

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 42.
REAL PROPERTY.

CHAPTER 28.
HOUSING PRODUCTION TRUST FUND.

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DISTRICT OF COLUMBIA OFFICIAL CODE
CHAPTER 28. HOUSING PRODUCTION TRUST
FUND.

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CHAPTER 28. HOUSING PRODUCTION TRUST FUND.

SUBCHAPTER I. GENERAL.

§ 42-2801. DEFINITIONS.

For the purposes of this chapter, the term:

(1)(A) "Area median income" means:

(i) For a household of 4 persons, the area median income for a household of 4 persons in the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the United States Department of Housing and Urban Development;

(ii) For a household of 3 persons, 90% of the area median income for a household of 4 persons;

(iii) For a household of 2 persons, 80% of the area median income for a household of 4 persons;

(iv) For a household of one person, 70% of the area median income for a household of 4 persons;

(v) For a household of more than 4 persons, the area median income for a household of 4 persons, increased by 10% of the area median income for a family of 4 persons for each household member exceeding 4 persons (e.g., the area median income for a family of 5 shall be 110% of the area median income for a family of 4; the area median income for a household of 6 shall be 120% of the area median income for a family of 4).

(B) Any percentage of household income referenced in this chapter (e.g., 80% of household income) shall be determined through a direct mathematical calculation and shall not take into account any adjustments made by the United States Department of Housing and Urban Development for the purposes of the programs it administers.

(1A) "Board" means the Housing Production Trust Fund Board established under § 42-2802.01.

(1B) "Child development facility" means a facility where a child development program is provided for infants and children, away from home, for less than 24 hours a day for each infant or child, and which is to be located on a proposed housing or commercial project under a linked development agreement. The term "child development facility" shall include a child development center, child development home, or infant care center, but does not include a public or private elementary school engaged in legally required education and related functions.

(1C) "Continuing affordability" means:

(A) For rental units, a period of at least 40 years; and

(B) For for-sale units, a period of at least 15 years, unless the unit is located in a census tract with a poverty rate of 30 percent or more as determined by the U.S. Census Bureau's decennial census, in which case the period shall be 10 years. If a for-sale unit is sold within the term of years under this paragraph, the new affordability term shall begin on the date of the sale.

(1D) "Department" means the Department of Housing and Community Development.

(2) "District" means the District of Columbia.

(2A) "Eligible household" means a household that, at the time of its purchase of a qualified housing unit, had total annual income at or below 120% of the area median income; provided, that the annual incomes of eligible households assisted through an allocation of proceeds from the Housing Production Trust Fund shall not exceed 80% of the area median income.

(3) "Extremely low income" means a household income equal to 30% or less of the area median income.

- (4) "Fund" means the Housing Production Trust Fund established pursuant to § 42-2802.
- (5) "Housing production" means the construction, rehabilitation, or preservation of decent, safe, and affordable housing.
- (5A) "Land Trust Plan" means the District of Columbia Workforce Housing Land Trust Design and Implementation Plan, as amended and approved by subchapter III-A of Chapter 10 of Title 6.
- (6) "Low income" means a household income equal to, or less than, 80% of the area median income and greater than 50% of the area median income.
- (7) "Moderate income" means a total income equal to between 50% and 80% of the Standard Metropolitan Statistical Area median as certified by the Department.
- (8) "Nonprofit housing developer" means a housing developer who qualifies as a nonprofit organization under 26 U.S.C. 501(c)(3).
- (9) "Targeted population" means low and moderate income families and individuals, including the elderly, people with disabilities, and single parent families.
- (9A) "Very low income" means a household income equal to, or less than, 50% of the area median income and greater than 30% of the area median income.
- (10) "WMATA" means Washington Metropolitan Area Transit Authority.
- (11) "Workforce Housing Land Trust" means the tax-exempt organization selected by the Deputy Mayor for Planning and Economic Development to administer the pilot program pursuant to § 6-1061.02(b).
- (12) "Workforce Housing Production Program Approval Act" means subchapter III-A of Chapter 10 of Title 6.

(Mar. 16, 1989, D.C. Law 7-202, § 2, 36 DCR 444; Apr. 19, 2002, D.C. Law 14-114, § 501(a), 49 DCR 1468; Nov. 13, 2003, D.C. Law 15-39, § 222(a), 50 DCR 5668; Mar. 13, 2004, D.C. Law 15-105, § 74(a)(1), 51 DCR 881; Dec. 7, 2004, D.C. Law 15-205, § 2012(a), 51 DCR 8441; Apr. 13, 2005, D.C. Law 15-354, § 60, 52 DCR 2638; Apr. 24, 2007, D.C. Law 16-305, § 62, 53 DCR 6198; Dec. 24, 2008, D.C. Law 17-285, § 3(a), 55 DCR 11986.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-3101.

Effect of Amendments

D.C. Law 14-114 redesignated existing par. (1) as par. (1B); inserted pars. (1), (1A), (3A), and (9A); and rewrote par. (6) which had read:

"(6) "Low-income" means a total income equal to less than 50% of the Standard Metropolitan Statistical Area median as certified by the Department."

D.C. Law 15-39 added the definition of continuing affordability.

D.C. Law 15-105, in sub-subpars. (iii), (iv), and (v) of par. (1)(A), and in par. (3), validated previously made technical corrections.

D.C. Law 15-205, in par. (1C), substituted "40" for "30" in subpar. (A), and rewrote subpar. (B) which had read as follows:

"(B) For for-sale units, a period of at least 5 years."

D.C. Law 15-354 validated previously made technical changes.

D.C. Law 16-305, in par. (9), substituted "people with disabilities" for "the disabled".

D.C. Law 17-285 added pars. (2A), (5A), (11), and (12).

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 2(a) of Housing Production Trust Fund Affordability Period Temporary Amendment Act of 2002 (D.C. Law 14- 298, April 11, 2003, law notification 50 DCR 5856).

For temporary (225 day) amendment of section, see § 2(a) of Housing Production Trust Fund Continuing Basis Definition Temporary Amendment Act of 2003 (D.C. Law 14-304, May 3, 2003, law notification 50 DCR 3778).

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 2(a) of Housing Production Trust Fund Affordability Period Emergency Amendment Act of 2002 (D.C. Act 14- 536, December 2, 2002, 49 DCR 11648).

For temporary (90 day) amendment of section, see § 2(a) of Housing Production Trust Fund Continuing Basis Definition Emergency Amendment Act of 2002 (D.C. Act 14-599, January 7, 2003, 50 DCR 661).

For temporary (90 day) amendment of section, see § 2(a) of Housing Production Trust Fund Continuing Basis Definition Congressional Review Emergency Amendment Act of 2003 (D.C. Act 15-61, April 16, 2003, 50 DCR 3379).

For temporary (90 day) amendment of section, see § 2012(a) of Fiscal Year 2005 Budget Support Emergency Act of 2004 (D.C. Act 15-486, August 2, 2004, 51 DCR 8236).

For temporary (90 day) amendment of section, see § 2012(a) of Fiscal Year 2005 Budget Support Congressional Review Emergency Act of 2004 (D.C. Act 15-594, October 26, 2004, 51 DCR 11725).

Legislative History of Laws

Law 7-202, the "Housing Production Trust Fund Act of 1988," was introduced in Council and assigned Bill No. 7-264, which was referred to the Committee on Housing and Economic Development. The Bill was adopted on first and second readings on November 29, 1988, and December 13, 1988, respectively. Signed by the Mayor on January 6, 1989, it was assigned Act No. 7-273 and transmitted to both Houses of Congress for its review.

For Law 14-114, see notes following § 42-2102.

Law 15-39, the "Fiscal Year 2004 Budget Support Act of 2003", was introduced in Council and assigned Bill No. 15-218, which was referred to Committee on Whole. The Bill was adopted on first and second readings on May 6, 2003, and June 3, 2003, respectively. Signed by the Mayor on June 20, 2003, it was assigned Act No. 15-106 and transmitted to both Houses of Congress for its review. D.C. Law 15-39 became effective on November 13, 2003.

