

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Rental Housing Act of 1985 to enact a moratorium on applications for, and the Mayor’s issuance of, certificates of assurance associated with District rent stabilization laws.

RESOLVED, BY THE COUNCIL DISTRICT OF COLUMBIA, That this resolution may be cited as the “Certificate of Assurance Moratorium Second Extension Congressional Review Emergency Declaration Resolution of 2024”.

Sec. 2. (a) Section 221 of the Rental Housing Act of 1985 (D.C. Code § 42-3502.21) allows 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.

(b) Because the certificate of assurance entitlement lasts for as long as the properties remain housing accommodations, the entitlement may create a potentially prohibitive fiscal impact on future reform legislation.

(c) Implementation barriers and concerns kept the program from ever being fully operational.

30 (d) On December 19, 2023, the Council passed the Certificate of Assurance  
31 Moratorium Second Extension Emergency Amendment Act of 2023 to maintain the  
32 status quo while permanent legislation is considered, which expires on April 9<sup>th</sup>, 2024.

33 (e) The accompanying Certificate of Assurance Moratorium Second Extension  
34 Temporary Amendment Act of 2023 will not complete congressional review prior to the  
35 expiration date of the emergency act.

36 (f) To avoid a gap in the law between the expiration date of the emergency act and  
37 the effective date of the accompanying temporary act, congressional review emergency  
38 legislation is now necessary.

39 Sec. 3. The Council of the District of Columbia determines that the circumstances  
40 enumerated in section 2 constitute emergency circumstances making it necessary that the  
41 Certificate of Assurance Moratorium Second Extension Congressional Review Emergency  
42 Amendment Act of 2024 be adopted after a single reading.

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