

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary 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 Temporary 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”.

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

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

36 (b) Subsection (a)(3) is repealed.

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

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

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

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

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

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

55 “(2) When an eviction that involves non-payment of rent has been authorized by
56 the court and a tenant notifies the housing provider that he or she has an approved Emergency
57 Rental Assistance Program application which would pay the full amount of unpaid rent owed by

58 the tenant no later than 48 hours prior to the scheduled date and time of the eviction, the housing
59 provider shall reschedule the eviction for a date no earlier than 3 weeks from the current
60 scheduled eviction date to allow for the application to be processed, a determination of funding
61 to be made, and, if the application is approved, funding to be distributed to the housing
62 provider.”.

63 Sec. 4. Fiscal impact statement.

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

67 Sec. 5. Effective date.

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

72 (b) This act shall expire after 225 days of its having taken effect.

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