

A RESOLUTION

25-393

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 19, 2023

To declare the existence of an emergency with respect to the need to amend the Rental Housing Act of 1985 to enact a moratorium on applications for, and the Mayor's issuance of, certificates of assurance associated with District rent stabilization laws.

RESOLVED, BY THE COUNCIL DISTRICT OF COLUMBIA, That this resolution may be cited as the "Certificate of Assurance Moratorium Second Extension Emergency Declaration Resolution of 2023".

Sec. 2. (a) Section 221 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Code § 42-3502.21), allows owners of housing accommodations to apply for certificates of assurance from the Mayor, which would provide that in the event their properties become subject to any rent stabilization, the owners would recover in the form of a District real estate tax credit the difference between the annual fair market rents and the annual amount of stabilized rents the owners receive from the tenants in the housing accommodations.

(b) Because the certificate of assurance entitlement lasts for as long as the properties remain housing accommodations, the entitlement may create a potentially prohibitive fiscal impact on future reform legislation.

(c) Implementation barriers and concerns kept the program from ever being fully operational.

(d) On September 22, 2020, the Council passed the Certificate of Assurance Moratorium Emergency Amendment Act of 2020, effective November 2, 2020 (D.C. Act 23-454; 67 DCR 13216), which placed an emergency moratorium on applications for, and the Mayor's issuance of, certificates of assurance to owners of housing accommodations.

(e) Most recently, this moratorium was extended by the Certificate of Assurance Moratorium Extension Temporary Amendment Act of 2023, effective June 14, 2023 (D.C. Law 25-18; 70 DCR 6337), which will expire on January 25, 2024.

(f) Emergency legislation is necessary to maintain the status quo while permanent legislation is introduced and considered.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Certificate of Assurance Moratorium Second Extension Emergency Amendment Act of 2023 be

ENROLLED ORIGINAL

adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.