For Law 15-105, see notes following § 42-407.

For Law 15-205, see notes following § 42-1103.

For Law 15-354, see notes following § 42-1103.

For Law 16-305, see notes following § 42-820.

Law 17-285, the "Workforce Housing Production Program Amendment Act of 2008", was introduced in Council and assigned Bill No. 17-279 which was referred to the Committee on Housing and Urban Affairs. The Bill was adopted on first and second readings on July 1, 2008, and October 7, 2008, respectively. Signed by the Mayor on October 27, 2008, it was assigned Act No. 17-551 and transmitted to both Houses of Congress for its review. D.C. Law 17-285 became effective on December 24, 2008.

Miscellaneous Notes

Short title of subtitle C of title II of Law 15-39: Section 221 of D.C. Law 15-39 provided that subtitle C of title II of the act may be cited as the Continuing Basis Definition Amendment Act of 2003.

Short title of subtitle B of title II of Law 15-205: Section 2011 of D.C. Law 15-205 provided that subtitle B of title II of the act may be cited as the Housing Production Trust Fund Amendment Act of 2004.

§ 42-2802. HOUSING PRODUCTION TRUST FUND; ESTABLISHED.

(a) There is established the Housing Production Trust Fund as a permanent revolving special revenue fund within the Governmental Funds of the District apart from the General Fund consisting of identifiable, renewable, and segregated capital, which shall be administered by the Department to provide assistance in housing production for targeted populations.

(b) The Fund shall be used to provide:

- (1) Pre-development loans for nonprofit housing developers;
- (2) Grants for architectural designs for adaptive re-use of previously nonresidential structures;
- (3) Loans to develop housing and provide housing services for low- and very low-income elderly persons who have special needs;
- (4) Bridge loans and gap financing to reduce up-front costs and costs of residential development and to keep a housing project in operation, if circumstances change adversely during development;
- (5) Loans for first-effort model projects;
- (6) Financing for the construction of new housing, or rehabilitation or preservation of existing housing;
- (7) Financing for site acquisition, construction loan guarantees, collateral, or operating capital;
- (8) Loans or grants to finance on-site child development facilities for proposed housing or commercial development projects;
- (8A) Loans authorized through the Homestead Housing Preservation Program in § 42-2107;

(8B) Payments to a person contracted to perform services under § 42-2105.01;

(9) Other loans and grants for housing production determined by the Department to be consistent with the purposes of this chapter;

(10) Funds for the administration of the Fund, not to exceed 10% in fiscal year 2009 or earlier, not to exceed 15% in fiscal year 2010, not to exceed 15% in fiscal year 2011, and not to exceed 10% in fiscal year 2012 or later of the funds deposited into the Fund pursuant to subsection (c) of this section; and

(11)(A) Funds for the New Communities Initiative as that term is defined in subparagraph (B) of this paragraph; provided, that the use of the funds for the initiative is consistent with the provisions and purposes of this section and meets the requirements of § 42-2812.03(d) and the rules promulgated pursuant to this chapter.

(B) For the purposes of this paragraph, the term "New Communities Initiative" means a large scale and comprehensive plan, submitted by the Mayor to the Council for approval, that provides housing infrastructure with a special focus on public housing, provides critical social support services, decreases the concentration of poverty and crime, enhances access to education, and provides training and employment education to neighborhoods where crime, unemployment, and truancy converge to create intractable physical and social conditions.

(b-1)(1) At least 40% of the funds disbursed from the Fund during a fiscal year shall be for the purposes of assisting in the provision of housing opportunities for very low-income households, which includes individuals who have previously been incarcerated for or convicted of a felony under state or federal law and who are otherwise entitled to services and assistance pursuant to this chapter, including maximizing the possibility of home ownership. The Mayor may submit a written request to the Council for a waiver of the 40% requirement if, by the 4th quarter of the fiscal year, the Mayor has not received a sufficient number of viable housing proposals. The Council shall approve or disapprove the waiver by resolution within 30 days, and the resolution shall be deemed disapproved if the Council does not act within this 30-day period.

(2) At least 40% of the funds disbursed from the Fund during a fiscal year shall be for the purposes of assisting in the provision of housing opportunities for extremely low-income households, including maximizing the possibility of home ownership. The Mayor may submit a written request to the Council for a waiver of the 40% requirement if, by the 4th quarter of the fiscal year, the Mayor has not received a sufficient number of viable housing proposals. The Council shall approve or disapprove the waiver by resolution within 30 days, and the resolution shall be deemed disapproved if the Council does not act within this 30-day period.

(3) At least 50% of the funds disbursed from the Fund during a fiscal year shall be for the purposes of assisting in the provision of rental housing. The Mayor may submit a written request to the Council for a waiver of the 50% requirement if, in the 3rd quarter of the fiscal year, the Mayor has not received a sufficient number of viable rental housing proposals. The Council shall approve or disapprove the waiver by resolution within 30 days, and the resolution shall be deemed approved if the Council does not act within the 30-day period.

(b-2)(1) An amount not to exceed \$16 million of the funds deposited into the Fund may be used by the Mayor to secure bonds issued for the benefit of the New Communities Initiative or other purposes consistent with the Housing Production Trust Fund uses and pursuant to subsection (b)(11) of this section; provided, that securitization above \$16 million may only occur upon certification by the Mayor that resources are needed to fulfill the New Communities projects.

(2) Council authorization by act shall be required for any amount above \$12 million in the Fund to secure financing for the New Community Initiative or other purposes consistent with the Housing Production Trust Fund uses.

(b-3) Notwithstanding any other provision of this chapter or any other law to the contrary, \$4 million of the funds deposited into the Fund may be made available by the Mayor to the Workforce Housing Land Trust. The uses of the funds shall be governed exclusively by the provisions of the Land Trust Plan and the requirements of subchapter III-A of Chapter 10 of Title 6.

(b-4)(1) Notwithstanding any other provision of this chapter or any other law, the Mayor may transfer an amount not to exceed \$18 million from the Fund to the Rent Supplement Fund established by § 6-226(d)(1), for the purpose of funding in fiscal year 2012 the assistance programs set forth in §§ 6-226 through 6-229.

(2) None of the funds transferred to the Rent Supplement Fund pursuant to paragraph (1) of this subsection shall be used for administrative costs.

(3) If, pursuant to the Contingency for Additional Estimated Revenue Act of 2011, passed on 2nd reading on June 14, 2011 (Enrolled version of Bill 19-203) [subtitle P of Title VII of D.C. Law 19-21], the appropriation for the District of Columbia Housing Authority is increased by an amount by which a revised revenue estimate exceeds the revenue estimate of the Chief Financial Officer of the District of Columbia dated February 28, 2011, the transfer set forth in paragraph (1) of this subsection shall be

reduced by an equal amount.

(b-5)(1) Notwithstanding any provision of this chapter or any other law, the Mayor may transfer an amount not to exceed \$19,969,048 designated for deposit into the Rent Supplement Fund, established by § 6-226, toward existing project-based and sponsor-based voucher assistance, as described in § 6-227, tenant-based assistance, as described in § 6-228, and capital-based assistance, as described in § 6-229, and awarded under the Rent Supplement Program, established in § 6-226, in or before fiscal year 2010.

(2) None of the funds transferred pursuant to paragraph (1) of this subsection shall be used for administrative costs.

(c) There shall be deposited in the Fund:

(1) Fee option contributions made by commercial developers under a commercial linked development policy to be established by statute by the Council;

(2) Community development program contributions made pursuant to subchapter I of Chapter 7 of Title 26, as determined by the Superintendent of Banking and Financial Institutions in consultation with the Department;

(3) Appropriated amounts;

(4) Grants, fees, donations, or gifts from public and private sources;

(5) Repayments of principal and interest on loans provided from the Fund;

(6) Proceeds realized from the liquidation of security interests held by the District under terms of assistance provided from the Fund;

(7) Interest earned from the deposit or investment of monies from the Fund;

(8) All revenues, receipts, and fees of whatever source derived from the operation of the Fund;

(9) Repealed.

