

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to the Rental Housing Act of 1985 to clarify that no lawful rent increase notice issued, nor a lawful rent increase implemented, between January 1, 2022 and February 28, 2022 shall be deemed null and void.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Rent Increase Notice Clarification Emergency Declaration Resolution of 2022”.

Sec. 2. (a) On July 13, 2021, the Council approved Act 24-125, the Public Emergency Extension and Eviction and Utility Moratorium Phasing Emergency Amendment Act of 2021 (68 DCR 7342), to phase out the eviction moratorium and other protections related to COVID-19 in the Coronavirus Support Temporary Amendment Act of 2021 (D.C. Law 24-9; 68 DCR 4824).

(b) Act 24-125 amended new subsection (c) of Section 405(7) of the Coronavirus Support Temporary Amendment Act to allow housing providers to issue rent increase notices beginning January 1, 2022. However, the Act neglected to amend or strike new (d), despite the Council’s intent to allow notices to be issued beginning January 1, 2022.

(c) Due to this error and the Mayor’s declaration of a “limited public health emergency” on January 11, 2022, rent increase notices issued to tenants between January 1, 2022 and

February 28, 2022 are being legally challenged and could be rendered null and void. To ensure that housing providers are not forced to issue new notices due to a legislative drafting error, this emergency amends the Rental Housing Act of 1985 to ensure that lawfully issued notices and lawfully implemented rent increases are not considered null and void.

Sec. 3. The Council of the District of Columbia determines that the circumstances in section 2 constitute emergency circumstances, making it necessary that the Medical Marijuana Patient Access Supplemental Extension and Civil Enforcement Emergency Amendment Act of 2022 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.