

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To authorize, on an emergency basis, due to congressional review, the Department of Housing and Community Development, to make a grant to the Neighborhood Assistance Corporation of America, to implement measures to provide financial relief and other assistance to the current owners of condominium units at the River East at Grandview Condominiums (“Property”), including the authority to forgive loans originating from the Housing Production Trust Fund and the Home Purchase Assistance Program associated with the purchase of condominium units at the Property and to provide the condominium unit owners with assistance to secure permanent housing solutions; and to amend the Skyland Town Center Omnibus Act of 2014 to permit the Deputy Mayor for Planning and Economic Development to issue a grant up to \$15 million from the Benning Road Transfer Station Modernization project in the Department of Public Works capital budget to the operating budget of the Office of the Deputy Mayor for Planning and Economic Development for the purpose of funding a grant to Skyland Holdings, LLC.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the “Relief for River East at Grandview Condominium Owners Congressional Review Emergency Act of 2024”.

TITLE 1. RELIEF FOR RIVER EAST AT GRANDVIEW CONDOMINIUM OWNERS.

Sec. 101. Definitions.

For the purposes of this act, the term:

(1) “ADU” means affordable dwelling unit, which is a for-sale or for-rent housing unit that is locally restricted, but not federally restricted, for occupancy by a household whose income falls within a certain range and that is generally produced in exchange for zoning relief, tax incentives, public financing, the right to purchase or lease District-owned land, or other relief, as described in Mayor’s Order 2009-112.

(2) “CA” means the River East at Grandview Condominium Association.

(3) “DHCD” means the District of Columbia Department of Housing and Community Development.

(4) “HPAP” means Home Purchase Assistance Program.

ENROLLED ORIGINAL

(5) "HUD" means the U.S. Department of Housing and Urban Development.

(6) "Inclusionary Development" shall have the same meaning as provided in section 101(2) of the Inclusionary Zoning Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; D.C. Official Code § 6-1041.01(2)).

(7) "Inclusionary unit" shall have the same meaning as provided in section 101(3) of the Inclusionary Zoning Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; D.C. Official Code § 6-1041.01(3)).

(8) "IZ" means the Inclusionary Zoning Program.

(9) "NACA" means the Neighborhood Assistance Corporation of America.

(10) "OTR" means the Office of Tax and Revenue.

(11) "Property" means the River East at Grandview Condominiums located at 1262 Talbert Street, S.E., Washington, DC, 20020, known for tax and assessment purposes as Lots 2047 through 2092 in Square 5807, which may also be known as River East at Grandview, Grandview Estate, Grandview Estates, Grandview Estates II, Gardenvue, River East, RiverEast, River East at Anacostia, River East at Anacostia Metro Station, River East at Grandview, and Talbert Street.

(12) "Property Owner" means an individual who owns one of the 46 condominium units at the Property.

Sec. 102. DHCD grant authority.

(a) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*) or its implementing rules under 1 DCMR § 5000 *et. seq.*, DHCD is authorized to enter into a grant agreement with NACA to provide financial relief for Property Owners seeking to obtain permanent housing.

(b) The grant agreement may include that NACA:

(1) Provide housing counseling services to Property Owners, including assessing Property Owners' permanent housing options and working with Property Owners to meet NACA's mortgage eligibility criteria;

(2) Provide recommendations to the Mayor about the financial need for gap financing based on the assessments of the Property Owners;

(3) Alongside the Mayor, seek relief for Property Owners' existing mortgages on the Property;

(4) Provide affordable mortgage options to eligible Property Owners;

(5) Waive any requirements against a Property Owner having an existing mortgage; provided, the existing mortgage is on the Property; and

(6) Not use credit score as the deciding factor for approving a Property Owner's mortgage.

Sec. 103. Additional relief.

(a) Notwithstanding Chapter 9 of Title 47 of the District of Columbia Official Code and the District of Columbia Sales Real Estate Deed Recordation Tax, approved March 2, 1962 (76 Stat. 110; D.C. Official Code § 42-1001 *et seq.*), or its implementing rules under 9 DCMR § 500 *et. seq.*, OTR shall:

(1) Not assess or charge any taxes against a Property Owner related to the Property Owner's first purchase of real property following a Property Owner's purchase of the Property, including transfer taxes and deed recordation taxes, so long as the purchase is made by December 31, 2028; and

(2) Forgive all real property taxes, including interest, penalties, fees, and other related charges, assessed against the Property from October 1, 2020, to September 30, 2025, and provide a refund of all real property taxes paid from October 1, 2020, to September 30, 2025, pursuant to D.C. Official Code § 47-811.02; except, that D.C. Official Code § 47-811.02(b) shall not apply.

