

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To extend, on an temporary basis, the Mayor’s authority to declare a public health emergency; to amend the Coronavirus Support Amendment Act of 2021 to provide for a moratorium on utility disconnections for qualified customers and repeal accelerated review of grant budget modifications by the Council; to require certain improvements to the Stronger Together by Assisting You program; to amend DC Code 16-501 to allow housing providers to file eviction cases in Superior Court where the tenant continuing presence is a threat to health and safety, where the tenant has willingly and wantonly caused significant damage to the property, and where the housing provider owns five or fewer rental units, the tenant is not eligible for rental assistance, and the housing provider is in severe financial distress; to amend DC Code 16-501 to allow housing providers to file eviction cases in Superior Court for non-payment of rent on October 12, 2021 if 60 days have elapsed since the initiation or submission of an emergency rental assistance program application or the tenant is not is eligible, provided that an application is not pending or under appeal; to amend DC 16-501 to allow housing providers to file other eviction cases in Superior Court beginning January 1, 2022; to amend DC Code 16-502 to require summons be served 30 days in advance of an initial court hearing and a readable time stamp if the summons was served by posting; and to amend Section 501 of the Rental Housing Act of 1985 to provide for specific notice requirements for eviction cases involving non-payment of rent and cases with evictions authorized prior to March 11, 2020; and to repeal outdated provisions of other laws.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Public Health Emergency Extension and Eviction and Utility Moratorium Phasing Emergency Amendment Act of 2021”.

43           Sec. 2. Section 7(c-1) of the District of Columbia Public Emergency Act of 1980,  
44 effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2306(c-1)), is amended to read  
45 as follows:

46           “(c-1) Notwithstanding subsections (b) and (c) of this section, the Council authorizes the  
47 Mayor to extend the 15-day March 11, 2020, emergency executive order and public health  
48 emergency executive order (“emergency orders”) issued in response to the novel 2019  
49 coronavirus (SARS CoV-2) until October 8, 2021. After the extension authorized by this  
50 subsection, the Mayor may extend the emergency orders for additional 15-day periods pursuant  
51 to subsection (b) or (c) of this section.”.

52           Sec. 3. The Coronavirus Support Temporary Amendment Act of 2021, enacted May 3,  
53 2021 (D.C. Act 24-62; 68 DCR 4824) is amended as follows:

54           (a) Section 307 is amended by adding new subsections (h) through (p) to read as follows:

55           “(h) Subsections (c) through (e) of this section shall expire on October 12, 2021.

56           “(i) Subsections (b) and (f) of this section shall expire the later of October 11, 2021 or 60  
57 days after the Mayor begins allowing home internet assistance through STAY DC or a similar  
58 District-funded program.

59           “(j) After October 11, 2021, a company shall not disconnect, suspend, or degrade service,  
60 for non-payment of a bill, any fees for service or equipment, or any other charges, if:

61                   “(1) The company has failed to engage the customer as required under subsection

62 (k);

63                   “(2) The customer owes less than \$600;

64                   “(3) The customer has entered into a payment plan with the company and either is  
65 meeting the terms of the payment plan or is less than two months’ behind the terms of the  
66 payment plan;

67                   “(4) Prior to October 11, 2021, the customer has requested to enter into a payment  
68 plan with the company and fewer than 45 days have elapsed since the customer’s initial request;  
69 or

70                   “(5)(A) The Mayor has certified or the customer has provided documentary  
71 evidence that the customer qualifies for utility disconnection relief.

72                   “(B) The Mayor shall certify that an individual is qualified for utility  
73 disconnection relief for 90 days after October 12, 2021 if the individual:

74                                 “(i) Has an application pending approval or under appeal, for any  
75 form of financial assistance from the Stronger Together by Assisting You (“STAY DC”)  
76 Program or other utility assistance program;

77                                 “(ii) With the prior six months, received or was approved for a  
78 benefit under the Low-Income Home Energy Assistance Program (“LIHEAP”), Utility Discount  
79 Program (“UDP”), DC Water Emergency Relief Program (“CAP”), or STAY DC Program;

80                                 “(iii) Is receiving a benefit under the Supplemental Nutrition  
81 Assistance Program (“SNAP”) or Temporary Assistance for Needy Families (“TANF”) program;  
82 or

83                                 “(iv) Is 21 years of age or older and receiving a benefit under  
84 Medicaid or the D.C. Healthcare Alliance.

