

1 A BILL
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7 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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11 To amend, on an emergency basis, the District of Columbia Housing Authority Act of 1999 to
12 require the D.C. Housing Authority to report certain financial and operating information,
13 revise the training requirements for commissioners, and establish training requirements
14 for the executive director; and to amend chapter 39 of Title 28 of the D.C. Official Code
15 to confirm the applicability of landlord-tenant consumer protections to the D.C. Housing
16 Authority.

17 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
18 act may be cited as the “Housing Authority Accountability Emergency Amendment Act of
19 2022”.

20 Sec. 2. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000
21 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

22 (a) Section 3 (D.C. Official Code § 6-202) is amended by adding a new subsection (b-1)
23 to read as follows:

24 “(b-1)(1) No later than December 1, 2022, the Authority shall submit a report to the
25 Mayor, Attorney General, and each Councilmember that details:

26 “(A) The sum of all requested repayment amounts HUD has requested;

27 “(B) The sources of the funds the Authority intends to use in making such
28 repayments;

29 “(C) The total amount of security deposit interest owed to residents who
30 have moved out of Housing Properties in the three years preceding December 1, 2022;

31 “(D) The total amount of overcharging and undercharging rent and
32 housing assistance payments identified through HUD’s required review of tenant files and the
33 percent of tenant files reviewed or corrected;

34 “(E) A date certain by which the Authority will deliver a protocol for
35 assessing properties for rent reasonableness, as required by the HUD rules.

36 “(2) Beginning on December 1, 2022, and monthly thereafter, the Authority shall
37 submit a report to the Mayor, Attorney General, and each Councilmember that details:

38 “(A) The amount of operating reserves, expressed in dollars and in months
39 of expenses, for the public housing program, Housing Choice Voucher program, and the
40 Authority’s operations overall;

41 “(B) The number of vacant public housing units classified by repair status,
42 such as move-in ready, repairs in progress, and offline due to major repair needs;

43 “(C) The average length of time that public housing units have been
44 vacant in the prior year, by repair status; and

45 “(D) A detailed accounting of expenses paid for with District funds in the
46 prior month and the expenses budgeted for payment with District funds in the remainder of the
47 fiscal year.

48 “(3) In lieu of a monthly report, the Authority may provide the Mayor, Attorney
49 General, and each Councilmember with access to an online database through which the above
50 reports can be generated.

51 “(4) If HUD designates the Authority as a Standard Performer or High Performer
52 in HUD’s Public Housing Assessment System or if the Authority demonstrates that the lack of
53 such a designation is solely due to the presence of HUD’s Moving to Work agreement with the
54 Authority, the requirements of paragraph (2) of this subsection shall be waived for 12 months
55 from the date such designation was received from HUD or documented by the Authority.”.

56 (b) Section 12 (D.C. Official Code § 6-211) is amended as follows:

57 (1) Subsection (h) is amended to read as follows:

58 “(h)(1) Within 30 days after his or her appointment and on an annual basis thereafter,
59 each Commissioner shall complete training offered by or in connection with HUD covering the
60 following topics:

61 “(A) The role of a public housing agency Board;

62 “(B) Ethics for public housing agencies and Board members or
63 Commissioners;

64 “(C) Background on major housing authority programs, including but not
65 limited to public housing, housing choice voucher program, and the rental assistance
66 demonstration;

67 “(D) Fair housing and reasonable accommodations;

68 “(E) Public housing authority budgets, financial oversight, and financial
69 reporting; and

70 “(F) Federal procurement requirements.

71 “(2) Within 60 days after a Commissioner’s appointment and on an annual basis
72 thereafter, each Commissioner shall complete training offered by or in connection with HUD
73 covering the following topics:

74 “(A) Public housing authority performance monitoring and risk
75 management;
76 “(B) HUD reporting requirements;
77 “(C) Public housing asset management, development, redevelopment,
78 disposition, and repositioning;
79 “(D) Objectives and requirements of HUD’s Moving to Work program;
80 and
81 “(E) Resident opportunity, including HUD’s Section 3 requirements for
82 economic and employment opportunities.

