

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, Section 8f of the Homeless Services Reform Act of 2005 to reform the Emergency Rental Assistance Program to require specific documentation from tenants establishing eligibility for Emergency Rental Assistance funds, to clarify the definition of a qualifying emergency situation; and to amend Section 501 of the Rental Housing Act of 1985 to require tenants with pending eviction cases to demonstrate to the Superior Court that a pending Emergency Rental Assistance Application could pay the full amount of unpaid rent or that the tenant and housing provider have entered into a repayment plan for any remaining unpaid rent for a stay to be applied.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Emergency Rental Assistance Reform Emergency Amendment Act of 2024”.

Sec. 2. Section 8f of the Homeless Services Reform Act of 2005, effective March 10, 2023 (D.C. Law 24-287; D.C. Official Code § 4-753.08) is amended as follows:

(a) Subsection (a)(2) is amended as follows:

(1) Subparagraph (A) is amended to read as follows:

“(2)(A) To qualify for Emergency Rental Assistance Funds, an applicant unit shall be required to document:”.

(2) Sub-subparagraph (v) is amended by striking the phrase “for payment.” and inserting the phrase “for payment; and”.

36 (3) A new sub-subparagraph (vi) is added to read as follows:

37 “(vi) The nature of the emergency situation.”.

38 (b) Subsection (a)(3) is repealed.

39 (c) Subsection (d)(3) is amended to read as follows:

40 “(3) “Emergency situation” means a situation in which immediate action is  
41 necessary to avoid homelessness or eviction, to re-establish a rental home, or otherwise to  
42 prevent displacement from a rental home, which is the result of an unforeseen or unusual event,  
43 such as the loss of a job or high medical costs, that impacts the applicant unit’s ability to pay rent  
44 and that cannot be resolved without financial assistance.”.

45 Sec. 3. Section 501(r) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C.  
46 Law 6-10; D.C. Official Code § 42-3505.01(r)) is amended to read as follows:

47 “(r)(1) The court may stay any proceedings for a claim brought by a housing provider to  
48 recover possession of a rental unit for non-payment of rent if a tenant submits documentation to  
49 the court demonstrating that he or she has a pending Emergency Rental Assistance Program  
50 application; provided, that the court may stay proceedings pursuant to this subsection only once  
51 during the pendency of the case and only if:

52 “(A) The tenant provides evidence that the application could result in  
53 sufficient rental assistance to pay the full amount of unpaid rent owed by the tenant; or

54 “(B) The tenant and the housing provider have agreed in writing to a  
55 repayment plan for the remaining balance of unpaid rent if the amount of rental assistance the  
56 tenant is eligible to receive will not pay the full amount of unpaid rent owed by the tenant.

57 “(2) When an eviction that involves non-payment of rent has been authorized by  
58 the court and a tenant notifies the housing provider that he or she has an approved Emergency

59 Rental Assistance Program application which would pay the full amount of unpaid rent owed by  
60 the tenant no later than 48 hours prior to the scheduled date and time of the eviction, the housing  
61 provider shall reschedule the eviction for a date no earlier than 3 weeks from the current  
62 scheduled eviction date to allow for the application to be processed, a determination of funding  
63 to be made, and, if the application is approved, funding to be distributed to the housing  
64 provider.”.

65           Sec. 4. Fiscal impact statement.

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

69           Sec. 5. Effective date.

70           This act shall take effect following approval by the Mayor (or in the event of veto by the  
71 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
72 provided in sections 602(c)(1) of the District of Columbia Home Rule Act, approved December  
73 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
74 Columbia Register.

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