

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 47.**  
**TAXATION, LICENSING, PERMITS,**  
**ASSESSMENTS, AND FEES.**

**CHAPTER 14.**  
**TAXATION OF RECORDATION AND TRANSFERS OF**  
**REAL PROPERTY.**

**2001 Edition**

**DISTRICT OF COLUMBIA OFFICIAL CODE**  
**CHAPTER 14. TAXATION OF RECORDATION AND**  
**TRANSFERS OF REAL PROPERTY.**

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# **CHAPTER 14. TAXATION OF RECORDATION AND TRANSFERS OF REAL PROPERTY.**

## **SUBCHAPTER I. DEFINITIONS.**

### **§ 47-1401. DEFINITIONS.**

For the purposes of this chapter, unless otherwise indicated:

(1) The term "basis" shall have the same meaning as does that term when determining gain or loss under Subtitle A, Chapter 1, subchapter O, part II of the Internal Revenue Code (§ 1 et seq. of Title 26, United States Code).

(2) The term "Charter" means title IV of the District of Columbia Home Rule Act [subchapter IV of Chapter 2 of Title 1].

(3) The term "Commission" means the Real Estate Commission of the District of Columbia as established in § 42-1739.

(4) The term "consideration" means the amount paid or required to be paid, or the value exchanged or required to be exchanged, by a transferee to acquire real property.

(5) The term "Council" means the Council of the District of Columbia established under § 1-204.01.

(6) The term "dealer in real property" and the term "dealer" means any person who transfers 3 or more real properties within a period of 30 months. The following transfers of real property (as defined by this subchapter) shall not be considered for the purpose of determining whether the transferor is a dealer:

(A) Transfers prior to the effective date;

(B) Transfers of a transferor's principal residence (as defined by this subchapter);

(C) Transfers to or by a District of Columbia nonprofit organization which is organized and operated for the purpose of constructing, improving, or renovating real property; provided, that such organization is exempt from federal income taxation under § 501(a) (§ 501(a) of Title 26, United States Code) and is described in § 501(c)(3) (§ 501(c)(3) of Title 26, United States Code) of the Internal Revenue Code. Transfers by such organization must be made in furtherance of the organization's exempt purpose;

(D) Transfers to or by the federal government or the government of the District of Columbia, their agencies and instrumentalities, and the first transfer after the transfer by said governments; provided, that said first transfer after the transfer by said governments is governed by laws and regulations pertaining to a housing or community development program administered by the District or federal government;

(E) Transfers in which the transferee neither gives nor is required to give any consideration in any form (including transfers by gift, deeds of correction, deeds which merely change tenancy, and deeds of trust); provided, that the basis of the property in the hands of the transferee shall be the same as it was in the hands of the transferor;

(F) Transfers where the property being transferred was received by the transferor without giving or being required to give any consideration in any form; provided, that the transferor shall prove by clear and convincing evidence, upon all the facts and circumstances, that the transfer in which the transferor received the property was not made for the purpose of excluding the instant transfer from consideration in determining if the transferor is a dealer (as defined by this subsection). It shall be presumed that the transfer in which the transferor received the property without consideration was made for the purpose of excluding the instant transfer from consideration in determining whether the transferor is a dealer. The regulations prescribed by the Mayor shall set forth the information which will be deemed sufficient to rebut said presumption;

(G) Transfers by devise, or as a result of intestate succession;