85                   “(C)(i) By September 13, 2021, the Mayor shall provide notice to each  
86 individual certified as qualified for utility disconnection relief pursuant to subsection (j)(5) of  
87 this section.

88                   “(ii) By September 27, 2021, and every 4 weeks thereafter until  
89 January 1, 2022, the Mayor shall provide companies with a list of each individual certified as  
90 qualified for utility disconnection relief, including the individual’s home address. Such list shall  
91 be property of the District and shall only be used to determine that an individual on the list is  
92 qualified for relief from utility disconnection and communicate that to affected households and  
93 companies as needed.

94                   “(D) By August 9, 2021, the Mayor shall, pursuant to Title I of the District  
95 of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C.  
96 Official Code § 2-501 et seq.), promulgate emergency rules to implement this section, including  
97 guidance on the District’s and the companies’ responsibilities under this paragraph.

98                   “(k)(1) A company shall provide notice, as described in paragraph (4) of this subsection  
99 to a customer regarding their account at least 60 days in advance of disconnecting, suspending,  
100 or degrading, inclusive of their customary formal disconnection procedure.

101                   “(2)(A) On or before October 11, 2021, a company shall provide notice as  
102 described in paragraph (4) of this subsection to customers with a bill past due. Notice under this  
103 subparagraph shall be mailed to the customer in hard copy and the phrase “PAST DUE” shall be  
104 clearly printed on the bill or envelope.

105                   “(B) Notice under this paragraph shall take the form of a flyer included in  
106 monthly customer bills or prominent language on the bill and be included in both hard copy and  
107 electronic form bills.

108                   “(3) A past due or disconnection notice sent to a customer by a company shall  
109 include notice as described in paragraph (4) of this subsection.

110                   “(4) Notice under this paragraph shall be issued in at least English and Spanish.

111 The notice shall include information on:

112                   “(A) The availability of payment assistance programs;

113                   “(B) Information on eligibility for payment assistance programs and the  
114 process to apply to each payment assistance program;

115                   “(C) The right of customers to remain eligible for relief from  
116 disconnection, suspension or degradation of service, provided that they are eligible for relief  
117 under (j)(5) of this section; and

118                   “(D) A customer’s right to contact Office of People’s Counsel (“OPC”)  
119 for assistance with negotiating a payment plan on the customer’s behalf.

120                   “(5) The Public Service Commission and DC Water Board may issue regulations  
121 regarding customer engagement criteria and customer notice requirements consistent with this  
122 subsection.

123                   “(l)(1) For 90 days after October 12, 2021, a company shall restore service to a customer  
124 when the customer makes a payment to the company of at least \$10, provided that the customer  
125 enters into a payment plan pursuant to Section 308 of the Coronavirus Support Emergency  
126 Amendment Act of 2021, effective March 17, 2021 (D.C. Act 24-30; 68 DCR 3101) or Section  
127 308 of the Coronavirus Support Temporary Amendment Act of 2021, enacted May 7, 2021 (D.C.  
128 Act 24-62; 68 DCR 4824), or makes a showing that the utility was disconnected improperly  
129 pursuant to this Act. Amounts paid by a customer pursuant to this subparagraph shall be applied  
130 in full to reduce the amounts owed by the customer to the company.

131                   “(2)(A) When a customer whose service has been disconnected, suspended, or  
132 degraded for nonpayment is certified by the Mayor or documented by the customer to be eligible  
133 for utility disconnection relief under subsection (j)(5) of this section, a company shall reconnect  
134 the customer without charge.

135                   “(B) A company shall reconnect a customer under subparagraph (A) of  
136 this paragraph within 24 hours of receiving notice that the customer is qualified for utility  
137 disconnection relief under subsection (j)(5) of this section.

