

A PROPOSED RESOLUTION

\_\_\_\_\_  
IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
\_\_\_\_\_

To declare the existence of an emergency with respect to the need to amend the Rental Housing Act of 1985 to limit the adjustment of general applicability of the rent charged in rent stabilized units to the Standard Metropolitan Statistical Area Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) during the preceding calendar year.

RESOLVED, BY THE COUNCIL DISTRICT OF COLUMBIA, That this resolution may be cited as the “Inflation Mitigation for Rent Stabilized Housing Emergency Declaration Resolution of 2023”.

Sec. 2. (a) Under the Rental Housing Act of 1985, annual rent increases for units in certain older buildings are limited to inflation as measured by the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) plus an additional 2% and as approved by the Rental Housing Commission in the District.

(b) In January 2020, the Rental Housing Commission approved an increase of 3.0% for May 1, 2020 through April 30, 2021 in rent stabilized units.

(c) In March 2020, the Council of the District of Columbia voted to suspend rent increases of any amount in the wake of the COVID-19 pandemic, including rent increases in rent stabilized units.

(d) In January 2021, the Rental Housing Commission approved a 3.0% increase for rent stabilized units, though Council’s prohibition on rent increases remained in effect.

29 (e) On December 31, 2021, Council lifted the prohibition on rent increases,  
30 allowing landlords to give 30 days' notice to tenants of proposed rent increases that could  
31 begin no sooner than February 1, 2022, and that, in rent stabilized units, could result in a  
32 maximum increase of 3.0%, per the Rental Housing Commission's approved rate.

33 (f) In January 2022, the Rental Housing Commission approved a 6.2% overall  
34 increase to rents, which took effect on May 1, 2022, and will be in effect through April 30,  
35 2023.

36 (g) This past January 2023, the Rental Housing Commission approved an 8.9%  
37 overall increase to rents in rent stabilized units, which would take effect on May 1, 2023,  
38 resulting in a maximum total increase to rents of 15.1% over the past two years and 18.1%  
39 over the past three years.

40 (h) Under DC law, landlords must provide at least 30 days' notice of a rent increase  
41 to tenants in rent stabilized units and may only issue a notice of an increase once during a  
42 12-month period.

43 (i) For the proposed 8.9% adjustments to take effect on May 1, 2023, landlords  
44 must issue notices beginning April 1, 2023 or sooner, though landlords may choose to  
45 institute notices of changes to rent once at any time throughout the year.

46 (j) Except for tenants who qualify, apply for, and receive a limited increase in rent  
47 because they are elderly or a person with a disability, tenants subject to this year's  
48 maximum 8.9% increase face the highest rental increase in the history of the District's rent  
49 stabilization program by more than 1.0%; the next highest increase was 7.6% and occurred  
50 over 30 years ago in 1990.

51 (k) While landlords have expressed concerns about the impact of rising maintenance and  
52 business expenses on their ability to serve their tenants and maintain their businesses, tenant  
53 advocates and tenants have also raised serious concerns that an 8.9% increase will contribute to  
54 significant hardship for many of the households living in the over 70,000 rent stabilized units in the  
55 District and may lead to displacement of residents with lower incomes.

56 (l) Many residents and businesses continue to climb out of the financial distress they  
57 experienced during the pandemic and are struggling to keep up with the heightened burden  
58 inflation has created on daily expenses, such as grocery bills and utilities.

59 (m) As of March 10, 2023, funds in the Emergency Rental Assistance Program are  
60 closed to new applicants, leaving tenants with low incomes with fewer safety nets to cover  
61 back rents and avoid evictions.

62 (n) Additional Emergency Rental Assistance Program funds may not become  
63 available until fiscal year 2024 beginning October 1, 2023.

64 (o) For tenants unable to cover their rents as a result of the proposed May 1  
65 increases, landlords could begin eviction proceedings as early as June 2023, at least three  
66 months prior to when any additional Emergency Rental Assistance Program funds become  
67 available for eligible tenants.

68 (p) As a result of eviction proceedings, landlords may incur additional costs  
69 through having to navigate the litigation process.

70 (q) Additionally, the District has created housing goals to reduce the displacement of  
71 residents, including language in the Housing Element of the current Comprehensive Plan, which  
72 states, “rent control should be primarily considered a tenant protection and anti-displacement tool.”

73 (r) This emergency and temporary legislation is necessary to mitigate the  
74 substantial inflationary increases to DC's rent stabilized housing stock prior to the  
75 imminent allowable increase of 8.9% on May 1, 2023, to further the District's use of rent  
76 control as an anti-displacement tool, and to prevent the perfect storm of high inflation, lack  
77 of emergency rental support funds, and compounding housing costs from creating an even  
78 greater wave of displacement from the District's preserved affordable housing stock.

79 Sec. 3. The Council of the District of Columbia determines that the circumstances  
80 enumerated in section 2 constitute emergency circumstances making it necessary that the  
81 Inflation Mitigation in Rent Stabilized Housing Emergency Amendment Act of 2023 be adopted  
82 after a single reading.

83 Sec. 4. This resolution shall take effect immediately.

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