- (H) Transfers where the property being transferred was received by the transferor by devise or as a result of intestate succession;
- (I) Transfers executed by persons in their capacity as court-appointed receivers, referees, administrators, executors, conservators, guardians of the estates of minors, and committees of the estates of persons judicially determined to be mentally incompetent;
- (J) The first transfer of property, the construction of which was completed after the effective date (as defined by this subchapter) regardless of when the construction began. The construction of property shall be considered complete at the time such construction is completed to the same extent required for the issuance of a certificate of occupancy, as that term is used in § 6-641.09. This subparagraph applies only to newly-constructed structures and not to rehabilitated structures;
- (K) Foreclosure sales, and the first transfer thereafter if said first transfer is made by the mortgagee who instituted the foreclosure proceedings and purchased the property at the foreclosure sale, or obtained title directly from the defaulting party without a foreclosure sale; provided, that said mortgagee is licensed in the District of Columbia as a bank or other financial institution;
- (L) Deeds of release of property where the property was security for a debt or other obligation; and
- (M) Transfers by a transferor whose holding period (as defined by this subchapter) for the property being transferred was longer than 36 months.
- (7) The term "deed recordation tax" means the tax imposed by § 42-1103.
- (8) The term "deficiency" shall have the same meaning given to that term by § 47-1801.04(15).
- (9) The term "effective date" means the date on which this chapter takes effect according to the provisions of § 1-206.02(c)(1).
- (10) The term "equitable title" means a right in a party to have the legal title to a real property (or real property, solely for purposes of subchapter III of this chapter) transferred to such party. The term shall also include any right to receive equitable title by means of an option to purchase or otherwise.
- (11) The term "gain" means the excess of the consideration received by a transferor over the transferor's basis for the property (as defined by this subchapter) transferred.
- (12) The term "fair market value" means the price at which a willing seller and a willing buyer will trade or the price which would in all probability have been arrived at between a willing seller and a willing buyer.
- (13) The term "holding period" shall have the same meaning as does that term for purposes of § 1223 of the Internal Revenue Code (§ 1223 of Title 26, United States Code).
- (14) The term "Internal Revenue Code" means the Internal Revenue Code of 1954 (§ 1 et seq. of Title 26, United States Code) and any amendments thereto.
- (15) The term "legal holiday" means any District of Columbia public holiday, including Saturday and Sunday, as designated by § 28-2701.
- (16) The term "legal title" means complete and perfect title to real property (or real property, solely for purposes of subchapter III of this chapter) in the party to whom such title belongs so far as regards the apparent right of ownership and possession of the real property (or real property, solely for purposes of subchapter III of this chapter) but which carries no beneficial interest in the property, another person being equitably entitled thereto.
- (17) The term "major appliances" shall include the following appliances if a transferor transfers such appliances when transferring real property: Refrigerator, cooking range, oven, dishwasher, garbage disposal, trash compactor, and washer and dryer.
- (18) The term "Mayor" means the Mayor of the District of Columbia established under § 1-204.21.
- (19) The term "person" means any individual, firm, partnership, copartnership, joint venture, association, corporation (domestic or foreign), trust, trustee of any estate, or court-appointed receiver.
- (20) The term "principal residence" shall have the same meaning as does that term for purposes of § 1034 of the Internal Revenue Code (§ 1034 of Title 26, United States Code); except, that in determining whether a real property is the principal residence of a transferor, in addition to consideration of all the facts and circumstances as provided by § 1034 of the Internal Revenue Code (§ 1034 of Title 26, United States Code), the property must have been the principal residence of the transferor for the 180-day period immediately preceding the transfer.
- (21) The term "real covenant" means an agreement between 2 or more persons relating to a property, the terms of which shall be binding on any heir or assign of the promisor under the agreement and which shall be enforceable by the person holding legal title to said property.
- (22) The term "real property" means improved as well as unimproved land in the District of Columbia.
- (23) The term "residential real property" means improved real property in the District of Columbia which at any time during the 12 months immediately preceding its transfer contained not more than 4

dwelling units. The term "dwelling unit" shall have the same meaning as given to that term in the Zoning Regulations of the District of Columbia (11 DCMR § 199).

(24) The term "solicitation" means any act which would cause a person to come within the definition of solicitor of real property.

(25) The term "solicitor of real property" means a person who, without prior invitation from the holder of legal title to a real property, offers to purchase or expresses a desire to purchase such property, or in any other way attempts to persuade or induce such holder to sell or otherwise transfer such title.

