

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Rental Housing Act of 1985 to maintain a moratorium on voluntary agreements.

RESOLVED, BY THE COUNCIL DISTRICT OF COLUMBIA, That this resolution may be cited as the “Voluntary Agreement Moratorium Emergency Declaration Resolution of 2023”.

Sec. 2. (a) Section 215 of the Rental Housing Act of 1985 (D.C. Code § 42-3502.21) allows housing providers to enter into an agreement with 70% or more of the tenants in a housing accommodation to establish the rent charged, to make changes to services and facilities, and to provide for capital improvements. These agreements are called voluntary agreements and must be filed with the Rent Administrator.

(b) In September 2020, the former Committee on Housing and Neighborhood Revitalization held a hearing to contemplate Bill 23-878, the “Voluntary Agreement Moratorium Amendment Act of 2020,” which would impose a 2-year moratorium on voluntary agreements. According to the Committee Report, a majority of public witnesses, then-Director of the Department of Housing and Community Development Polly Donaldson, and Chief Tenant Advocate Johanna Shreve testified in support of the moratorium; many expressed that the legislation should go further and eliminate

28 voluntary agreements altogether. A few testimonies stated the importance of voluntary  
29 agreements to small landlords, though most focused on the negative impact voluntary  
30 agreements have had on tenants' rights and the affordable housing stock.

31 (c) In December 2020, the Council unanimously passed the 2-year moratorium.  
32 Because the measure was subject to appropriations, the moratorium ultimately took effect  
33 at the beginning of Fiscal Year 2022 on October 1, 2021.

34 (d) In July 2023, Councilmember Bonds introduced legislation that would  
35 eliminate voluntary agreements on a permanent basis. The Council has not yet held a  
36 hearing on this new legislation.

37 (e) The existing 2-year moratorium expires on October 1, 2023.

38 (f) This emergency measure is necessary to extend the moratorium for one year,  
39 which will give the Council time, while maintaining the continuity of the current law, to  
40 deliberate a permanent legislative solution that will support tenants and minimize harm to  
41 both tenants and landlords.

42 Sec. 3. The Council of the District of Columbia determines that the circumstances  
43 enumerated in section 2 constitute emergency circumstances making it necessary that the  
44 Voluntary Agreement Moratorium Emergency Amendment Act of 2023 be adopted after a  
45 single reading.

46 Sec. 4. This resolution shall take effect immediately.