

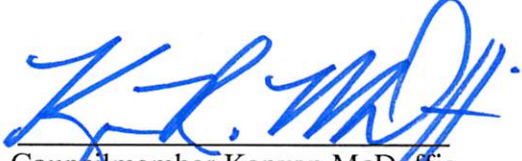
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2 Chairman Phil Mendelson

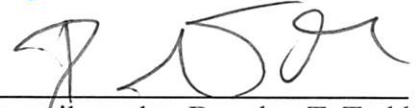

Councilmember Anita Bonds

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7 Councilmember Jack Evans


Councilmember Vincent C. Gray

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12 Councilmember David Grosso


Councilmember Kenyan McDuffie

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18 Councilmember Brandon T. Todd

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22 A BILL
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25 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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28 To amend the Rental Housing Conversion and Sale Act of 1980 to exempt owner-occupied
29 single-family homes with accessory dwelling units from the requirements of TOPA.
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31 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
32 act may be cited as the "TOPA Accessory Dwelling Unit Amendment Act of 2017".

33 Sec. 2. The Rental Housing Conversion and Sale Act of 1980, effective September 10,
34 1980 (D.C. Law 3-86; D.C. Official Code § 3401.01 *et seq.*), is amended as follows:

35 (a) Section 103 (D.C. Official Code § 42-3401.03) is amended by adding a new paragraph
36 (9A) to read as follows:

37 "(9A) "Dwelling unit" means a room, or group of rooms forming a single unit, designed,
38 or intended to be used for living, sleeping, the preparation and eating of meals."

39 (b) Section 202(b) (D.C. Official Code § 42-3402.02(b) is amended to read as follows:

40 “(b) Exemption. — (1)(A) “Share value”, for the purposes of this paragraph, means the
41 actual initial membership price plus the actual cost of any improvement to the unit paid by the
42 member after board approval.

43 “(B) With the Mayor’s approval, owners who certify their intent to convert
44 a housing accommodation to a nonprofit cooperative, with an appreciation of share value limited
45 to a maximum of the annual rate of inflation, for low and moderate income persons as defined
46 from time to time by the United States Department of Housing and Urban Development for the
47 Washington Standard Metropolitan Statistical Area (SMSA) may be exempt from this
48 subchapter.

49 “(C) Upon application, the Mayor may exempt owners described in this
50 paragraph prior to their taking title to the accommodations, provided that they have a valid
51 contract to purchase the accommodation. The Mayor may exempt the owner from some or all the
52 provisions of this subchapter.

53 “(2) Notwithstanding any other provision of this act except for section 302, a
54 housing accommodation shall be exempt from all other requirements of this act, if the housing
55 accommodation meets the following requirements:

56 “(A) There are two dwelling units in the housing accommodation;

57 “(B) One dwelling unit contains at least 2/3 of the total square footage of
58 the housing accommodation;

59 “(C) The larger dwelling unit is occupied by the owner of the housing
60 accommodation;

61 “(D)The smaller dwelling unit is a basement, carriage house, converted
62 garage, or similar such dwelling unit;

63 “(E) The accessory dwelling unit has all required building and occupancy
64 permits; and

65 “(F) The housing accommodation is identified at the District of Columbia
66 Office of the Recorder of Deeds with a single square, suffix, and lot.”.

67 (c) Section 302 (D.C. Official Code § 42-3403.02) is amended by adding a new
68 subsection (b-1) to read as follows:

69 “(b-1) Notwithstanding subsection (b) of this section, an owner shall pay a tenant in an
70 housing accommodation that meets the requirements of section 202(b)(2), \$500 for each room of
71 the dwelling unit of at least 100 square feet each, up to a maximum of \$1500.”.

72 Sec. 3. Fiscal impact statement.

73 The Council adopts the fiscal impact statement in the committee report as the fiscal
74 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
75 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

76 Sec. 4. Effective date.

77 This act shall take effect following approval by the Mayor (or in the event of veto by the
78 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
79 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
80 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1), and publication in the District of
81 Columbia Register.