

DC BOARD OF ELECTIONS

NOTICE OF PUBLIC HEARING RECEIPT AND INTENT TO REVIEW INITIATIVE MEASURE

The Board of Elections shall consider in a public meeting whether the proposed measure, “DC Housing Modernization and Accessibility Act of 2026,” presents a proper subject matter for initiative at the Board’s regular meeting on Wednesday, January 14, 2026 at 10:30 a.m. at 1015 Half Street SE, Suite 750, Washington DC 20003. The Board will meet remotely.

NOTE: A December 26, 2025 D.C. Register notice of the January 14, 2026 meeting included an incorrect version of the proposed measure. This notice includes the correct version of the proposed measure.

Members of the public can only access the meeting by using the following information:

Join from PC, Mac, iPad, or Android:

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+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

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In making a proper subject matter determination, the Board does not consider the merits of a proposed measure. Instead, it may consider only whether the proposed measure meets the subject matter requirements set forth in District of Columbia law. Specifically, the Board must reject the proposed measure if it determines that:

- The measure conflicts with or seeks to amend the Title IV of the DC Home Rule Act (“the District Charter”);
- The measure conflicts with the U.S. Constitution;
- The measure has not been properly filed;
- The verified statement of contributions (the measure committee’s statement of organization and report of receipts and expenditures) was not timely filed;
- The measure would authorize discrimination in violation of the DC Human Rights Act;
- The measure would negate or limit a budgetary act of the DC Council; or
- The measure would appropriate funds.

Written comments on the propriety of the proposed measure in light of the above-referenced criteria should be sent to the Board’s Office of the General Counsel, 1015 Half Street SE, Suite 750, Washington, DC 20003 or ogc@dcboe.org by no later than Friday, January 9, 2026 at noon. Oral comments will be allowed at the discretion of the Board Chair. If oral comments are permitted, the Chair may limit the duration of remarks.

The Short Title, Summary Statement, and Legislative Text of the proposed initiative, as submitted to the Board by the proposer(s) of the measure, read as follows:

SHORT TITLE

DC Housing Modernization and Accessibility Act of 2026

SUMMARY STATEMENT

If enacted, this Initiative would freeze rents for two years immediately upon enactment and in future periods of high inflation; realign DC’s affordable housing programs with an upper eligibility threshold of 60% of the Area Median Income to reflect actual median incomes of DC residents; revise affordable housing requirements for land sold or leased by the D.C. Government; and redefine certain affordable housing requirements to include a mix of units with different numbers of bedrooms.

LEGISLATIVE TEXT

BE IT ENACTED BY THE ELECTORS OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “DC Housing Modernization and Accessibility Act of 2026.”

Section 2. Title II of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code §§42-3501.01 through 42-3502.24), as amended, is further amended by adding thereto the following new section §42-3502.25 to read as follows:

“§42-3502.25. Temporary rent freeze during certain periods

“(a) Notwithstanding any other provision of this chapter, the rent for any rental unit shall not be increased during the period from and including the effective date of this section through and including the second anniversary thereof.

“(b) Notwithstanding any other provision of this chapter, if during any twelve month period subsequent to the period described in subsection (a), the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U) for the Washington-Arlington-Alexandria DC-VA-MD-WV Metropolitan Statistical Area, as published by the Bureau of Labor Statistics, is greater than six percent, then the rent for any rental unit shall not be increased at any time during the subsequent twelve-month period.

“(c) Any rent increase that would become effective during any period described in subsection (a) or subsection (b) shall not become effective regardless of when notice of such rent increase is sent to the tenant of any rental unit.

“(d) This section shall not apply to--

“(1) any rental unit owned by, or leased to any person by, the District of Columbia Housing Authority or any other agency, department or instrumentality of the District; or

“(2) any rental unit owned by, or leased to any person by, any agency, department or instrumentality of the United States.”

