



Councilmember Anita Bonds



Chairman Phil Mendelson

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To extend, on an temporary basis, the Mayor’s authority to declare a public health emergency; to amend the Coronavirus Support Amendment Act of 2021 to provide for a moratorium on utility disconnections for qualified customers, and on evictions for customers qualifying for rental assistance; to amend the Not-for-Profit Hospital Corporation Establishment Amendment Act of 2011 to change the composition and procedures of the Fiscal Management Board; and to amend the Fiscal Year 2020 Budget Support Act of 2019 with a technical correction.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Coronavirus Public Health Extension Temporary Amendment Act of 2021”.

Sec. 2. Section 7(c-1) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2306(c-1)), is amended to read as follows:

“(c-1) Notwithstanding subsections (b) and (c) of this section, the Council authorizes the Mayor to extend the 15-day March 11, 2020, emergency executive order and public health emergency executive order (“emergency orders”) issued in response to the novel 2019 coronavirus (SARS CoV-2) until July 25, 2021. After the extension authorized by this

37 subsection, the Mayor may extend the emergency orders for additional 15-day periods pursuant
38 to subsection (b) or (c) of this section.”.

39 Sec. 3. The Coronavirus Support Emergency Amendment Act of 2021, effective March
40 17, 2021 (D.C. Act 24-30; 68 DCR 3101), is amended as follows:

41 (a) Section 307 is amended by adding new subsections (h) through (o) to read as follows:

42 “(h) Subsections (b) through (f) of this section shall expire on July 31, 2021.

43 “(i) After July 31, 2021, a company shall not disconnect, suspend, or degrade service, for
44 non-payment of a bill, any fees for service or equipment, or any other charges, if:

45 “(1) The company has failed to provide notice to the customer as required under
46 subsection (j) of this section;

47 “(2) The customer has paid the company in full for amounts owed;

48 “(3) The customer has entered into a payment plan with the company and is
49 meeting the terms of the payment plan;

50 “(4) The customer has requested to enter into a payment plan with the company
51 and the terms of the payment plan are still under negotiation; provided, that 45 days have not
52 elapsed since the customer’s initial request; or

53 “(5)(A) The Mayor has certified that the customer qualifies for utility
54 disconnection relief.

55 “(B) The Mayor shall certify that an individual is qualified for utility
56 disconnection relief if the individual:

57 “(i) Has an application pending approval, for the Stronger Together
58 by Assisting You (“STAY DC”) Program;

59 “(ii) Is receiving a benefit under the Low-Income Home Energy
60 Assistance Program (“LIHEAP”), Utility Discount Program (“UDP”), DC Water Emergency
61 Relief Program (“CAP”), or STAY DC Program;

62 “(iii) Is receiving a benefit under the Supplemental Nutrition
63 Assistance Program (“SNAP”) or Temporary Assistance for Needy Families (“TANF”) program;
64 or

65 “(iv) Is 21 years of age or older and receiving a benefit under
66 Medicaid or the D.C. Healthcare Alliance.

67 “(C)(i) By June 30, 2021, the Mayor shall provide notice to each
68 individual certified as qualified for utility disconnection relief pursuant to subsection (i)(5) of
69 this section.

70 “(ii) By June 30, 2021, and every 8 weeks thereafter, the Mayor
71 shall provide companies with a list of each individual certified as qualified for utility
72 disconnection relief, including the individual’s home address. Such list shall be property of the
73 District and shall only be used by the company to determine that an individual on the list is
74 qualified for relief from utility disconnection.

75 “(D) The Mayor may, pursuant to Title I of the District of Columbia
76 Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §
77 2-501 *et seq.*), promulgate emergency rules to implement this paragraph, including guidance on
78 the District’s and the companies’ responsibilities under this paragraph.

79 “(j)(1)(A) A company shall have engaged a customer regarding their account at least 45
80 days in advance of disconnecting, suspending, or degrading service prior to engaging in their
81 customary formal disconnection procedure.

