


COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
1350 Pennsylvania Avenue, NW
Washington, DC 20004

MEMORANDUM

TO: Nyasha Smith, Secretary to the Council

FROM: Phil Mendelson, Chairman 

DATE: October 28, 2021

RE: **Request to Place Measure on the Agenda for November 2, 2021
Legislative Meeting**

Please place the following measures on the agenda for the November 2, 2021 Legislative Meeting:

- **Tenant Safe Harbor Emergency Declaration Resolution of 2021**
- **Tenant Safe Harbor Emergency Amendment Act of 2021**
- **Tenant Safe Harbor Temporary Amendment Act of 2021**

On July 12, 2021, the Council unanimously approved the Public Emergency Extension and Eviction and Utility Moratorium Phasing Emergency Amendment Act of 2021 (D.C. Act 24-125; 68 DCR 7342). The Act requires housing providers or tenants to apply to STAY DC and wait 60 days for the application to be processed before a housing provider may file an eviction case for non-payment of rent. The Act also required housing providers to issue a notice of non-payment of rent to tenants describing the STAY DC program and outlining the requirements of the statute.

On October 14, 2021, the Mayor announced that the STAY DC portal would close on 7:00 p.m. on October 27, 2021. Given the closure of STAY DC, the requirements of Act 24-125 are no longer feasible. Yet, there are still thousands of tenants who may not receive STAY DC funding, remain behind on rent, and are therefore at risk of eviction. As such, the measures update the District's notice requirements for non-payment cases, and provides tenants in non-payment cases the right to raise financial hardship during the public health emergency as a defense in eviction cases.

In addition, the measures make a conforming amendment to the law regarding the Chairman's authority to enforce the mandatory vaccination policy.

Copies of the measures are attached. Please call me or Blaine Stum if you have any questions at (202) 724-8092.

cc: All Councilmembers
Council Officers