

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 require a housing provider to serve a written notice to vacate on a tenant before evicting the tenant for any reason, to require a housing provider to provide the tenant with notice of the housing provider’s intent to file a claim against a tenant to recover possession of a rental unit at least 30 days before filing the claim, to require the Superior Court to dismiss a claim brought by a housing provider to recover possession of a rental unit where the housing provider, in cases where a notice to quit or a summons and complaint are served by posting on the leased premise, failed to provide the Superior Court with photographic evidence of the posted service, to provide that no tenant shall be evicted from a rental unit for which the housing provider does not have a current business license for rental housing, to require the Superior Court to seal certain eviction records, to authorize the Superior Court to seal certain evictions records upon motion by a tenant, to provide that a housing provider shall not make an inquiry about, require the prospective tenant to disclose or reveal, or base an adverse action on certain criteria, to require a housing provider to provide written notice to a prospective tenant of the housing provider's basis for taking adverse action against the prospective tenant, to provide the tenant an opportunity to dispute the information forming the basis of the housing provider’s adverse action; to amend section 16-1501 of the District of Columbia Official Code to provide that the person aggrieved shall not file a complaint seeking restitution of possession for nonpayment of rent in an amount less than \$600; and to declare the sense of the Council that the Superior Court should raise filing fees for eviction cases to \$100.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Fairness in Renting Congressional Review Emergency Declaration Resolution of 2021”.

41           Sec. 2. (a) On October 6, 2020, the Council passed the Fairness in Renting Emergency  
42 Amendment Act of 2020 (“emergency act”), effective November 10, 2020 (D.C. Act 23-497; 67  
43 DCR 13949), which will expire on February 7, 2021

44           (b) On October 6, 2020, the Council passed the Fairness in Renting Temporary Amendment  
45 Act of 2020 (“temporary act”), which is undergoing congressional review, and may not be in effect  
46 on February 7, 2021.

47           (c) This emergency legislation is necessary to prevent a gap in the law between the  
48 expiration of the emergency act and the effective date of the temporary act.

49           Sec. 3. The Council of the District of Columbia determines that the circumstances  
50 enumerated in section 2 constitute emergency circumstances making it necessary that the Fairness  
51 in Renting Congressional Review Emergency Act of 2021 be adopted after a single reading.

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