82 (B) Such engagement shall include notice as described in paragraph (4) of
83 this subsection,

84 “(2)(A) On or before June 30, 2021, a company shall provide notice as described
85 in paragraph (4) of this subsection to customers with a bill past due. Notice under this
86 subparagraph shall be mailed to the customer in hard copy and the phrase “PAST DUE” shall be
87 clearly printed on the envelope.

88 “(B) Notice under this paragraph shall take the form of a flyer included in
89 monthly customer bills or prominent language on the bill and be included in both hard copy and
90 electronic form bills.

91 “(3) A disconnection notice sent to a customer by a company shall include notice
92 as described in paragraph (4) of this subsection.

93 “(4) Notice under this paragraph shall include information on:

94 “(A) The availability of payment assistance programs;

95 “(B) Information on eligibility for payment assistance programs and the
96 process to apply to each payment assistance program;

97 “(C) The need for customers to apply for payment assistance programs
98 and to provide evidence of their eligibility under subsection (i)(5) of this section to remain
99 eligible for relief from disconnection, suspension or degradation of service; and

100 “(D) A customer’s right to contact OPC for assistance with negotiating a
101 payment plan on the customer’s behalf.

102 “(k)(1) A company shall restore service to a customer when the customer makes a
103 payment to the company of at least \$10, provided that the customer enters into a payment plan
104 pursuant to Section 308 of the Coronavirus Support Emergency Amendment Act of 2021,
105 effective March 17, 2021 (D.C. Act 24-30; 68 DCR 3101) or Section 308 of the Coronavirus

106 Support Temporary Amendment Act of 2021, enacted May 7, 2021 (D.C. Act 24-62; 68 DCR
107 4824). Amounts paid by a customer pursuant to this subparagraph shall be applied in full to
108 reduce the amounts owed by the customer to the company.

109 “(2)(A) When a customer whose service has been disconnected, suspended, or
110 degraded for nonpayment is certified by the Mayor to be eligible for utility disconnection relief
111 under subsection (i)(5) of this section, a company shall reconnect the customer without charge.

112 “(B) A company shall reconnect a customer under subparagraph (A) of
113 this paragraph within 48 hours of receiving notice from the Mayor that the customer is qualified
114 for utility disconnection relief under subsection (i)(5) of this section.

115 “(l)(1) Beginning June 30, 2021 each utility company that is regulated by the Public
116 Service Commission of the District of Columbia shall report monthly to the Public Service
117 Commission of the District of Columbia and OPC the number of customers, by zip code, that
118 have entered into payment plans, whose service was suspended or disconnected for non-
119 payment, or that are in arrears.

120 “(2) Beginning June 30, 2021 DC Water shall report monthly to the DC Water
121 Board of Directors, established pursuant to section 204 of the Water and Sewer Authority
122 Establishment and Department of Public Works Reorganization Act of 1996, effective April 18,
123 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), and Office of the People’s Counsel
124 the number of customers, by zip code and customer class, that have entered payment plans,
125 whose service was suspended or disconnected for non-payment, or that are in arrears.

126 “(m) A telecommunications service provider, as that term is defined by the
127 Telecommunications Competition Act of 1996, effective September 9, 1996 (D.C. Law 11-154;
128 D.C. Official Code § 34-2002.01 *et. seq.*), shall not disconnect, suspend, or degrade basic
129 telecommunications service to a customer that is participating in the federal Lifeline program for

130 non-payment of a bill, any fees for service or equipment, or other charges, or for noncompliance
131 with a deferred payment agreement.

132 “(n) Nothing in this act shall be read to supersede the existing moratorium on
133 disconnections under section 106a of the Retail Electric Competition and Consumer Protection
134 Act of 1999, effective March 9, 2016 (D.C. Law 21-82; D.C. Official Code § 34-1506.1).

135 “(o) For the purposes of this section, the term:

136 “(1) “Payment assistance programs” shall mean LIHEAP, UDP, CAP, or STAY
137 DC.

138 “(2) “Company” or “companies” shall mean an electric company, gas company,
139 DC Water, or incumbent local exchange carrier.”.

