

AN ACT
D.C. ACT 22-571

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2019

To amend the Rental Housing Act of 1985 to prohibit the execution of residential evictions during precipitation, to establish eviction procedure and requirements that a housing provider shall meet before, during, and immediately after a residential eviction, and to establish standards for the handling of an evicted tenant's personal property; and to amend An Act To establish a code of law for the District of Columbia to clarify, in an eviction not subject to the Rental Housing Act of 1985, the legal status of an evicted tenant's remaining personal property and a landlord's civil liability for such property.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Eviction with Dignity Amendment Act of 2018".

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 501(k) (D.C. Official Code § 42-3505.01(k)) is amended as follows:

(1) Strike the phrase "tenant on any day when the National Weather Service predicts at 8:00 a.m. that the temperature at the National Airport weather station will fall below 32 degrees fahrenheit or 0 degrees centigrade within the next 24 hours." and insert the phrase "tenant:" in its place.

(2) New paragraphs (1) and (2) are added to read as follows:

"(1) On any day when the National Weather Service predicts at 8:00 a.m. that the temperature at the National Airport weather station will fall below 32 degrees Fahrenheit or 0 degrees Celsius; or

"(2) When precipitation is falling at the location of the rental unit."

(b) A new section 501a is added to read as follows:

"Sec. 501a. Storage and disposal of tenants' personal property upon eviction.

"(a) A housing provider shall not remove an evicted tenant's personal property from a rental unit except as provided in this section.

"(b)(1) In addition to any notification from the United States Marshals Service ("Marshals") to the tenant of the date of eviction, a housing provider shall deliver to the tenant a notice confirming the date of eviction not fewer than 21 days before the date of eviction by using the following methods:

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“(A) Telephone or electronic communication, including by email or mobile text message;

“(B) First-class mail to the address of the rental unit; and

“(C) Conspicuous posting at the tenant’s rental unit in a manner reasonably calculated to provide notice.

“(2) The notice shall:

“(A) State the tenant’s name and the address of the rental unit;

“(B) Specify the date on which the eviction is scheduled to be executed;

“(C) State that the eviction will be executed on that date unless the tenant vacates the rental unit and returns possession of the rental unit to the housing provider;

“(D) Prominently warn the tenant that any personal property left in the rental unit will be deemed abandoned 7 days after the time of eviction, excluding Sundays and federal holidays;

“(E) Include the phone numbers of the Marshals, the Office of the Tenant Advocate, and the Landlord and Tenant Branch of the Superior Court of the District of Columbia;

“(F) State that it is the final notice from the housing provider before the time of eviction, even if the eviction date is postponed by the court or Marshals; and

“(G) State that, for 7 days after the time of eviction, the tenant has the right to access the tenant’s personal property remaining in the rental unit to remove the personal property from the rental unit:

“(i) At times agreed to by the parties, excluding Sundays and federal holidays; provided, that the housing provider shall grant the evicted tenant access to the rental unit on a Saturday if the evicted tenant requests it;

“(ii) For no fewer than 16 total hours between the hours of 8:00 a.m. and 6:00 p.m., over a period of not more than 2 days; and

“(iii) With no requirement that the tenant pay rent or service fees for the 7-day storage period.

“(c)(1) At the time of eviction, the housing provider shall change the locks on the rental unit in the presence of the Marshals, at the housing provider’s expense, and take legal possession of the rental unit by receipt of a document from the Marshals.

“(2) Any right of the evicted tenant to redeem the tenancy shall be extinguished at the time of eviction.

“(d)(1) On the day of eviction, the housing provider shall send by first-class mail to the address of an emergency contact, if provided, and conspicuously post in a manner reasonably calculated to provide notice to the evicted tenant, a notice containing the following information:

“(A) The name and phone number of at least one agent of the housing provider who the tenant may contact and who can grant access to the rental unit on the housing provider’s behalf pursuant to this subsection;

“(B) The phone number of the Office of the Tenant Advocate;

“(C) The phone number of the Marshals;