138                   “(m)(1) Beginning November 1, 2021 and ending on February 1, 2022, each utility  
139 company that is regulated by the Public Service Commission of the District of Columbia shall  
140 report monthly to the Public Service Commission of the District of Columbia and OPC the  
141 number of customers, by zip code, that have entered into payment plans, whose service was  
142 suspended or disconnected for non-payment, or that are in arrears.

143                   “(2) Beginning November 1, 2021 and ending on February 1, 2022, DC Water  
144 shall report monthly to the DC Water Board of Directors, established pursuant to section 204 of  
145 the Water and Sewer Authority Establishment and Department of Public Works Reorganization  
146 Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), and  
147 Office of the People’s Counsel the number of customers, by zip code and customer class, that  
148 have entered payment plans, whose service was suspended or disconnected for non-payment, or  
149 that are in arrears.

150                   “(n) A telecommunications service provider, as that term is defined by the  
151 Telecommunications Competition Act of 1996, effective September 9, 1996 (D.C. Law 11-154;  
152 D.C. Official Code § 34-2002.01 et. seq.), shall not disconnect, suspend, or degrade basic  
153 telecommunications service to a customer that is participating in the federal Lifeline program for

154 non-payment of a bill, any fees for service or equipment, or other charges, or for noncompliance  
155 with a deferred payment agreement.

156 “(o) Nothing in this act shall be read to supersede the existing moratorium on  
157 disconnections under section 106a of the Retail Electric Competition and Consumer Protection  
158 Act of 1999, effective March 9, 2016 (D.C. Law 21-82; D.C. Official Code § 34-1506.1).

159 “(p) For the purposes of this section, the term:

160 “(1) “Payment assistance programs” shall mean LIHEAP, UDP, CAP, or STAY  
161 DC.

162 “(2) “Company” or “companies” shall mean an electric company, gas company,  
163 DC Water, or incumbent local exchange carrier.”.

164 (b) Section 308(c) is amended as follows:

165 (1) The existing text is redesignated as paragraph (1).

166 (2) A new paragraph (2) is added to read as follows:

167 “(2)(A)(i) Upon request by a customer of an electric company, gas company,  
168 incumbent local exchange carrier, or DC Water to the Office of the People’s Counsel (“OPC”),  
169 OPC shall be authorized to negotiate a payment plan on behalf of a customer.

170 “(ii) Within 48 hours of receiving a request under this paragraph,  
171 OPC shall provide notice to the utility provider of the customer’s request.

172 “(B) A disconnection notice sent to a customer shall include notice of the  
173 right of a customer to request that OPC negotiate a payment plan on the customer’s behalf,  
174 including information on how the customer may make such a request.

175 “(C) When a company and customer have been unable to agree on terms  
176 of a payment plan within 24 hours of the customer’s request to enter into a payment plan, the

177 company shall provide notice to the customer that the customer may contact OPC to negotiate a  
178 payment plan on the customer’s behalf.”.

179 (c) Section 404 is repealed.

180 (d) Section 902 is repealed.

181 Sec. 4. STAY DC Improvements.

182 (b)(1) No later than August 9, 2021, the Stronger Together by Assisting You (“STAY  
183 DC”) Program application portal shall allow housing providers to submit an application for  
184 emergency rental assistance on behalf of tenants for funding allocated to the District through  
185 Section 501 of Division N of the Consolidated Appropriations Act of 2021 (Pub. L. 116-260).

186 (2) Applications submitted by housing providers under paragraph (1) shall meet  
187 all the requirements of Section 501(f)(2) of Pub. L. 116-260 and applicable guidance issued by  
188 the United States Department of Treasury.

189 (b) No later than August 9, 2021, the Mayor shall issue guidance outlining the  
190 circumstances in which STAY DC will cover arrearages for internet services provided to the  
191 rental unit and security deposits, consistent with U.S. Department of Treasury Guidance. This  
192 guidance shall be posted on the STAY DC website.

193 (c) Where more time is necessary to implement the changes in this section, the Mayor  
194 shall notify the Council. The notice to Council shall include the reason more time is needed, and  
195 an estimate of the additional time needed to complete the specific improvements.