140 (b) Section 308(c) is amended as follows:

141 (1) The existing text is redesignated as paragraph (1).

142 (2) A new paragraph (2) is added to read as follows:

143 “(2)(A)(i) Upon request by a customer of an electric company, gas company,
144 incumbent local exchange carrier, or DC Water to the Office of the People’s Counsel (“OPC”),
145 OPC shall be authorized to negotiate a payment plan on behalf of a customer.

146 “(ii) Within 48 hours of receiving a request under this paragraph,
147 OPC shall provide notice to the utility provider of the customer’s request.

148 “(B) A disconnection notice sent to a customer shall include notice of the
149 right of a customer to request that OPC negotiate a payment plan on the customer’s behalf,
150 including information on how the customer may make such a request.

151 “(C) When a company and customer have been unable to agree on terms
152 of a payment plan within 24 hours of the customer’s request to enter into a payment plan, the

153 company shall provide notice to the customer that the customer may contact OPC to negotiate a
154 payment plan on the customer’s behalf.”.

155 (c) Section 404 is repealed.

156 (d) Section 507(d) is repealed.

157 Sec. 4. The Coronavirus Support Temporary Amendment Act of 2021, enacted May 3,
158 2021 (D.C. Act 24-62; 68 DCR 4824) is amended as follows:

159 (a) Section 307 is amended by adding new subsections (h) through (o) to read as follows:

160 “(h) Subsections (b) through (f) of this section shall expire on July 31, 2021.

161 “(i) After July 31, 2021, a company shall not disconnect, suspend, or degrade service, for
162 non-payment of a bill, any fees for service or equipment, or any other charges, if:

163 “(1) The company has failed to provide notice to the customer as required under
164 subsection (j) of this section;

165 “(2) The customer has paid the company in full for amounts owed;

166 “(3) The customer has entered into a payment plan with the company and is
167 meeting the terms of the payment plan;

168 “(4) The customer has requested to enter into a payment plan with the company
169 and the terms of the payment plan are still under negotiation; provided, that 45 days have not
170 elapsed since the customer’s initial request; or

171 “(5)(A) The Mayor has certified that the customer qualifies for utility
172 disconnection relief.

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174 disconnection relief if the individual:

175 “(i) Has an application pending approval, for the Stronger Together
176 by Assisting You (“STAY DC”) Program;

177 “(ii) Is receiving a benefit under the Low-Income Home Energy
178 Assistance Program (“LIHEAP”), Utility Discount Program (“UDP”), DC Water Emergency
179 Relief Program (“CAP”), or STAY DC Program;

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181 Assistance Program (“SNAP”) or Temporary Assistance for Needy Families (“TANF”) program;
182 or

183 “(iv) Is 21 years of age or older and receiving a benefit under
184 Medicaid or the D.C. Healthcare Alliance.

185 “(C)(i) By June 30, 2021, the Mayor shall provide notice to each
186 individual certified as qualified for utility disconnection relief pursuant to subsection (i)(5) of
187 this section.

188 “(ii) By June 30, 2021, and every 8 weeks thereafter, the Mayor
189 shall provide companies with a list of each individual certified as qualified for utility
190 disconnection relief, including the individual’s home address. Such list shall be property of the
191 District and shall only be used by the company to determine that an individual on the list is
192 qualified for relief from utility disconnection.

193 “(D) The Mayor may, pursuant to Title I of the District of Columbia
194 Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §
195 2-501 *et seq.*), promulgate emergency rules to implement this paragraph, including guidance on
196 the District’s and the companies’ responsibilities under this paragraph.

197 “(j)(1)(A) A company shall have engaged a customer regarding their account at least 45
198 days in advance of disconnecting, suspending, or degrading service prior to engaging in their
199 customary formal disconnection procedure.

200 (B) Such engagement shall include notice as described in paragraph (4) of
201 this subsection,

202 “(2)(A) On or before June 30, 2021, a company shall provide notice as described
203 in paragraph (4) of this subsection to customers with a bill past due. Notice under this
204 subparagraph shall be mailed to the customer in hard copy and the phrase “PAST DUE” shall be
205 clearly printed on the envelope.

