

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the District of Columbia Housing Authority Act of 1999 to allow applicants for local rent supplement vouchers to self-certify eligibility factors and to prohibit the District of Columbia Housing Authority from inquiring into an applicant’s immigration status, prior criminal arrests or convictions, or pending criminal matters.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Local Rent Supplement Program Eligibility 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 26a(c) (D.C. Official Code § 6-226(c)) is amended to read as follows:

“(c)(1) Except as prescribed in paragraphs (2), (3), and (4) of this subsection, the Authority shall apply its existing Partnership Program and Housing Choice Voucher Program rules to govern eligibility, admission, and continuing occupancy by tenants in units receiving tenant-based, sponsor-based, or project-based voucher assistance under this section, section 26b, section 26c, and section 26d.

“(2) The Authority shall neither inquire about nor consider for the purposes of eligibility, admission, or continued occupancy any information about citizenship, immigration status, prior criminal arrests or convictions, or pending criminal matters.

33 “(3) Rules governing eligibility, admission, and continuing occupancy by tenants
34 in units receiving tenant-based, sponsor-based, or project-based voucher assistance under this
35 section, section 26b, section 26c, or section 26d shall not be inconsistent with this section,
36 section 26b, section 26c, or section 26d.

37 “(4)(A) The Authority shall allow applicants or participants to self-certify any
38 required eligibility, admission, or continued occupancy factors when an applicant cannot easily
39 obtain verification documentation.

40 “(B) Self-certification by the applicant at the time of initial eligibility shall
41 be final and remain sufficient for purposes of continued occupancy recertifications.

42 “(5) The Authority shall promulgate such additional rules as are necessary to
43 ensure that eligibility for tenancy in the units supported by grants under this section is limited to
44 households with gross income at or below 30% of the area median income.”.

45 (b) Section 26b(c) (D.C. Official Code § 6-227(c)) is amended to read as follows:

46 “(c)(1) Except as prescribed in paragraphs (2), (3), and (4) of this subsection, the
47 Authority shall apply its existing Partnership Program and Housing Choice Voucher Program
48 rules to govern eligibility, admission, and continuing occupancy by tenants in units receiving
49 sponsor-based or project-based voucher assistance under this section, section 26a, and section
50 26d.

51 “(2) The Authority shall not inquire about nor consider for the purposes of
52 eligibility, admission, or continued occupancy any information about citizenship, immigration
53 status, prior criminal arrests or convictions, or pending criminal matters.

54 “(3) Rules governing eligibility, admission, and continuing occupancy by tenants
55 in units receiving sponsor-based or project-based voucher assistance under this section, section
56 26a, or section 26d shall not be inconsistent with this section, section 26a, or section 26d.

57 “(4)(A) The Authority shall allow applicants or participants to self-certify any
58 required eligibility, admission, or continued occupancy factors when an applicant cannot easily
59 obtain verification documentation.

60 “(B) Self-certification by the applicant at the time of initial eligibility shall
61 be final and remain sufficient for purposes of continued occupancy recertifications.

62 “(5) The Authority shall promulgate such additional rules as are necessary to
63 ensure that eligibility for tenancy in the units supported by grants under this section is limited to
64 households with gross income at or below 30% of the area median income.”.

65 (c) Section 26c(a) (D.C. Official Code § 6-228(a)) is amended to read as follows:

66 “(a)(1) The funds allocated for tenant-based assistance shall be administered through the
67 Authority’s Housing Choice Voucher Program.

68 “(2) Except as provided in paragraphs (3), (4), and (5) of this section, tenant-
69 based assistance provided through the Rent Supplement Program shall be subject to the
70 Authority’s existing rules, regulations, policies, and procedures for the Housing Choice Voucher
71 Program;

72 “(3) The Authority shall not inquire about nor consider for the purposes of
73 eligibility, admission, or continued occupancy any information about immigration status, prior
74 criminal arrests or convictions, or pending criminal matters.

75 “(4) Rules governing eligibility, admission, and continuing occupancy by tenants
76 in units receiving tenant-based voucher assistance under this section shall not be inconsistent
77 with this section or section 26a.

78 “(5)(A) The Authority shall allow applicants or participants to self-certify any
79 required eligibility, admission, or continued occupancy factors when an applicant cannot easily
80 obtain verification documentation.

81 “(B) Self-certification by the applicant at the time of initial eligibility shall
82 be final and remain sufficient for purposes of continued occupancy recertifications.

83 “(6) Existing rules, regulations, policies, and procedures affecting the Rent
84 Supplement Program shall be submitted to the Council for Council review.”.

85 Sec. 3. Fiscal impact statement.

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

89 Sec. 4. Effective date.

90 This act shall take effect following approval by the Mayor (or in the event of veto by the
91 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
92 90 days, as provided for emergency acts of the Council of the District of Columbia in section
93 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
94 D.C. Official Code § 1-204.12(a)).