



## COUNCIL OF THE DISTRICT OF COLUMBIA

THE JOHN A. WILSON BUILDING  
1350 PENNSYLVANIA AVENUE, NW  
WASHINGTON, D.C. 20004

### Statement of Introduction Housing Production Omnibus Amendment Act of 2026 February 17, 2026

Today, we are jointly introducing the Housing Production Omnibus Amendment Act of 2026, along with co-introducers Janeese Lewis George and Charles Allen. This legislation represents a bold, comprehensive overhaul of how the District of Columbia funds housing, accelerates production, and safeguards affordability.

The District's Housing Production Trust Fund was established in 2001 as one of the first state or local funds of its kind and has supported thousands of affordable homes in the last 25 years. However, rising construction costs, market volatility, and outdated policies have slowed development and threatened our ability to address the District's housing needs. One-off fixes are not enough, and our current laws are not meeting the moment.

We propose a modernized D.C. housing ecosystem that unlocks new resources and provides the flexibility needed to respond to today's challenges.

The Housing Production Omnibus Amendment Act of 2026 creates a new **Housing Opportunity Fund**, replacing the existing Housing Production Trust Fund and a constellation of related programs with a unified master fund. The Housing Opportunity Fund is organized into five sub-accounts dedicated to specific policy purposes:

- ◆ **Housing Production Account** to attract and leverage investment to build new housing;
- ◆ **Affordable Housing Subsidy Account** to finance and support operations of deeply affordable units and Permanent Supportive Housing;
- ◆ **Preservation Account** to preserve and expand the existing stock of affordable housing;
- ◆ **Tenant Purchase Support Account** to help tenants purchase and preserve their buildings under the Tenant Opportunity to Purchase Act; and
- ◆ **District Acquisition Account** to enable strategic use of public land for housing development.

In addition to establishing the Housing Opportunity Fund, this omnibus package introduces new tools to accelerate housing production. It permits District retirement funds to invest in local housing development; gives District government more power to acquire land for housing in high-need areas; lets the District purchase and lease land to developers or tenant groups to keep housing affordable; provides fast, flexible financing to jumpstart projects on public land with a revolving loan fund; and strengthens the District's ability to buy properties under the District Opportunity to Purchase Act or assign purchase rights to affordable housing developers. This legislation was developed through partnership with housing advocates, for-profit and non-profit developers, tenant organizations, and a range of experts in housing finance.

Far too many residents struggle with excessive housing costs and the inability to find housing appropriate for their needs. This legislation is a bold, comprehensive response to D.C.'s housing shortage—one that ensures we can continue building homes and protecting affordability for decades to come.

Signed,



Brianne K. Nadeau  
Councilmember, Ward 1



Robert C. White, Jr.  
Councilmember, At-Large

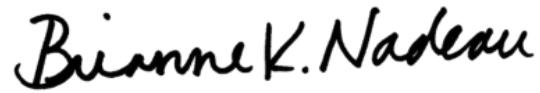
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Councilmember Robert C. White, Jr.



Councilmember Charles Allen



Councilmember Brianne K. Nadeau



Councilmember Janeese Lewis George

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To establish the Housing Opportunity Fund ("Fund") for the production, preservation, and  
2 rehabilitation of affordable housing in the District of Columbia and to establish dedicated  
3 revenue sources for the Fund, to establish sub-accounts of the Housing Opportunity Fund  
4 for specific purposes, to set parameters for the initial apportionment of monies between  
5 sub-accounts, to authorize reallocation of funds between sub-accounts and define  
6 restricted reprogramming, to require an annual audit of the Fund and regular audit of the  
7 application and selection process, to direct the Chief Financial Officer to commission a  
8 report on developer and bond fees, to establish limits and terms on the use of the Fund for  
9 stabilization awards, to authorize the issuance of bonds for the purposes of the Fund, to  
10 establish procedures for the application, scoring, and selection of projects for Fund  
11 awards, to establish minimum affordability periods for rental and ownership units  
12 supported by the Fund, to require a relocation and anti-displacement strategy for relevant  
13 projects, to establish the Housing Opportunity Fund Board to monitor and advise on the  
14 operations of the Fund and to review proposed fund awards that deviate from scoring  
15 methodology, and to define the purpose and allowable uses of the Housing Production  
16 Account, Affordable Housing Subsidy Account, Preservation Account, Tenant Purchase  
17 Support Account, and District Acquisition Account; to amend the District of Columbia  
18 Retirement Reform Act of 1979 to authorize the District of Columbia Retirement Board  
19 to establish goals and procedures for investment in real property in the District of  
20 Columbia with an emphasis on multifamily real estate and affordable housing; to amend  
21 § 16-1311 to include housing development in high-need areas as an authorized municipal  
22 use for condemnation proceedings; to establish the Land Purchase Partnership Program  
23 for the production or preservation of affordable housing and support of tenant purchases;  
24 to amend the District of Columbia Housing Finance Agency Act to authorize the Housing  
25 Finance Agency to establish a revolving construction loan fund; to amend the Rental  
26 Housing Conversion and Sale Act of 1980 to apply the District's Opportunity to Purchase  
27 for housing accommodations otherwise exempt from the Tenant Opportunity to Purchase  
28 Act within the first 15 years after construction; and to amend § 47-1005.03 to clarify  
29 Nonprofit Workforce Housing Properties eligibility.

