

1 **AMENDMENT IN THE NATURE OF A SUBSTITUTE (MENDELSON)**

2 April 21, 2020

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4 A RESOLUTION

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9 IN THE COUNCIL OF DISTRICT OF COLUMBIA

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13 To declare the existence of an emergency with the respect to the need to amend the COVID-19
14 Response Supplemental Emergency Amendment Act of 2020 to include mortgage lenders
15 as covered entities, require notice of approved deferral applications, and to clarify the
16 amount a landlord may require a tenant to repay following the deferral period; **to**
17 **prohibit commercial rent increases during the public health emergency; to allow**
18 **nightclubs to deliver food with beer, wine or liquor; to clarify provisions in D.C. Act**
19 **23-286 pertaining to debt collection and civil liability; and to set the budget**
20 **submission date as May 12, 2020.**

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22 RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA. That this
23 resolution may be cited as the "**COVID-19 Supplemental CorrectionsMortgage Relief**
24 Emergency Declaration Resolution of 2020".

25 Sec. 2. (a) on March 11, 2020, the Mayor of the District of Columbia issued Mayor's
26 Order 2020-45 and 2020-46, declaring a public emergency and a public health emergency in the
27 District due to the imminent threat to the health, safety, and welfare of District residents posed
28 by the spread of COVID-19. That order is currently in effect through April 24, 2020.

29 **(b) On March 17, the Council adopted the COVID-19 Response Amergency**
30 **Amdnment Act of 2020 (D.C. Act 23-247) that includes provisions to delay the submission**
31 **of the Mayor's Fiscal Year 2021 budget proposal to May 6, 2020 due to the public health**
32 **emergency. That bill also includes a provisison to allow many restaurants and taverns to**
33 **deliver beer, wine, and spirits with carry out or delivery orders of food.**

34 **(c)** On April 7, 2020, the Council adopted the COVID-19 Response Supplemental
35 Emergency Amendment Act of 2020 (D.C. Act 23-286). **One provision of that act is intended**

36 ~~to~~ mitigate the adverse impacts of the public health emergency, ~~that legislation contained~~
37 ~~provisions that~~ by directing mortgage providers to establish mortgage relief plans. The act also
38 includes provisions to prohibit rent increases for residential rental properties and make
39 technical changes regarding beer, wine, and spirit sales. It also contains a provisions
40 limiting liability to the District with regard to the public health emergency and limiting
41 debt collection during the public health emergency.

42 (d) To ensure the Council gets all relevant budget materials on the date of
43 submission of the budget, the budget submission date must be extended by one week. Also,
44 the Council has determined that the same rent relief afforded to residential tenants in D.C.
45 Act 23-286 should be extended to commercial tenants. Concerns have also been raised that
46 the provision of Act 23-286 regarding District liability under the public health emergency
47 should be narrowed. Also, the Executive has asked that the provision for alcohol delivery
48 originally added to D.C. Act 23-247, and refined in D.C. Act 23-286, be expanded to
49 nightclub licensees.

50 (ee) To ensure ~~this~~ the mortgage relief is most appropriately administered during the
51 public health emergency, the mortgage relief provisions in D.C. Act 23-286 need to be amended
52 to include mortgage lenders as covered entities, require notice of approved deferral applications,
53 and clarify the amount a landlord may require a tenant to repay following the deferral period.

54 Sec. 3. The Council of the District of Columbia determines that the circumstances in
55 section 2 constitute emergency circumstances, making it necessary that the COVID-19
56 Supplemental CorrectionsMortgage Relief Emergency Amendment Act of 2020 be adopted
57 after a single reading.

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