196 Sec. 4. Phasing of the eviction moratorium and additional protections.

197 (a) Title 16 of the District of Columbia Official Code is amended as follows:

198 (1) Section 16-1501 is amended to read as follows:

199                   “(a) When a person detains possession of real property without right, or  
200 after his right to possession has ceased, the Superior Court of the District of Columbia, on  
201 complaint under oath verified by the person aggrieved by the detention, or by his agent or  
202 attorney having knowledge of the facts, may issue a summons in English and Spanish to the  
203 party complained of to appear and show cause why judgment should not be given against him for  
204 the restitution of possession.

205                   “(b) The person aggrieved shall not file a complaint seeking restitution of  
206 possession pursuant to this section for nonpayment of rent in an amount less than \$600; except,  
207 that the person aggrieved may file a complaint to recover the amount owed.

208                   “(c) During a period of time for which the Mayor has declared a public  
209 health emergency pursuant to § 7-2304.01, and no earlier than September 26, 2021, the person  
210 aggrieved shall not file a complaint seeking relief pursuant to this section, except where the  
211 complaint is consistent with subsection (f).

212                   “(d)(1) The person aggrieved shall not file a complaint seeking restitution  
213 of possession pursuant to this section without a valid registration pursuant to D.C. Official Code  
214 § 42-3502.05, and a current license for rental housing issued pursuant to D.C. Official Code §  
215 47-2828(c)(1) presented at the time of filing.

216                   “(2) The Court may waive the requirements in this subsection if  
217 the person aggrieved can demonstrate that the housing provider for the housing accommodation  
218 was unable to obtain or renew a valid registration or current rental housing license due to  
219 extenuating circumstances.

220 “(e) The person aggrieved shall not file a complaint pursuant to this  
221 section for consistent late payment of rent by a tenant occurring between the dates of March 11,  
222 2020 and 60 days after the expiration of the public health emergency.

223 “(f) The person aggrieved shall not file a complaint seeking relief pursuant  
224 to this section, except where:

225 “(1) The complaint alleges that the tenant’s continuing presence at  
226 the housing accommodation where the tenant resides presents a current and substantial threat to  
227 the health and safety of tenants, on-site agents, or employees of the owners of the housing  
228 accommodation, or household members or guests of other tenants, or residents of immediately  
229 adjacent properties, because the tenant has violated an obligation of tenancy by engaging in an  
230 unlawful possession of a firearm, threats or acts of violence, or assault;

231 “(2) The complaint alleges that the tenant has willfully or wantonly  
232 caused significant damage to the unit, building, premises, or property of the housing provider; or

233 “(3) The complaint alleges non-payment of rent, the person  
234 aggrieved owns no more than 4 rental units, the tenant is not eligible for emergency rental  
235 assistance, and the person aggrieved provides documentary evidence (i.e., not solely testimonial  
236 evidence) that he or she is in severe financial distress and such distress will be mitigated or  
237 relieved by recovering possession of the unit(s) from the tenant. The person aggrieved must  
238 provide proof of the tenant’s ineligibility for emergency rental assistance at the time of filing.

239 “(4) For purposes of this subsection, the term:

240 “(A) “Act of violence” shall have the same meaning as

241 “crime of violence” as provided in D.C. Official Code § 23-1331(4).

242 “(B) “Assault” shall be construed according to section 806  
243 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31  
244 Stat. 1189; D.C. Official Code § 22-404).

245 “(C) “Significant damage” includes large holes in the walls  
246 of the unit that cannot be repaired with plaster and paint, destruction of major building systems  
247 such as electric or plumbing, destruction of appliances such as ovens, refrigerators or dish  
248 washing machines in the unit, or damage to large areas of flooring such that the housing provider  
249 will have to replace the damaged flooring.

250 “(D) “Threat” shall be construed according to section 2 of  
251 An Act To confer concurrent jurisdiction on the police court of the District of Columbia in  
252 certain jurisdictions, approved July 16, 1912 (37 Stat. 192; D.C. Official Code § 22-407).