(26) The term "tax," "excise" or "excise tax" means the tax imposed by this chapter.

(27) The term "3rd party" means all persons who are not parties to a contract, agreement, or instrument of writing by which their interest in the thing conveyed is sought to be effected.

(28) The term "transfer" means a transaction by which real property (or real property, solely for purposes of subchapter III of this chapter), or any title or right to receive any title thereto, or any portion thereof, or any interest therein (except a proprietary lease and a rental lease, unless such rental lease includes an option or right to buy) is either directly or indirectly conveyed, vested, granted, devised, bargained, sold, exchanged or assigned by any document, instrument, writing, agreement, or by any means whatsoever.

(29) The term "transferee" means the person (or persons) to whom a transfer of real property (or real property, solely for purposes of subchapter III of this chapter) is made.

(30) The term "transferor" means the person (or persons) who makes a transfer of real property (or real property, solely for purposes of subchapter III of this chapter).

(31) The term "vacant" means not occupied by the person having legal title or other title to the property and without other lawful occupants.

(D.C. Law 2-91, § 101, 24 DCR 9765; Mar. 10, 1983, D.C. Law 4-209, § 35(b)(1), 30 DCR 390; April 30, 1988, D.C. Law 7-104, § 35(a), 35 DCR 147; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Mar. 24, 1998, D.C. Law 12-81, § 59(b), 45 DCR 745; June 9, 2001, D.C. Law 13-305, § 505(e), 48 DCR 334.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 47-1401.

1973 Ed., § 47-3301.

##### *Effect of Amendments*

D.C. Law 13-305, in pars. (4), (6), (10), (16), (17), (20), (24), (28), (29), and (30), deleted "residential" preceding "real property"; and, in par. (23), deleted "or 'property'" following "'residential real property'".

##### *Temporary Amendments of Section*

For temporary (225 day) amendment of section, see § 5(f) of Real Property Tax Clarity and Litter Control Administration Temporary Amendment Act of 2001 (D.C. Law 14-8, June 13, 2001, law notification 48 DCR 5916).

##### *Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 5(e) of Real Property Tax Clarity and Litter Control Administration Emergency Act of 2001 (D.C. Act 14- 22, March 16, 2001, 48 DCR 2706).

##### *Legislative History of Laws*

Law 2-91, the "Residential Real Property Transfer Excise Tax Act of 1978," was introduced in Council and assigned Bill No. 2-101, which was referred to the Committee on Finance and Revenue. The Bill was adopted on first, amended first, second amended first, and second readings on February 21, 1978, March 7, 1978, March 21, 1978 and April 4, 1978, respectively. Signed by the Mayor on April 27, 1978, it was assigned Act No. 2-189 and transmitted to both Houses of Congress for its review.

Law 4-209, the "District of Columbia Real Estate Licensure Act of 1982," was introduced in Council and assigned Bill No. 4-230, which was referred to the Committee on Housing and Economic Development. The Bill was adopted on first and second readings on November 16, 1982, and December 14, 1982, respectively. Signed by the Mayor on December 28, 1982, it was assigned Act No. 4-299 and transmitted to both Houses of Congress for its review.

For legislative history of D.C. Law 7-104, see Historical and Statutory Notes following § 47-363.

Law 12-81, the "Technical Amendments Act of 1998," was introduced in Council and assigned Bill No. 12-408, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 4, 1997, and December 4, 1997, respectively. Signed by the Mayor on December 22, 1997, it was assigned Act No. 12-246 and transmitted to both Houses of Congress for its review. D.C. Law 12-81 became

effective on March 24, 1998.

For Law 13-305, see notes under § 47-901.

## **SUBCHAPTER II. RESIDENTIAL REAL PROPERTY TRANSFER EXCISE TAX.[EXPIRED]**

**§§ 47-1411 TO 47-1421. IMPOSITION; PERSONS LIABLE; TRANSFERS AFFECTED; PERIOD OF APPLICABILITY; EXEMPT TRANSFERS; MANNER OF DETERMINATION; RATE TABLE; DEVELOPMENT OF RETURN FORMS AND QUARTERLY FILING REGULATIONS AND PROCEDURES; FILING OF RETURN AND INFORMATION; PAYMENT; REQUIRED INFORMATION IN RETURN; SUPPORTING DOCUMENTATION; APPLICABILITY OF INCOME AND FRANCHISE TAX PROVISIONS; WILLFUL BREACH OR INTENTIONAL DISHONOR OF PROPERTY WARRANTY; ANNUAL REPORT BY MAYOR; PROMULGATION OF REGULATIONS.[EXPIRED]**

### *HISTORICAL AND STATUTORY NOTES*

#### *Miscellaneous Notes*

Expiration of subchapter: Due to a sunset provision contained in § 47-1411(d), the residential real property transfer excise tax imposed by this subchapter applied only during the 3-year period after July 13, 1978, and during the period of effectiveness of D.C. Act 4-60, which was approved on July 20, 1981, and remained in effect for no longer than 90 days. The deletion of the provisions of this subchapter is not intended to affect any existing legal rights or obligations.

## **SUBCHAPTER III. COMPULSORY RECORDATION OF TRANSFERS OF REAL PROPERTY.**

### **§ 47-1431. IN GENERAL.**

(a) Within 30 days after the execution of a deed or other document by which legal title to real property, an estate for life or a lease or ground rent (including renewals) for a term that is at least 30 years, or an economic interest in real property is transferred, or after a security interest in a real property is given pursuant to a construction loan deed of trust or mortgage or a permanent loan deed of trust or mortgage, or by which a security interest in the real property is conveyed, all transferees of, and all holders of the security interest in, real property shall record a fully acknowledged copy of the deed or other document, including the lot and square number of the real property transferred or encumbered, with the Recorder of Deeds of the District of Columbia. If the 30th day is a Saturday, Sunday, or legal holiday, the time limitation for recording shall be extended to include the first day after the 30th day which is not a Saturday, Sunday, or legal holiday.

(b) Whenever any portion of an instrument, which conveys or provides for the conveyance of equitable title to a real property, is transferred by or on behalf of a party to such instrument to a 3rd party, then the party so transferring shall record, at the same time as provided by subsection (a) of this section, a fully-acknowledged copy of said instrument, including the lot and square number of the real property transferred, with the Recorder of Deeds of the District of Columbia, and the 3rd party shall record, at the same time as provided by subsection (a) of this section, with the Recorder of Deeds of the District of Columbia a fully-acknowledged instrument, including the lot and square number of the property transferred, evidencing the transfer to himself (or herself or itself as the case may be). All subsequent transfers of equitable title made prior to the transfer of legal title shall be recorded by each subsequent transferee thereto, in the same manner and at the same time as provided in subsection (a) of this section.

(July 13, 1978, D.C. Law 2-91, § 301, 24 DCR 9765; Sept. 13, 1980, D.C. Law 3-92, § 102, 27 DCR 3390; June 14, 1994, D.C. Law 10-128, § 102, 41 DCR 2096; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; June 9, 2001, D.C. Law 13-305, § 505(f), 48 DCR 334; Apr. 4, 2003, D.C. Law 14-282, § 11(nn), 50 DCR 896.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 47-1431.

1973 Ed., § 47-3313.

*Effect of Amendments*

D.C. Law 13-305, in subsec. (a), inserted ", or an estate for life or a lease or ground rent (including renewals) for a term that is at least 30 years" and substituted "all transferees of, and all holders of the security interest in," for "all transferees of the legal or economic interest in the real estate and all holders of the security interest in".