206 “(B) Notice under this paragraph shall take the form of a flyer included in
207 monthly customer bills or prominent language on the bill and be included in both hard copy and
208 electronic form bills.

209 “(3) A disconnection notice sent to a customer by a company shall include notice
210 as described in paragraph (4) of this subsection.

211 “(4) Notice under this paragraph shall include information on:

212 “(A) The availability of payment assistance programs;

213 “(B) Information on eligibility for payment assistance programs and the
214 process to apply to each payment assistance program;

215 “(C) The need for customers to apply for payment assistance programs
216 and to provide evidence of their eligibility under subsection (i)(5) of this section to remain
217 eligible for relief from disconnection, suspension or degradation of service; and

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219 payment plan on the customer’s behalf.

220 “(k)(1) A company shall restore service to a customer when the customer makes a
221 payment to the company of at least \$10, provided that the customer enters into a payment plan
222 pursuant to Section 308 of the Coronavirus Support Emergency Amendment Act of 2021,
223 effective March 17, 2021 (D.C. Act 24-30; 68 DCR 3101) or Section 308 of the Coronavirus

224 Support Temporary Amendment Act of 2021, enacted May 7, 2021 (D.C. Act 24-62; 68 DCR
225 4824). Amounts paid by a customer pursuant to this subparagraph shall be applied in full to
226 reduce the amounts owed by the customer to the company.

227 “(2)(A) When a customer whose service has been disconnected, suspended, or
228 degraded for nonpayment is certified by the Mayor to be eligible for utility disconnection relief
229 under subsection (i)(5) of this section, a company shall reconnect the customer without charge.

230 “(B) A company shall reconnect a customer under subparagraph (A) of
231 this paragraph within 48 hours of receiving notice from the Mayor that the customer is qualified
232 for utility disconnection relief under subsection (i)(5) of this section.

233 “(l)(1) Beginning June 30, 2021 each utility company that is regulated by the Public
234 Service Commission of the District of Columbia shall report monthly to the Public Service
235 Commission of the District of Columbia and OPC the number of customers, by zip code, that
236 have entered into payment plans, whose service was suspended or disconnected for non-
237 payment, or that are in arrears.

238 “(2) Beginning June 30, 2021 DC Water shall report monthly to the DC Water
239 Board of Directors, established pursuant to section 204 of the Water and Sewer Authority
240 Establishment and Department of Public Works Reorganization Act of 1996, effective April 18,
241 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), and Office of the People’s Counsel
242 the number of customers, by zip code and customer class, that have entered payment plans,
243 whose service was suspended or disconnected for non-payment, or that are in arrears.

244 “(m) A telecommunications service provider, as that term is defined by the
245 Telecommunications Competition Act of 1996, effective September 9, 1996 (D.C. Law 11-154;
246 D.C. Official Code § 34-2002.01 *et. seq.*), shall not disconnect, suspend, or degrade basic
247 telecommunications service to a customer that is participating in the federal Lifeline program for

248 non-payment of a bill, any fees for service or equipment, or other charges, or for noncompliance
249 with a deferred payment agreement.

250 “(n) Nothing in this act shall be read to supersede the existing moratorium on
251 disconnections under section 106a of the Retail Electric Competition and Consumer Protection
252 Act of 1999, effective March 9, 2016 (D.C. Law 21-82; D.C. Official Code § 34-1506.1).

253 “(o) For the purposes of this section, the term:

254 “(1) “Payment assistance programs” shall mean LIHEAP, UDP, CAP, or STAY
255 DC.

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258 (b) Section 308(c) is amended as follows:

259 (1) The existing text is redesignated as paragraph (1).

260 (2) A new paragraph (2) is added to read as follows:

261 “(2)(A)(i) Upon request by a customer of an electric company, gas company,
262 incumbent local exchange carrier, or DC Water to the Office of the People’s Counsel (“OPC”),
263 OPC shall be authorized to negotiate a payment plan on behalf of a customer.

