

ENROLLMENT(S)

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COUNCIL OF THE DISTRICT OF COLUMBIA

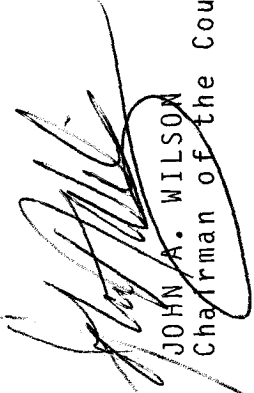
NOTICE

D.C. LAW 9-154

"Rental Housing Act of 1985 Elderly and Disabled Tenant Rental Housing Capital Improvement Relief Amendment Act of 1992".

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. 9-74 on first and second readings, June 2, 1992, and July 7, 1992, respectively. Following the signature of the Mayor on July 21, 1992, this legislation was assigned Act No. 9-246, published in the July 31, 1992, edition of the D.C. Register, (Vol. 39 page 5673) and transmitted to Congress on July 22, 1992 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 this enactment as D.C. Law 9-154, effective September 26, 1992.



JOHN A. WILSON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

- July 22,23,24,27,28,29,30,31
- August 3,4,5,6,7,10,11,12
- September 8,9,10,11,14,15,16,17,18,21,22,23,24,25

Codification

AN ACT

District of Columbia Code

D.C. ACT 9-246

1993 Supplement)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 21, 1992

To amend the Rental Housing Act of 1985 to provide relief from capital improvement rent increases for elderly and disabled tenants and tax relief for housing providers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rental Housing Act of 1985 Elderly and Disabled Tenant Rental Housing Capital Improvement Relief Amendment Act of 1992".

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Code §45-2501 *et seq.*), is amended as follows:

(a) Section 206 (D.C. Code §45-2516) is amended by adding new subsections (f) and (g) to read as follows:

Section
45-2516

"(f)(1) Unless permitted under section 210(j), a capital improvement increase in the rent charged as provided under section 210 shall not be assessed against any elderly or disabled tenant who leases and occupies a rental unit regulated under this act.

"(2) For the purposes of this section and section 210, the term:

"(A) "Disabled tenant" means an individual who has a medically determinable physical impairment, including blindness, which prohibits and incapacitates 75% of that person's ability to move about, to assist himself or herself, or to engage in an occupation, and has an income of not more than \$40,000 per year at the time of approval by the Rent Administrator of a petition for capital improvements pursuant to section 210.

"(B) "Elderly tenant" means an individual who is, and who proves to the satisfaction of the Rent Administrator that he or she is, at least 62 years of age, and has an income of not more than \$40,000 per year at the time of approval by the Rent Administrator of a petition for capital improvements pursuant to section 210.

"(3) Paragraphs (1) and (2) of this subsection shall not affect any increase in the rent ceiling for any rental unit regulated under this act.

"(g)(1) Any housing provider who provides housing to an elderly or disabled tenant and is not permitted under section 210 to implement, and does not implement, all or any portion of any increase in rent charged based on capital improvements provided under section 210 shall receive a tax credit for each unit occupied by an elderly tenant, as determined

by the Rent Administrator under section 210, in the amount of \$1 for each \$1 of the capital improvement rent increase granted by the Rent Administrator that is not implemented. The credit shall be taken against the next installment or installments of real property taxes payable to the District of Columbia coming due with respect to the housing accommodation, inclusive of the land on which it is located.

"(2) If an elderly or disabled tenant exempted from capital improvement rent increases pursuant to this act should cease to reside in a rental unit, the tax credit allowed to the housing provider for that rental unit shall also cease. If another eligible elderly or disabled tenant becomes a resident of the same rental unit, the housing provider shall provide the exemption to the new tenant, and the tax credit shall continue to be effective."

(b) Section 210 (D.C. Code §45-2520) is amended by adding a new subsection (j) to read as follows:

Section
45-2520

"(j) The housing provider may petition the Rent Administrator to assess capital improvement increases in the rent charged against elderly and disabled tenants, and the Rent Administrator shall approve the petition if the housing provider proves to the satisfaction of the Rent Administrator that the amount which would be collectible from elderly and disabled tenants at the housing accommodation, but for the provisions of section 206(f), would exceed the amount of real property taxes that would be payable during the calendar year with respect to the housing accommodation, but for the provisions of section 206(g)."

(c) Section 901 (D.C. Code §45-2591) is amended by adding a new subsection (g) to read as follows:

Section
45-2591

"(g) Any person who knowingly, willfully, and in bad faith makes a false or fraudulent statement to receive a tax credit for not assessing capital improvement increases to an elderly or disabled tenant shall be subject to a fine of not more than \$5,000 for each violation."

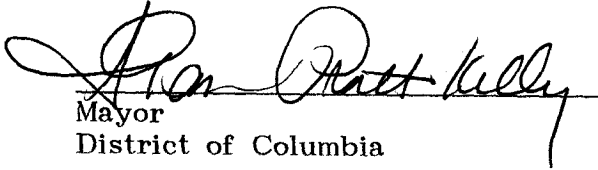
Sec. 3. Applicability.

This act shall not apply to any increase in a rent ceiling for a rental unit, or to any increase in the rent charged for a rental unit, when the capital improvement petition has been approved by the Rent Administrator and the resultant rent increase was implemented prior to the effective date of this act.

Sec. 4. This act shall take effect after a 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 §1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.


Chairman

Council of the District of Columbia



Handwritten signature of Ron Matt Kelly in cursive script, written over a horizontal line.

Mayor
District of Columbia

APPROVED: July 21, 1992



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 9-74

X Item on Consent Calendar

X ACTION & DATE: Adopted First Reading, 6-2-92

X VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: - RESULT

Table with 16 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 16 rows of member names and their voting status.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Handwritten signature of the Secretary to the Council

Secretary to the Council

Handwritten date: July 8, 1992

Date

X Item on Consent Calendar

X ACTION & DATE: Adopted Final Reading, 7-7-92

X VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: - RESULT

Table with 16 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 16 rows of member names and their voting status.

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Item on Consent Calendar

ACTION & DATE:

VOICE VOTE:

Recorded vote on request

Absent:

ROLL CALL VOTE: - RESULT

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CERTIFICATION RECORD

Secretary to the Council

Date