D.C. Law 14-282, in subsec. (a), substituted ", an estate for life" for "or an estate for life.

*Temporary Amendments of Section*

For temporary (225 day) amendment of section, see § 5(g) of Real Property Tax Clarity and Litter Control Administration Temporary Amendment Act of 2001 (D.C. Law 14-8, June 13, 2001, law notification 48 DCR 5916).

For temporary (225 day) amendment of section, see § 12(ss) of Tax Clarity and Recorder of Deeds Temporary Act of 2002 (D.C. Law 14-191, October 5, 2002, law notification 49 DCR 9549).

For temporary (225 day) amendment of section, see § 12(ss) of Tax Clarity and Related Amendments Temporary Act of 2003 (D.C. Law 14-228, March 23, 2003, law notification 50 DCR 2741).

*Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 5(f) of Real Property Tax Clarity and Litter Control Administration Emergency Act of 2001 (D.C. Act 14- 22, March 16, 2001, 48 DCR 2706).

For temporary (90 day) amendment of section, see § 12(rr) of Tax Clarity and Recorder of Deeds Emergency Act of 2002 (D.C. Act 14-381, June 6, 2002, 49 DCR 5674).

For temporary (90 day) amendment of section, see § 12(ss) of Tax Clarity and Related Amendments Emergency Act of 2002 (D.C. Act 14-456, July 23, 2002, 49 DCR 8107).

For temporary (90 day) amendment of section, see § 12(ss) of Tax Clarity and Related Amendments Congressional Review Emergency Act of 2002 (D.C. Act 14-510, October 23, 2002, 49 DCR 10247).

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

Law 3-92, the "District of Columbia Revenue Act of 1980," was introduced in Council and assigned Bill No. 3-285, which was referred to the Committee on Finance and Revenue. The Bill was adopted on first and second readings on June 17, 1980 and July 1, 1980, respectively. Signed by the Mayor on July 9, 1980, it was assigned Act No. 3-214 and transmitted to both Houses of Congress for its review.

Law 10-128, the "Omnibus Budget Support Act of 1994," was introduced in Council and assigned Bill No. 10-575, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on March 22, 1994, and April 12, 1994, respectively. Signed by the Mayor on April 14, 1994, it was assigned Act No. 10-225 and transmitted to both Houses of Congress for its review. D.C. Law 10-128 became effective on June 14, 1994.

For Law 13-305, see notes under § 47-901.

For Law 14-282, see notes following § 47-902.

## **§ 47-1432. PRESUMPTIONS AND BURDEN OF PROOF.**

For the purpose of proper administration of this subchapter and to prevent evasion of the recordation requirements, the Mayor shall presume that all transfers, as described in § 47-1431, are required to be recorded. The burden shall be upon the person required to record to prove that a deed or any other document is exempt from the recordation requirement.

(July 13, 1978, D.C. Law 2-91, § 302, 24 DCR 9765; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1432.

1973 Ed., § 47-3314.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

## § 47-1433. VIOLATIONS.

(a) Where a dealer fails to record, as required by § 47-1431, and such failure is due to negligence, there shall be imposed on said dealer, a penalty of \$25 for each month or portion thereof that such failure continues, not to exceed \$250.

(b) Repealed.

(c) If a person fails to record the deed or other document, as required by § 47-1431, there shall be imposed on the person an additional penalty in the amount of \$250. The penalty provided herein shall not be imposed if the deed or other document is a security instrument. The Mayor may waive the penalty in accordance with § 47-4221.

(d) Repealed.

(e) The penalty fees provided under this section shall be collected at the same time and in the same manner and as a part of the deed recordation tax. If the transaction is exempt from the deed recordation tax, then the Mayor shall collect the fees in a manner prescribed by the Mayor.

(f) If the Mayor determines that a person has failed to record or has failed to pay any fee as required by this chapter, the procedures set forth in § 42-1108 shall apply.

(g) Nothing in this chapter shall authorize the imposition of a penalty for the failure to record a deed or any instrument that conveys legal title to real property, if failure to record is due solely to the refusal of the Recorder of Deeds to record the deed or other instrument based on the existence of a lien against the property for unpaid water, sanitary sewer, or meter service charges.

(July 13, 1978, D.C. Law 2-91, § 303, 24 DCR 9765; Apr. 30, 1988, D.C. Law 7-104, § 35(b), 35 DCR 147; June 13, 1990, D.C. Law 8-136, § 6, 37 DCR 2620; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; June 9, 2001, D.C. Law 13-305, § 505(g), 48 DCR 334; Apr. 4, 2003, D.C. Law 14-282, § 11(o), 50 DCR 896.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 47-1433.

1973 Ed., § 47-3315.

#### *Effect of Amendments*

D.C. Law 13-305, in subsec. (c), rewrote the first sentence which had read: "Where a person other than a dealer fails to record, as required by 47-1431, there shall be imposed on such person a penalty in the amount of \$10 for each month or portion thereof that such failure continues, not to exceed \$50."

D.C. Law 14-282 rewrote subsec. (c) which had read as follows:

"(c) If a person other than a dealer fails to record, as required by § 47-1431, there shall be imposed on the person a penalty in the amount of \$250. Whenever it is shown by such person that failure to record was due to reasonable cause and was not due to knowing omission or neglect, the Mayor may waive part of or all of the penalty fee provided by this subsection. In every case of a partial or total waiver, the reason for the waiver shall be stated clearly on a public record determined by the Mayor."

#### *Temporary Amendments of Section*

For temporary (225 day) amendment of section, see § 5(h) of Real Property Tax Clarity and Litter Control Administration Temporary Amendment Act of 2001 (D.C. Law 14-8, June 13, 2001, law notification 48 DCR 5916).

For temporary (225 day) amendment of section, see § 12(tt) of Tax Clarity and Recorder of Deeds Temporary Act of 2002 (D.C. Law 14-191, October 5, 2002, law notification 49 DCR 9549).

For temporary (225 day) amendment of section, see § 12(tt) of Tax Clarity and Related Amendments Temporary Act of 2003 (D.C. Law 14-228, March 23, 2003, law notification 50 DCR 2741).

#### *Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 5(g) of Real Property Tax Clarity and Litter Control Administration Emergency Act of 2001 (D.C. Act 14-22, March 16, 2001, 48 DCR 2706).

For temporary (90 day) amendment of section, see § 12(ss) of Tax Clarity and Recorder of Deeds Emergency Act of 2002 (D.C. Act 14-381, June 6, 2002, 49 DCR 5674).

For temporary (90 day) amendment of section, see § 12(tt) of Tax Clarity and Related Amendments Emergency Act of 2002 (D.C. Act 14-456, July 23, 2002, 49 DCR 8107).

For temporary (90 day) amendment of section, see § 12(tt) of Tax Clarity and Related Amendments Congressional Review Emergency Act of 2002 (D.C. Act 14-510, October 23, 2002, 49 DCR 10247).



For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

Law 7-104, the "Technical Amendments Act of 1987," was introduced in Council and assigned Bill No. 7-346, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 24, 1987, and December 8, 1987, respectively. Signed by the Mayor on December 22, 1987, it was assigned Act No. 7-124 and transmitted to both Houses of Congress for its review.

Law 8-136, the "District of Columbia Water and Sewer Operations Amendment Act of 1990," was introduced in Council and assigned Bill No. 8-269, which was referred to the Committee on Public Works. The Bill was adopted on first and second readings on March 27, 1990, and April 10, 1990, respectively. Signed by the Mayor on April 17, 1990, it was assigned Act No. 8-192 and transmitted to both Houses of Congress for its review.

For Law 13-305, see notes under § 47-901.

For Law 14-282, see notes following § 47-902.