Section 3. Section 208 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42–3502.08), as amended, is further amended as follows: Subsection (h) is amended to read as follows:

“(h) Unless the adjustment in the amount of rent charged is implemented pursuant to § 42-3502.10, § 42-3502.11, § 42-3502.12, § 42-3502.14, or § 42-3502.15, an adjustment in the amount of rent charged:

(1) If the unit is vacant, shall not exceed the amount permitted under § 42-3502.13(a); or

(2) If the unit is occupied:

(A) Shall not exceed the current allowable amount of rent charged for the unit, plus the adjustment of general applicability plus 2%, taken as a percentage of the current allowable amount of rent charged; provided, that the total adjustment shall not exceed 8%;

(B) Shall be pursuant to § 42-3502.24, if occupied by an elderly tenant or tenant with a disability; and

(C) Shall not exceed the lesser of 5% or the adjustment of general applicability if the unit is leased or co-leased by a home and community-based services waiver provider.”

Section 4. Section 2 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code §42-2801), as amended by section 501 of the Housing Act of 2002 (D.C. Law 14-114), and as further amended by section 3 of the Workforce Housing Production Program Amendment Act of 2008 (D.C. Law 17-285), is further amended as follows:

(a) Subsection 2A is amended to read as follows:

“(2A) ‘Eligible household’ means a household that, at the time of lease-up or rental of a qualified rental housing unit, had total annual income at or below 45% of the area median income, or at the time of purchase of a qualified for-sale housing unit, had total annual income at or below 60% 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 60% of the area median income.”

(b) Subsection (3) is amended to read as follows:

“(3) ‘Extremely low-income’ means a household income that is less than or equal to 15% of the area median income.”

(c) Subsection (6) is amended to read as follows:

“(6) ‘Low-income’ means a household income that is more than 30% and less than or equal to 45% of the area median income.”

(d) Subsection (7) is amended to read as follows:

“(7) ‘Moderate income’ means a household income that is more than 45% and less than or equal to 60% of the area median income.”

(e) Subsection (9A) is amended to read as follows:

“(9A) ‘Very low-income’ means a household income that is more than 15% and less than or equal to 30% of the area median income.”

Section 5. Section 2 of the Affordable Housing Clearinghouse Directory Act of 2008, effective August 15, 2008 (D.C. Law 17-215; D.C. Official Code §42-2131) is amended to read as follows: Subsection (4) is amended to read as follows:

“(4) ‘Affordable housing unit’ means a dwelling unit that is offered for residential occupancy and is made available to, and affordable to, a household whose total household income is equal to or less than 45% of the area median income for rental units and 60% of the area median income for sale and ownership units, as a result of a federal or District subsidy.”

Section 6. The Act authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, effective August 5, 1939 (53 Stat. 211, ch. 449; D.C. Official Code §10-801), as amended by section 2 of the Disposition of District Land for Affordable Housing Amendment Act of 2014, effective March 10, 2015 (D.C. Law 20-193), and as further amended by section 2(f) of the Land Disposition Transparency and Clarification Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-267), is further amended as follows:

(a) Subsection (b-3)(1) is amended to read as follows:

“(1) If a proposed disposition of real property will result in the development of multifamily residential property consisting of 5 or more units (‘multifamily units’), the following requirements shall apply:

“(A) At least two-thirds of the multifamily units shall be dedicated as affordable housing;

“(B) At least one-quarter of the multi-family units shall consist of units with two or-more bedrooms; and one-quarter shall consist of units with three-or more bedrooms; and

“(C) The multifamily units dedicated as affordable housing pursuant to this subsection (b-3)(1) shall continue to be dedicated as affordable housing for the life of the ground lease if the land disposition is by ground lease, or shall remain affordable housing units in perpetuity, secured by a covenant running with the land.”

(b) Subsection (b-3)(2) is amended to read as follows:

“(b-3)(2) The units dedicated as affordable housing pursuant to subparagraphs (A) and (B) of this paragraph shall be made available at the following affordability levels:

“(A) In the case of affordable rental units, at least one-quarter of the units shall be housing for which an extremely low-income household will pay no more than 30% of its income toward housing costs; one quarter of the units shall be housing for which a very low-income household will pay no more than 30% of its income toward housing costs, one-quarter of the units shall be housing for which a low-income household will pay no more than 30% of its income toward housing costs and the remainder shall be housing for which a moderate income household will pay no more than 30% of its income toward housing costs.