253 “(E) “Unlawful possession of a firearm” shall be construed  
254 according to section 3 of An Act To control the possession, sale, transfer, and use of pistols and  
255 other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of  
256 evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-  
257 4503).

258 “(5) Nothing in this section shall be construed to create an  
259 obligation on the part of any person to pursue an eviction action under this subsection.

260 “(6) No tenant shall be evicted from a rental unit based on a  
261 complaint filed under this subsection unless the court determines by a preponderance of the  
262 evidence that the alleged violation of an obligation of tenancy meets all of the requirements of  
263 this subsection.

264 “(g) The person aggrieved shall not file for relief pursuant to this section  
265 for non-payment of rent until October 12, 2021 at the earliest.

266 “(1) For complaints involving non-payment of rent, the person  
267 aggrieved shall provide documentation at the time of filing demonstrating that:

268 “(A) He or she has applied for emergency rental  
269 assistance through the STAY DC program, on behalf of the tenant, or initiated the application on  
270 behalf of the tenant, the tenant has been notified in writing of the application, and the housing  
271 provider is eligible to seek possession pursuant to § 42-3505.01(b-1)(1); and

272 “(B) The tenant has been served with a written  
273 notice which meets the requirements of § 42-3505.01(b-1)(2) and all other requirements under  
274 District law.

275 “(2) It shall be a dispositive affirmative defense requiring  
276 dismissal of a complaint if a tenant can demonstrate with substantial evidence through testimony  
277 that:

278 “(i) The landlord did not pursue rental assistance as  
279 required timely or in good faith;

280 “(ii) The tenant did not receive notice of the rental  
281 assistance application;

282 “(iii) The landlord did not provide a notice that  
283 meets the requirements of 42-3505.01(b-1)(2), and all other requirements under District of  
284 Columbia law;

285 “(iv) The tenant or their authorized representative  
286 submitted an application for emergency rental assistance during the 60 days after receiving a past

287 due rent notice, and that application is still pending, approved and awaiting payment, or under  
288 appeal;

289 “(v) The housing provider has not met the  
290 requirements of § 42-3505.01(b-1)(1); and

291 “(vi) For complaints that involve rent arrears  
292 accrued since March 11, 2020, the landlord did not offer or negotiate a payment plan in good  
293 faith pursuant to DC Code 42-3281 at any time since March 11, 2020.

294 “(3) There shall be a rebuttable presumption that the tenant has in  
295 good faith attempted to complete an application if the tenant can demonstrate with substantial  
296 evidence through testimony that they have taken steps to complete the application.

297 “(h) Complaints alleging material violations of an obligation of tenancy  
298 not covered in subsections (f) or (g) of this subsection shall not be filed until January 1, 2022 at  
299 the earliest.”.

300 (2) Section 16-1502 is amended to read as follows:

301 “(a) The summons provided for by section 16-1501 shall be served thirty  
302 days, exclusive of Sundays and legal holidays, and a period of time for which the Mayor has  
303 declared a public health emergency pursuant to § 7-2304.01, before the day fixed for the initial  
304 hearing of the action; except, that a summons may be served during a period of time for which  
305 the Mayor has declared a public health emergency pursuant to § 7-2304.01, and for 60 days  
306 thereafter, if the summons relates to a complaint that is filed pursuant to the exception listed in §  
307 16-1501(f) or (g). If the defendant has left the District of Columbia, or cannot be found, the  
308 summons may be served by delivering a copy thereof to the tenant, or by leaving a copy with  
309 some person above the age of sixteen years residing on or in possession of the premises sought to

310 be recovered, and if no one is in actual possession of the premises, or residing thereon, by  
311 posting a copy of the summons on the premises where it may be conveniently read. If the  
312 summons is posted on the premises, a copy of the summons shall be mailed first class U.S. mail,  
313 postage prepaid, to the premises sought to be recovered, in the name of the person known to be  
314 in possession of the premises, or if unknown, in the name of the person occupying the premises,  
315 within 3 calendar days of the date of posting.

316 “(b) If a summons is served by posting a copy on the premises, a  
317 photograph of the posted summons must be submitted to the court. The photograph must have a  
318 readable timestamp that indicates the date and time of when the summons was posted.”.

