

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary 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 determine 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 Temporary 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

35 striking “as of the first day of the public health emergency” and inserting “as of October 1, 2021”  
36 in its place.

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

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

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

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

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

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

57           “(1-C) For any eviction authorized in cases filed prior to March 11, 2020, that is  
58 scheduled to occur on or after November 16, 2021 and involves non-payment of rent, the notices  
59 required in paragraphs (1-A) and (1-B) of this subsection shall contain the following, or  
60 substantively similar language, in addition to any other requirements under District law:

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

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

71           Sec. 3. Fiscal impact statement.

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

75           Sec. 4. Effective date.

76           (a) This act shall take effect following approval by the Mayor (or in the event of veto by  
77 the Mayor, action by the Council to override the veto), a 60-day period of congressional review  
78 as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December  
79 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of

80 Columbia Register.

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