(10) Any fee or portion of an application fee that the Zoning Commission, by rule, may require an applicant for a Planned Unit Development to pay when the applicant proposes a housing production option or fee option in connection with a planned unit development application, to the extent that the Zoning Commission designates that the fee or portion of that fee shall be allocable to the Fund;

(11) Available community development block grants;

(12) Repealed.

(13) Repealed.

(14)(A) Repayments of loans, including principal and interest, provided under § 42-2107;

(B) Proceeds realized from the liquidation of any security interests held by the District under the terms of assistance provided from the fund through the Homestead Housing Preservation Program established in Chapter 21 of this title;

(15) \$5 million on October 1, 2002;

(16) Beginning October 1, 2003, 15% of the real property transfer tax imposed by § 47-903 and 15% of the deed recordation tax imposed by § 42-1103; provided, that if, in any fiscal year, the Chief Financial Officer certifies the proposed budget will not be balanced as required by § 1-206.03(c) if the provisions of this paragraph take effect, the applicable percentage for the fiscal year shall be the amount derived from the available general fund balance;

(16A) [Not funded]

(17) All fines collected pursuant to § 6-1041.03, which shall be used exclusively to fund the Mayor's purchase of dwelling units for sale or rental to low- and moderate-income households as authorized by § 6-1041.04(c).

(d) The Department shall:

(1) Periodically review Fund revenue sources to determine what additional revenue sources may be required to assure the continuation of the Fund and its programs and shall request Council action to access revenue sources otherwise unavailable to the Department;

(2) File with the Chairperson of the Committee on Economic Development quarterly reports on activities and expenditures;

(3) Conduct annual audits, publish annual reports, hold public hearings, and make annual assessments of the continued housing needs of targeted populations;

(4) Monitor for compliance written agreements entered into by the Department and commercial developers pursuant to this chapter;

(5) Provide outreach and housing production counseling and technical assistance to individuals or

groups interested in producing housing for targeted populations as provided in § 42-2803(b);

(6) Encourage profit and nonprofit developers to produce housing units of 3 or more bedrooms designed to accommodate large families and to produce child development facilities in a housing development;

(7) Give priority to nonprofit housing developers for receipt of loans from the Fund; and

(8) Include in the rules promulgated pursuant to § 42-2804 provisions to assure that housing units produced pursuant to this chapter shall be affordable on a continuing basis for targeted populations; provided, that the Department shall not be required to assure affordability on a continuing basis where assistance is provided for the rehabilitation of owner-occupied single-family homes or where assistance is provided under Chapter 21 of Title 42 or another statutory program.

(Mar. 16, 1989, D.C. Law 7-202, § 3, 36 DCR 444; Apr. 19, 2002, D.C. Law 14-114, §§ 501(b), 802, 49 DCR 1468; Oct. 1, 2002, D.C. Law 14-190, § 1102, 49 DCR 6968; June 3, 2003, D.C. Law 14-307, § 302, 49 DCR 11664; Nov. 13, 2003, D.C. Law 15-39, § 222(b), 50 DCR 5668; Mar. 13, 2004, D.C. Law 15-105, §§ 74(a)(2), (d), 75(a), 51 DCR 881; Dec. 7, 2004, D.C. Law 15-205, § 2012(b), 51 DCR 8441; May 24, 2005, D.C. Law 15-357, § 402, 52 DCR 1999; Oct. 20, 2005, D.C. Law 16-33, § 2172(b), 52 DCR 7503; Mar. 2, 2007, D.C. Law 16-191, §§ 5(n), 63, 53 DCR 6794; Mar. 2, 2007, D.C. Law 16-192, § 2062(a), 53 DCR 6899; Mar. 14, 2007, D.C. Law 16-275, § 203, 54 DCR 880; Sept. 18, 2007, D.C. Law 17-20, § 2402(a), 54 DCR 7052; Aug. 16, 2008, D.C. Law 17-219, § 2010, 55 DCR 7598; Dec. 24, 2008, D.C. Law 17-285, § 3(b), 55 DCR 11986; Mar. 25, 2009, D.C. Law 17-365, § 2, 56 DCR 1217; Mar. 3, 2010, D.C. Law 18-111, § 2101, 57 DCR 181; Sept. 24, 2010, D.C. Law 18-223, § 2092, 57 DCR 6242; Sept. 14, 2011, D.C. Law 19-21, § 2033, 58 DCR 6226; Sept. 20, 2012, D.C. Law 19-168, § 2072, 59 DCR 8025.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-3102.

Effect of Amendments

D.C. Law 14-114, in subsec. (b)(3), substituted "low- and very low-income" for "low- and moderate- income"; in subsec. (b)(8), substituted a semicolon for "; and"; added subsecs. (b)(8A) and (b)(8B); in subsec. (b)(9), substituted "other Loans and grants" for "other loans", and substituted "; and" for a period at the end; added subsecs. (b)(10) and (b-1); added subsecs. (c)(12), (13), and (14); in subsec. (c)(12), substituted a semicolon for "; and"; in subsec. (c)(13), substituted a semicolon for a period; and, in subsec. (d)(2), deleted "Housing and" following "Committee on".

D.C. Law 14-190, in subsec. (c), repealed pars. (12) and (13), and added pars. (15) and (16). Prior to repeal, pars. (12) and (13) read as follows:

"(12) Beginning October 1, 2002, 15% of the real property transfer tax imposed by § 47-903 and 15% of the deed recordation tax imposed by § 42-1103;"

"(13) Proceeds realized from the sale of abandoned or deteriorated properties pursuant to Title VIII of the Housing Act of 2001, unless those properties are sold pursuant to Chapter 21 of this title; and"

D.C. Law 14-307, in subsec. (c), substituted "\$5 million" for "\$11.5 million" in par. (15), and validated a previously made technical correction in par. (16).

D.C. Law 15-39, in subsec. (d)(8), substituted "targeted populations; provided, that the Department shall not be required to assure affordability on a continuing basis where assistance is provided for the rehabilitation of owner-occupied single-family homes or where assistance is provided under Chapter 21 of Title 42 or another statutory program" for "targeted populations".

D.C. Law 15-105, in par. (9) of subsec. (b), and pars. (12) to (16) of subsec. (c), validated previously made technical corrections.

D.C. Law 15-205, in par. (10) of subsec. (b), substituted "deposited into the Fund pursuant to subsection (c)" for "expended from the Fund during the fiscal year".

D.C. Law 15-357, in subsec. (b-1)(A), substituted "very low-income households, which includes individuals who have previously been incarcerated for or convicted of a felony under state or federal law and who are otherwise entitled to services and assistance pursuant to this chapter," for "very low-income households,".

D.C. Law 16-33, in subsecs. (b)(8B) and (b)(9), "and" was deleted from the end of the subsections; in subsec. (b)(10), substituted "fiscal year; and" for "fiscal year."; and added subsecs. (b)(11) and (b-2).

D.C. Law 16-191, in subsec. (b)(10), inserted "of this section" and validated a previously made technical correction.

D.C. Law 16-192 rewrote subsecs. (a) and (b-2), which had read as follows:

"(a) There is established the Housing Production Trust Fund as a permanent proprietary revolving fund of identifiable, renewable, and segregated capital, which shall be administered by the Department to provide assistance in housing production for targeted populations.

"(b-2)(1) An amount not to exceed \$6 million of the funds deposited into the Fund may be used by the Mayor to secure bonds issued for the benefit of the Sursum Corda New Community Initiative pursuant to subsection (b)(11) of this section.

"(2) Council authorization by act shall be required for:

"(A) Any amount above \$6 million in the Fund to secure financing for the Sursum Corda New Community Initiative; and

"(B) Any amount of funds in the Fund to secure financing for any other New Community Initiative."

D.C. Law 16-275 added subsec. (c)(17).