319 (c) Section 501 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-  
320 10; D.C. Official Code § 42-3505.01), is amended as follows:

321 (1) Subsection (a) is amended as follows:

322 (A) Existing text is designated as paragraph (1).

323 (B) A new paragraph (2) is added to read as follows:

324 “(2) If a notice is served by posting a copy on the premises, a  
325 photograph of the posted notice must be submitted to the court. The photograph must have a  
326 readable timestamp that indicates the date and time of when the summons was posted.”.

327 (C) A new paragraph (3) is added to read as follows:

328 “(3) If the landlord knows the tenant speaks a primary language  
329 other than English or Spanish that is covered under D.C. Code 2-1933, the landlord must provide  
330 the notice in that language.

331 (2) Subsection (a-1)(1)(C) is amended by striking the phrase “, including evidence  
332 of the time and date of service” and inserting “with a readable timestamp that indicates the date  
333 and time of when the summons was posted.”.

334 (3) Subsection (b) is amended to read as follows:

335 “(b) A housing provider may recover possession of a rental unit where the  
336 tenant is violating an obligation of tenancy, other than nonpayment of rent, and fails to correct  
337 the violation within 30 days after receiving notice from the housing provider.”.

338 (4) A new subsection (b-1) is added to read as follows:

339 “(b-1)(1) A housing provider may recover possession of a rental unit for  
340 nonpayment of rent where the past due rent is equal to more than \$600 and any of the following  
341 applies:

342 “(A) The tenant fails to submit an emergency rental  
343 assistance application within 60 days of receiving a notice of past due rent;

344 “(B) The tenant’s application for emergency rental  
345 assistance was denied, or the application was approved with a balance of equal to or greater than  
346 \$600 remaining unpaid, and the tenant and housing provider have not established a rent payment  
347 plan within 14 days of the denial; or

348 “(C) A tenant with a rent payment plan is at least \$600 or  
349 two months behind on the terms of the payment plan, whichever is greater; and

350 “(D) The date is on or after October 12, 2021.

351 “(2) A notice of past due rent from the housing provider shall state  
352 the total amount of rent that is owed by the tenant and attach a ledger showing rent charges and  
353 payments for all periods of time in which the housing provider alleges the tenant’s rental

354 payments are delinquent, that the tenant has the right to remain in the rental unit if the total  
355 balance of unpaid rent is paid in full, provide basic information about emergency rental  
356 assistance programs in the District, including the eligibility criteria for the programs and ways  
357 for the tenant to apply, indicate if an application has been submitted on behalf of the tenant or  
358 initiated by the housing provider with need for the tenant to complete the application, notify the  
359 tenant that they have 60 days to submit their portion of an application for emergency rental  
360 assistance where an application has been initiated by the housing provider, and indicate that the  
361 housing provider may file in court for possession without further notice if any of the following  
362 occur:

363 “(A) The tenant fails to submit their portion of an  
364 application for emergency rental assistance within 60 days of receiving the notice of past due  
365 rent;

366 “(B) The tenant’s application for emergency rental  
367 assistance was denied, or the application was approved with a balance of equal to or greater than  
368 \$600 remaining unpaid, and the tenant and housing provider have not established a rent payment  
369 plan within 14 days of the denial; or

370 “(C) A tenant defaults on a rental payment plan by being  
371 the greater of \$600 or two months behind the terms of the plan.

372 (4) Subsection (k) is amended as follows:

373 (A) Paragraph (1) is amended by striking the phrase “; or” and inserting a  
374 semicolon in its place.

375 (B) Paragraph (2) is amended by striking the period and inserting the  
376 phrase “; or” in its place.

377 (C) A new paragraph (3) is added to read as follows:

378 “(3) During a period of time for which the Mayor has declared a  
379 public health emergency pursuant to § 7-2304.01, except for evictions arising from those  
380 complaints filed pursuant to the exception in D.C. Official Code § 16-1501(f); provided, that:

381 “(A) Any family facing eviction pursuant to § 16-  
382 1501(f)(1) shall be offered assistance and resources that support the coordination or continuation  
383 of youth education, social services, and other resources before the eviction is carried out; and

384 “(B) Any person with behavioral, emotional, or mental  
385 health issues facing eviction pursuant to § 16-1501(f)(1) shall be offered behavioral health or  
386 housing counseling services and shall be offered alternative housing arrangements before the  
387 eviction is carried out.

