

AN ACT

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District of
Columbia
Official Code*

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Rental Housing Conversion and Sale Act of 1980 to clarify that tenants who are or have been owners are not qualified to vote in a condominium or cooperative conversion election and that in addition to other qualified tenants, tenants who become owners only after the exercise of their rights under the Tenant Opportunity to Purchase Act of 1980 are qualified to vote in a condominium or cooperative conversion election.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Tenant-Owner Voting in Conversion Election Clarification Amendment Act of 2008”.

Sec. 2. Section 203(d) of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3402.03(d)), is amended to read as follows:

Amend
§ 42-3402.03

“(d) Qualified voter. (1) Except as provided in paragraph (2) of this subsection, a head of household residing in each rental unit of the housing accommodation is qualified to vote unless:

“(A) No member of the household has resided in the accommodation for at least 90 days before the election;

“(B) A member of the household is or has been an owner or an employee of the owner within 120 days prior to the date of application for eligibility; or

“(C) A member of the household's continued right to remain a tenant as guaranteed by this act is exercised.

“(2) A tenant who otherwise meets the requirements of this section and becomes an owner only after the exercise of his or her rights under title IV shall be qualified to vote.

“(3) The Mayor shall determine the eligibility of voters prior to the election and shall devise such forms and procedures as may be necessary to verify eligibility under this subsection.

“(4) An elderly or disabled tenant who delivers a waiver under section 208(a)(2)(D) to the Mayor shall be qualified to vote in an election under this section.”.

Sec. 3. Fiscal impact statement.

ENROLLED ORIGINAL

The Council adopts the July 2, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia