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2 Councilmember Brianne K. Nadeau

Chairman Phil Mendelson

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7 Councilmember Brooke Pinto

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16 A BILL

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19 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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22 To amend, on an emergency basis, the District of Columbia Housing Authority Act of 1999 to
23 allow applicants for local rent supplement vouchers to self-certify eligibility factors; and
24 to prohibit the Housing Authority from inquiring into an applicant’s immigration status or
25 prior criminal arrests, convictions, or pending criminal matters.

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27 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
28 act may be cited as the “Local Rent Supplement Program Eligibility Emergency Amendment Act
29 of 2022”.

30 Sec. 2. The District of Columbia Housing Authority Act of 1999, effective May 9,
31 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 et seq.), is amended as follows:

32 (a) Section 26a(c) (D.C. Official Code § 6-226(c)) is amended to read as follows:

33 “(c)(1) Except as prescribed in paragraphs (2), (3), and (4) of this subsection, the
34 Authority shall apply its existing Partnership Program and Housing Choice Voucher Program
35 rules to govern eligibility, admission, and continuing occupancy by tenants in units receiving

36 tenant-based, sponsor-based, or project-based voucher assistance under this section, §§ 6-227 , 2-
37 228, and 6-229.

38 “(2) The Authority shall not inquire about nor consider for the purposes of
39 eligibility, admission, or continued occupancy any information about citizenship, immigration
40 status, or prior criminal arrests, convictions, or pending criminal matters.

41 “(3) Rules governing eligibility, admission, and continuing occupancy by tenants
42 in units receiving tenant-based, sponsor-based, or project-based voucher assistance under this
43 section, § 6-227, 6-228, or § 6-229 shall not be inconsistent with this section, § 6-227, 6-228, or
44 § 6-229.

45 “(4)(A) The Authority shall allow applicants or participants to self-certify any
46 required eligibility, admission, or continued occupancy factors when an applicant cannot easily
47 obtain verification documentation.

48 “(B) Self-certification shall be the highest form of verification for
49 purposes of eligibility; and

50 “(C) Self-certification provided at the time of initial eligibility shall be
51 final and remain sufficient for purposes of continued occupancy recertifications.

52 (5) The Authority shall promulgate such additional rules as are necessary to
53 ensure that eligibility for tenancy in the units supported by grants under this section is limited to
54 households with gross income at or below 30% of the area median income.”.

55 (b) Section 26b(c) (D.C. Official Code § 6-227(c)) is amended to read as follows:

56 “(c)(1) Except as prescribed in paragraphs (2), (3), and (4) of this subsection, the
57 Authority shall apply its existing Partnership Program and Housing Choice Voucher Program

58 rules to govern eligibility, admission, and continuing occupancy by tenants in units receiving
59 sponsor-based or project-based voucher assistance under this section, §§ 6-226, and 6-229.

60 “(2) The Authority shall not inquire about nor consider for the purposes of
61 eligibility, admission, or continued occupancy any information about citizenship, immigration
62 status, or prior criminal arrests, convictions, or pending criminal matters.

63 “(3) Rules governing eligibility, admission, and continuing occupancy by tenants
64 in units receiving sponsor-based or project-based voucher assistance under this section, § 6-226,
65 or § 6-229 shall not be inconsistent with this section, § 6-226, or § 6-229.

66 “(4)(A) The Authority shall allow applicants or participants to self-certify any
67 required eligibility, admission, or continued occupancy factors when an applicant cannot easily
68 obtain verification documentation.

69 “(B) Self-certification shall be the highest form of verification for
70 purposes of eligibility; and

71 “(C) Self-certification provided at the time of initial eligibility shall be
72 final and remain sufficient for purposes of continued occupancy recertifications.

73 (5) The Authority shall promulgate such additional rules as are necessary to
74 ensure that eligibility for tenancy in the units supported by grants under this section is limited to
75 households with gross income at or below 30% of the area median income.

76 (c) Section 26c(a) (D.C. Official Code § 6-228(a) is amended to read as follows:

77 “(a)(1)The funds allocated for tenant-based assistance shall be administered through the
78 Authority’s Housing Choice Voucher Program.

79 “(2) Except as provided in paragraphs (3), (4), and (5) of this section, tenant-
80 based assistance provided through the Rent Supplement Program shall be subject to the

81 Authority’s existing rules, regulations, policies, and procedures for the Housing Choice Voucher
82 Program;

83 “(3) The Authority shall not inquire about nor consider for the purposes of
84 eligibility, admission or continued occupancy any information about immigration status or prior
85 criminal arrests, convictions, or pending criminal matters.

86 “(4) Rules governing eligibility, admission, and continuing occupancy by tenants
87 in units receiving tenant-based voucher assistance under this section shall not be inconsistent
88 with this section or § 6-226.

89 “(5)(A) The Authority shall allow applicants or participants to self-certify any
90 required eligibility, admission, or continued occupancy factors when an applicant cannot easily
91 obtain verification documentation.

92 “(B) Self-certification shall be the highest form of verification for
93 purposes of eligibility.

94 “(C) Self-certification provided at the time of initial eligibility shall be
95 final and remain sufficient for purposes of continued occupancy recertifications.

96 “(6) Existing rules, regulations, policies, and procedures affecting the Rent
97 Supplement Program shall be submitted for Council review as required by §6-226.”.

98 Sec. 3. Fiscal impact statement.

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

102 Sec. 4. Effective date.

103 This act shall take effect following approval by the Mayor (or in the event of veto by the

104 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
105 90 days, as provided for emergency acts of the Council of the District of Columbia in section
106 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
107 D.C. Official Code § 1-204.12(a)).

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