

A BILL

25-294

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary 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 (CPI-W) 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 Temporary Amendment Act of 2023”.

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C.

Official Code § 42-3502) is amended as follows:

(a) Section 208 is amended as follows:

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

(A) Paragraph (2)(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:

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31                   “(ii) Notwithstanding the provisions of sub-subparagraph (i) of this  
32 subparagraph, adjustments that take effect from July 1, 2023, to June 30, 2025, shall not exceed the  
33 current allowable amount of rent charged for the unit, plus the adjustment of general applicability  
34 plus 2%, taken as a percentage of the current allowable amount of rent charged; provided, the total  
35 adjustment shall not exceed ~~6.9%~~”.

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

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

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

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

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

45                   “(i)(1) Notwithstanding Section 904(b) of the Rental Housing Act of 1985 (D.C. Law 6-10,  
46 D.C. Code § 42–3509.04(b)), any notices of rent increases issued pursuant to subsection (h)(2) of  
47 this section for which the rent increase shall be effective July 1, 2023, or later, may be re-noticed  
48 with less than 30 days’ notice if the rent increase is lower than the rent increase in the original  
49 notice.”.

50                   “(2) Any payment of rent in excess of the legal allowable rent charged that was

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51 made in accordance with notices of rent increases issued prior to the effective date of this Act shall  
52 be repaid to the payer within 30 days of overpayment or by August 1, 2023, whichever is later.

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

56 “(1) 8%, if the unit is occupied by an elderly tenant or tenant with a disability, or if  
57 the unit is leased or co-leased by a home and community-based services waiver provider; or

58 “(2) 12%, if the unit is occupied by any other tenant.”.

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

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

65 “(1) The adjustment of general applicability;

66 “(2) The most recent annual cost-of-living adjustment of benefits for social security  
67 recipients established pursuant to section 415(i) of the Social Security Act approved August 28,  
68 1950 (64 Stat. 506; 42 U.S.C. § 415(i)); or

69 “(3) Four percent of the rent charged.”.

70 Sec. 4. Fiscal impact statement.

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

74           Sec. 5. Effective date.

75           (a) This act shall take effect following approval by the Mayor (or in the event of veto by the  
76 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
77 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,  
78 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
79 Columbia Register.

80           (b) This act shall expire after 225 days of its having effect.