*Delegation of Authority*

Delegation of authority under D.C. Law 8-136, the "D.C. Water and Sewer Operations Act of 1990," see Mayor's Order 91-176, Oct. 24, 1991.

*Miscellaneous Notes*

Mayor authorized to issue rules: Section 8 of D.C. Law 8-136 provided that within 60 days of June 13, 1990, the Mayor shall, pursuant to subchapter I of Chapter 5 of Title 2, issue proposed rules to implement the provisions of this act including rules regarding deposits, meters, liens, the sale and redemption of real property, the amnesty program, receivership, termination of water and sewer services, and administrative review; that the proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess, and, if the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day period, the proposed rules shall be deemed approved; and that if after 90 days from June 13, 1990 the Mayor has failed to issue proposed rules to implement the provisions of this act as provided in subsection (a) of this section, the Council may adopt any legislation necessary to accomplish the purposes of this act.

## **SUBCHAPTER IV. LICENSING OF DEALERS IN RESIDENTIAL REAL PROPERTY.[REPEALED]**

### **§ 47-1441. DEFINITIONS.[REPEALED]**

(July 13, 1978, D.C. Law 2-91, § 401, 24 DCR 9765; Mar. 10, 1983, D.C. Law 4-209, § 35(b)(2), 30 DCR 390; Apr. 30, 1988, D.C. Law 7-104, § 35(c), 35 DCR 147; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1441.

1973 Ed., § 47-3316.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 4-209, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 7-104, see Historical and Statutory Notes following § 47-1433.

Law 12-261, the "Second Omnibus Regulatory Reform Amendment Act of 1998," was introduced in Council and assigned Bill No. 12-845, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 10, 1998, and December 1, 1998, respectively. Signed by the Mayor on December 21, 1998, it was assigned Act No. 12-615 and transmitted to both Houses of Congress for its review. D.C. Law 12-261 became effective on April 20, 1999.

### **§ 47-1442. GENERAL REQUIREMENTS.[REPEALED]**

(July 13, 1978, D.C. Law 2-91, § 402, 24 DCR 9765; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1442.

1973 Ed., § 47-3317.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.

**§ 47-1443. PERSONS PROHIBITED FROM ACQUIRING LICENSE;  
CONTENTS OF APPLICATIONS.[REPEALED]**

(July 13, 1978, D.C. Law 2-91, § 403, 24 DCR 9765; Apr. 30, 1988, D.C. Law 7-104, § 35(c), 35 DCR 147; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1443.

1973 Ed., § 47-3318.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 7-104, see Historical and Statutory Notes following § 47-1433.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.

**§ 47-1444. ISSUANCE AND DISPLAY OF LICENSE.[REPEALED]**

(July 13, 1978, D.C. Law 2-91, § 404, 24 DCR 9765; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1444.

1973 Ed., § 47-3319.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.

**§ 47-1445. LICENSE EXPIRATION, FEES AND RENEWALS; CHANGE IN  
LOCATION OF PRINCIPAL PLACE OF BUSINESS.[REPEALED]**

(July 13, 1978, D.C. Law 2-91, § 405, 24 DCR 9765; Apr. 30, 1988, D.C. Law 7-104, § 35(c), (d), 35 DCR 147; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1445.

1973 Ed., § 47-3320.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 7-104, see Historical and Statutory Notes following § 47-1433.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.

## **§ 47-1446. MAINTENANCE OF PLACE OF BUSINESS; NONRESIDENTS.[REPEALED]**

(July 13, 1978, D.C. Law 2-91, § 406, 24 DCR 9765; Mar. 10, 1983, D.C. Law 4-209, § 35(b)(3), 30 DCR 390; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Mar. 24, 1998, D.C. Law 12-81, § 59(c), 45 DCR 745; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 47-1446.

1973 Ed., § 47-3321.

#### *Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 4-209, see Historical and Statutory Notes following § 47-1401.