264 “(ii) Within 48 hours of receiving a request under this paragraph,
265 OPC shall provide notice to the utility provider of the customer’s request.

266 “(B) A disconnection notice sent to a customer shall include notice of the
267 right of a customer to request that OPC negotiate a payment plan on the customer’s behalf,
268 including information on how the customer may make such a request.

269 “(C) When a company and customer have been unable to agree on terms
270 of a payment plan within 24 hours of the customer’s request to enter into a payment plan, the

271 company shall provide notice to the customer that the customer may contact OPC to negotiate a
272 payment plan on the customer’s behalf.”.

273 (c) Section 404 is repealed.

274 (d) Section 507(d) is repealed.

275 Sec. 5. Eviction prohibition.

276 (a) Not later than June 7, 2021, the Stronger Together by Assisting You (“STAY DC”)

277 Program application website shall:

278 (1) Include a self-attestation form for households that are unable to provide
279 documentation of income or a portion thereof due to the impact of COVID-19, having received
280 income in cash or having no qualifying income;

281 (2) Include a self-attestation form for households that are unable to provide
282 adequate documentation of the amount of past-due rent owed to a landlord;

283 (3) Allow landlords to apply for rental assistance on behalf of tenants with the
284 tenant’s written consent and/or electronic signature, and allow landlords to submit multiple
285 applications at once under a single account; and

286 (4) Revise the language in the second bullet of the Payment Acceptance and
287 Acknowledgments for Housing Providers to state, “ I/We, as applicant, understand that
288 Emergency Rental Assistance program funds cannot be used to pay past-due rent before April 1,
289 2020. The Housing Provider agrees to the requirement that the tenant cannot be evicted for non-
290 payment of rent associated with any of the months for which the rent relief payment is made.

291 Furthermore, the Housing Provider agrees to make a payment plan available to the tenant for any
292 past due rent accrued since April 1, 2020 that is not covered by the rent relief payment, pursuant
293 to the Coronavirus Support Temporary Amendment Act of 2021 (D.C. Act 24-62).”

294

295 (b) Title 16 of the District of Columbia Official Code is amended as follows:

296 (1) Section 16-1501 is amended to read as follows:

297 “(a) When a person detains possession of real property without right, or after his right to
298 possession has ceased, the Superior Court of the District of Columbia, on complaint under oath
299 verified by the person aggrieved by the detention, or by his agent or attorney having knowledge
300 of the facts, may issue a summons in English and Spanish to the party complained of to appear
301 and show cause why judgment should not be given against him for the restitution of possession.

302 “(b) The person aggrieved shall not file a complaint seeking restitution of possession
303 pursuant to this section for nonpayment of rent in an amount less than \$600; except, that the
304 person aggrieved may file a complaint to recover the amount owed.

305 “(c)(1) During a period of time for which the Mayor has declared a public health
306 emergency pursuant to D.C. Official Code § 7-2304.01, and for 180 days thereafter, the person
307 aggrieved shall not file a complaint seeking relief pursuant to this section, except:

308 “(A) Where the complaint alleges that the tenant’s continuing presence at
309 the housing accommodation where the tenant resides presents a current and substantial threat to
310 the health and safety of tenants, on-site agents, or employees of the owners of the housing
311 accommodation, or household members or guests of other tenants, because the tenant has
312 violated an obligation of tenancy by engaging in an unlawful possession of a firearm, threats or
313 acts of violence, or assault.

314 “(B) Where the complainant alleges non-payment of rent pursuant to this
315 section, provided that:

316 “(i) The complainant has applied for rental assistance through the
317 District on behalf of the tenant, at least 60 days have elapsed since the application date, and in no
318 event earlier July 1, 2021, and;

319 “(ii) The tenant has been served with a written notice to vacate
320 which meets the requirements of this section and all other requirements under District law.

