



Councilmember Anita Bonds

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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 the Rental Housing Act of 1985, to clarify the effective dates of notice requirements for evictions in non-payment of rent cases established by the Eviction Record Sealing and Fairness in Renting Amendment Act of 2022.

RESOLVED, BY THE COUNCIL DISTRICT OF COLUMBIA, That this resolution

may be cited as the “Notice Requirements for Evictions for Nonpayment of Rent Clarification Emergency Declaration Resolution of 2022.”

Sec. 2. (a) On March 1, 2022, the Council passed the Eviction Record Sealing and Fairness in Renting Amendment Act of 2022, which requires that housing providers give tenants at least 30-day notice prior to filing for eviction due to non-payment of rent.

(b) This permanent legislation followed several emergency/temporary acts which provided tenants with additional protections in response to the Coronavirus public health emergency and subsequent economic crisis. A24-0226, The Fairness in Renting Temporary Amendment Act of 2021, passed by the Council on November 2, 2021, requires that housing providers give tenants at least 30-day notice prior to filing for eviction under any circumstance.

(c) Other emergency/temporary acts require a 60-day notice prior to filing for eviction due to non-payment of rent, in order to give tenants adequate opportunity to apply for emergency rental assistance/relief programs. This series of temporary acts will expire on October 7, 2022.

35 (e) The Council must immediately act to clarify that the requirement to serve a 30-day
36 notice of past due rent does not apply until the expiration of the requirement to serve a 60-day
37 notice of past due rent pursuant to the “Tenant Safe Harbor Act of 2021,” which became law on
38 March 18, 2022. Additionally, it is pertinent for the Council to act to clarify that the 30-day
39 notice requirement in past due rent cases, established by the Eviction Record Sealing and
40 Fairness in Renting Amendment Act of 2022, does not require the filing of two separate notices
41 and can be satisfied by the filing of a single 30-day notice.

42 Sec. 3. The Council of the District of Columbia determines that the circumstances
43 enumerated in section 2 constitute emergency circumstances making it necessary that the
44 Notice Requirements for Evictions for Nonpayment of Rent Clarification Emergency
45 Amendment Act of 2022 be adopted after a single reading.

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