D.C. Law 17-20, in subsec. (b-2)(1), substituted "\$16 million" for "12 million" in two places, and inserted "; provided, that securitization above \$16 million may only occur upon certification by the Mayor that resources are needed to fulfill the New Communities projects".

D.C. Law 17-219 repealed subsec. (c)(9), which had read as follows:

"(9) Lease payments from loans received under the Land Acquisitions for Housing Development Opportunities Program;"

D.C. Law 17-285 added subsec. (b-3).

D.C. Law 17-365, in subsec. (c), deleted "and" from the end of par. (16) and added par. (16A).

D.C. Law 18-111, in subsec. (b)(10), substituted ", beginning in fiscal year 2009, 10%" for "5%".

D.C. Law 18-223, in subsec. (b)(10), substituted "not to exceed 10% in fiscal year 2009 or earlier, not to exceed 15% in fiscal year 2010, not to exceed 15% in fiscal year 2011, and not to exceed 10% in fiscal year 2012 or later" for "not to exceed in a fiscal year, beginning in fiscal year 2009, 10%".

D.C. Law 19-21 added subsec. (b-4).

D.C. Law 19-168 added subsec. (b-5).

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 2(b) of Housing Production Trust Fund Affordability Period Temporary Amendment Act of 2002 (D.C. Law 14- 298, April 11, 2003, law notification 50 DCR 5856).

For temporary (225 day) amendment of section, see § 2(b) of Housing Production Trust Fund Continuing Basis Definition Temporary Amendment Act of 2003 (D.C. Law 14-304, May 3, 2003, law notification 50 DCR 3778).

For temporary (225 day) amendment of section, see § 3 of Workforce Housing Production Program Temporary Amendment Act of 2007 (D.C. Law 17-44, November 24, 2007, law notification 55 DCR 3).

For temporary (225 day) amendment of section, see § 3 of Workforce Housing Production Program Temporary Amendment Act of 2008 (D.C. Law 17-244, October 21, 2008, law notification 55 DCR 11707).

Section 302 of D.C. Law 18-222 rewrote subsec. (b)(10) to read as follows:

"(10) Beginning on October 1, 2009, funds for the administration of the Fund deposited into the fund pursuant to subsection (c) of this section:

"(A) Not to exceed 10% in fiscal year 2009 or earlier;

"(B) Not to exceed 15% in fiscal year 2010;

"(C) Not to exceed 15% in fiscal year 2011; and

"(B) Not to exceed 10% in fiscal year 2012 or later; and".

Section 2002(b) of D.C. Law 18-222 provides that the act shall expire after 225 days of its having taken effect.

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 2(b) of Housing Production Trust Fund Affordability Period Emergency Amendment Act of 2002 (D.C. Act 14- 536, December 2, 2002, 49 DCR 11648).

For temporary (90 day) amendment of section, see § 302 of Fiscal Year 2003 Budget Support Amendment Emergency Act of 2002 (D.C. Act 14-544, December 4, 2002, 49 DCR 11700).

For temporary (90 day) amendment of section, see § 2(b) of Housing Production Trust Fund Continuing Basis Definition Emergency Amendment Act of 2002 (D.C. Act 14-599, January 7, 2003, 50 DCR 661).

For temporary (90 day) amendment of section, see § 1102 of Fiscal Year 2003 Budget Support Emergency Act of 2002 (D.C. Act 14-453, July 23, 2002, 49 DCR 8026).

For temporary (90 day) amendment of section, see § 302 of Fiscal Year 2003 Budget Support Amendment Congressional Review Emergency Act of 2003 (D.C. Act 15-27, February 24, 2003, 50 DCR 2151).

For temporary (90 day) amendment of section, see § 2(b) of Housing Production Trust Fund Continuing Basis Definition Congressional Review Emergency Amendment Act of 2003 (D.C. Act 15-61, April 16, 2003, 50 DCR 3379).

For temporary (90 day) amendment of section, see § 302 of Fiscal Year 2003 Budget Support Amendment Second Congressional Review Emergency Act of 2003 (D.C. Act 15-103, June 20, 2003, 50 DCR 5499).

For temporary (90 day) amendment of section, see § 2012(b) of Fiscal Year 2005 Budget Support Emergency Act of 2004 (D.C. Act 15-486, August 2, 2004, 51 DCR 8236).

For temporary (90 day) amendment of section, see § 2012(b) of Fiscal Year 2005 Budget Support Congressional Review Emergency Act of 2004 (D.C. Act 15-594, October 26, 2004, 51 DCR 11725).

For temporary (90 day) amendment of section, see § 2172(b) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

For temporary (90 day) amendment of section, see § 2062(a) of Fiscal Year 2007 Budget Support Emergency Act of 2006 (D.C. Act 16-477, August 8, 2006, 53 DCR 7068).

For temporary (90 day) amendment of section, see § 2062(a) of Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2006 (D.C. Act 16-499, October 23, 2006, 53 DCR 8845).

For temporary (90 day) addition, see § 2 of District of Columbia Housing Authority northwest One/Temple Courts Subsidiary Establishment Approval Emergency Act of 2006 (D.C. Act 16-664, December 28, 2006, 54 DCR 1127).

For temporary (90 day) amendment of section, see § 2062(a) of Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2007 (D.C. Act 17-1, January 16, 2007, 54 DCR 1165).

For temporary (90 day) amendment of section, see § 2402(a) of Fiscal Year 2008 Budget Support Emergency Act of 2007 (D.C. Act 17-74, July 25, 2007, 54 DCR 7549).

For temporary (90 day) amendment of section, see § 3 of Workforce Housing Production Program Emergency Amendment Act of 2007 (D.C. Act 17-104, July 27, 2007, 54 DCR).

For temporary (90 day) amendment of section, see § 3 of Workforce Housing Production Program Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-201, November 26, 2007, 54 DCR 11903).

For temporary (90 day) amendment of section, see § 3 of Workforce Housing Production Program Emergency Amendment Act of 2008 (D.C. Act 17-440, July 16, 2008, 55 DCR 8290).

For temporary (90 day) amendment of section, see § 2101 of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) amendment of section, see § 2101 of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

For temporary (90 day) amendment of section, see § 302 of Fiscal Year 2010 Balanced Budget Support Emergency Act of 2010 (D.C. Act 18-450, June 28, 2010, 57 DCR 5635).

For temporary (90 day) amendment of section, see § 302 of Fiscal Year 2010 Balanced Budget Support Congressional Review Emergency Act of 2010 (D.C. Act 18-531, August 6, 2010, 57 DCR 8109).

For temporary (90 day) amendment of section, see § 2092 of Fiscal Year 2011 Budget Support Emergency Act of 2010 (D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

For temporary (90 day) addition of section, see § 2 of Housing Production Trust Fund Pollin Memorial Community Dedicated Tax Appropriations Authorization Emergency Act of 2011 (D.C. Act 19-62, May 11, 2011, 58 DCR 4242).

Legislative History of Laws

For legislative history of D.C. Law 7-202, see Historical and Statutory Notes following § 42-2801.

For Law 14-114, see notes following § 42-2102.

For Law 14-190, see notes following § 42-204.

For Law 14-298, see notes following § 42-2801.

For Law 14-304, see notes following § 42-2801.

For Law 14-307, see notes following § 42-1103.

For Law 15-39, see notes following § 42-2801.

For Law 15-105, see notes following § 42-407.

For Law 15-205, see notes following § 42-1103.

Law 15-357, the "Omnibus Public Safety Ex-offender Self-sufficiency Reform Amendment Act of 2004", was introduced in Council and assigned Bill No. 15-785, which was referred to the Committee on Judiciary. The Bill was adopted on first and second readings on November 9, 2004, and December 21, 2004, respectively.

Signed by the Mayor on January 19, 2005, it was assigned Act No. 15-744 and transmitted to both Houses of Congress for its review. D.C. Law 15- 357 became effective on May 24, 2005.

For Law 16-33, see notes following § 42-1102.

For Law 16-191, see notes following § 47-308.02.

For Law 16-192, see notes following § 42-903.

Law 16-275, the "Inclusionary Zoning Implementation Amendment Act of 2006", was introduced in Council and assigned Bill No. 16-779, which was referred to Committee on the Whole. The Bill was adopted on first and second readings on December 5, 2006, and December 19, 2006, respectively. Signed by the Mayor on December 28, 2006, it was assigned Act No. 16-632 and transmitted to both Houses of Congress for its review. D.C. Law 16-275 became effective on March 14, 2007.

Law 17-20, the "Fiscal Year 2008 Budget Support Act of 2007", was introduced in Council and assigned Bill No. 17-148 which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 15, 2007, and June 5, 2007, respectively. Signed by the Mayor on June 28, 2007, it was assigned Act No. 17-63 and transmitted to both Houses of Congress for its review. D.C. Law 17-20 became effective on September 18, 2007.

For Law 17-219, see notes following § 42-1103.

For Law 17-285, see notes following § 42-2802.

Law 17-365, the "Housing Production Trust Fund Stabilization Amendment Act of 2008", was introduced in Council and assigned Bill No. 17-943 which was referred to the Committee on Housing and Public Affairs. The Bill was adopted on first and second readings on November 18, 2008, and December 16, 2008, respectively. Approved without the signature of the Mayor on January 23, 2009, it was assigned Act No. 17-700 and transmitted to both Houses of Congress for its review. D.C. Law 17-365 became effective on March 25, 2009.

For Law 18-111, see notes following § 42-1102.02.

For Law 18-223, see notes following § 42-1904.03.

Law 19-21, the "Fiscal Year 2012 Budget Support Act of 2011", was introduced in Council and assigned Bill No. 19-203, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 25, 2011, and June 14, 2011, respectively. Signed by the Mayor on July 22, 2011, it was assigned Act No. 19-98 and transmitted to both Houses of Congress for its review. D.C. Law 19-21 became effective on September 14, 2011.

For history of Law 19-168, see notes under § 42-1102.

Delegation of Authority

Delegation of authority to Acquire Certain Real Estate in the District of Columbia, see Mayor's Order 2007-81, April 2, 2007 (54 DCR 7810).

Miscellaneous Notes

Short title of subtitle A of title XI of Law 14-190: Section 1101 of D.C. Law 14-190 provided that subtitle A of title XI of the act may be cited as the Housing Production Trust Fund Amendment Act of 2002.

For approval of the Northwest One Redevelopment Plan and authorization of the Mayor to exercise eminent domain authority in the area bounded by North Capitol Street, N.E., K Street, N.E., New Jersey Avenue, N.E., and New York Avenue, N.E., see the Northwest One/Sursum Corda Affordable Housing Protection, Preservation and Production Act of 2006, effective November 16, 2006 (D.C. Law 16-188; 53 DCR 6750).

Short title: Section 2061 of D.C. Law 16-192 provided that subtitle E of title II of the act may be cited as the "Housing Production Trust Fund and New Communities Financing Clarification Act of 2006".

Short title: Section 2401 of D.C. Law 17-20 provided that subtitle S of title II of the act may be cited as the "New Communities Amendment Act of 2007".

Section 3 of D.C. Law 17-365 provides that this act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

The Budget Director of the Council of the District of Columbia has determined, as of February 15, 2012, that the fiscal effect of Law 17-365 has not been included in an approved budget and financial plan. Therefore, the provisions of this section, enacted by Law 17-365, are not in effect.

Short title: Section 2100 of D.C. Law 18-111 provided that subtitle K of title II of the act may be cited as the "Housing Production Trust Fund Amendment Act of 2009".

Short title: Section 2091 of D.C. Law 18-223 provided that subtitle I of title II of the act may be cited as the "Housing Production Trust Fund and Affordable Housing Production Report Amendment Act of 2010".

Short title: Section 2071 of D.C. Law 19-168 provided that subtitle H of title II of the act may be cited as "Rent Supplement Prioritization and Funding Act of 2012".

§ 42-2802.01. HOUSING PRODUCTION TRUST FUND BOARD.

(a) There is hereby established a Housing Production Trust Fund Board. The Board shall advise the Mayor on the development, financing, and operation of the Fund and other matters related to the production of housing for low-income, very low-income, and extremely low-income households. The Board may review the uses of the Fund for their conformity with the purposes of this chapter and the Board shall have reasonable access to records related to the Fund to perform this review.

(b) The Board shall be composed of 9 members, selected as follows:

- (1) One member shall be a representative of the financial services industry.
- (2) One member shall be a representative of the nonprofit housing production community.
- (3) One member shall be a representative of the for-profit housing production industry.
- (4) One member shall be a representative of an organization that advocates for the production, preservation, and rehabilitation of affordable housing for lower-income households.
- (5) One member shall be a representative of the low-income tenant association.
- (6) One member shall be a representative of an organization that advocates for people with disabilities.
- (7) The remaining 3 members shall have significant knowledge of an area related to the production, preservation, and rehabilitation of affordable housing for lower-income households.

(c) The members of the Board shall be appointed by the Mayor within 50 days of April 19, 2002, with the advice and consent of the Council.

(d) The terms of the members of the Board shall be 4 years; provided, that of the initial 9 members of the Board, the Mayor shall appoint 5 members to serve 2-year terms.

(e) No member of the Board may serve more than 2 terms.

(f) The Chairperson of the Board shall be designated by the Mayor with the advice and consent of the Council.

(Mar. 16, 1989, D.C. Law 7-202, § 3a, as added June 8, 1990, D.C. Law 8-133, § 2, 37 DCR 2369; Apr. 19, 2002, D.C. Law 14-114, § 501(c), 49 DCR 1468; Oct. 19, 2002, D.C. Law 14-213, § 28(b), 49 DCR 8140; Apr. 24, 2007, D.C. Law 16-305, § 63, 53 DCR 6198.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-3102.1.

Effect of Amendments

D.C. Law 14-114 rewrote this section which had read as follows:

"Any nongovernment member of a board established by the Mayor to administer or provide advice on the administration of the Housing Production Trust Fund shall be appointed by the Mayor with the advice and consent of the Council of the District of Columbia."

D.C. Law 14-213, in subsec. (c), validated a previously made technical correction; and in subsec. (d), substituted "9" for "11".

D.C. Law 16-305, in subsec. (b)(6), substituted "people with disabilities" for "the disabled".

Legislative History of Laws

See Note to § 42-2801.

Law 8-88, the "Housing Production Trust Fund Board Amendment Temporary Act of 1989," was introduced in Council and assigned Bill No. 8-474. The Bill was adopted on first and second readings on November 21, 1989, and December 5, 1989, respectively. Approved without the signature of the Mayor on January 3, 1990, it was assigned Act No. 8-139 and transmitted to both Houses of Congress for its review. D.C. Law 8-88 became effective on March 15, 1990.

Law 8-133, the "Housing Production Trust Fund Board Amendment Act of 1990," was introduced in Council and assigned Bill No. 8-475, which was referred to the Committee on Housing and Economic Development. The Bill was adopted on first and second readings on February 27, 1990, and March 13, 1990, respectively. Approved without the signature of the Mayor on April 2, 1990, it was assigned Act No. 8-187 and transmitted to both Houses of Congress for its review. D.C. Law 8-133 became effective on March 15, 1990.

For Law 14-114, see notes following § 42-2102.

For Law 14-213, see notes following § 42-1102.

§ 42-2803. COORDINATION OF HOUSING PROGRAMS FOR TARGETED POPULATIONS; COMMUNITY OUTREACH.

(a) The Department shall establish a one-stop center to:

- (1) Assist nonprofit housing developers;
- (2) Assist housing developers and commercial developers in housing production for targeted populations; and
- (3) Provide to potential housing developers easy and adequate access to information on housing production programs.

