


Councilmember Brianne K. Nadeau

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Tenant Opportunity to Purchase Act of 1980 to facilitate closures on home sales by exempting single-family accommodation from the assignment of rights provision when the owner maintains the accommodation as his or her primary residence, to define primary residence, and to shorten the time period during which a tenant of a single-family accommodation may exercise his or her right of first refusal to purchase the accommodation.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Home Sale Facilitation Amendment Act of 2017”.

Sec. 2. The Tenant Opportunity to Purchase Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.01 *et seq.*) is amended as follows:

(a) Section 103 (D.C. Official Code § 42-3401.03) is amended by adding a new paragraph (14A) to read as follows:

“(14A) “Primary residence” means the housing unit or dwelling unit in which the owner resides a majority of his or her time and names on all official records as his or her principal or main place of residence.”.

(b) Section 406 (D.C. Official Code § 42-3404.06) is amended as follows:

(1) Designate the existing language as subsection (a).

(2) A new subsection (b) is added to read as follows:

34 “(b) This section shall not apply to single-family accommodations when the owner
35 maintains the accommodation as his or her primary residence.”.

36 (c) Section 409 (D.C. Official Code § 42-3404.09) is amended as follows:

37 (1) Paragraph (1) is amended by striking the phrase “30 days” and inserting the
38 phrase “15 days” in its place.

39 (2) Paragraph (2) is amended as follows:

40 (A) Strike the phrase “60 days, not including the 30 days” and insert the
41 phrase “30 days, not including the 15 days” in its place.

42 (B) Strike the phrase “1 day;” and insert the phrase “1 day. The owner
43 may, in his or her sole discretion, extend the 30 day negotiation period without liability to any
44 third party;” in its place.

45 (3) Paragraph (3) is amended as follows:

46 (A) Strike the phrase “60 days” and insert the phrase “30 days” in its
47 place.

48 (B) Strike the phrase “90 days” and insert the phrase “75 days” in its
49 place.

50 (C) Strike the phrase “estimate.” and insert the phrase “estimate. The
51 owner may, in his or her sole discretion, extend the settlement period without liability to any
52 third party;” in its place.

53 (4) Paragraph (4) is amended to read as follows:

54 “(4) Lapse of time. – If 180 days elapse from the later of the date of the offer of
55 sale made to the tenant or the date that the tenant, having executed a contract of purchase and
56 sale with the owner, fails to consummate the transaction contemplated in the executed contract of

57 purchase and sale, and the owner has not sold or contracted for the sale of the accommodation
58 within that 180 day period, the owner shall be required to comply anew with the terms of this
59 subchapter. If the owner does not close on the contract entered into during such 180 day period,
60 then the owner shall not be required to comply anew with the terms of this title.”

61 Sec. 3. Fiscal impact statement.

62 The Council adopts the fiscal impact statement in the committee report as the fiscal
63 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
64 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

65 Sec. 4. Effective date.

66 This act shall take effect after approval by the Mayor (or in the event of veto by the
67 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
68 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
69 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
70 Columbia Register.