



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 
Councilmember Matt Frumin 

DATE: May 2, 2024

RE: **Request to Agendize for the May 7, 2024 Legislative Meeting**

This memorandum is to request that the following measures be placed on the agenda for the May 7, 2024 Legislative Meeting:

- **Unlawful Restrictions in Land Records Declaration Resolution of 2024**
- **Unlawful Restrictions in Land Records Emergency Act of 2024**

The purpose of the underlying legislation is to allow residents and homeowner associations to remove unlawful restrictions from their land records and to declare void, as contrary to public policy, covenants prohibiting apartment houses or buildings with multiple dwelling units when such units would otherwise be permitted under zoning. In particular, there is at least one property owned by the District where a covenant purports to disallow an apartment building to be built on the site.

Identical permanent legislation is scheduled for first reading on May 7, 2024. Enacting the legislation on an emergency basis will allow homeowners to amend their land records immediately and will provide clarity regarding a certain District-owned property that is currently the subject of a request for proposals for redevelopment, because any covenant prohibiting apartment buildings that would otherwise be allowable under zoning is declared void.

The draft measures are attached. Please call me or Mr. Evan Cash if you have any questions at (202) 724-7002.

cc: All Councilmembers
Council Officers