

# COMMITTEE ON HOUSING

ROBERT C. WHITE, JR., CHAIR  
COUNCIL OF THE DISTRICT OF COLUMBIA

## MEMORANDUM

**TO:** Chairman Phil Mendelson  
**FROM:** Councilmember Robert C. White, Jr.  
Chair, Committee on Housing  
**DATE:** March 2, 2023  
**RE:** Requests for March 7, 2023



I request that the following legislation be placed on the agenda for the legislative meeting on March 7, 2023:

### Emergency and Temporary Legislation

- **Reverse Mortgage Insurance and Tax Payment Program Extension Emergency Declaration Resolution of 2023**
- **Reverse Mortgage Insurance and Tax Payment Program Extension Emergency Amendment Act of 2023**
- **Reverse Mortgage Insurance and Tax Payment Program Extension Temporary Amendment Act of 2023**

The District of Columbia Housing Finance Agency's ("DCHFA") Reverse Mortgage Insurance and Tax Payment Program ("ReMIT") was designed to allow qualified senior homeowners to receive financial assistance for property taxes, property insurance debts and certain property related expenses that have put the homeowner at risk of foreclosure on a reverse mortgage.

Under this program, qualified homeowners can receive assistance in the form of a zero-interest loan. The program was initiated as an 18-month pilot program in the Reverse Mortgage Foreclosure Prevention Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168; D.C. Official Code § 42-2703.07a) and funded with \$500,000 in Fiscal Year 2019. The pilot program was expected to expire on October 27, 2021, but was extended Council action. The most recent temporary legislation would expire on April 9, 2023.

The ReMIT pilot program successfully assisted 31 District senior households with avoiding displacement, allowing the seniors to stay in their longtime residences. As of August 2022, the program had more than \$200,000 in funding remaining from the initial \$500,000 appropriation.

The Reverse Mortgage Insurance and Tax Payment Program Extension Emergency Amendment Act of 2023 will give DCHFA authorization to access any remaining funds left from the initial \$500,000 appropriation to continue the program while the Council considers permanent legislation.

Reinstating the ReMIT pilot program is important to ensure that eligible seniors can receive the assistance they need to remain in their homes.

- **Certificate of Assurance Moratorium Extension Emergency Declaration Resolution**

**of 2023**

- **Certificate of Assurance Moratorium Extension Emergency Amendment Act of 2023**
- **Certificate of Assurance Moratorium Extension Temporary Amendment Act of 2023**

Section 221 of the Rental Housing Act of 1985 (D.C. Code § 42-3502.21) purports to allow owners of housing accommodations to apply for certificates of assurance from the Mayor, which would provide that in the event their properties become subject to any rent stabilization, the owners would recover in the form of a District real estate tax credit the difference between the annual fair market rents and the annual amount of stabilized rents the owners receive from the tenants in the housing accommodations. Because the certificate of assurance entitlement lasts for as long as the properties remain housing accommodations, the entitlement might create a potentially prohibitive fiscal impact on rent stabilization. Due to implementation concerns, the program has never gone fully into effect.

On September 22, 2020, the Council passed the Certificate of Assurance Moratorium Emergency Amendment Act of 2020 (Bill 23-0900) placed an emergency moratorium on applications for, and the Mayor's issuance of, certificates of assurance to owners of housing accommodations. On June 29, 2021, the Council passed the Certificate of Assurance Moratorium Extension Emergency Amendment Act of 2021 (Bill 24-0314) and the Certificate of Assurance Moratorium Extension Temporary Amendment Act of 2021 (Bill 24-0315) to extend the moratorium. On May 3, 2022, the Council passed the Certificate of Assurance Moratorium Extension Emergency Amendment Act of 2022 (Bill 24-0772) and the Certificate of Assurance Moratorium Extension Temporary Amendment Act of 2022 (Bill 24-0773) to again extend the moratorium.

This emergency and temporary legislation are necessary to maintain the status quo while the Committee evaluates a potential permanent repeal of this provision.

### **Contract Legislation at the Request of the Housing Authority**

- **PR25-0065, Local Rent Supplement Program Contract No. 2019-LRSP-020A Approval Resolution of 2023**

As part of the Northwest One redevelopment project in NoMa/Sursum Corda, the Department of Housing and Community Development (DHCD) has selected NW One Phase 2 Owner, LLC (a joint venture of MRP Realty and Audobon Enterprises) as the developer of a proposed new construction called Northwest One Apartments (Phase II), to be located at 33 K Street NW. The project plan involves a 6-floor apartment building consisting of 83 units affordable for households making 30% or less of the median family income (MFI) and 129 units affordable for households making between 30% and 60% MFI. Affordability would be supported through the Local Rent Supplement Program (LRSP) administered by the DC Housing Authority (DCHA).

The proposed Agreement to Enter into Long Term Subsidy Contract (ALTSC) between DCHA and the developer, which is available in the Council's Legislative Information Management System (LIMS) as CA25-28, contemplates DCHA paying the developer monthly Housing Assistance Payments in exchange for its operation of the 83 affordable units for households making 0-30% MFI. The contract term is 15 years and the initial annual value of the subsidy is

\$2,927,088.

DC Official Code § 1-204.51(c)(3) requires affirmative Council approval for multiyear contracts. PR25-65 would approve this contract. The Committee is requesting this contract be agendized while the agency prepares responses to several outstanding questions on the project.

- **PR25-0078, Local Rent Supplement Program Contract No. 2020-LRSP-20A Approval Resolution of 2023**

The Worthington Woods Apartments are an affordable housing community in Congress Heights, consisting of 49 garden-style apartment buildings dating back to 1944. The complex received a renovation in 2001-02. Montgomery Housing Partnership seeks to undertake a renovation involving the construction of a new clubhouse, renovation of units, conversion of some 1-bedroom units to 2-bedroom, and installation of solar energy systems. Through a solicitation process headed by DHCD, the District government is seeking to support this renovation project. Specifically, DCHA seeks to contribute an LRSP subsidy of \$604,584 per year to preserve affordable housing at Worthington Woods for 15 years. The proposed ALTSC for this project is available in LIMS as CA25-29. PR25-78 would approve the ALTSC pursuant to §1-204.51(c)(3).

Please contact Committee Director Shawn Hilgendorf with any questions, at [shilgendorf@dccouncil.gov](mailto:shilgendorf@dccouncil.gov) or 202-724-8077.