

AN ACT

**D.C. ACT 25-694**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**JANUARY 16, 2025**

To amend the District of Columbia Housing Finance Agency Act to establish a permanent Reverse Mortgage Foreclosure Prevention Program, include condominium fees and homeowners association fees as approved uses of the financial assistance provided by the Reverse Mortgage Foreclosure Prevention Program, and expand eligibility for the Reverse Mortgage Foreclosure Prevention Program to homeowners whose spouses have executed a reverse mortgage; to amend the Rental Housing Act of 1985 to update procedures for voluntary agreements, remove the Mayor's authority to issue certificates of assurance, reflect changes in jurisdiction over administrative hearings, increase the time in which parties aggrieved by final decisions of the Rent Administrator or Office of Administrative Hearings in contested cases may prepare and file an appeal to the Rental Housing Commission, expedite the processing and improve the content of administrative records for cases appealed to the Rental Housing Commission, provide parties before the Rental Housing Commission sufficient time to brief arguments on appeal, provide the Rental Housing Commission sufficient time to afford due consideration to the issues on appeal, and provide greater opportunities for mediation and settlement of disputes for cases on appeal in the Rental Housing Commission; to amend the Condominium Act of 1976 to authorize condominium unit owners' associations to conduct virtual meetings and clarify voting and quorum requirements for such meetings; to amend section 29-910 of the District of Columbia Official Code to allow cooperatives to conduct remote meetings; to amend sections 29-1005.06, 29-1005.07, and 29-1008.11(b) of the District of Columbia Official Code to allow limited equity cooperatives to conduct remote meetings; to amend the Commission on Re-Entry and Returning Citizens Affairs establishment law to ensure it contains accurate legislative references and agency names; and to amend the Confirmation Act of 1978 to add the Commission on Re-Entry and Returning Citizens to the list of boards and commissions that require a 45-day Council review prior to passive approval.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fairness and Stability in Housing Amendment Act of 2024".

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**TITLE I. REVERSE MORTGAGE FORECLOSURE PREVENTION PROGRAM.**

Sec. 101. Section 307a of the District of Columbia Housing Finance Agency Act, effective October 30, 2018 (D.C. Law 22-168; D.C. Official Code § 42-2703.07a), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Strike the phrase “as a pilot program”.

(B) Strike the phrase “and property insurance debts” and

insert the phrase “, property insurance debts, condominium fees, and homeowner association fees” in its place.

(2) Paragraph (3) is repealed.

(b) Subsection (d) is amended by striking the number “\$25,000” and inserting the number “\$40,000” in its place.

(c) Subsection (e) is repealed.

(d) Subsection (f) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “or insurance premiums” and inserting the phrase “, insurance premiums, condominium fees, or homeowner association fees” in its place.

(B) Subparagraph (B) is amended by striking the phrase “and insurance premiums” and inserting the phrase “, insurance premiums, condominium fees, and homeowner association fees” in its place.

(2) Paragraph (3)(C) is amended by striking the word “executed” and inserting the phrase “executed, or whose spouse has executed,” in its place.

**TITLE II. AMENDMENTS TO THE RENTAL HOUSING ACT OF 1985.**

**SUBTITLE A. VOLUNTARY AGREEMENT PROCEDURES.**

Sec. 201. (a) Section 215 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.15), is amended as follows:

(1) Subsection (a) is amended as follows:

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(A) Strike the word "Seventy percent" and insert the phrase "Pursuant to rules and procedures enacted under section 202(a)(1) of this act, 70%," in its place.

(B) Paragraph (1) is amended by striking the word "rent" and inserting the phrase "reasonable rent" in its place."

(2) A new subsection (a-1) is added to read as follows:

"(a-1) A tenant in a unit exempt from the Rent Stabilization Program under section 205(a) of this act shall be permitted to comment on the provisions of a voluntary agreement and shall have their comments included in any filing of a voluntary agreement to the Rent Administrator."

(3) Subsection (b) is amended to read as follows:

"(b) A housing provider, tenant, or tenant association shall file a voluntary agreement with the Rent Administrator. If approved by the Rent Administrator, the agreement shall be binding on the housing provider and on all tenants, except as specified in section 224(i)(2). The voluntary agreement shall include:

"(1) The signature of each tenant, including that of a tenant who opted out of the voluntary agreement pursuant to subsection (a-1) of this section;

"(2) The number of each tenant's rental unit;

"(3) The specific amount of increased rent each tenant will pay, if applicable;

"(4) A statement that the agreement was entered into voluntarily without any form of coercion, as defined by subsection (e) of this section, on the part of the housing provider;

"(5) An explanation of why the housing provider did not pursue a rent adjustment pursuant to sections 210, 211, 212, and 214; and

"(6) Any other information the Rent Administrator requires."

(4) Subsection (c) is repealed.

(5) New subsections (d) and (e) are added to read as follows:

"(d) The Rent Administrator shall determine whether a voluntary agreement complies with filing requirements, was agreed to without coercion, and whether any proposed rent adjustments within a voluntary agreement are reasonable.

"(e) For the purposes of this section, the term "coercion" includes the knowing circulation of inaccurate information, frequent visits or calls over the objection of that household, threat of retaliatory action, an act or threat not otherwise permitted by law which seeks to recover possession of a rental unit, increase rent, decrease services, increase the obligation of a tenant or cause undue or unavoidable inconvenience, harass or violate the privacy of the household, refusal to honor a lease provision, refusal to renew a lease or rental agreement, or other form of threat."

(b) Section 215a of the Rental Housing Act of 1985, effective March 16, 2021 (D.C. Law 23-246; D.C. Official Code § 42-3502.15a), is repealed.

### **SUBTITLE B. RENTAL HOUSING COMMISSION APPEALS PROCEDURES.**

Sec. 202. Section 216 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.16), is amended as follows:



(a) Subsection (h) is amended to read as follows:

“(h) Decisions of the Rent Administrator or Office of Administrative Hearings shall be made on the record relating to any petition filed pursuant to this act. An appeal from any decision of the Rent Administrator or Office of Administrative Hearings arising under this act may be taken by an aggrieved party to the Rental Housing Commission within 30 days after the decision is issued, or the Rental Housing Commission may review a decision on its own initiative. The Rent Administrator or Office of Administrative Hearings shall transmit the complete, official record of the proceeding, including transcripts of any hearings, to the Rental Housing Commission within 30 days of receiving notice that an appeal has been filed. The Rental Housing Commission may reverse, in whole or in part, any decision that it finds to be arbitrary, capricious, an abuse of discretion, not in accordance with the provisions of this act, or unsupported by substantial evidence on the record of the proceedings, or it may affirm, in whole or in part, the decision. The Rental Housing Commission shall issue a decision with respect to an appeal within 120 days after the appeal is submitted for consideration.”.

(b) A new subsection (h-1) is added to read as follows:

“(h-1) While a petition filed under this section is pending before the Rent Administrator or the Rental Housing Commission, the Rent Administrator or Rental Housing Commission, respectively, may order the petitioner and respondent to attend mediation, to be facilitated by that office, for the purposes of reaching a mutually agreeable settlement and may impose sanctions on any party that fails to appear at a scheduled mediation session without good cause.”.

### **SUBTITLE C. CERTIFICATE OF ASSURANCE REPEAL.**

Sec. 203. (a) Section 221 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.21), is repealed.

(b) The Certificate of Assurance Moratorium Emergency Amendment Act of 2024, effective November 22, 2024 (D.C. Act 25-633; 71 DCR 14464), is repealed.

(c) The Certificate of Assurance Moratorium Temporary Amendment Act of 2024, enacted December 19, 2024 (D.C. Act 25-663; 71 DCR \_\_\_\_), is repealed.

### **TITLE III. ASSOCIATION MEETING FLEXIBILITY.**

Sec. 301. Section 303 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.03), is amended as follows:

(a) Subsection (b) is amended by striking paragraph (4).

(b) A new subsection (f) is added to read as follows:

“(f) Notwithstanding any language contained in this act or in the condominium instruments:

“(1) Meetings of the unit owners’ association, executive board, or committees may be conducted or attended by telephone conference, video conference, or similar electronic means. If a meeting is conducted by telephone conference, video conference, or similar electronic means, the equipment or system used must permit any unit owner in attendance to hear

and be heard by, and to comprehend what is said by, all other unit owners participating in the meeting. Any unit owner, board member, or committee member attending such meeting shall be deemed present for quorum purposes.

“(2) A link or instructions on how to access an electronic meeting shall be included in the notice required under subsection (a) of this section.

“(3) Any matters requiring a vote of the unit owners’ association at an annual or regular meeting may be set by the executive board for a vote, and a ballot may be delivered with the notice required under subsection (a) of this section. The executive board may set a reasonable deadline for a ballot to be returned to the association.

“(4) The executive board may authorize unit owners to submit votes by electronic transmission up to 7 days before the scheduled date of any meeting of the unit owners, and unit owners who submit votes during such period shall be deemed to be present and voting in person at such meeting.”.

Sec. 302. Section 29-910 of the District of Columbia Official Code is amended by striking the phrase “If authorized by the articles or bylaws” and inserting the phrase “Regardless of whether remote regular and special meetings of members are authorized by the articles or bylaws” in its place.

Sec. 303. Section 29-1005.06(c) of the District of Columbia Official Code is amended by striking the phrase “Unless the organic rules otherwise provide, members” and inserting the word “Members” in its place.

Sec. 304. Section 29-1005.07(e) of the District of Columbia Official Code is amended by striking the phrase “Unless the organic rules otherwise provide, members” and inserting the word “Members” in its place.

Sec. 305. Section 29-1008.11(b) of the District of Columbia Official Code is amended by striking the phrase “Unless the organic rules otherwise provide, a” and inserting the word “A” in its place.

#### **TITLE IV. COMMISSION ON RE-ENTRY AND RETURNING CITIZENS ESTABLISHMENT UPDATE.**

Section 401. Section 4(b)(1) of the Office on Ex-Offender Affairs and Commission on Re-entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1303(b)(1)) is amended as follows:

(a) The lead-in language is amended by:

(1) Striking the phrase “section 2(a)” and inserting the phrase “section 2(f)” in its place.

(2) Striking the number “13” and inserting the number “14” in its place.

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(b) Subparagraph (E) is amended by striking the phrase "Director of Consumer and Regulatory Affairs" and inserting the phrase "Directors of the Department of Licensing and Consumer Protection and the Department of Buildings" in its place.

Section 402. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)) is amended as follows:

(a) Paragraph (73) is amended by striking the word "and".

(b) Paragraph (74) is amended by striking the phrase "(D.C. Law 24-336; D.C. Official Code § 8-191.01(a))." and inserting the phrase "(D.C. Law 24-336; D.C. Official Code § 8-191.01(a)); and" in its place.

(c) A new paragraph (75) is added to read as follows:

"(75) The Commission on Re-Entry and Returning Citizens Affairs."


**TITLE V. FISCAL IMPACT STATEMENT; EFFECTIVE DATE.**


Sec. 501. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section, 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 502. 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 a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)).

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED  
JANUARY 16, 2025