(b) There is established, within the Department, the Nehemiah Community Housing Opportunity Program ("Nehemiah Program"), a pilot project to provide grants, loans, and available land to eligible nonprofit organizations in accordance with this section.

(1) Real property shall be transferred from the RLA Revitalization Corporation to qualified nonprofit organizations ("qualified applicants") pursuant to subsection (c) of this section.

(2) To be eligible, a nonprofit organization shall:

- (A) Comply with the guidelines and procedures established by the Nehemiah Program;
- (B) Be a neighborhood-based nonprofit organization;
- (C) Propose to construct or substantially rehabilitate not less than 50 single family homes located in a targeted area;
- (D) Provide for the involvement of local residents in the planning and construction of homes;
- (E) Provide for a systematic effort of door-to-door canvassing in the immediate area where the nonprofit organization is located to offer Nehemiah Program houses to residents for homeownership;
- (F) Accumulate or establish a plan to accumulate \$300,000 in non-District funds through membership fees, donations, or gifts;
- (G) Propose construction methods that will reduce the cost per square foot below the average per square foot construction cost in the market area involved;
- (H) Demonstrate market demand by utilizing the residents of the neighborhood in which the nonprofit organization is located as homebuyers of Nehemiah Program homes;
- (I) Develop a marketing plan that includes a range of affordable prices that includes a 20% set aside for very low-income purchasers; and
- (J) Provide technical assistance to the homebuyer in the areas of financial management, legal rights attendant to homeownership, and other aspects of homeownership.

(3) The Department shall grant a qualified applicant the exclusive right to develop land specified in the development plan submitted by the applicant.

(4) A qualified applicant shall be eligible for a \$1,000,000 loan, partially funded through loans from the Fund, at a below market rate set by the Department.

(5) Each single family home sold through the Nehemiah Program shall be sold to a person who:

- (A) Is a first-time homebuyer or who has not owned a home in the previous 3 years;
- (B) Will occupy the home as his or her principal place of residence for at least 5 years; and
- (C) Agrees not to sell, convey, lease, or otherwise alienate the home, or place liens or encumbrances on the home, for a 5-year period commencing on the date of property settlement and ending on the 5th anniversary of the settlement date without the written approval of the Mayor. The Mayor, by rule, shall establish appropriate alienation fees to be assessed against a homeowner who alienates a home purchased pursuant to the Nehemiah Program in violation of this paragraph. Alienation fees shall not take priority over mortgage liens.

(6) Qualified purchasers of Nehemiah Program homes shall be eligible for up to \$25,000 in grants or loans, depending on the income of the purchaser and purchase price of the home.

(7) Grants shall be repaid to the Fund if the purchaser sells, conveys, leases, or otherwise alienates the home.

(c) The Department shall develop an annual community outreach plan, which shall promote maximum visibility of the Fund and its operations and full participation by District, developers, lenders, and District residents who request assistance under this chapter.

(Mar. 16, 1989, D.C. Law 7-202, § 4, 36 DCR 444; Apr. 19, 2002, D.C. Law 14-114, § 501(d), 49 DCR 1468; Mar. 2, 2007, D.C. Law 16-191, § 98, 53 DCR 6794.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-3103.

Effect of Amendments

D.C. Law 14-114, in subsec. (b)(2)(I), substituted "very low-income purchasers" for "low income purchasers".

D.C. Law 16-191, in subsec. (b)(1), substituted "RLA Revitalization Corporation" for "District of Columbia Redevelopment Land Agency ('RLA')".

Legislative History of Laws

For legislative history of D.C. Law 7-202, see Historical and Statutory Notes following § 42-2801.

For Law 14-114, see notes following § 42-2102.

For Law 16-191, see notes following § 42-1102.

§ 42-2803.01. ANNUAL REPORT BY MAYOR.

No later than April 1 of each fiscal year, the Mayor shall transmit to the Council a Housing Production Trust Fund Annual Report. The report shall include the following information:

- (1) The amount of money expended from the Housing Production Trust Fund during the fiscal year;
- (2) The number of loans and grants made during the fiscal year;
- (3) The number of low-income, very low-income, and extremely low-income households and individuals assisted through Fund expenditures;
- (4) A list of each project on which funds from the Fund were expended, including, for each project:
 - (A) A brief description of the project, including the name of the project sponsor;
 - (B) The amount of money expended on the project;
 - (C) Whether the money expended was in the form of a loan or a grant; and
 - (D) The general terms of the loan or grant;
- (5) The amount and percentage of funds expended on homeownership projects;
- (6) The amount and percentage of funds expended on rental housing projects;
- (7) The amount and percentage of funds expended on rental housing or homeownership opportunities for households with incomes at or below 30% of the area median income;
- (8) The amount and percentage of funds expended on rental housing or homeownership opportunities for households with incomes at or below 50% of the area median income;
- (9) The amount and percentage of funds expended on rental housing or homeownership opportunities for households with incomes at or below 80% of the area median income;
- (10) The number of housing units assisted, including the number of rental housing units assisted and the number of homeownership units assisted; and
- (11) The amount expended on administrative costs during the fiscal year.

(Mar. 16, 1989, D.C. Law 7-202, § 4a, as added Apr. 19, 2002, D.C. Law 14-114, § 501(e), 49 DCR 1468; Sept. 14, 2011, D.C. Law 19-21, § 2042, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 19-21 substituted "No later than April 1" for "Within 60 days after the end".

Emergency Act Amendments

For temporary (90 day) addition of section, see § 2093 of Fiscal Year 2011 Budget Support Emergency Act of 2010 (D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

Legislative History of Laws

For Law 14-114, see notes following § 42-2102.

For history of Law 19-21, see notes under § 42-2802.

Section 1101 of D.C. Law 14-114 provides: "The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall promulgate rules to implement this act."

Section 2093 of D.C. Law 18-223 provides:

"Sec. 2093. Affordable housing production report.

"(a) The Mayor shall transmit to the Council an affordable housing production report that shall include the following information:

"(1) The amount of money expended by the Department of Housing and Community Development for the acquisition and production of affordable housing during the fiscal year;

"(2) The number of loans and grants made during the fiscal year;

"(3) The number of low-income, very low-income, and extremely low-income households and individuals assisted through the expenditures;

"(4) A list of each project for which funds were expended, including, for each project:

"(A) A brief description of the project, including the name of the project sponsor;

"(B) The amount of money expended on the project;

"(C) Whether the money expended was in the form of a loan or a grant; and

"(D) The general terms of the loan or grant;

"(5) The amount and percentage of funds expended on homeownership projects;

"(6) The amount and percentage of funds expended on rental housing projects;

"(7) The amount and percentage of funds expended on rental housing or homeownership opportunities for households with incomes at or below 30% of the area median income;

"(8) The amount and percentage of funds expended on rental housing or homeownership opportunities for households with incomes at or below 50% of the area median income;

"(9) The amount and percentage of funds expended on rental housing or homeownership opportunities for households with incomes at or below 80% of the area median income;

"(10) The number of housing units assisted, including the number of rental housing units assisted and the number of homeownership units assisted; and

"(11) The amount expended on administrative costs during the fiscal year.

"(b) The Mayor shall include the affordable housing production report as a subunit of the Housing Production Trust Fund Annual Report required by section 4a of the Housing Production Trust Fund Act of 1988, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-2803.01)."

Short title: Section 2041 of D.C. Law 19-21 provided that subtitle E of title II of the act may be cited as "Affordable Housing Annual Reporting Amendment Act of 2011".

§ 42-2804. RULES.

Rules to implement this chapter shall be promulgated by the Mayor pursuant to subchapter I of Chapter 5 of Title 2, and submitted to the Council within 90 days after March 16, 1989 for a 45-day review period, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, within this 45-day review period, the proposed rules shall be deemed approved.

(Mar. 16, 1989, D.C. Law 7-202, § 5, 36 DCR 444.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-3104.

Legislative History of Laws

For legislative history of D.C. Law 7-202, see Historical and Statutory Notes following § 42-2801.

