

B-22-315  
9/21/17 hearing

1   
2 Chairman Phil Mendelson

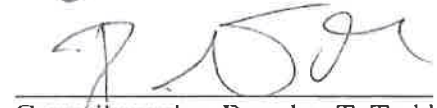
  
Councilmember Anita Bonds

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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.

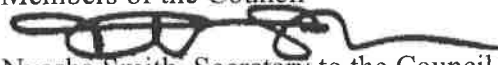
77           This act shall take effect following approval by the Mayor (or in the event of veto by the  
78 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
79 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 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

B 22-315

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington D.C. 20004**

Memorandum

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To : Members of the Council  
From :   
Nyasha Smith, Secretary to the Council  
Date : June 06, 2017  
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Legislative Meeting on Tuesday, June 6, 2017. Copies are available in Room 10, the Legislative Services Division.

TITLE: "TOPA Accessory Dwelling Unit Amendment Act of 2017", B22-0315

INTRODUCED BY: Councilmembers Bonds, Gray, McDuffie, Todd, Evans, Grosso, and Chairman Mendelson

CO-SPONSORED BY: Councilmembers Nadeau and Allen

The Chairman is referring this legislation to the Committee on Housing and Neighborhood Revitalization .

Attachment

cc: General Counsel  
Budget Director  
Legislative Services