



Councilmember Anita Bonds



Councilmember Mary Cheh

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Rental Housing Act of 1985 to clarify that, if a housing provider offers a discounted rent to a tenant, the discounted rent must be effective for the length of the tenancy, to require housing providers to file an affidavit with the Rent Administrator describing the discounted rent and the maximum legal rent of a rental unit, and to require housing providers to base any rent increase on the discounted rent.

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

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) Section 103 (D.C. Official Code § 42-3501.03) is amended as follows:

(1) Paragraphs (8B) and (19A) are added to read as follows:

“(8B) “Discounted rent” means any amount of monthly rent charged to a tenant that is less than the maximum legal rent, but greater than zero.

“(19A) “Maximum legal rent” means the maximum amount of monthly rent a housing provider may lawfully charge a tenant for a rental unit covered by the Rent Stabilization

34 Program.”.

35 (2) Paragraph (29A) is amended to read as follows:

36 “(29A) “Rent charged” means the maximum legal rent or the discounted rent,
37 whichever is smaller.”.

38 (b) Subparagraph 208(h)(2)(A) (D.C. Official Code § 42-3502.08(h)(2)(A)) is amended
39 by striking the phrase “the current allowable amount” both times it appears and inserting the
40 phrase “the amount” in its place.

41 (c) A new section 208a is added to read as follows:

42 “§ 42-3502.08a. Discounted rent.

43 “(a)(1) A discounted rent shall not be increased by a housing provider for the duration of
44 the tenancy, except as authorized under this title.

45 “(2) This subsection shall not apply to any lease or rental agreement in effect that
46 was entered into prior to the effective date of the Discounted Rent Clarification Amendment Act
47 of 2017, as introduced on September 19, 2017 (Bill 22-XXX).

48 “(3) After the expiration of a written lease or rental agreement described in
49 paragraph (2) of this subsection, if the tenancy continues, the tenant shall pay a discounted rent,
50 which shall not exceed the average monthly rent charged during the previous leasing period, plus
51 any increase authorized under this title, which thereafter shall be subject to paragraph (1) of this
52 subsection.

53 “(b)(1) Within 30 days after commencing a written lease or rental agreement that
54 includes a discounted rent, a housing provider shall file with the Rent Administrator an affidavit
55 certifying the discounted rent and the maximum legal rent for the rental unit.

56 “(2) Where a discounted rent is in effect as of the effective date of the Discounted
57 Rent Clarification Amendment Act of 2017, as introduced on September 19, 2017 (Bill 22-
58 XXX), the housing provider shall file the affidavit described in paragraph (1) of this subsection
59 with the Rent Administrator within 30 days after the effective date of the Discounted Rent
60 Clarification Amendment Act of 2017, as introduced on September 19, 2017 (Bill 22-XXX).

61 “(c) The Mayor may impose civil fines and penalties for violations of the Discounted
62 Rent Clarification Amendment Act of 2017, as introduced on September 19, 2017 (Bill 22-
63 XXX).”.

64 Sec. 3. Fiscal impact statement.

65 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
66 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
67 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

68 Sec. 4. Effective date.

69 This act shall take effect following approval by the Mayor (or in the event of veto by the
70 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
71 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
72 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206(c)(1)), and publication in the District of
73 Columbia Register.

74