


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: March 31, 2022

RE: **Request to Place Measure on the Agenda for April 5, 2022 Legislative Meeting**

Please place the following measures on the agenda for the February 1, 2022 Legislative Meeting:

- **Rent Notice and Rent Increase Clarification Emergency Declaration Resolution of 2022**
- **Rent Notice and Rent Increase Clarification Emergency Amendment Act of 2022**
- **Rent Notice and Rent Increase Clarification Temporary Amendment Act of 2022**

On July 13, 2021, the Council approved Act 24-125, the Public Emergency Extension and Eviction and Utility Moratorium Phasing Emergency Amendment Act of 2021, to phase out the eviction moratorium and other protections related to COVID-19 in the Coronavirus Support Temporary Amendment Act of 2021 (D.C. Law 24-9). Act 24-125 amended new subsection (c) of Section 405(7) of the Coronavirus Support Temporary Amendment Act to allow housing providers to issue rent increase notices beginning January 1, 2022. However, the Act neglected to amend or strike (7)(d), despite the Council's intent to allow notices to be issued beginning January 1, 2022. Due to this error and the Mayor's surprise declaration of a "limited public health emergency" on January 11, 2022, rent increase notices issued to tenants between January 1, 2022 and February 28, 2022 are being legally challenged and could be rendered null and void. To ensure that housing providers are not forced to issue new notices due to this legislative drafting error, this emergency amends the Rental Housing Act of 1985 to ensure that lawfully issued notices and lawfully implemented rent increases are not deemed null and void.

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