

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require the Mayor to create, maintain, publish, and periodically update a computer database for the purpose of identifying all rental units and for-sale units in the District of Columbia that have been made, or that will be made, affordable as a result of a federal or District subsidy, and a listing of the information in the computer database to assist individuals who seek either to rent or to purchase subsidized affordable housing, and to require all District agencies involved in the development, administration, and oversight of subsidized affordable housing to report certain information to the Mayor or the Mayor's designee.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Affordable Housing Clearinghouse Directory Act of 2008".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Affordable housing development" means any structure or building in the District (whether existing, planned, or under construction) containing one or more affordable housing units and the land appurtenant thereto, including privately owned units, rental properties, public housing, cooperatives, and limited-equity cooperatives.

(2) "Affordable Housing Inventory" means a single, unified, searchable, and sortable database of all affordable housing developments that is maintained by the Mayor.

(3) "Affordable Housing Locator" means a list of affordable housing developments generated using data in the Affordable Housing Inventory that the Mayor provides to the public in an effort to assist low-income and moderate-income households locate available affordable housing.

(4) "Affordable housing unit" means a dwelling that is offered for rent or for sale for residential occupancy and is made available to, and affordable to, a household whose income is equal to, or less than, 120 % of AMI, as a result of a federal or District subsidy.

(5) "AMI" means the periodic Area Median Income calculation provided by the United States Department of Housing and Urban Development as a direct calculation without taking

into account any adjustments.

(6) "Household" means all the persons who would occupy an affordable housing unit, including a single family, one person living alone, 2 or more families living together, or any other group of related or unrelated persons who share living arrangements.

Sec. 3. Development of an Affordable Housing Inventory and an Affordable Housing Locator.

(a) To assist residents of the District in locating affordable housing units within the District, the Mayor, or the Mayor's designee, shall develop and maintain the Affordable Housing Inventory.

(b)(1) The Mayor shall create the Affordable Housing Locator using the Affordable Housing Inventory.

(2) The Mayor shall make the Affordable Housing Locator available and accessible to the general public by all appropriate means, including the internet.

(c)(1) The Mayor shall provide copies of the Affordable Housing Locator to each of the following offices and entities:

(A) The Office of the Deputy Mayor for Planning and Economic Development;

(B) The Office of Planning;

(C) The District of Columbia Housing Authority;

(D) The District of Columbia Housing Finance Agency;

(E) The Department of Housing and Community Development; and

(F) The District of Columbia Public Library.

(2) The Mayor shall provide updated copies to the offices and entities listed in this subsection on a quarterly basis.

Sec. 4. Agency submission of affordable housing data to the Mayor.

(a) The Mayor shall require the following agencies to provide the information required by section 6 to the Mayor, or the Mayor's designee:

(1) The Office of the Deputy Mayor for Planning and Economic Development;

(2) The Office of Planning;

(3) The Department of Human Services;

(4) The Department of Mental Health;

(5) The Office of Aging;

(6) The Office of Victims Services;

(7) The Department of Housing and Community Development;

(8) The District of Columbia Housing Finance Agency;

(9) The District of Columbia Housing Authority; and

(10) Any other District agency involved in the development, planning, provision of financing, subsidy, funding, or any form of financial assistance, facilitation, administration,

compliance, monitoring, or oversight of housing requirements and programs that create or subsidize the operation of affordable housing units in the District of Columbia.

(b) With respect to affordable housing developments for which applications for financing, subsidy, funding, or any other form of financial assistance from the District of Columbia were processed and that are under construction on the effective date of this act, an agency subject to this act shall submit the report required by this section within 3 months of the effective date of this act.

(c)(1) With respect to affordable housing developments for which applications for financing, subsidy, funding, or any other form of financial assistance from the District of Columbia were processed and that are either completed and occupied or ready for occupancy on the effective date of this act, an agency subject to this act shall submit the report required by this section within 6 months of the effective date of this act.

(2) The agency shall review the information for accuracy and update it as appropriate not less than once every 12 months.

(d) An agency subject to this act shall submit the information required by this section to the Mayor on a quarterly basis after the initial submission required by this section.

Sec. 5. Submission of affordable housing data by affordable housing developments.

The Mayor shall include in the Affordable Housing Inventory an affordable housing development that does not receive financing, subsidy, funding, or some form of financial assistance from the District of Columbia or federal government to provide a unit of affordable housing, if the affordable housing development requests inclusion in the Affordable Housing Inventory and submits the information required by section 6 to the Mayor, or the Mayor's designee, on a quarterly basis.

