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Housing and Executive Administration

Public Hearing

May 25, 2021

Good morning Chair Bonds, Housing and Executive Committee, staff members, thank you all for allowing me the opportunity to speak. My name is Evan Loukadakis, I'm a Ward 6 resident, representing the D.C. Association of Realtors—DCAR

Our 3,000 members are a voice for real estate professionals, small housing providers, and most importantly homeowners and renters who live and work in the District.

What we are discussing today, Bill 24-119 the Eviction Protections and Screening Act, is quite similar to the two pieces of legislation we discussed last Thursday. Many of the ideas are related, if not identical, and it seems the impetus behind these instruments is to provide for more tenant protections.

DCAR would like to underscore that in the pursuit to enhance tenant protections, small housing providers are not adversely impacted.

The good news is that we can see many bright, positive contrasts between Bill 24-119 and the bill discussed last week-- Bill 24-106. DCAR acknowledges that this legislation takes a more practical approach toward providing safeguards.

To give you an example, at the previous Housing Committee hearing, DCAR voiced concern that the 72-hour dispute process in the Fair Tenant Screening Act could expose housing providers to violating the Fair Housing Act, which is, of course, highly problematic. The language in this bill clarifies the process and helps alleviate that issue.

Now, while the Chairman's legislation takes into greater consideration the day-to-day operations of small housing providers, there are some points DCAR views differently.

Particularly, we are deeply troubled that if a small housing provider makes one mistake on any provision in Section 510 (the Tenant Screening Section) or any rule issued to implement the section, then they can face up to a \$1,000 civil penalty for each violation, which similar penalties are also proposed in the Fair Tenant Screening Act. But consumer protection laws exist and are enforced by the OAG to provide a private right of action, and we believe this is a more appropriate avenue for unlawful trade practices.

The last item to cover deals with filing to recover possession. The bill, as written, prohibits during the screening process to inquire about a previous action to recover if the action occurred three or more years ago. DCAR housing provider members emphasized that in some very unfortunate cases, to get repossession of their property, the process can take two years.

There are few other provisions in this legislation that DCAR would like to clarify; however, we are certainly committed to working with you all and the Chairman to address these concerns.

As always, thank you Chair Bonds and Housing Committee members for the opportunity to provide testimony. We look forward to working with you all to ensure that tenants and small housing providers are all represented in the legislative process.