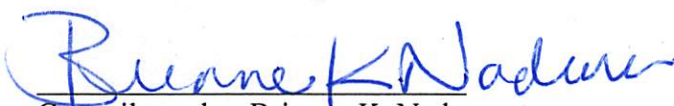
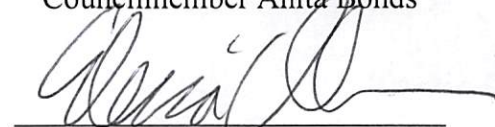
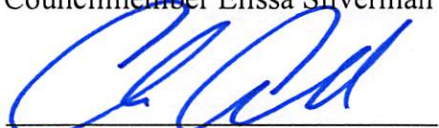


1 
2 Chairman Phil Mendelson


Councilmember Anita Bonds

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5 Councilmember Brianne K. Nadeau


Councilmember Elissa Silverman

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9 Councilmember Charles Allen

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17 A Bill

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22 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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27 To amend the Tenant Opportunity to Purchase Act of 1980 to no longer exempt bankruptcy sales
28 of housing accommodations from transfers subject to the act, and to require an owner of a
29 rental housing accommodation that the owner acquired pursuant to a court-ordered sale to
30 give tenants an opportunity to purchase the housing accommodation at 105% of the
31 purchase price, plus reasonable out-of-pocket third-party and capital improvement costs.

32
33 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
34 act may be cited as the "TOPA Bankruptcy Tenant Displacement Prevention Amendment Act of
35 2018".

36 Sec. 2. The Tenant Opportunity to Purchase Act of 1980, effective September 10, 1980
37 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), is amended as follows:

38 (a) Section 402 (D.C. Official Code § 42-3404.02) is amended as follows:

39 (1) Subsection (c)(2)(E) is repealed.

40 (2) Subsection (d)(1)(B) is amended by striking the phrase “, (E),” and inserting a
41 comma in its place.

42 (b) A new section 402b is added to read as follows:

43 “Sec. 402b. Offer of sale following transfer pursuant to court-ordered sale.

44 “(a) An owner who acquires a housing accommodation through a court-ordered sale
45 exempted from the requirements of this title solely by operation of section 402(c)(2)(M), shall
46 give a tenant an opportunity to purchase the housing accommodation as follows:

47 “(1) Within one year of acquiring title to the housing accommodation, and before
48 any other event described in section 402(a) that would trigger the requirements of this title, the
49 owner shall offer a tenant the housing accommodation at a price that is no greater than the sum
50 of:

51 “(A) 105% of the purchase price paid by the owner for the housing
52 accommodation;

53 “(B) Reasonable out-of-pocket third-party costs incurred by the owner in
54 acquiring the housing accommodation; and

55 “(C) The cost of all capital improvements made by the owner to the
56 housing accommodation during the period of the owner’s ownership of the housing
57 accommodation.

58 “(2) The owner shall not enter into any other agreement to sell, or take any other
59 action that would trigger the requirements of this title, while an offer made pursuant to this
60 subsection is pending.”.

61 “(b) The requirements of this section shall not apply to section 409(b) of this act.

62 “(c) The requirements of this title shall apply to an offer made pursuant to this section as
63 if it were a bona fide offer of sale made pursuant to section 402(a).

64 “(d) An offer of sale made pursuant to this section shall be in addition to, and not in lieu
65 of, any other offer of sale required by this title.”.

66 Sec. 3. Fiscal impact statement.

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

70 Sec. 4. Effective date.

71 This act shall take effect following approval by the Mayor (or in the event of veto by the
72 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
73 provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December
74 24, 1973 (87 Stat. 813; D.C. Official Code§ 1-206.02(c)(l)), and publication in the District of
75 Columbia Register.