

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 4-27

"Rental Housing Conversion and Sale Act Amendment Act of 1981".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 4-162 on first and second readings, May 5, 1981 and May 19, 1981, respectively. Following the signature of the Mayor on June 5, 1981, this legislation was assigned Act No. 4-48, published in the June 26, 1981 edition of the D.C. Register, (Vol. 28 page 2824) and transmitted to Congress on June 11, 1981 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 4-27, effective August 1, 1981.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26

July 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31

D.C. LAW 4 = 27

AN ACT

RECEIVED AUG 0 1 1981

D.C. ACT 4 = 48

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUN 0 5 1981

To amend the Rental Housing Conversion and Sale Act of 1980 to subject those persons who began the conversion process prior to September 10, 1980, to relocation and housing assistance requirements.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rental Housing Conversion and Sale Act Amendment Act of 1981".

Sec. 2. The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Code, sec. 45-1699.101 et seq.) is amended as follows:

(a) Section 203(b) (D.C. Code, sec. 45-1699.202(b)) is amended by inserting following the phrase "may establish a" the word "single".

(b) Section 211 (D.C. Code, secs. 5-128 et seq.; 5-732a; & 5-1301 et seq.) is redesignated as section 211(a) and the following new subsection is added at the end thereof to read as follows:

"(b) With respect to conversions of housing accommodations by owners or contract purchasers

CODIFICATION
D.C. Code,
sec. 45-1699.201
(1973 ed.)

D.C. Code,
sec. 45-1699.210
(1973 ed.)

who received a notice of filing or filed articles of incorporation as a housing cooperative prior to August 10, 1980, the effective date of the Rental Housing Conversion and Sale Emergency Act of 1980, effective August 10, 1980 (D.C. Act 3-248; 27 DCR 3875), or prior to the effective date of this act, the following provisions shall apply:

"(1) Definitions.

"For the purposes of this subsection, unless the subject matter requires otherwise, the term:

"(1) 'association' means a group enterprise legally incorporated under the District of Columbia Cooperative Association Act, approved June 19, 1940 (54 Stat. 480; D.C. Code, sec. 29-801 et seq.), or a cooperative corporation incorporated pursuant to the laws of another jurisdiction.

"(2) 'comparable rental units' means rental units of corresponding facilities with the same or similar benefits or services included in the price of the rent.

"(3) 'declarant' shall mean a person(s), association(s), or group(s) who:

"(A) in the case of a housing cooperative, obtained an exemption pursuant to section 4 of the Cooperative Regulation Act of 1979, effective September 28, 1979 (D.C. Law 3-19; D.C. Code, sec. 5-1303) and filed articles of incorporation prior to August 10, 1980; or

"(B) in the case of a condominium conversion, received a notice of filing pursuant to section 406 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Code, sec. 5-1266).

"(4) 'eligible recipient' means the head of household in which the household has a combined annual income totaling less than the following percentages of the median annual family income (for a household of four (4) persons) for the District of Columbia, as such median is determined by the United States Bureau of Census and adjusted yearly by historic trends of that median, and as may be further adjusted by an interim census of District of Columbia incomes collected under contract by local or regional government agencies:

"one-person household

50 percent

"two-person household	60 percent
"three-person household or a one- or two-person household containing any person who is 60 years of age or older or who is handicapped as defined by the Mayor	90 percent
"four-person household	100 percent
"five-person household	110 percent
"more than five-person household	120 percent

"(5) 'family' means a group of persons related by blood or marriage.

"(6) 'head of household' means an individual who maintains the affected rental unit as his or her principal place of abode, is a bona fide resident and domiciliary of the District of Columbia, and contributes more than one-half (1/2) the cost of maintaining such rental unit. An individual may be considered a head of household without regard as to whether such individual would qualify as a head of household for the purposes of any other law.

"(7) 'high rent housing accommodation' means any housing accommodation in

the District of Columbia for which the total monthly rent exceeds an amount computed for such housing accommodation as follows:

"(A) multiply the number of rental units in the following categories by the corresponding rents established by the United States Department of Housing and Urban Development for the District of Columbia as the current fair market rents for existing housing under Section 8 Housing Assistance Payments Program for Elevator or Non-Elevator (as appropriate) Buildings: (1) efficiency rental units; (2) one (1) bedroom rental units; (3) two (2) bedroom rental units; (4) three (3) bedroom rental units; (5) four (4) or more bedroom rental units; so that the rates are not lower than \$267 for one (1) bedroom, \$314 for two (2) bedroom, \$408 for a three (3) or more bedroom, and \$221 for efficiency rental units;

"(B) total the results obtained in subparagraph (A); and

"(C) increase the result obtained in subparagraph (B) by the maximum percentage of any upward rent adjustments found to be warranted by the District of Columbia Rental

Accommodations Commission pursuant to section 206 of the Rental Housing Act of 1977, effective March 15, 1978 (D.C. Law 2-54; D.C. Code, sec. 45-1687(b)).

