarifies that a proposed capital improvement must be depreciable under Internal Revenue Service standards, changes the formula for a hardship petition to ensure a housing provider recovers a minimum profit rate based on the current yield rate for 10-year U.S. Treasury notes, changes hardship rent adjustments to rent surcharges reviewable after a three-year period, caps hardship rent surcharges at 5% per year, and adds required qualifications for auditors of hardship petitions. B23-0873 eliminates any rent adjustments based on a voluntary agreement, changes substantial rehabilitation rent adjustments

to rent surcharges, clarifies that a proposed substantial rehabilitation must be depreciable under Internal Revenue Service standards, clarifies that the cost of a proposed substantial rehabilitation must be recoverable over the useful life of the proposed improvement under Internal Service standards, and clarifies the ability to enforce orders approving petitions or voluntary agreements through the petition process. Finally, B23-0873 requires that a housing provider seeking a rent surcharge or rent adjustment by petition must establish compliance with District housing regulations, requires that a housing provider seeking a rent surcharge or rent adjustment by petition to have established and maintained a replacement reserve account for at least 3 years, and requires a housing provider seeking rent surcharge or rent adjustment by petition to provide accounting and other records as part of the petition review process.

B23-0972 would amend the Rental Housing Act of 1985 to clarify various definitions associated with hardship petitions. B23-0972 would also reform the formula for a hardship petition, place caps on annual hardship petition increases at 5 percent, and authorize the Rental Housing Commission to determine annual guaranteed profit margin applicable to rent surcharges authorized by a hardship petition. B23-0972 also changes and implements the time in which the Rental Administrator has to review and issue a decision on a hardship petitions, establishes other deadlines and timeframes as it relates to hardship petitions, and places restrictions and further clarifications on hardship petitions. B23-0972 establishes requirements for the Office of Administrative Hearings in relation to hardship petitions and permits the Office of the Attorney General to intervene in proceedings involving petitions, among other things.

Persons who wish to testify are requested to either email the Committee at housing@dccouncil.us or telephone the Committee at (202)724-8198, at least two days before the hearing and provide their name, address, telephone number, email address, organizational affiliation and title. Each witness will receive an individual WebEx invitation for the hearing in a separate e-mail. Witnesses are encouraged to submit an electronic version of their testimony to housing@dccouncil.us. Oral testimony will be limited to 3 minutes.

All Councilmembers will receive an individual WebEx invitation for the hearing in a separate email. If a Councilmember does not have a separate link for each, please contact Sam Stephens at sstephens@dccouncil.us.

The hearing can also be viewed at www.dccouncil.us and www.entertainment.dc.gov.

Witnesses who anticipate needing language interpretation or require sign language interpretation are encouraged to inform the Committee of the need as soon as possible but no later than five business days before the proceeding. The Committee will make every effort to fulfill timely requests, however requests received in less than five business days may not be fulfilled and alternatives may be offered.

If someone is unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee on Housing and Neighborhood Revitalization, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite G6, Washington, D.C. 20004 or by email at housing@dccouncil.us. The record will close at 5:00 p.m. on Monday, November 23, 2020.