

COUNCIL OF THE DISTRICT OF COLUMBIA

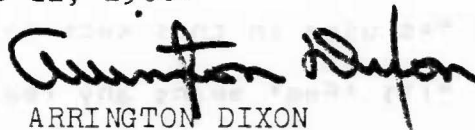
NOTICE

D.C. LAW 3-71

"Rental Housing Locator Consumer Protection Act of 1979".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia Adopted Bill No. 3-124, on first and Second readings, March 18, 1980 and April 1, 1980 respectively. Following the signature of the Mayor on May 1, 1980, this legislation was assigned Act No. 3-179, published in the May 9, 1980, edition of the D.C. Register, (Vol. 27 page 1891) and transmitted to Congress on May 7, 1980 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and, therefore, cites the following legislation as D.C. Law 3-71, effective June 21, 1980.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

May	7,8,9,12,13,14,15,16,19,20,21,22,28,29,30
June	2,3,4,5,6,9,10,11,12,13,16,17,18,19,20

D.C. LAW 3-71

EFFECTIVE DATE JUN 21 1980

AN ACT

D.C. ACT 3-179

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 1 1980

To establish standards and eliminate unfair business practices by rental housing locator firms.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rental Housing Locator Consumer Protection Act of 1979".

"Sec. 2. Chapter 38 of Title 28 of the District of Columbia Code is amended by adding the following new section at the end thereof to read as follows:

"Sec. 28-3819. Rental Housing Locators.

CODIFICATION
D.C. Code, sec.
28-3819

"(a) Definitions.

"As used in this section the term or terms:

"(1) 'Fee' means any fee, commission, charge, deposit, down payment or other valuable consideration, including any fee or charge for a credit check or consultation.

"(2) 'Rental housing locator' or 'locator' means any person who for a fee identifies or purports to

identify or who provides or purports to provide any other information about any rental unit available for rent, other than a rental unit owned or managed by such person.

"(3) 'Rental housing locator contract' means a contract between a rental housing locator and another person that obligates the locator for a fee to identify any number of rental units as available for rent or to provide any other information about them.

"(4) 'Rental unit' means any room, suite, apartment or single family house rented or offered for rent as a residence, including any appurtenant services, facilities, improvements or land.

"(b) Registration.

"(1) within thirty (30) days of the effective date of this section, each rental housing locator that provides listings for rental units located in the District of Columbia shall file with the Director of the Office of Consumer Protection a registration statement on a form approved by the Director. The registration statement shall include the business address of the rental housing locator agency, the name of all owners as well as any information the Director may require. The

Director shall require a registration fee sufficient to recover the costs of administering this section.

"(2) Each rental housing locator shall keep a duplicate of the registration statement posted in a conspicuous place in the business office of the rental housing locator.

"(c) Accuracy of information.

"(1) Every rental housing locator shall revise and correct all information to be provided pursuant to a rental housing locator contract or otherwise made available to any customer, potential customer or the general public, every 24 hours for rental units it advertises and every 48 hours for rental units it does not advertise, or else remove such units from its lists and discontinue the advertising of such units.

"(2) A rental housing locator shall identify as available for rent or provide other information about a rental unit only if the locator has been given permission to do so by the owner/manager of the unit, or the rental unit has been advertised, posted, or otherwise publicly offered or held out as available for rent, by the owner/manager of the rental unit.

"(3) Rental housing locator agencies shall be required to make available upon request, records of all

Original

unadvertised and advertised listings provided to customers and potential customers to the Office of Consumer Protection and the Metropolitan Police Department.

"(d) Contracts.

"(1) Contracts between the rental housing locator agency and the customer shall be written, and a copy of the contract shall be supplied to the customer.

"(2) The contract shall clearly state the duration of the locator service contract.

"(3) Every rental housing locator shall refund, upon request, any fee to any customer within thirty (30) days of said request if any of the rental housing information provided to that customer by the locator fails to comply with the requirements of accuracy as defined by subsection (c) or if the locator fails, upon demand, to provide the correct street address or telephone number of any rental housing unit it advertises or otherwise describes to a customer; or if the locator fails to provide a customer with rental housing listings as called for in the contract."

"(4) The contract shall include in a prominent place and in bold face type the following clauses:

"(A) The first clause shall read as follows:

SAVE THIS DOCUMENT AND ANY RENTAL HOUSING LISTINGS PROVIDED TO YOU. WE ARE AN INFORMATION SERVICE ONLY. WE MAKE NO ATTEMPT TO SECURE YOU HOUSING. THE SERVICE OFFERS ONLY COMPILED INFORMATION CONCERNING AVAILABLE RENTAL HOUSING UNITS. NO GUARANTEE IS MADE THAT YOU WILL FIND RENTAL PROPERTY BY USING THIS SERVICE. YOU MAY BE ENTITLED TO A REFUND IF ANY OF THE RENTAL HOUSING INFORMATION PROVIDED TO YOU IS NOT CURRENT, ACCURATE OR OTHERWISE NOT IN COMPLIANCE WITH THE LAW; and

"(3) The second clause shall state that all inquiries should be made to the District of Columbia Office of Consumer Protection followed by the current address, telephone number, and hours of that office."

Sec. 3. Enforcement.

D.C.Code,
title 28, appendix

(a) Section 5 of the District of Columbia Consumer Protection Procedures Act, effective July 22, 1976 (D.C. Law 1-76; D.C. Code, title 28, appendix) is amended by substituting a semicolon for the period at the end of subsection (y), and by adding a new subsection (z) to read as follows:

"(z) violate any provision of the Rental Housing Locator Consumer Protection Act of 1979 (D.C. Code, sec.

28-3819) or, if a rental housing locator, to refuse or fail to honor any obligation under a rental housing locator contract."

(b) Nothing in this act shall be construed to diminish the authority of the District of Columbia under any existing law to bring or pursue any action the cause of which arose before the effective date of this act.

Sec. 4. The Mayor is authorized to issue regulations to effectuate the provisions of this act.

D.C.Code,
title 28,
appendix

Sec. 5. This act shall take effect after a thirty (30) day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-147(c)(1)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia

APPROVED: May 1, 1980

COUNCIL OF THE DISTRICT OF COLUMBIA

RECORD OF OFFICIAL COUNCIL ACTION

DOCKET NO: BILL 3-124

ACTION: To Adopt (3-18-80) First Reading

VOICE VOTE: Unanimous

Absent: Shackleton

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
JARVIS					ROLARK									

K—Indicates Vote A. B.—Absent N. V.—Not Voted

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: To Adopt (4-1-80) Final Reading

VOICE VOTE: Unanimous

Absent: Jarvis and Winter

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
JARVIS					ROLARK									

K—Indicates Vote A. B.—Absent N. V.—Not Voted

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
JARVIS					ROLARK									

K—Indicates Vote A. B.—Absent N. V.—Not Voted

CERTIFICATION OF RECORD

Secretary to the Council