"(8) 'housing accommodation' means any structure or building in the District of Columbia containing one (1) or more rental units, and the land appurtenant thereto. Such term shall not include any hotel, motel, or other structure, including any room therein, used primarily for transient occupancy, and in which at least sixty percent (60%) of the rooms devoted to living quarters for tenants or guests are used for transient occupancy; any rental unit in an establishment which has as its primary purpose the providing of diagnostic care and treatment of diseases, including, but not limited to, hospitals, convalescent homes, nursing homes, and personal care homes; or any dormitory of an institute of higher education, or a private boarding school, in which rooms are provided for students.

"(9) 'housing expense' means the amount of rent attributable to a rental unit plus

the cost of gas, electricity, water, and sewer services if not included in the rent and if paid by the occupant of such rental unit, but shall exclude any security deposit.

"(10) 'housing project' means a group of housing accommodations which are managed as a single business entity.

"(11) 'suitable size' means for a one (1) person family, an efficiency rental unit; for a two (2) person family, a one (1) bedroom rental unit; for a family of three (3) or four (4) persons, a two (2) bedroom rental unit; for a family of five (5) or six (6) persons, a three (3) bedroom rental unit; and for a family of seven (7) or more persons, a four (4) bedroom rental unit; EXCEPT, That adjustments shall be made to allow children and unmarried adults of the opposite sex, to have separate sleeping rooms. In determining suitable size for a comparable rental unit, one (1) person living in a one (1) bedroom rental unit before relocation as a result of cooperative conversion shall be eligible for assistance at the level of a one (1) bedroom comparable rental unit.

"(12) 'total monthly rent' shall include the rents asked for vacant units.

"(2) Eligibility for housing assistance and relocation compensation.

"(A) In addition to all other requirements of this subsection, and to all other applicable provisions of law, each declarant of a conversion cooperative shall pay housing assistance, in an amount calculated according to paragraph (3), to any eligible recipient who:

"(1) makes application for such assistance;

"(2) has been living, for at least one (1) year immediately prior to the first day of the month in which the application for registration relating to such conversion is filed, in the rental unit from which he or she is being displaced;

"(3) is displaced from a rental unit because such rental unit is being converted to a cooperative by the declarant; and

"(4) relocates in the District of Columbia.

Such housing assistance shall be paid in one (1) lump sum payment, within thirty (30) days after the date the declarant receives notification pursuant to paragraph (5)(C), to the eligible recipient or the Mayor, as appropriate. Beginning with the twenty-fifth month occurring immediately after the month in which such eligible recipient relocated, and for the immediately succeeding thirty-five (35) months thereafter, housing assistance payments to such recipient shall be made by the Mayor if, as of the first day of the twenty-fifth month occurring after his or her relocation, the recipient is eligible for such payment. In lieu of monthly payments, the Mayor may make a lump sum payment to an eligible recipient equal to the amount to which the recipient is entitled to receive under this subsection.

(3) In addition to all other requirements of this subsection, and to all other applicable provisions of law, each declarant shall pay relocation compensation to an eligible recipient in each rental unit in the building converted if such rental unit is occupied

primarily for residential purposes on the date the occupant received the one hundred twenty (120)-day notice of declarant's intention to convert as required by section 603 of the Rental Housing Act of 1977, effective March 16, 1978 (D.C. Law 2-54; D.C. Code, sec. 45-1699.10). Such relocation compensation shall be calculated according to the provisions of paragraph (4)(D).

"(C) No part of any housing assistance payment or any relocation compensation made under this subsection shall be considered income to the eligible recipient for the purposes of the District of Columbia Income and Franchise Tax Act of 1947, approved July 16, 1947 (61 Stat. 331; D.C. Code, sec. 47-1551 et seq.). Any such housing assistance payment or any relocation compensation made to any person or family entitled to receive any other payment from the District of Columbia government related to paying the costs of housing or shelter shall be in addition to and shall not affect the amount of or entitlement to such other payment.

"(3) Calculation of housing assistance payment.