

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to congressional review, the District of Columbia Housing Authority Act of 1999 to require the District of Columbia Housing Authority to report certain financial and operating information, revise the training requirements for commissioners, and establish training requirements for the executive director; and to amend chapter 39 of Title 28 of the District of Columbia Official Code to confirm the applicability of landlord-tenant consumer protections to the District of Columbia Housing Authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this Act may be cited as the “Housing Authority Accountability Congressional Review Emergency Amendment Act of 2023”.

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

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

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

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

“(B) The sources of the funds the Authority intends to use in making the repayments referenced in subparagraph (A) of this paragraph;

33 “(C) The total amount of security deposit interest owed to residents who
34 have moved out of Housing Properties in the 3 years preceding December 1, 2022;

35 “(D) The total amount of overcharging and undercharging rent and
36 housing assistance payments identified through HUD’s required review of tenant files and the
37 percentage of tenant files reviewed or corrected; and

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

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

42 “(i) The amount of operating reserves, expressed in dollars and in
43 months of expenses, for its public housing program, Housing Choice Voucher Program, and the
44 Authority’s operations overall;

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

47 “(iii) The average length of time that Public-Housing-Assisted
48 Units have been vacant in the prior year, by repair status; and

49 “(iv) A detailed accounting of expenses paid for with District funds
50 in the prior month and the expenses budgeted for payment with District funds in the remainder of
51 the fiscal year.

52 “(B) In lieu of the monthly reports required by subparagraph (A) of this
53 paragraph (“reports”), the Authority may provide the Mayor, Attorney General, and each
54 Councilmember with access to an online database through which the reports can be generated.

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

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

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

62 “(h)(1) Within 60 days after a Commissioner's appointment and on an annual basis
63 thereafter, each Commissioner shall complete training offered by or in connection with HUD
64 covering the following topics:

65 “(A) The role of a public housing agency board;

66 “(B) Ethics for public housing agencies and board members or
67 commissioners;

68 “(C) Background on major housing authority programs, including public
69 housing, the Housing Choice Voucher Program, and the rental assistance demonstration;

70 “(D) Fair housing and reasonable accommodations;

71 “(E) Public housing authority budgets, financial oversight, and financial
72 reporting; and

73 “(F) Federal procurement requirements.

74 “(2) Within 90 days after a Commissioner’s appointment and on an annual basis
75 thereafter, each Commissioner shall complete training offered by or in connection with HUD
76 covering the following topics:

77 “(A) Public housing authority performance monitoring and risk
78 management;

79 “(B) HUD reporting requirements;

80 “(C) Public housing asset management, development, redevelopment,
81 disposition, and repositioning;

82 “(D) Objectives and requirements of HUD’s Moving to Work program;
83 and

84 “(E) Resident opportunity, including HUD’s Section 3 requirements for
85 economic and employment opportunities.

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

92 “(4) A Commissioner appointed or re-appointed before October 15, 2022, shall
93 complete training on federal procurement requirements within 30 days after the effective date of
94 the Housing Authority Accountability Emergency Amendment Act of 2022, passed on
95 emergency basis on October 18, 2022 (D.C. Act 24-629; 69 DCR 14026) (“Accountability Act”),
96 the remainder of the trainings required in paragraph (1) of this subsection within 60 days after
97 the effective date of the Accountability Act, and the trainings required in paragraph (2) of this
98 subsection within 90 days after the effective date of the Accountability Act.

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

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

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

107 “(d)(1) Within 30 days after the Executive Director's appointment and on an annual basis
108 thereafter, the Executive Director shall complete training offered by or in connection with HUD
109 covering the following topics:

110 “(A) Background on major housing authority programs, including public
111 housing, the Housing Choice Voucher Program, and the rental assistance demonstration;

112 “(B) Ethics for public housing agencies;

113 “(C) Fair housing and reasonable accommodations;

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

115 “(E) Federal procurement requirements;

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

117 “(G) HUD reporting requirements;

118 “(H) Public housing asset management, development, redevelopment,
119 disposition, and repositioning;

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

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

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

127 “(3) An Executive Director appointed or re-appointed before October 15, 2022,
128 shall complete the trainings required in paragraph (1) within 30 days after the effective date of
129 the Housing Authority Accountability Emergency Amendment Act of 2022, passed on
130 emergency basis on October 18, 2022 (D.C. Act 24-629; 69 DCR 14026).”.

131 Sec. 3. Section 28-3901 of the District of Columbia Official Code is amended by adding
132 a new subsection (e) to read as follows:

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

137 Sec. 4. Applicability.

138 (a) Section 2 shall apply as of February 1, 2023.

139 (b) Section 3 shall apply as of December 19, 2016.

140 Sec. 5. Fiscal impact statement.

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

144 Sec. 6. Effective date.

145 This act shall take effect following approval by the Mayor (or, in the event of veto by the
146 Mayor, action by the Council to override the veto) and shall remain in effect for no longer than
147 90 days, as provided for emergency acts of the Council of the District of Columbia in section
148 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
149 D.C. Official Code § 1-204.12(a)).