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2 Councilmember Brianne K. Nadeau

Chairman Phil Mendelson

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7 Councilmember Brooke Pinto

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13 A BILL

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16 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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

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24 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
25 act may be cited as the “Local Rent Supplement Program Eligibility Temporary Amendment Act
26 of 2022”.

27 Sec. 2. The District of Columbia Housing Authority Act of 1999, effective May 9,
28 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 et seq.), is amended as follows:

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

30 “(c)(1) Except as prescribed in paragraphs (2), (3), and (4) of this subsection, the
31 Authority shall apply its existing Partnership Program and Housing Choice Voucher Program
32 rules to govern eligibility, admission, and continuing occupancy by tenants in units receiving
33 tenant-based, sponsor-based, or project-based voucher assistance under this section, §§ 6-227 , 2-
34 228, and 6-229.

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

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

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

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

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

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

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

53 “(c)(1) Except as prescribed in paragraphs (2), (3), and (4) of this subsection, the
54 Authority shall apply its existing Partnership Program and Housing Choice Voucher Program
55 rules to govern eligibility, admission, and continuing occupancy by tenants in units receiving
56 sponsor-based or project-based voucher assistance under this section, §§ 6-226, and 6-229.

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

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

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

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

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

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

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

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

76 “(2) Except as provided in paragraphs (3), (4), and (5) of this section, tenant-
77 based assistance provided through the Rent Supplement Program shall be subject to the
78 Authority’s existing rules, regulations, policies, and procedures for the Housing Choice Voucher
79 Program;

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

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

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

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

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

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

95 Sec. 3. Fiscal impact statement.

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

99 Sec. 4. Effective date.

100 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
101 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
102 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

103 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
104 Columbia Register.

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

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