

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, Section 408 of the Coronavirus Support Temporary Amendment Act of 2021 to extend the foreclosure moratorium; to amend Section 501 of the Rental Housing Act of 1985 to require housing providers to contact the Department of Human Services to whether a tenant has a pending ERAP and/or STAY DC for cases involving non-payment of rent with evictions authorized in cases filed prior to March 11, 2020; and to amend Section 501a(b) of the Rental Housing Act of 1985 to require information about rent arrearages owed by the tenant and information about emergency rental assistance on notices for these eviction cases beginning November 16, 2021.

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

Sec. 2. (a) Section 408(a)(1) of The Coronavirus Support Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-9; D.C. Official Code § 42-815.05(a)) is amended by striking the date “November 5, 2021” and inserting the date “December 31, 2021” in its place.

(b) Section 408(a)(2) of The Coronavirus Support Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-9; D.C. Official Code § 42-815.05(b)) is amended by striking “as of the first day of the public health emergency” and inserting “as of October 1, 2021” in its place.

36 (c) The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C.
37 Official Code § 42-3501.01 et seq.), is amended as follows:

38 (1) Section 501 (D.C. Official Code § 42-3505.01) is amended by adding a new
39 subsection (t) to read as follows:

40 “(t)(1) For any eviction authorized in cases filed prior to March 11, 2020, that involves
41 non-payment of rent, the housing provider shall contact a representative of the Department of
42 Human Services to determine whether the tenant has a pending Emergency Rental Assistance
43 Program (ERAP) and/or STAY DC application no earlier than five business days and no later
44 than 48 hours prior to the scheduled date and time of the eviction.

45 “(2)(A) When the tenant has a pending ERAP and/or STAY DC application, the
46 housing provider shall notify the Superior Court and the U.S. Marshals Service no later than 24
47 hours prior to the scheduled date and time of the eviction.

48 “(B) If the tenant has a pending ERAP and/or STAY DC application, the
49 housing provider shall reschedule the eviction for a date no earlier than 3 weeks from the current
50 scheduled eviction date allow for the application(s) to be processed, a determination of funding
51 to be made, and funding distributed to the housing provider if the application is approved. Any
52 further stay or rescheduling of the eviction date may only be granted by order of Superior Court
53 or by agreement of the housing provider.”.

54 (2) Section 501a(b) (D.C. Official Code § 42-3505.01a(b)) is amended by adding
55 a new paragraph (1-C) to read as follows:

56 “(1-C) For any eviction authorized in cases filed prior to March 11, 2020, that is
57 scheduled to occur on or after November 16, 2021 and involves non-payment of rent, the notices

58 required in paragraphs (1-A) and (1-B) of this subsection shall contain the following, or
59 substantively similar language, in addition to any other requirements under District law:

60 “The total amount due rent owed is [list specific amount due]. [List specific
61 amount owed] is the amount of past due rent owed from prior to March 11, 2020, and [list
62 specific amount owed] is the amount of past due rent owed from March 12, 2020 to the date of
63 this notice. Financial assistance through the Emergency Rental Assistance Program and/or the
64 STAY DC program may be available to help you pay this balance. To get more information
65 about these programs or to get help applying to these programs, contact the Office of Tenant
66 Advocate at 202-719-6560 or the Landlord Tenant Legal Assistance Network at 202-780-2575.”.

67 Sec. 3. Section 3(w) of the Public Emergency Extension and Eviction and Utility
68 Moratorium Phasing Temporary Amendment Act of 2021, enacted on September 1, 2021 (D.C.
69 Act 24-168; 68 DCR 9487), is repealed.

70 Sec. 4. Fiscal impact statement.

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

74 Sec. 5. Effective date.

75 This act shall take effect following approval by the Mayor (or in the event of veto by the
76 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
77 90 days, as provided for emergency acts of the Council of the District of Columbia in section
78 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
79 D.C. Official Code § 1-204.12(a)).