


Councilmember Jim Graham

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Rental Housing Act of 1985 to permit a tenant organization to have standing in any petition under the act, or under the D.C. Housing Code, whether initiated by or against a housing provider, where a member of the tenant organization has provided the tenant organization with written authorization for it to represent that member in the proceeding governing said petition.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Tenant Organization Petition Standing Amendment Act of 2009".

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Code §45-2501, note), is amended by adding a new section to read as follows:

"Sec. x. A tenant organization shall have standing in any petition under this Act, or under the D.C. Housing Code, whether initiated by or against a housing provider, where a member of the tenant organization has provided the tenant organization with written authorization for it to represent that member in the proceeding governing said petition. In such an instance, the tenant organization shall have its name placed in the caption of the proceeding and also may represent any non-member tenant in the proceeding where the tenant has given the organization written permission for it to represent the tenant. If the tenant organization is the prevailing party, it shall be entitled to its reasonable attorney's fees, pursuant to § 42-3509.02."

Sec. 3. (a) Chapter 39 of Title 14 of the District of Columbia Municipal Regulations is amended as follows:

(1) Section 3904.2 is amended to read as follows:

"3904.2. Any tenant association may file and shall be granted party status to prosecute or defend a petition on behalf of any one or more of its members who have provided the association with written authorization to represent them in the action, or to

1 seek on behalf of all members any injunctive relief available under the Rental Housing
2 Act of 1985. No further inquiry into the membership of the association shall be
3 permitted.”.

4 (2) Section 3904.3 is amended to read as follows:

5 “3904.3. Any tenant association that is a party to the action pursuant to 14 DCMR
6 3904.2 shall be listed in the caption.”.

7 (b) Chapter 29 of Title 1 of the District of Columbia Municipal
8 Regulations is amended as follows:

9 (1) Section 2924.2 is amended to read as follows:

10 “2924.2. Any tenant association may file and shall be granted party status to
11 prosecute or defend a petition on behalf of any one or more of its members who have
12 provided the association with written authorization to represent them in the action, or to
13 seek on behalf of all members any injunctive relief available under the Rental Housing
14 Act of 1985. No further inquiry into the membership of the association shall be
15 permitted.”.

16 (1) Section 2924.3 is amended to read as follows:

17 “2924.3. Any tenant association that is a party to the action pursuant to 1 DCMR
18 2924.2 shall be listed in the caption.”.

19 Sec. 4. Fiscal impact statement.

20 The Council adopts the fiscal impact statement in the committee report as the
21 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home
22 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
23 206.02(c)(3)).

24 Sec. 5. Effective date.

25 This act shall take effect following approval by the Mayor (or in the event of veto
26 by the Mayor, action by the Council to override the veto), a 30-day period of
27 Congressional review as provided in section 602(c)(1) of the District of Columbia Home
28 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
29 206.02(c)(1)), and publication in the District of Columbia Register.