321 Notices to vacate under this section shall include:

322 “(I) Notify the tenant that the complainant has applied for
323 rental assistance on behalf of the tenant and provide the website address and phone number for
324 the tenant to contact to complete the tenant’s portion of the application;

325 “(II) State that the tenant has the right to remain in the
326 rental unit if the total balance of unpaid rent is paid in full, including any future months that
327 become due before the payment is made; the tenant does not have to vacate the rental unit until
328 and unless a court orders the tenant to do so; and the tenant has the right to dispute the landlord’s
329 allegations through the court process and remain in the rental unit until the court reaches a
330 decision on the matter;

331 “(III) Notify the tenant of the availability, terms, and
332 application process for the tenant payment plan provided by the complainant pursuant to [DC
333 Code 42-3281]; and

334 “(IV) Include the phone numbers of the Office of the
335 Tenant Advocate and the Landlord Tenant Legal Assistance Network and state that both
336 resources provide free legal services to a tenant facing eviction.

337 “(iii) If it is determined that a tenant is not eligible for rental
338 assistance, the complainant must provide documentation of this at the time of filing.

339 “(iv) A tenant may request a 15-day extension of the 60-day
340 requirement under (i) if he or she has acted upon the application in good faith but has been
341 unable to complete the application due to issues outside of his or her control, such as notices and
342 program materials not being translated in the tenant’s native language, difficulty locating the

343 documents necessary to complete the application, or technical issues with the technology or
344 websites used to transmit the application.

345 “(v) It shall be a dispositive affirmative defense for any tenant to
346 show:

347 “(I) That the landlord did not pursue rental assistance
348 through the District timely or in good faith;

349 “(II) The landlord did not grant an extension to complete
350 the application pursuant to (iv);

351 “(III) The tenant can demonstrate that he or she did not
352 receive notice of the rental assistance application; or

353 “(IV) The landlord did not provide a notice vacate that
354 meets the requirements of this section and all other requirements under District law.

355 “(2) For purposes of this subsection, the term:

356 “(A) “Act of violence” shall have the same meaning as “crime of
357 violence” as provided in D.C. Official Code § 23-1331(4).

358 “(B) “Assault” shall be construed according to section 806 of An Act To
359 establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1189;
360 D.C. Official Code § 22-404).

361 “(C) “Threat” shall be construed according to section 2 of An Act To
362 confer concurrent jurisdiction on the police court of the District of Columbia in certain
363 jurisdictions, approved July 16, 1912 (37 Stat. 192; D.C. Official Code § 22-407).

364 “(D) “Unlawful possession of a firearm” shall be construed according to
365 section 3 of An Act To control the possession, sale, transfer, and use of pistols and other
366 dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of

367 evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-
368 4503).

369 “(3) Nothing in this section shall be construed to create an obligation on the part
370 of any person to pursue an eviction action under this subsection.

371 “(4) No tenant shall be evicted from a rental unit based on a complaint filed under
372 this subsection unless the court finds that the alleged violation of an obligation of tenancy meets
373 all of the requirements of this subsection”.

374 (2) Section 16-1502 is amended as follows:

375 “(A) Strike the phrase “exclusive of Sundays and legal holidays” and
376 insert the phrase “exclusive of Sundays, legal holidays, and a period of time for which the Mayor
377 has declared a public health emergency pursuant to D.C. Official Code § 7-2304.01” in its place.

378 “(B) Strike the phrase “before the day fixed for the trial of the action.” and
379 insert the phrase “before the day fixed for the trial of the action; except, that a summons may be
380 served during a period of time for which the Mayor has declared a public health emergency
381 pursuant to D.C. Official Code § 7-2304.01, and for 60 days thereafter, if the summons relates to
382 a complaint that is filed pursuant to the exception listed in § 16-1501(b).” in its place.”

383 (b) Section 501 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-
384 10; D.C. Official Code § 42-3505.01), is amended as follows:

385 (1) Subsection (k) is amended as follows:

386 (A) Paragraph (1) is amended by striking the phrase “; or” and inserting a
387 semicolon in its place.

