

6 A PROPOSED RESOLUTION
7

8 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
9

10 To declare the existence of an emergency with respect to the need to continue existing
11 requirements for providers of commercial or residential rental property to offer a rent
12 payment plan for eligible tenants.

13 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
14 resolution may be cited as the “Tenant Payment Plan Phasing Emergency Declaration Resolution
15 of 2022”.

16 Sec. 2. (a) During the COVID-19 pandemic, the Council created protections and
17 procedural changes to address the widespread ramifications of the public health emergency and
18 its aftermath. As vaccination and testing have become more available, the District removed the
19 initial COVID-19 public health emergency in July 2021 and has loosened many of the temporary
20 measures that affected earnings for certain businesses and residents. Therefore most of the new
21 or amended laws related to COVID-19 are being phased out. The Coronavirus Support
22 Temporary Amendment Act of 2021, which contains the majority of these measures, will expire
23 on February 4, 2022.

24 (b) For commercial and residential tenants, one provision in the Coronavirus Support
25 Temporary Amendment Act of 2021 promises that their rental provider shall offer a rent
26 payment plan for eligible tenants throughout the pandemic and for one year thereafter. However,

27 the act that includes this provision will expire in February—several months before the one year
28 period following the public health emergency has concluded.

29 (c) Both residential and commercial tenants have every reason to believe this law will be
30 in place for the period of time that the Council indicated. They further may still owe rents or
31 other amounts under their leases that have not yet been paid or addressed through a payment
32 plan.

33 (d) Residential tenants who applied for emergency rental assistance through STAY DC
34 are still getting communication about applications in progress and re-reviews that have taken an
35 extended period of time. Often these applications are for one to three months' rent. If these
36 applications are denied or not paid in full, the tenants may need a rent payment plan to come up
37 to date with the remainder of their unpaid rent.

38 (e) Commercial tenants may also need this additional time, either because they are facing
39 a steep rent increase as commercial leases' rent escalation tables are chargeable again or because
40 they are waiting for assistance from the delayed business grant program.

41 (f) Providing the amount of time for tenant payment plans that residential and
42 commercial tenants and property owners expect upholds the promised timeline contained within
43 the existing law and prevents an early and abrupt change in rental providers' responsibilities or
44 tenants' rights.

45 Sec 3. The Council of the District of Columbia determines that the circumstances
46 enumerated in section 2 constitute emergency circumstances making it necessary that the Tenant
47 Payment Plan Phasing Emergency Act of 2022 be adopted after a single reading.

48 Sec 4. This resolution shall take effect immediately.