

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the Rental Housing Act of 1985 to permit a tenant organization to have standing to assert a claim in its name on behalf of members in a petition filed by or against a housing provider.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tenant Organization Petition Standing Amendment Act of 2010".

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Code § 42-3501.01 *et seq.*), is amended by adding a new section 216a to read as follows:

"Sec. 216a. Tenant representation by tenant organization.

"(a) A tenant organization shall have standing to assert a claim in its name on behalf of one or more of its members in any petition filed pursuant to this act, or under Chapters 39 or 40 of Title 14 of the District of Columbia Municipal Regulations, whether initiated by or against a housing provider; provided, that:

"(1) One or more members of the tenant organization have standing to assert a claim in their own right;

"(2) One or more members of the tenant organization have provided the tenant organization with written authorization for it to represent that member in the proceeding governing the petition; and

"(3) Neither the claim asserted nor the relief requested requires the participation of the member.

"(b) Where the provisions of subsection (a) of this section have been satisfied, the tenant organization shall be granted party status and have its name placed in the caption of the proceeding.

"(c) No further inquiry into the membership of the association shall be permitted."

Sec. 3. Title 14 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 3904 (14 DCMR § 3904) is amended as follows:

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(1) Subsection 3904.2 (14 DCMR § 3904.2) is amended to read as follows:

"3904.2. Any tenant association may file and shall be granted party status to prosecute or defend a petition on behalf of any one or more of its members who have provided the association with written authorization to represent them in the action, or to seek on behalf of all members any injunctive relief available under the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*). No further inquiry into the membership of the association shall be permitted."

(2) Subsection 3904.3 (14 DCMR § 3904.3) is amended to read as follows:

"3904.3. Any tenant association that is a party to the action pursuant to § 3904.2 shall be listed in the caption."

(b) Section 4019.1 (14 DCMR § 4019.1) is amended to read as follows:

"4019.1. All motions for an award of attorney's fees in a rental housing case shall be filed within thirty (30) days of service of the final order."

Sec. 4. Chapter 29 of Title 1 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 2924 (1 DCMR § 2924) is amended as follows:

(1) Subsection 2924.2 (1 DCMR § 2924.2) is amended to read as follows:

"2924.2. Any tenant association may file and shall be granted party status to prosecute or defend a petition on behalf of any one or more of its members who have provided the association with written authorization to represent them in the action, or to seek on behalf of all members any injunctive relief available under the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*). No further inquiry into the membership of the association shall be permitted."

(2) Subsection 2924.3 (1 DCMR § 2924.3) is amended to read as follows:

"2924.3. Any tenant association that is a party to the action pursuant to § 2924.2 shall be listed in the caption."

(b) Section 2941.1 (1 DCMR § 2941.1) is amended to read as follows:

"2941.1. All motions for an award of attorney's fees in a rental housing case shall be filed within thirty (30) days of service of the final order."

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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. 6. 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

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provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 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