83 “(3) In addition to the training required in paragraphs (1) and (2) of this
84 subsection, each Commissioner shall spend at least 4 hours per quarter in training or educational
85 seminars on corporate governance, public housing law and regulations, federal or local language
86 access guidelines, labor and personnel, real estate and construction, or other subjects related to
87 public housing development, operation, and management, the maximum reimbursable cost of
88 which shall be established by the Board and paid by the Authority.

89 “(4) Any Commissioner appointed or re-appointed prior to October 15, 2022 shall
90 complete the trainings required in paragraph (1) of this subsection within 30 days of the effective
91 date of the Housing Authority Accountability Emergency Amendment Act of 2022, passed on
92 emergency basis on October 18, 2022 (Bill 24-___) (“Accountability Act”), and the trainings
93 required in paragraph (2) of this subsection within 60 days of the effective date of the
94 Accountability Act.

95 “(5) The Board shall monitor Commissioners’ compliance with the training
96 requirements of this subsection and provide a Commissioner a warning notice if the
97 Commissioner is out of compliance with such requirements.

98 “(6) If a Commissioner has not completed the training requirements within 15
99 days after the conclusion of the timeline specified in the applicable paragraph in this subsection,
100 he or she shall be suspended from the Board until he or she is in compliance.”.

101 (c) Section 14 (D.C. Official Code § 6-213) is amended by adding a new subsection (d)
102 to read as follows:

103 “(d)(1) Within 30 days of his or her appointment and on an annual basis thereafter, the
104 Executive Director shall complete training offered by or in connection with HUD covering the
105 following topics:

106 “(A) Background on major housing authority programs, including but not
107 limited to public housing, housing choice voucher program, and the rental assistance
108 demonstration;

109 “(B) Ethics for public housing agencies;

110 “(C) Fair housing and reasonable accommodations;

111 “(D) Housing authority budgets and financial reporting;

112 “(E) Federal procurement requirements;

113 “(F) Housing authority performance monitoring and risk management;

114 “(G) HUD reporting requirements;

115 “(H) Public housing asset management, development, redevelopment,
116 disposition, and repositioning;

117 “(I) Objectives and requirements of HUD’s Moving to Work program;

118 and

119 “(J) Resident opportunity, including HUD’s Section 3 requirements for
120 economic and employment opportunities.

121 “(2) In addition to the training in paragraph (1) of this subsection, the Executive
122 Director shall complete other trainings that the Board requires, such as labor and personnel
123 management, language access, public housing law and regulations, real estate and construction,
124 or other subjects related to public housing development, operation, and management.

125 “(3) An Executive Director appointed or re-appointed prior to October 15, 2022
126 shall complete the trainings required in paragraph (1) within 30 days of the effective date of the
127 Housing Authority Accountability Emergency Amendment Act of 2022, passed on emergency
128 basis on October 18, 2022 (Bill 24-____).”.

129 Sec. 3. D.C. Official Code § 28-3901 is amended by adding a new subsection (e) to read
130 as follows:

131 “(e) Notwithstanding any other provision of this act, this act’s application to landlord-
132 tenant relations shall include the District of Columbia Housing Authority’s activities as a
133 landlord; provided, that this subsection shall not be construed to apply this chapter to the District
134 of Columbia or any agency thereof.”.

135 Sec. 4. Applicability.

136 Section 3 shall apply as of February 29, 2019.

137 Sec. 5. Fiscal impact statement.

138 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
139 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
140 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

141 Sec. 6. Effective date.

142 This act shall take effect following approval by the Mayor (or, in the event of veto by the
143 Mayor, action by the Council to override the veto) and shall remain in effect for no longer than
144 90 days, as provided for emergency acts of the Council of the District of Columbia in section
145 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
146 D.C. Official Code § 1-204.12(a)).