(b) Notwithstanding the Housing Production Trust Fund Act of 1989, effective March 10, 2015 (D.C. Law 20-190; D.C. Official Code § 42-2802.02 *et. seq.*):

(1) The Mayor may:

(A) Waive the requirements of section 3b of the Housing Production Trust Fund Act of 1989, effective March 10, 2015 (D.C. Law 20-190; D.C. Official Code § 42-2802.02 or its implementing rules under 10 DCMR § B4100 *et. seq.*); and

(B) Forgive all outstanding debt secured by a Property Owner pursuant to a Housing Production Trust Fund loan that financed development costs of the Property.

(2) Any forgiveness of debt under paragraph (1) of this subsection shall not include any outstanding indebtedness of River East At Anacostia, LLC, or Stanton View Development, LLC incurred in connection with the development of the Property.

(c) Notwithstanding any provisions of the Home Purchase Assistance Fund Act of 1978, effective September 12, 1978; (D.C. Law 2-103; D.C. Official Code § 42-2601 *et seq.*), or its implementing rules under 14 DCMR § 2500 *et. seq.*:

(1) The Mayor may forgive the balance of any HPAP loan provided to a Property Owner to support the purchase of a Property condominium unit;

(2) A Property Owner may be eligible for HPAP assistance of at least \$70,000, subject to available funds through DHCD; and

(3) DHCD may waive the HPAP income requirements if the Property Owner's income no longer meets the affordability criteria; provided, that the Property Owner would have qualified for HPAP on the date that DHCD certified the Property Owner to purchase a Property condominium unit.

(d) Any debt or loans forgiven pursuant to subsections (b) and (c) of this section shall not be considered income for tax purposes in the District.

(e) By May 15, 2024, DHCD shall provide written notice to each Property Owner that includes whether the Mayor will forgive Housing Production Trust Fund loans and Home

Purchase Assistance Program loans, and, if so, the amount of each loan that will be forgiven and the date by when the loan will be forgiven.

(f)(1) Notwithstanding the Inclusionary Zoning Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; D.C. Official Code § 6-1041.01 *et seq.*) or its implementing rules under 14 DCMR § 2200 *et. seq.*, or any Inclusionary Development or affordable housing covenant, a Property Owner who meets the criteria for a compliant inclusionary unit or ADU may have access to an inclusionary unit or ADU set aside for non-lottery sale or rental on a first-come, first-served basis.

(2) Property Owners are exempt from attending the IZ orientation and from completing the 8-hour homebuyer class as part of the IZ program.

(3) DHCD may waive the household income requirements for an inclusionary unit, pursuant to 14 DCMR § 2225, or ADU if the Property Owner's income no longer meets the affordability criteria; provided, that the Property Owner would have qualified for an IZ rental or for-sale unit on the date that DHCD certified the Property Owner to purchase a Property condominium unit.

(g) DHCD may prioritize Property Owners on waitlists or encourage the owners of properties whose waitlists DHCD does not manage to prioritize Property Owners on their waitlists for DHCD funded properties or other Low Income Housing Tax Credit properties; provided, that selections shall be made pursuant to the HUD Handbook 4350.3 REV-1 Ch. 3.

(h) DHCD may update the grant agreement executed between the CA and the District, by and through DHCD, with an effective date of May 22, 2023, through September 30, 2023, to provide up to \$150,000 to the CA to cover operations and expenses.

(i) The Mayor shall create a program for providing Property Owners who choose to rent or who do not qualify for homeownership with a rental option. DHCD shall provide written notice to each Property Owner of the details of a rental option program by May 1, 2024.

(j) The Mayor may allocate \$300,000 to covered property owners for moving expenses and, if allocated, shall distribute the funding in equal amounts among the Property Owners.

TITLE II. SKYLAND GRANT

Sec. 201. The Skyland Town Center Omnibus Act of 2014, effective June 21, 2014 (D.C. Law 20-110; D.C. Official Code § 2-1217.35a *et seq.*), is amended as follows:

(a) Section 203 (D.C. Official Code § 2-1217.35d) is amended by striking the phrase “not to exceed \$40 million to fund the project” and inserting the phrase “not to exceed \$25 million to fund the project” in its place.

(b) A new section 203a is added to read as follows:

“Sec. 203a. Grant authorization.

“Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor for Planning and Economic Development may issue a grant in an amount not to exceed \$15 million to the Developer for the purpose of supporting the completion of the project.”.

Sec. 202. Reprogramming.

(a) Pursuant to section 47-363 of the District of Columbia Official Code, the Mayor transmitted to the Council a reprogramming request in the amount of \$15 million to be transferred from the Benning Road Transfer Station Modernization project in the Department of Public Works capital budget to the operating budget of the Office of the Deputy Mayor for Planning and Economic Development for the purpose of funding a grant to Skyland Holdings, LLC.

(b) The Council approves the \$15 million reprogramming request.

TITLE III. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE.

Sec. 301. Applicability.

This act shall apply as of July 14, 2024.

Sec. 302. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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. 303. 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 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