

Trayon White

Councilmember Trayon White, Sr.

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend section 47-1382 of the District of Columbia Official Code to extend the validity of a certificate of sale or judgment for the property located at 2662 Martin Luther King, Jr. Avenue, S.E., described for tax and assessment purposes as Lot 1034 in Square 5868.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “2662 Martin Luther King, Jr. Avenue, Southeast Tax Sale Certificate Emergency Declaration Resolution of 2022”.

Sec. 2. (a) The property located at 2662 Martin Luther King, Jr. Avenue, S.E., described as Lot 1034 in Square 5868 (“subject property”) was included in the District of Columbia’s July 19, 2016 public tax sale.

(b) On May 1, 2019, the Superior Court of the District of Columbia issued an Order to the purchaser of the Certificate of Sale declaring that the purchaser successfully foreclosed the rights of redemption on the property in compliance with the statutory requirements of, Chapter 13A of Title 47 of the District of Columbia Official Code. The Order directed the Mayor, within 30 days, to deliver to the Certificate of Sale purchaser a deed for the subject property once the purchaser paid the outstanding tax deed bill on the subject property. The purchaser had one year to do so.

34 (c) In 2020, the Certificate of Sale purchaser subsequently assigned its rights to the deed
35 to the owner of adjacent parcel 2662 Martin Luther King, Jr. Avenue SE. On May 14, 2020, the
36 assignee of the purchaser (“assignee”) requested a final tax deed bill for the subject property
37 from the District of Columbia’s Office of Tax and Revenue (“OTR”) to pay the tax deed bill and
38 obtain the property deed. OTR’s Tax Sale Unit manager confirmed with the assignee that
39 although the one-year window had recently expired, the matter could be settled and tax deed bill
40 issued under the authority granted to OTR by the District’s COVID-19 emergency legislation. As
41 a result, the OTR manager indicated that his staff would issue a tax deed bill that day.

42 (c) The assignee was prepared to make the tax deed bill payment, however OTR changed
43 its position and did not issue the tax deed bill.

44 (d) The assignee is in the process of initiating a map amendment case with the Zoning
45 Commission to have the new R-3 zoning designation for this corridor captured in the revised
46 Comprehensive Plan and Future Land Use Map apply to both the 2662 and 2666 Martin Luther
47 King, Jr. Avenue S.E. parcels. The next available hearing dates before the Zoning Commission
48 are in December 2022. Once its zoning case is filed and heard, the assignee seeks to receive its
49 building permit to develop a 150- to 200-unit affordable housing complex for District residents
50 who earn between 25% and 50% of the median family income.

51 (f) Emergency action is necessary to ensure the Mayor timely issues the tax deed bill and
52 the purchaser, or assignee, pays the tax deed bill in order for the Zoning Commission to timely
53 hear and decide the map amendment case that would ultimately lead to the development of
54 approximately 200 units of affordable housing for lower-income households in an area of the
55 District that sorely needs it.

56 Sec. 3. The Council of the District of Columbia determines that the circumstances
57 enumerated in section 2 constitute emergency circumstances making it necessary that the 2662
58 Martin Luther King, Jr. Avenue, Southeast Tax Sale Certificate Emergency Amendment Act of
59 2022 be adopted after a single reading.

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