

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

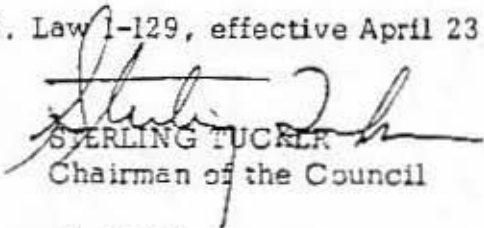
May 11, 1977

D.C. Law 1-129

"Act to Preserve the Habitability of Rental Units
Subject to Notice to Vacate".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, (PL 93-198) the Act, the Council of the District of Columbia adopted Bill No. 1-360 on first and second readings October 12, 1976 and November 23, 1976, respectively. Following expiration of the ten-day period provided the Mayor, in which no action was taken, pursuant to Section 404 (e) of the Act, this legislation was assigned Act No. 1-223, published in the February 11, 1977, edition of the D.C. Register and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602 (c) (1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has expired and, therefore, cites the following legislation as D.C. Law 1-129, effective April 23, 1977.


STERLING TUCKER
Chairman of the Council

(Vol. 23, D.C. Register, 5952, February 11, 1977)

D.C. LAW

1-129

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 23, 1977

To protect the habitability of rental units subject to notices to vacate, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Act to Preserve the Habitability of Rental Units Subject to Notices to Vacate".

Sec. 2. Notwithstanding any other provision of law except sections 3 and 4 of this act, no person shall, during the period of time after the giving of a notice to vacate any rental unit (as defined by the District of Columbia Rental Accommodations act of 1975) and before the actual vacation of such unit, cause any alteration to the structure, plumbing apparatus, or electrical apparatus of the housing accommodation (as defined by the District of Columbia Rental Accommodations act of 1975) in which such unit is located, the result of which alteration is to cause such rental unit to come to be in substantial violation (or, if already in substantial violation, to be in greater violation) of the Housing Regulations of the District of Columbia for a period of time in excess of twenty-four (24)

hours; PROVIDED That, it shall not be a defense to an allegation of a violation of this section that the notice to vacate was invalid.

Sec. 3. Section 2 of this act shall not apply to any person performing any alteration upon any housing accommodation if the tenants of unvacated rental units, which are the subject of notices to vacate and which can reasonably be expected to be caused by the alteration to come to be in substantial violation (or, if already in substantial violation, to be in greater violation) of the Housing Regulations of the District of Columbia for a period of time in excess of twenty-four (24) hours, agree in writing to the alteration after receiving written notice of the alteration and its effect upon the habitability of the affected units.

Sec. 4. The Mayor of the District of Columbia, or his designee, may grant an exemption from the provisions of section 2 of this act in the event he, or his designee, inspects a housing accommodation wherein there are unvacated units subject to a notice to vacate and finds that a proposed alteration, while it may cause such a rental unit to come to be in substantial violation (or, if already in substantial violation, to be in greater violation) of the

Housing Regulations of the District of Columbia for a period of time in excess of twenty-four (24) hours, is nevertheless, necessary for the immediate safety of the habitants of the accommodation.

Sec. 5. Any person violating section 2 of this act shall be imprisoned for not more than 10 days, fined not more than \$300, or both.

Sec. 6. This act shall take effect pursuant to section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act.

Docket for the Bill 1-360

Considered in Council October 12, 1976

First Vote October 12, 1976

RECORD OF COUNCIL VOTE.														
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
TUCKER	X				DIXON				X	SPAULDING	X			
MOORE, D.	X				HARDY	X				WILSON	X			
BARRY	X				HOBSON	X				WINTER	X			
CLARKE	X				MOORE, J.	X								
COATES	X				SHACKLETON	X								

X—Indicates Vote A. B.—Absent N. V.—Not Voting

Robert Williams

(Secretary of the Council)

Final Vote in Council November 22, 1976

RECORD OF COUNCIL VOTE														
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
TUCKER	X				DIXON	X				SPAULDING	X			
MOORE, D.	X				HARDY	X				WILSON	X			
BARRY	X				HOBSON				X	WINTER	X			
CLARKE	X				MOORE, J.				X					
COATES				X	SHACKLETON	X								

X—Indicates Vote A. B.—Absent N. V.—Not Voting

Robert Williams

(Secretary of the Council)

Presented to the Mayor JAN 5 1977

Robert Williams

(Secretary of the Council)

I hereby certify that Council Bill 1-360 was presented to the Mayor of the District of Columbia on January 5, 1977, and that the Mayor neither approved nor disapproved the bill within the ten day period specified in Section 404(e) of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198 of December 24, 1973.

Martin K. Schaller

Martin K. Schaller, Executive Secretary, D.C.

January 19, 1977