

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Rental Housing Act of 1985 to limit for 2 years the annual adjustment of general applicability of the rent charged in rent stabilized units to the lesser of 6% or the Standard Metropolitan Statistical Area Consumer Price Index for Urban Wage Earners and Clerical Workers plus 2% with a 2-year cumulative limit of 12%, to limit for 2 years the annual adjustment of the rent charged in rent stabilized units leased or co-leased by a home and community-based services waiver provider the lesser of 4% or the adjustment of general applicability with a 2-year cumulative limit of 8%, and to limit for 2 years the annual adjustment in the amount of rent charged while a unit is occupied by an elderly tenant or tenant with a disability to the lesser of 4%, the adjustment of general applicability, or the most recent annual cost-of-living adjustment of benefits for social security recipients with a 2-year cumulative limit of 8%.

BE IT ENACTED BY THE COUNCIL DISTRICT OF COLUMBIA, That this act may be cited as the “Rent Stabilized Housing Inflation Protection Emergency Amendment Act of 2023”.

Sec. 2. Title II of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.01 *et seq.*), is amended as follows:

(a) Section 208 (D.C. Official Code § 42-3502.08) is amended as follows:

(1) Subsection (h)(2) is amended as follows:

(A) Subparagraph (A) is amended as follows:

(i) The existing text is designated as sub-subparagraph (i).

(ii) A new sub-subparagraph (ii) is added to read as follows:

“(ii) Notwithstanding the provisions of sub-subparagraph (i) of this subparagraph, adjustments that take effect from July 1, 2023 through June 30, 2025, shall not exceed the current allowable amount of rent charged for the unit plus the adjustment of general applicability plus 2%, taken as a percentage of the current allowable amount of rent charged; provided, that the total adjustment shall not exceed 6%.”

(B) Subparagraph (C) is amended as follows:

(i) The existing text is designated as sub-subparagraph (i).

(ii) A new sub-subparagraph (ii) is added to read as follows:

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“(ii) Notwithstanding sub-subparagraph (i) of this subparagraph, adjustments that take effect from July 1, 2023 through June 30, 2025, shall not exceed the current allowable amount of rent charged for the unit plus the lesser of 4% or the adjustment of general applicability if the unit is leased or co-leased by a home and community-based services waiver provider.”.

(2) New subsections (i) and (j) are added to read as follows:

“(i)(1) Notwithstanding section 904(b) (D.C. Official Code § 42-3509.04(b)), any notices of rent increases issued pursuant to subsection (h)(2) of this section for which the rent increase shall be effective on or after July 1, 2023, may be re-noticed with less than 30 days’ notice if the rent increase is lower than the rent increase in the original notice.”.

“(2) Any payment of rent in excess of the legal allowable rent charged that was made in accordance with notices of rent increases issued prior to the effective date of this act shall be repaid to the payer within 30 days after overpayment or by August 1, 2023, whichever is later.

“(j) Notwithstanding subsection (h)(2) of this section, the total amount of adjustments from May 1, 2023 through April 30, 2025, shall not exceed the legal rent charged on April 30, 2023, for the unit plus:

“(1) 8%, if the unit is occupied by an elderly tenant or tenant with a disability, or if the unit is leased or co-leased by a home and community-based services waiver provider; or

“(2) 12%, if the unit is occupied by any other tenant.”.

(b) Section 224 (D.C. Official Code § 42-3502.24) is amended by adding a new subsection (a-1) to read as follows:

“(a-1) Notwithstanding section 208(h) or subsection (a) of this section, an adjustment that takes effect from July 1, 2023 through June 30, 2025, in the amount of rent charged while a unit is occupied by an elderly tenant or tenant with a disability, without regard to income, shall not exceed the rent charged for the unit, plus the least of:

“(1) The adjustment of general applicability;

“(2) The most recent annual cost-of-living adjustment of benefits for social security recipients established pursuant to section 451(i) of the Social Security Act (42 U.S.C. § 415(i)); or

“(3) 4% of the rent charged.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia