A PROPOSED RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To declare the existence of an emergency with respect the Rental Housing Act of 1985 to prohibit the execution of residential evictions during precipitation; to establish the eviction procedure and requirements of a housing provider before, during, and immediately after a residential eviction; to establish standards for the storage and disposal of an evicted tenant’s personal property; to clarify, in a non-residential eviction, the legal status of an evicted tenant’s remaining personal property and a housing provider’s civil liability for such property.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Eviction with Dignity Declaration Resolution of 2018”.

Sec. 2. (a) The Eviction with Dignity Emergency Amendment Act will repeal and replace the Bill 22-864, the Eviction Reform Emergency Amendment Act of 2018, which was passed on June 26, 2018.

(b) This legislation would prohibit the eviction of a tenant when precipitation is falling at the location of the rental unit.  Rather than require the housing provider to deliver notice of eviction by telephone, electronic communication, or first-class mail, this legislation would require two methods of notice delivery, one of which may be a conspicuous posting.

(c) An opt-in process for the packaging, transportation, and storage of evicted tenants’ personal property would not be created.

(d) Rather than require the housing provider to photograph, package and transport the tenant’s personal property to a storage facility within a 10-mile radius of the unit, the legislation would require the housing provider to hold an evicted tenant’s personal property in the rental unit and give the evicted tenant reasonable access to remove the personal property.

(e) Rather than require the housing provider to store an evicted tenant’s personal property for 30 days, the landlord would be required to give the tenant 48 hours to remove the personal property from the rental unit.

(f) Rather than require a storage facility to dispose of abandoned property, this legislation would authorize the housing provider to dispose of abandoned property in a lawful manner, to include sale.  If the housing provider receives funds from the sale of the evicted tenants abandoned property, the housing provider would be required to apply such funds to the account of the evicted tenant.

(g) Finally, the housing provider would not be liable to the evicted tenant for civil damages and subject to civil fines of up to $5,000 for the loss, damage, or destruction of an evicted tenant’s personal property; and the District of Columbia Housing Authority would be exempted from these eviction requirements.

Sec. 3. The Council of the District of Columbia finds that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the “The Eviction with Dignity Emergency Amendment Act” be adopted.

Sec. 4. This resolution shall take effect immediately.