



Councilmember Anita Bonds

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to provide for a limited exception to the eviction moratorium, enacted by the Coronavirus Support Emergency Act of 2021, and to the Eviction Notice Moratorium Temporary Amendment Act of 2020, to allow the eviction process to resume, under a narrow set of defined causes when necessary to ensure health and safety in residential communities, while respecting the public and individual health goals of the eviction moratorium, during the public health emergency and for 60 days thereafter.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Eviction Moratorium Public Safety Exception Emergency Declaration Resolution of 2021.”

Sec. 2. (a) On March 17, 2020 the Council of the District of Columbia passed the COVID-19 Response Emergency Amendment Act of 2020 (D.C. Act 23-247; 67 DCR 3093) to address the effects of the coronavirus pandemic.

(b) Section 308 of the COVID-19 Response Emergency Amendment Act of 2020 (D.C. Act 23-247; 67 DCR 3093) amended D.C. Official Code § 16-1502 and section 501(k) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(k)) to prohibit evictions during a period in which the Mayor has declared a public health emergency.

(c) The prohibition on evictions mentioned above was renewed on March 1, 2021 when the Council of the District of Columbia passed the Coronavirus Support Emergency Amendment Act of 2021 (D.C. Act 24-30; 68 DCR 3101).

(d) On September 22, 2020 the Council of the District of Columbia Council passed the

34 Eviction Notice Moratorium Temporary Amendment Act of 2020 (D.C. Act 23-415; 67 DCR
35 12243) to prohibit eviction notices during a period of time in which the Mayor has declared a
36 public health emergency.

37 (e) Since the implementation of the prohibitions on evictions and filing of eviction
38 notices, we have heard from housing providers and tenants alike as to the risk that a small group
39 of tenants across the city have posed due to criminal mischief and public safety hazards and the
40 inability of the housing provider to do anything to remove these tenants due to the ongoing
41 moratorium on evictions and eviction moratoriums.

42 (f) The aforementioned circumstances have made it clear that a narrow exception to the
43 prohibition on evictions and eviction notices is needed in order to protect our residents and
44 tenants.

45 Sec. 3. The Council of the District of Columbia determines that the circumstances
46 enumerated in section 2 constitute emergency circumstances making it necessary to provide for a
47 public safety exception to the moratorium on evicting tenants.

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