“(B) In the case of affordable ownership units, one-half of the units shall be housing for which a low-income household will pay no more than 30% of its income toward housing costs and the remainder of any such ownership units shall be housing for which a moderate income household will pay no more than 30% of its income toward housing costs.”

(c) Subsection (b-3)(4) is hereby repealed.

(d) Subsections (b-3)(6) and (b-3)(7) are hereby repealed.

(e) Subsection (n) is amended as follows:

(1) Paragraph (3) is amended to read as follows:

“(3) ‘Low-income household’ means a household consisting of one or more persons with a total household income that is more than 30% and less than or equal to 45% of the area median income.”

(2) Paragraph (4) is amended to read as follows:

“(4) ‘Moderate-income household’ means a household consisting of one or more persons with total household income more than 45% and less than or equal to 60% of the area median income.”

(3) Paragraph 5 is amended to read as follows:

“(5) ‘Very low-income household’ means a household consisting of one or more persons with total household income more than 15% and less than or equal to 30% of the area median income.”

(f) Subsection (n) is further amended by adding to the end thereof the following new paragraph (6) to read as follows:

“(6) ‘Extremely low-income household’ means a household consisting of one or more persons with total household income less than or equal to 15% of the area median income.”

Section 7. Section 2092 of the Fiscal Year 2013 Budget Support Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code §42-2141) is amended as follows:

(a) Subsection (1) is amended to read as follows:

“(1) ‘Affordable housing unit’ means a unit of housing that is offered for rent or for sale for residential occupancy and as a result of a federal or District subsidy is made available and affordable to households whose income levels are less than or equal to 60% of the area median income.”

(b) Subsection (3) is amended to read as follows:

“(3) ‘Extremely low-income household’ means a household with total household income equal to or less than 15% of the area median income.”

(c) Subsection (5) is amended to read as follows:

“(5) ‘Low -income household’ means a household with a total household income that is more than 30% and less than or equal to 45% of the area median income.”

(d) Subsection (6) is amended to read as follows:

“(6) ‘Very low-income household’ means a household with total household income more than 15% and less than or equal to 30% of the area median income.”

Section 8. Section 102 of the Workforce Housing Production Program Approval Act of 2006, effective March 14, 2007 (D.C. Law 16-278; D.C. Official Code § 6-1061.2), as amended, is further amended as follows:

(a) Subsection (d) is amended to read as follows:

“(d)(1) The land trust shall develop units affordable to households not to exceed 60% of area median income.”

“(2) The land trust’s portfolio shall have an average not to exceed 50% of AMI.

“(3) The portfolio average requirement shall be evaluated for compliance on an annual basis, beginning 12 months after March 14, 2007.”

Section 9. Section 202 of the Workforce Housing Production Program Approval Act of 2006, effective March 14, 2007 (D.C. Law 16-278; D.C. Official Code §6-1062.02) is amended as follows: Subsection (8) is amended to read as follows:

“(8) ‘Workforce housing’ means housing units set aside for eligible renters or purchasers as defined the appropriate agency of the District of Columbia and who are at 45% to 60% of the Area Median Income.”

Section 10. Section 2092 of the Fiscal Year 2022 Budget Support Act of 2021. Effective November 13, 2012 (D.C. Law 24-45; D.C. Official Code §42-2231) is amended as follows:

(a) Subsection (3) is amended to read as follows:

“(3) ‘Extremely low-income’ means having a household income equal to 15% or less of the area median income.”

(b) Subsection (5) is amended to read as follows:

“(5) ‘Low-income’ means having a household income that is more than 30% and less than or equal to 45% of the area median income.”

(c) Subsection (11) is amended to read as follows:

“(11) ‘Very low-income’ means having a household income that is more than 15% and less than or equal to 30% of the area median income.”

Section 11. Applicability.

(a) The provisions of this act with any fiscal effect shall apply upon the date of inclusion of the fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Section 12. Effective date. This act shall take effect following a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act,

approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.