

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 30, 2023
RE: Requests for April 4, 2023



I request that the following legislation be placed on the agenda for the regular legislative meeting of the Council on April 4, 2023:

Emergency and Temporary Legislation

- **PR25-0146, the “Migrant Services Eligibility Emergency Declaration Resolution of 2023”**
- **B25-0197, the “Migrant Services Eligibility Clarification Emergency Amendment Act of 2023”**
- **B25-0198, the “Migrant Services Eligibility Clarification Temporary Amendment Act of 2023”**

This emergency legislation addresses gaps and needed clarity in programs offered by the Office of Migrant Services. Specifically, the legislation provides clarity around programs offered by the Office of Migrant Services in three ways.

First, the legislation sets expectations of services to be offered by the Office of Migrant Services that include baby supplies and formula, prioritization for non-congregate shelter for families with minor children, and relocation services. Second, the legislation would require the Mayor to publish eligibility requirements for migrant services through rules that ensure basic procedural protections. Third, the legislation addresses apparent drafting errors within amendments to the Homeless Services Reform Act that resulted in unanticipated impacts on resident access to services.

Emergency legislation is necessary to ensure clarity in the program eligibility requirements and avoid unanticipated negative impacts on resident services while the Council develops permanent legislation.

Since this legislation was filed in advance of a potential additional legislative meeting on March 21st, the Committee has worked with the Department of Human Services and the Council Budget Office to identify needed amendments to ease implementation and to address fiscal impact concerns. As a result, the Committee intends to move an amendment in the nature of a substitute to the legislation, to be circulated on Monday, to reflect those changes.

- **Inflation Mitigation for Rent Stabilized Housing Emergency Declaration Resolution of 2023**
- **Inflation Mitigation for Rent Stabilized Housing Emergency Amendment Act of 2023**
- **Inflation Mitigation for Rent Stabilized Housing Temporary Amendment Act of 2023**

Under the Rental Housing Act of 1985, annual rent increases for units in certain older buildings are limited to inflation as measured by the Consumer Price Index (CPI) plus an additional 2%. This year, the effect of this law is that most rent stabilized tenants face an 8.9% rent increase, the highest in the history of the District's rent stabilization program. The Committee on Housing has heard serious concerns from a range of residents, advocates, and housing policy experts that this increase will contribute to significant hardship for many of the 90,000 District residents who live in rent stabilized units and may lead to displacement of lower-income residents.

Committee members and staff have been working diligently and speaking with advocates for landlords and tenants, experts inside and outside government, and our advisors in the Council Office of the General Counsel and Office of the Budget Director to craft an intervention that can minimize harms across the housing system and that satisfies Home Rule Act and Council rule requirements for emergency legislation, including as it relates to fiscal impact. Among the many options that the Committee is evaluating, notable possibilities include a cap at CPI (without the 2% buffer allowed in current law), deeper caps on rent increases, a temporary reduction of rent increases for those rent stabilized units occupied by lower-income households, or a government rent subsidy paid in the form of a tax deduction. The Committee greatly appreciates those who have shared their concerns and suggestions.

The emergency and temporary legislation as drafted proposes to reduce the allowable increase to the CPI, rather than the existing CPI + 2%. This version of the legislation is being circulated while discussions continue and the Committee works with the relevant offices to ensure a clean fiscal impact and legal sufficiency.