388 (5) Subsection (q) is amended to read as follows:

389 “(q)(1) Beginning on October 14, 2020, for the period of time during  
390 which there exists a public health emergency declared pursuant to § 7-2304.01, and not earlier  
391 than September 26, 2021, no housing provider may:

392 “(A) Issue to a tenant a notice pursuant to this section,  
393 except notices of past due rent pursuant to (b-1)(2) of this section; or

394 “(B) Engage in any action that is intended to force tenants  
395 to leave their housing or otherwise give up their rights under the law, including the actions  
396 described under § 42-3505.02(a).

397 “(2) Any person who violates paragraph (1) of this subsection shall  
398 be subject to penalties under § 42-3509.01.”

399 (6) A new subsection (q-1) is added to read as follows:

400                   “(q-1)(1) Subsection (q) shall not apply to notice for complaints pursuant  
401 to the exception in D.C. Official Code § 16-1501(f).

402                   “(2)(A) A notice issued to a tenant pursuant to this subsection must  
403 include the following information, displayed prominently and at the beginning of any such  
404 notice:

405                                 “(i) State that the tenant does not have to vacate the  
406 rental unit until and unless a court orders the tenant to do so;

407                                 “(ii) For cases involving alleged violations of  
408 obligations of tenancy, state that the tenant has the right to correct or cease the alleged violation  
409 of tenancy and remain in the rental unit;

410                                 “(iii) For cases involving non-payment of rent, meet  
411 the requirements of § 42-3505.01(b-1)(2) in addition to the requirements of this subsection and  
412 other applicable District laws;

413                                 “(iv) State that the tenant has the right to dispute the  
414 landlord’s allegations through the court process and remain in the rental unit until the court  
415 reaches a decision on the matter;

416                                 “(v) Include the phone numbers of the Office of the  
417 Tenant Advocate and the Landlord Tenant Legal Assistance Network and state that both  
418 resources may provide or may refer the tenant to free legal services for tenants facing eviction;  
419 and

420                                 “(vi) If the landlord knows the tenant speaks a  
421 primary language other than English or Spanish that is covered under D.C. Code 2-1933, the  
422 landlord must provide the notice in that language.”.

423 (d) Paragraph 501a(b)(1) of the Rental Housing Act of 1985, effective July 17, 1985  
424 (D.C. Law 6-10; D.C. Official Code § 42-3505.01a), is amended as follows:

425 (1) Strike the phrase “not fewer than 21 days before the date of eviction”.

426 (2) A new paragraph (1-a) is added to read as follows:

427 “(1-a) For a rescheduled eviction authorized prior to March 11, 2020, a  
428 housing provider shall deliver to the tenant the notice required in paragraph 1 not fewer than 30  
429 days prior to the new date.”

430 (3) A new paragraph (1-b) is added to read as follows:

431 “(1-b) For evictions other than those covered in paragraph 1-a, a housing  
432 provider shall deliver to the tenant the notice required in paragraph 1 not fewer than 21 days  
433 prior to the new date.”

434 Sec. 5. Repealers.

435 (a) Section 2 of the Coronavirus Public Health Extension Emergency Amendment Act of  
436 2021, enacted June 17, 2021 (D.C. Act 24-79; 68 DCR 5600), is repealed.

437 (b) Section 2 of the Coronavirus Public Health Extension Temporary Amendment Act of  
438 2021, effective May 19, 2021 (D.C. Act 24-99; 68 DCR 6446), is repealed.

439 Sec. 6. Fiscal impact statement.

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

443 Sec. 6. Effective date.

444 (a) This act shall take effect following approval by the Mayor (or in the event of veto by  
445 the Mayor, action by the Council to override the veto), a 60-day period of congressional review

446 as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December  
447 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of  
448 Columbia Register.

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

DRAFT