Resolutions

Resolution 14-579, the "Housing Production Trust Fund Regulatory Amendment Approval Resolution of 2002", was approved effective October 18, 2002.

Resolution 16-393, the "Housing Production Trust Fund Regulatory Amendment Approval Resolution of

SUBCHAPTER II. BOND AUTHORIZATION.

§ 42-2812.01. DEFINITIONS.

For the purpose of this subchapter, the term:

- (1) "Allocated Fund" means the portion of the Fund established pursuant to § 42-2802 that equals the amount that is deposited in the Fund from the real property transfer tax imposed by § 47-903 and the deed recordation tax imposed by § 42-1103.
- (2) "Authorized Delegate" means the City Administrator, the Chief Financial Officer, the Treasurer, or any officer or employee of the executive office of the Mayor to whom the Mayor has delegated any of the Mayor's functions under this chapter pursuant to § 1-204.22(6).
- (3) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.
- (4) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this subchapter.
- (5) "Chairman" means the Chairman of the Council of the District of Columbia.
- (6) "Chief Financial Officer" means the Chief Financial Officer established pursuant to § 1-204.24a(a).
- (7) "City Administrator" means the City Administrator established pursuant to § 1-204.22(7).
- (8) "Closing Documents" means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the bonds contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.
- (9) "Department" means the Department of Housing and Community Development.
- (10) "Financing Documents" means the documents other than Closing Documents that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the bonds, including any offering document, and any required supplements to any such documents.
- (11) "Home Rule Act" means Chapter 2 of Title 1.
- (12) "New Communities Initiative" shall have the same meaning as in section § 42-2802(b)(11)(B).

(Mar. 16, 1989, D.C. Law 7-202, § 201, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

Legislative History of Laws

Law 16-33, the "Fiscal Year 2006 Budget Support Act of 2005", was introduced in Council and assigned Bill No. 16-200 which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 10, 2005, and June 21, 2005, respectively. Signed by the Mayor on July 26, 2005, it was assigned Act No. 16-166 and transmitted to both Houses of Congress for its review. D.C. Law 16-33 became effective on October 20, 2005.

Delegation of Authority

Delegation of Authority to the Deputy Mayor for Planning and Economic Development—Implementation of the New Communities Initiative, see Mayor's Order 2008-165, December 31, 2008 (56 DCR 334).

Miscellaneous Notes

Short title of subtitle J of title II of Law 16-33: Section 2171 of D.C. Law 16-33 provided that subtitle J of title II of the act may be cited as the Housing Production Trust Fund and New Communities Financing Amendment Act of 2005.

§ 42-2812.02. FINDINGS.

The Council finds that:

- (1) Section 1-204.90 provides that the Council may, by resolution, authorize the issuance of District

revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse and to assist in the financing, refinancing, or reimbursing of undertakings in certain areas designated in § 1-204.90 where the ultimate obligation to repay the revenue bonds, notes, or other obligations is that of one or more governmental persons or entities.

(2) Under § 42-2802, the Council established the Housing Production Trust Fund as a permanent proprietary revolving fund to be administered by the Department to provide assistance in housing production for targeted populations.

(3) The Mayor wishes to issue bonds for the benefit of the Fund and to pledge to repayment of the bonds a portion of the monies deposited into the Fund and to use the proceeds of the bonds to accomplish certain of the purposes of this chapter.

(4) Section 1-204.90 provides that bonds may be issued to assist in undertakings in the area of housing.

(5) The authorization, issuance, sale, and delivery of the bonds are desirable, are in the public interest, and will promote the purposes and intent of § 1- 204.90 and of this chapter.

(Mar. 16, 1989, D.C. Law 7-202, § 202, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

Legislative History of Laws

For Law 16-33, see notes following § 42-2812.01.

§ 42-2812.03. BOND AUTHORIZATION FOR NEW COMMUNITY INITIATIVE NEIGHBORHOODS, INCLUDING SURSUM CORDA.

(a) Pursuant to § 1-204.90 and this subchapter, the Mayor is authorized to issue bonds to assist in financing, refinancing, or reimbursing costs of undertakings by the District to accomplish the purposes of the New Communities Initiative. Subject to Council approval by resolution submitted by the Mayor in accordance with subsection (d) of this section, the Mayor is authorized to issue bonds to assist in financing, refinancing, or reimbursing costs of developing mixed income and mixed use projects situated in:

(1) The vicinity of an area known as Northwest One/Sursum Corda Cooperative, located between K Street, N.W., M Street, N.W., New Jersey Avenue, N.W., and North Capitol Street, N.W., in the District; or

(2) Any other area that has been approved by the Council pursuant to the New Communities Initiative.

(b) The bonds, which may be issued from time to time, in one or more series, which shall be tax-exempt or taxable as the Mayor shall determine, shall be payable solely from and secured by monies deposited in the Allocated Fund; provided, that the total amount of funds allocated annually to pay debt service on the bonds shall not exceed \$16 million.

(c) The Mayor is authorized to pay from the proceeds of the bonds the costs and expenses of issuing and delivering the bonds, including, but not limited to, underwriting, legal, accounting, financial advisory, bond insurance or other credit enhancement, marketing and selling the bonds, and printing costs and expenses.

(d) The Mayor shall submit and the Council shall approve, by resolution, the amount of bonds that shall be issued at any one time for a project authorized by subsection (a) of this section. Each approval resolution shall state the aggregate principal amount of bonds to be issued, and shall be accompanied by a preliminary development plan that describes the projected construction plan, and includes the following:

(1) A plan that provides for the one-to-one replacement of existing subsidized units, minimizes the displacement of current residents, relocates displaced residents to suitable interim housing within the general neighborhood, and provides the opportunity and the means for the return of the residents to the redeveloped community;

(2) Evidence that the poverty rate in the community is 20% or more;

(3) An executed agreement between the Mayor, or his Authorized Delegate, and one or more designated representatives of the community that acknowledges the immediate and recognizable need for redevelopment of the community;

(4) A plan by which local, community-based developers of affordable housing may be able to achieve at least 40% participation in the redevelopment project;

(5) A preliminary financing plan that includes a financial feasibility analysis that sets forth the proposed sources and uses of funds;

(6) Evidence that 500 or more new or rehabilitated housing units will be developed in the proposed New Communities Initiative neighborhood, and which specifies the total number and the distribution of planned housing units by level of household income; and

(7) An analysis of the synergies to be achieved through the allocation of public and private investments in human and physical capital, and their combined contribution to enhancement of the project's economic feasibility.

(Mar. 16, 1989, D.C. Law 7-202, § 203, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503; Mar. 2, 2007, D.C. Law 16-192, § 2062(b), 53 DCR 6899; Sept. 18, 2007, D.C. Law 17-20, § 2402(b), 54 DCR 7052.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 16-192, in subsec. (b), substituted "\$12 million" for "\$6 million".

D.C. Law 17-20, in subsec. (b), substituted "\$16 million" for "12 million".

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

For temporary (90 day) amendment of section, see § 2062(b) of Fiscal Year 2007 Budget Support Emergency Act of 2006 (D.C. Act 16-477, August 8, 2006, 53 DCR 7068).

For temporary (90 day) amendment of section, see § 2062(b) of Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2006 (D.C. Act 16-499, October 23, 2006, 53 DCR 8845).

For temporary (90 day) addition, see § 2 of District of Columbia Housing Authority northwest One/Temple Courts Subsidiary Establishment Approval Emergency Act of 2006 (D.C. Act 16-664, December 28, 2006, 54 DCR 1127).

For temporary (90 day) amendment of section, see § 2062(b) of Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2007 (D.C. Act 17-1, January 16, 2007, 54 DCR 1165).

For temporary (90 day) amendment of section, see § 2402(b) of Fiscal Year 2008 Budget Support Emergency Act of 2007 (D.C. Act 17-74, July 25, 2007, 54 DCR 7549).

Legislative History of Laws

For Law 16-33, see notes following § 42-2812.01.

