

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Coronavirus Support Temporary Amendment Act of 2021 to remove the public health emergency as the trigger for provisions of the act, to provide for a moratorium on utility disconnections for qualified customers, and to repeal provisions establishing accelerated review of grant budget modifications by the Council, to require certain improvements to the Stronger Together by Assisting You program; to amend Title 16 of the District of Columbia Official Code to allow housing providers to file eviction cases in Superior Court when the tenant's continuing presence is a threat to health and safety or when the tenant has willfully or wantonly caused significant damage to the property, to allow housing providers to file eviction cases in Superior Court for non-payment of rent on October 12, 2021 if 60 days have elapsed since the initiation or submission of an emergency rental assistance program application or the tenant is not eligible, provided, that an application is not pending or under appeal, to allow housing providers to file other eviction cases in Superior Court beginning January 1, 2022, and to require a summons be served 30 days in advance of an initial court hearing and a readable time stamp if the summons was served by posting; to amend section 501 of the Rental Housing Act of 1985 to provide for specific notice requirements for eviction cases involving nonpayment of rent and for cases with evictions authorized prior to March 11, 2020; and to repeal outdated provisions of other laws.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Emergency Extension and Eviction and Utility Moratorium Phasing Congressional Review Emergency Declaration Resolution of 2021."

45 Sec. 2. (a) The purpose of the underlying emergency measure is to update and phase out
46 certain provisions of the Coronavirus Support Temporary Amendment Act of 2021, effective
47 June 24, 2021 (D.C. Law 24-9; 68 DCR 4824).

48 (b) Bill 24-345, the “Public Emergency Extension and Eviction and Utility Moratorium
49 Phasing Emergency Amendment Act of 2021” was adopted by the Council on July 13, 2021
50 (D.C. Act 24-125) and expires on October 22, 2021. Bill 24-346, the “Public Emergency
51 Extension and Eviction and Utility Moratorium Phasing Temporary Amendment Act of 2021”
52 was adopted on second reading by the Council on August 3, 2021 (D.C. Act 24-168).

53 (c) However, the temporary act has not yet completed its 30-day congressional review
54 period, projected for November 2, 2021. A congressional review emergency act is necessary to
55 prevent a gap in the law.

56 (d) Additionally, provisions of law contained in the underlying act have since been
57 further amended by Bill 24-376, the “Foreclosure Moratorium Extension, Scheduled Eviction
58 Assistance, and Public Emergency Extension Emergency Amendment Act of 2021” (D.C. Act
59 24-178) and Bill 24-384, the “Post-Public Health Emergency Protections Extension Emergency
60 Amendment Act of 2021” (pending Mayoral action) both adopted by the Council at the October
61 5, 2021 legislative meeting. The proposed congressional review emergency act incorporates
62 those changes.

63 Sec. 3. The Council of the District of Columbia determines that the circumstances in
64 section 2 constitute emergency circumstances, making it necessary that the Public Emergency
65 Extension and Eviction and Utility Moratorium Phasing Congressional Review Emergency
66 Amendment Act of 2021 be adopted after a single reading.

67 Sec. 4. This resolution shall take effect immediately.