## **§ 47-1447. GROUNDS FOR SUSPENSION OR REVOCATION OF LICENSE.[REPEALED]**

(1973 Ed., § 47-3322; July 13, 1978, D.C. Law 2-91, § 407, 24 DCR 9765; Mar. 10, 1983, D.C. Law 4-209, § 35(b)(4), 30 DCR 390; Apr. 30, 1988, D.C. Law 7-104, § 35(e), 35 DCR 147; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 47-1447.

1973 Ed., § 47-3322.

#### *Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 4-209, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 7-104, see Historical and Statutory Notes following § 47-1433.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.

## **§ 47-1448. RESCISSION OF CONTRACTS OR AGREEMENTS; SUSPENSION OR REVOCATION PROCEDURES.[REPEALED]**

(1973 Ed., § 47-3323; July 13, 1978, D.C. Law 2-91, § 408, 24 DCR 9765; Mar. 10, 1983, D.C. Law 4-209, § 35(b)(5), 30 DCR 390; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 47-1448.

1973 Ed., § 47-3323.

#### *Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 4-209, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.

## **§ 47-1449. MAYOR TO REPORT CERTAIN VIOLATIONS TO COMMISSION.[REPEALED]**

(1973 Ed., § 47-3324; July 13, 1978, D.C. Law 2-91, § 409, 24 DCR 9765; Apr. 30, 1988, D.C. Law 7-104, § 35(f), 35 DCR 147; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law

12-261, § 1243(a), 46 DCR 3142.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1449.

1973 Ed., § 47-3324.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 7-104, see Historical and Statutory Notes following § 47-1433.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.

**§ 47-1450. ANNUAL REPORT BY COMMISSION.[REPEALED]**

(1973 Ed., § 47-3325; July 13, 1978, D.C. Law 2-91, § 410, 24 DCR 9765; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1450.

1973 Ed., § 47-3325.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.

**§ 47-1451. REGULATIONS AND VIOLATIONS THEREOF.[REPEALED]**

(1973 Ed., § 47-3326; July 13, 1978, D.C. Law 2-91, § 411, 24 DCR 9765; Mar. 10, 1983, D.C. Law 4-209, § 35(b)(6), 30 DCR 390; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1451.

1973 Ed., § 47-3326.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 4-209, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.

## **SUBCHAPTER V. MISCELLANEOUS PROVISIONS.[REPEALED]**

**§ 47-1461. ANNUAL REPORT OF COSTS AND REVENUES.[REPEALED]**

(1973 Ed., § 47-3327; July 13, 1978, D.C. Law 2-91, § 501, 24 DCR 9765; Apr. 30, 1988, D.C. Law 7-104, § 35(g), 35 DCR 147; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1461.

1973 Ed., § 47-3327.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 7-104, see Historical and Statutory Notes following § 47-1433.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.

**§ 47-1462. REGULATIONS.[REPEALED]**

(1973 Ed., § 47-3328; July 13, 1978, D.C. Law 2-91, § 502, 24 DCR 9765; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1462.

1973 Ed., § 47-3328.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.

**SUBCHAPTER VI. SEVERABILITY; EFFECT OF  
REPEAL OR AMENDMENT OF OTHER  
PROVISIONS.[REPEALED]**

**§ 47-1471. IN GENERAL.[REPEALED]**

(1973 Ed., § 47-3329; July 13, 1978, D.C. Law 2-91, § 601, 24 DCR 9765; enacted, Apr. 9, 1997, D.C. Law 11-254, § 2, 44 DCR 1575; Apr. 20, 1999, D.C. Law 12-261, § 1243(a), 46 DCR 3142.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 47-1471.

1973 Ed., § 47-3329.

*Legislative History of Laws*

For legislative history of D.C. Law 2-91, see Historical and Statutory Notes following § 47-1401.

For legislative history of D.C. Law 12-261, see Historical and Statutory Notes following § 47-1441.