For Law 16-192, see notes following § 42-903.

For Law 17-20, see notes following § 42-2802.

Delegation of Authority

Delegation of authority to Acquire Certain Real Estate in the District of Columbia, see Mayor's Order 2007-81, April 2, 2007 (54 DCR 7810).

Resolutions

Resolution 16-654, the "Northwest One/Sursum Corda Cooperative Approval Resolution of 2006", was approved effective June 7, 2006.

Resolution 17-315, the "Barry Farm/Park Chester/Wade Road and Lincoln Heights/Richardson Dwellings New Communities Initiative Combined Emergency Approval Resolution of 2007", was approved effective July 10, 2007.

Miscellaneous Notes

For approval of the Northwest One Redevelopment Plan and authorization of the Mayor to exercise eminent domain authority in the area bounded by North Capitol Street, N.E., K Street, N.E., New Jersey Avenue, N.E., and New York Avenue, N.E., see the Northwest One/Sursum Corda Affordable Housing Protection, Preservation and Production Act of 2006, effective November 16, 2006 (D.C. Law 16-188; 53 DCR 6750).

§ 42-2812.04. BOND DETAILS.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this subchapter in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the bonds of each series, including, but not limited to, determinations of:

- (1) The final form, content, designation, and terms of the bonds, including a determination that the bonds may be issued in certificated or book-entry form;
- (2) The principal amount of the bonds to be issued and denominations of the bonds;
- (3) The rate or rates of interest or the method for determining the rate or rates of interest on the bonds;
- (4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the bonds, and the maturity date or dates of the bonds;
- (5) The terms under which the bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;
- (6) Provisions for the registration, transfer, and exchange of the bonds and the replacement of mutilated, lost, stolen, or destroyed bonds;
- (7) The creation of any reserve fund, sinking fund, or other fund with respect to the bonds;
- (8) The time and place of payment of the bonds;
- (9) Procedures for monitoring the use of the proceeds received from the sale of the bonds to ensure that the proceeds are properly applied and used to accomplish the purposes of Chapter 2 of Title 1 and this chapter;
- (10) Actions necessary to qualify the bonds under blue sky laws of any jurisdiction where the bonds are marketed; and
- (11) The terms and types of credit enhancement under which the bonds may be secured.

(b) The bonds shall contain a legend, which shall provide that the bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District (other than real property transfer taxes and deed recordation taxes allocated to the Allocated Fund), do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in § 1-206.02(a)(2).

(c) The bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary's manual or facsimile signature. The Mayor's execution and delivery of the bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the bonds.

(e) The bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to § 1-204.90(a)(4).

(f) The bonds may be issued at any time or from time to time in one or more issues and in one or more series.

(Mar. 16, 1989, D.C. Law 7-202, § 204, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

Legislative History of Laws

For Law 16-33, see notes following § 42-2812.01.

§ 42-2812.05. SALE OF THE BONDS.

(a) The bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interests of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters, and may authorize the distribution of the documents in connection with the sale of the bonds.

(c) The Mayor is authorized to deliver the executed and sealed bonds, on behalf of the District, for authentication, and, after the bonds have been authenticated, to deliver the bonds to the original purchasers of the bonds upon payment of the purchase price.

(d) The bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the bonds of such series and, if the interest on the bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

(e) Unit A of Chapter 3 of Title 2 and subchapter III-A of Chapter 3 of Title 47 shall not apply to any contract the Mayor may from time to time enter into for purposes of this subchapter or the Mayor may determine to be necessary or appropriate for purposes of this subchapter to place, in whole or in part:

(1) An investment or obligation of the District as represented by the bonds;

(2) An investment or obligation of program of investment; or

(3) A contract or contracts based on the interest rate, currency, cash flow, or other basis, including, without limitation, interest rate swap agreements; currency swap agreements; insurance agreements; forward payment conversion agreements; futures contracts providing for payments based on levels of, or changes in, interest rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a series of payments; and contracts to hedge payment, currency, rate, spread or similar exposure, including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts or other arrangements may also be entered into by the District in connection with, or incidental to, entering into or maintaining any agreement that secures the bonds. The contracts or other arrangements shall contain whatever payment security, terms, and conditions as the Mayor may consider appropriate and shall be entered into with whatever party or parties the Mayor may select, after giving due consideration, where applicable, to the creditworthiness of the counterparty or counterparties, including any rating by a nationally recognized rating agency or any other criteria as may be appropriate. In connection with, or incidental to, the issuance or holding of the bonds, or entering into any contract or other arrangement referred to in this section, the District may enter into credit enhancement or liquidity agreements, with payment, interest rate, termination date, currency, security, default, remedy, any other terms and conditions as the Mayor determines. Proceeds of the bonds and any money set aside and pledged to secure payment of the bonds or any contract or other arrangement entered into pursuant to this section may be pledged to and used to service any contract or other arrangement entered into pursuant to this section.

(Mar. 16, 1989, D.C. Law 7-202, § 205, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

Legislative History of Laws

For Law 16-33, see notes following § 42-2812.01.

§ 42-2812.06. PAYMENT AND SECURITY.

(a) Except as otherwise provided in § 42-2812.03(b), the principal of, premium, if any, and interest on, the bonds shall be payable solely from proceeds received from the sale of the bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Allocated Fund, income realized from the temporary investment of those receipts and revenues prior to payment to the bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the bonds, and other sources of payment (other than the District), all as provided for in the Financing Documents.

(b) Payment of the bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the bonds pursuant to the Financing Documents.

(Mar. 16, 1989, D.C. Law 7-202, § 206, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

Legislative History of Laws

For Law 16-33, see notes following § 42-2812.01.

§ 42-2812.07. FINANCING AND CLOSING DOCUMENTS.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the bonds. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the bonds, the Financing Documents, and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents, including those Financing Documents and Closing Documents to which the District is not a party.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

(Mar. 16, 1989, D.C. Law 7-202, § 207, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

Legislative History of Laws

For Law 16-33, see notes following § 42-2812.01.

§ 42-2812.08. AUTHORIZED DELEGATION OF AUTHORITY.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this subchapter.

(Mar. 16, 1989, D.C. Law 7-202, § 208, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

Legislative History of Laws

For Law 16-33, see notes following § 42-2812.01.

§ 42-2812.09. LIMITED LIABILITY.

(a) The bonds shall be special obligations of the District. The bonds shall be without recourse to the District. The bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District (other than real property transfer taxes and deed recordation taxes), shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in § 1-206.02(a)(2).

(b) The bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the bonds.

(c) Nothing contained in the bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the bonds from sources other than those listed for that purpose in § 42-2812.03.

(d) All covenants, obligations, and agreements of the District contained in this subchapter, the bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is

a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this subchapter.

(e) No person, including, but not limited to any bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District to perform any covenant, undertaking, or obligation under this subchapter, the bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

(Mar. 16, 1989, D.C. Law 7-202, § 209, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

Legislative History of Laws

For Law 16-33, see notes following § 42-2812.01.

§ 42-2812.10. DISTRICT OFFICIALS.

(a) Except as otherwise provided in § 42-2812.09(e), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the bonds or be subject to any personal liability by reason of the issuance of the bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this chapter, the bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the bonds, the Financing Documents, or the Closing Documents.

(Mar. 16, 1989, D.C. Law 7-202, § 210, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

Legislative History of Laws

For Law 16-33, see notes following § 42-2812.01.

§ 42-2812.11. MAINTENANCE OF DOCUMENTS.

Copies of the specimen bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

(Mar. 16, 1989, D.C. Law 7-202, § 211, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

Legislative History of Laws

For Law 16-33, see notes following § 42-2812.01.

§ 42-2812.12. INFORMATION REPORTING.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

(Mar. 16, 1989, D.C. Law 7-202, § 212, as added Oct. 20, 2005, D.C. Law 16-33, § 2172(c), 52 DCR 7503.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2172(c) of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

Legislative History of Laws

For Law 16-33, see notes following § 42-2812.01.