388 (B) Paragraph (2) is amended by striking the period and inserting the
389 phrase “; or” in its place.

390 (C) A new paragraph (3) is added to read as follows:

391 “(3) Prior to October 1, 2021, except for evictions arising from those complaints
392 filed pursuant to the exception in D.C. Official Code § 16-1501(b) on or after May 3, 2021;
393 provided, that:

394 “(A) Any family facing eviction pursuant to this paragraph shall be
395 connected to assistance and resources that support the coordination or continuation of youth
396 education, social services, and other resources before the eviction is carried out; and

397 “(B) Any person with behavioral, emotional, or mental health issues
398 facing eviction pursuant to this paragraph shall be connected to behavioral health or housing
399 counseling services and shall be offered alternative housing arrangements before the eviction is
400 carried out.

401 (2) A new subsection (q-1) is added to read as follows:

402 “(q-1)(1) Subsection (q) shall not apply to notices related to complaints that allege:

403 “(A) Non-payment of rent that meet the requirements of D.C. Official
404 Code § 16-1501(c)(1)(B); or

405 “(B) That the tenant’s continuing presence at the housing accommodation
406 where the tenant resides presents a current and substantial threat to the health and safety of
407 tenants, on-site agents, or employees of the owners of the housing accommodation, or household
408 members or guests of other tenants, because the tenant has violated an obligation of tenancy by
409 engaging in an unlawful possession of a firearm, threats or acts of violence, or assault.

410 “(2) For purposes of this subsection, the term:

411 “(A)“Act of violence” shall have the same meaning as “crime of violence”
412 as provided in D.C. Official Code § 23-1331(4).

413 “(B) “Assault” shall be construed according to section 806 of An Act To
414 establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1189;
415 D.C. Official Code § 22-404).

416 “(C) “Threat” shall be construed according to section 2 of An Act To
417 confer concurrent jurisdiction on the police court of the District of Columbia in certain
418 jurisdictions, approved July 16, 1912 (37 Stat. 192; D.C. Official Code § 22-407).

419 “(D) “Unlawful possession of a firearm” shall be construed according to
420 section 3 of An Act To control the possession, sale, transfer, and use of pistols and other
421 dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of
422 evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-
423 4503).

424 “(3)(A) A notice issued to a tenant pursuant to this subsection shall:

425 “(i) State that the tenant does not have to vacate the rental unit
426 until and unless a court orders the tenant to do so;

427 “(ii) State that the tenant has the right to correct or cease the
428 alleged violation of tenancy and remain in the rental unit;

429 “(iii) State that the tenant has the right to dispute the landlord’s
430 allegations through the court process and remain in the rental unit until the court reaches a
431 decision on the matter; and

432 “(iv) Include the phone numbers of the Office of the Tenant
433 Advocate and the Landlord Tenant Legal Assistance Network and state that both resources
434 provide free legal services to a tenant facing eviction..

435 “(B) A copy of the notice shall be sent to the Office of the Tenant
436 Advocate.”.

437 Sec. 6. The Not-for-Profit Hospital Corporation Establishment Amendment Act of 2011,
438 effective September 14, 2011 (D.C. Law 19-21, D.C. Official Code § 44-951.01 *et seq.*), is
439 amended as follows:

440 (c) Section 5115(m) (D.C. Official Code § 44-951.04(m)) is amended as follows:

441 (1) Paragraph (2) is amended to read as follows:

442 “(2) Voting members of the Fiscal Management Board shall include:

443 “(A) The Chief Financial Officer of the District of Columbia, or his or her
444 designee, who shall serve as chair of the Fiscal Management Board;

445 “(B) The Deputy Mayor for Health and Human Services, or his or her
446 designee;

447 “(C) One citizen member from either Ward 7 or Ward 8, appointed by the
448 Chairman of the Council, who has experience in public health or health care delivery; and

449 “(D) A citizen member, appointed by the Mayor, who has experience
450 serving as the City Administrator of the District of Columbia;

451 “(E) An individual with expertise in hospital management or finance,
452 appointed by the Mayor;

453 “(F) One representative from each of the two unions, selected by each
454 representative union, maintaining the largest collective bargaining units at United Medical
455 Center.”.