Sec. 6. Information on affordable housing developments.

(a) The Affordable Housing Inventory developed by the Mayor pursuant to section 3 shall include the following information about any affordable housing development in the District of Columbia that is existing, planned, or under construction:

- (1) Name, address, and ward number;
- (2) Name and contact information of the owner;
- (3) Name and contact information of the property manager;
- (4) Name and contact information of the marketing manager;
- (5) Whether the affordable housing development is planned, under construction, or an existing property;
- (6) Name and contact information for the developer responsible for the construction of the affordable housing development;
- (7) Number of affordable housing units and number of market-rate units in the affordable housing development;
- (8) Number of affordable housing units by bedroom size;

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- (9) Percentage of units that are accessible to persons with disabilities;
- (10)(A) Type of financial assistance, funding, or subsidy provided by the District of Columbia or the federal government;
 - (B) The name of the subsidy program;
 - (C) The amount and the type of financial assistance provided with respect to the affordable housing development or unit;
 - (D) Any income qualification and percentage of area median income restriction imposed by the program;
 - (E) The date upon which the program commenced and the date upon which the program expires;
 - (F) The start date and ending date of use restrictions (the earliest date upon which the affordable housing development can be sold without an affordable housing restriction);
- (11) Where available, for properties subsidized through the U.S. Department of Housing and Urban Development, all scores received through an inspection conducted by the Real Estate Assessment Center;
- (12) For properties that receive project-based funding under section 8 of the United States Housing Act of 1937, approved August 22, 1974 (88 Stat. 662; 42 U.S.C. § 1437f), an indication of whether the owner has issued a notice of termination of the assistance and the date of the notice;
- (13) For properties with a mortgage insured or held by the Secretary of the U.S. Department of Housing and Urban Development under sections 236(j)(1), 221(d)(3) BMIR, 241(f)/221-BMIR, or 241(f)/236 of the National Housing Act, approved June 27, 1934 (48 Stat. 1246; 12 U.S.C. § 1701 *et seq.*), an indication of whether the owner has issued a notice of prepayment of the mortgage and the date of such notice;
- (14) Any population specifically served by the affordable housing development, including elderly persons, persons with disabilities, and low-income individuals or families;
- (15) Any affordable units created under the inclusionary zoning requirements;
and
- (16) All information required to be included in the Affordable Housing Locator pursuant to section 7.
 - (b) The Affordable Housing Inventory shall include a unique identification number for each affordable housing development.

Sec. 7. List of affordable housing developments.

- (a) The Affordable Housing Locator shall include the following information about any affordable housing development located in the District:
 - (1) Name of the affordable housing development, where applicable;
 - (2) Address of the affordable housing development/unit, unless the owner or manager of the development requests that the address not be published to protect the

confidentiality of the residents, and provides reasonable grounds for the request, such as the residents are participants in an ex-offender, substance abuse, victims of abuse, or mental disability program;

(3) Population served by affordable housing development/unit, where specificity is appropriate, such as elderly, persons with disabilities, or family, unless the owner or manager of the development requests that the address not be published to protect the confidentiality of the residents, and provides reasonable grounds for the request, such as the residents are participants in an ex-offender, substance abuse, victims of abuse, or mental disability program;

(4) Any population specifically served by the affordable housing development, such as elderly persons, persons with disabilities, and low-income individuals or families;

(5) Type of affordable housing development/unit (*i.e.*, single-family, multi-family, townhouse, rental, ownership, condominium, homeowner association, cooperative, limited equity cooperative);

(6) Name and contact information for the agent selling or renting the property;

(7) Rent charge or sale price, utilities paid by the tenant or owner, and underlying mortgage, condominium and cooperative fees, and other carrying charges, per affordable housing unit;

(8) Maximum percentage of AMI and income for which units would be affordable;

(9) Other subsidy or financial assistance program requirements for the affordable housing development, if any;

(10) Number of bedrooms in the affordable housing unit; and

(11) Whether there are affordable housing units in the development that are accessible for persons with disabilities.

(b) The Affordable Housing Locator shall display the information required by this act in various formats to allow the public the maximum flexibility in sorting through the information. The Affordable Housing Locator that is made available to the public by way of the internet shall be searchable and sortable by ward, target population, income limitation, affordable housing unit size, and rent or sales price.

Sec. 8. Fiscal impact statement.

The Council adopts the June 3, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 9. Effective date.

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

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia