



Councilmember Anita Bonds

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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Rental Housing Act of 1985, to clarify the effective dates of notice requirements for evictions in non-payment of rent cases established by the Eviction Record Sealing and Fairness in Renting Amendment Act of 2022.

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

Sec. 2. (a) On March 1, 2022, the Council passed the Eviction Record Sealing and Fairness in Renting Amendment Act of 2022, which requires that housing providers give tenants at least 30-day notice prior to filing for eviction due to non-payment of rent.

(b) This permanent legislation followed several emergency/temporary acts which provided tenants with additional protections in response to the Coronavirus public health emergency and subsequent economic crisis. A24-0226, The Fairness in Renting Temporary Amendment Act of 2021, passed by the Council on November 2, 2021, requires that housing providers give tenants at least 30-day notice prior to filing for eviction under any circumstance. Other emergency/temporary acts require a 60-day notice prior to filing for eviction due to non-payment of rent, in order to give tenants adequate opportunity to apply for emergency rental

33 assistance/relief programs. This series of temporary acts will expire on October 7, 2022.

34 (c) The overlapping and sometimes contradicting notice requirements have made it
35 difficult for the Superior Court to adjudicate eviction cases, particularly because of the lack of
36 clarity as to the effective dates of the Eviction Record Sealing and Fairness in Renting
37 Amendment Act of 2022, with respect to the additional requirements imposed by temporary
38 legislation.

39 (d) The Council must immediately act to clarify the effective dates of each notice
40 requirement, so that the Courts have proper guidance to adjudicate eviction cases.

41 Sec. 3. The Council of the District of Columbia determines that the circumstances
42 enumerated in section 2 constitute emergency circumstances making it necessary that the
43 Notice Requirements for Evictions for Nonpayment of Rent Clarification Emergency
44 Amendment Act of 2022 be adopted after a single reading.

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