456 (2) Paragraph (4) is amended by striking the phrase “January 31, 2023.” and
457 inserting the phrase “January 31, 2023, the operations of the hospital have been dissolved, or
458 such time as the Board is reinstated by an act of the Council.” in its place.

459 (3) A new paragraph (5) is added to read:

460 “(5) Members of the Fiscal Management Board shall not be members of the
461 Board of the Corporation as constituted on May 1, 2021, except for those members listed in
462 subparagraphs (A), (B), and (D) of subsection (m)(2).”

463 (4) A new paragraph (6) is added to read:

464 “(6) In general, each voting member of the Fiscal Management Board shall:

465 “(A) Have experience, knowledge, and expertise in finance, management,
466 and the organization or operation of a business or government;

467 “(B) Not be an individual who provides goods or services to the
468 Corporation, or be employed by an entity that provides goods or services to the Corporation, and
469 is not the spouse, parent, child, or sibling of an individual who provides goods and services to the
470 Corporation; and

471 “(C) Maintain a primary residence or a primary place of business in the
472 National Capital Region.”.

473 (b) Section 5120 (D.C. Official Code § 44-951.09) is amended as follows:

474 (1) Subsection (b)(1) is amended to read as follows:

475 “(b)(1) If any of the conditions set forth in section 5115(l) has been met, the Fiscal
476 Management Board shall meet no later than 45 days thereafter and approve an operating budget
477 that requires a subsidy from the District no greater than \$40 million in Fiscal Year 2021, and no
478 greater than \$22 million per year thereafter, that supports the following services:

479 “(A) An emergency department;

480 “(B) Behavioral health (e.g. psychiatric) services;

481 “(C) The inpatient, outpatient, and support services necessary to provide
482 services pursuant to subparagraphs (A) and (B) of this paragraph; and

483 “(D) Any additional critical care services meeting a community need that
484 the Fiscal Management Board deems viable within the budget and financial plan for UMC
485 adopted by the Council.”.

486 (2) Subparagraph (B) of subsection (b)(3) is amended by striking “Financial” and
487 inserting “Fiscal” in its place.

488 (3) A new paragraph (4) is added to subsection (b) to read as follows:

489 “(4)(A) By July 1, 2021, the Fiscal Management Board shall develop an
490 operational plan for the Corporation with an implementation schedule providing for reductions in
491 services and staffing necessary to meet the requirements set forth in subsection (b)(1) through the
492 time of dissolution of the Corporation under section 5092(c).

493 “(B) The budgetary aspects of the operational plan shall be certifiable by
494 the Chief Financial Officer, and then, no later than 15 days after the approval by the Fiscal
495 Management Board of an operational plan pursuant to subparagraph (A), the Chief Financial
496 Officer of the District of Columbia shall certify that the operational plan will satisfy the
497 requirements set forth in subsection (b)(1).

498 “(C) Beginning October 1, 2021, the Corporation shall produce quarterly
499 financial reports subject to audit by the Chief Financial Officer measuring progress against the
500 operational plan.

501 “(D) Copies of such reports shall also be filed with the Secretary of the
502 Council of the District of Columbia.

503 “(E) The Fiscal Management Board shall make adjustments to the
504 Corporation’s budget and operations as necessary to maintain spending within the requirements
505 of section (b)(1)”.

506 Sec. 7. Section 5102 of the Fiscal Year 2020 Budget Support Act of 2019, effective
507 September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

508 Sec. 8. Fiscal impact statement.

509 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
510 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
511 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

512 Sec. 9. Applicability.

513 This act shall apply as of May 10, 2021.

514 Sec. 10. Effective date.

515 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
516 the Mayor, action by the Council to override the veto), a 60-day period of congressional review
517 as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December
518 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of
519 Columbia Register.

520 (b) This act shall expire after 225 days of its having taken effect.