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30                   BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
 31   act may be cited as the “Housing Production Omnibus Amendment Act of 2026”.

32                   **TITLE I. HOUSING OPPORTUNITY FUND.**

33                   **SUBTITLE A. HOUSING OPPORTUNITY FUND.**

34                   Sec. 101. Short title.

35                   This title may be cited as the “Housing Opportunity Fund Act of 2026”.

36                   Sec. 102. Definitions.

37                   For the purposes of this act, the term:

38                   (1) "Affordable housing" means a housing unit with an income- or rent-restricted  
 39   covenant, including:

40                   (A) Housing for individuals who have previously been incarcerated for or  
 41   convicted of a felony under state or federal law;

42                   (B) Permanent Supportive Housing.

43                   (2) "Area median income" means the area median income, as adjusted for  
 44   household size, of the Washington Metropolitan Statistical Area as set forth in the periodic  
 45   calculation provided by the U.S. Department of Housing and Urban Development.

46                   (3) “Child development facility” means a facility where a child development  
 47   program is provided for infants and children, away from home, for less than 24 hours a day for  
 48   each infant or child, and which is to be located on a proposed housing or commercial project

49 under a linked development agreement. The term "child development facility" shall include a  
50 child development center, child development home, or infant care center, but does not include a  
51 public or private elementary school engaged in legally required education and related functions.

52 (4) "Housing Opportunity Fund" or "Fund" means the Housing Opportunity Fund  
53 as established in section 103, and all sub-accounts as established in section 104 and defined in  
54 Subtitle C.

55 (5) "Stabilization" means funds awarded for the following purposes:

56 (A) Risk coverage to lenders for loans to stabilize affordable housing  
57 properties in distress; or  
58 (B) Bridge funding for properties with a demonstrated unforeseen debt  
59 load; and

60 (C) Does not extend the period of affordability, increase the number of  
61 affordable units, or would not otherwise be considered an award for the purposes of affordable  
62 housing preservation as set forth in section 123.

63 (6) "Tier 1" means:

64 (A) Affordable housing targeted to a household with income equal to or  
65 less than 30% of the area median income; or  
66 (B) Permanent Supportive Housing.

67 (7) "Tier 2" means affordable housing targeted to a household with income equal  
68 to, or less than, 50% of the area median income and greater than 30% of the area median income.

69 (8) "Tier 3" means affordable housing targeted to a household with income equal  
70 to, or less than, 80% of the area median income and greater than 50% of the area median income.

71 Sec. 103. Housing Opportunity Fund established.

72 (a) There is established the Housing Opportunity Fund as a permanent, interest-bearing,  
73 revolving fund, separate from other accounts in the General Fund and consisting of identifiable,  
74 renewable, and segregated capital. The Fund shall be administered by the Chief Financial Officer  
75 and made available for use by the Mayor and Housing Authority in accordance with this title.

76 (b) Except as provided in this title, the Fund shall be used exclusively for the support,  
77 provision, preservation, and rehabilitation of Tier 1, Tier 2, and Tier 3 affordable housing.

78 (c) The money deposited into the Fund, but not expended in a fiscal year, shall not revert  
79 to the unassigned fund balance of the General Fund of the District of Columbia at the end of a  
80 fiscal year, or at any other time.

81 (d) Subject to authorization in an approved budget and financial plan, any funds  
82 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

83 (e) There shall be deposited in the Fund, pursuant to section 105:

84 (1) Appropriated amounts;

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

86 (3) Proceeds from bonds issued pursuant to section 111;

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

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

90 (7) Amounts deposited pursuant to § 47-919;

91 (8) Amounts deposited pursuant to Section 322 of the District of Columbia Real

92 Estate Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 17; D.C. Official Code §  
93 42-1122);

94 (9) Fee option contributions made by commercial developers under a commercial  
95 linked development;

96 (10) Community development program contributions made pursuant to The  
97 District of Columbia Regional Interstate Banking Act of 1985, effective November 23, 1985  
98 (D.C. Law 6-63; D.C. Official Code § 26-701 *et seq.*);

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

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

102 (13)(A) Repayments of loans, including principal and interest, provided under  
103 section 8 of the Homestead Housing Preservation Act of 1986, effective August 9, 1986 (D.C.  
104 Law 6-135; D.C. Official Code § 42-2107);

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

108 (15) All fines collected pursuant to section 104 of the Inclusionary Zoning  
109 Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; D.C.  
110 Official Code § 6-1041.04); and

111 (16) All fees collected pursuant to Section 204 of the Conversion of Rental  
112 Housing to Condominium or Cooperative Status Act of 1980, effective September 10, 1980  
113 (D.C. Law 3-86; D.C. Official Code § 42-3402.04) and Section 910 of the Rental Housing Act of  
114 1985, effective April 16, 2020 (D.C. Law 23-72; D.C. Official Code § 42-3509.10).

115 Sec. 104. Fund organization.

116 (a) There are established within the Housing Opportunity Fund the following sub-  
117 accounts, consisting of identifiable, renewable, and segregated capital and administered pursuant  
118 to Subtitle C:

- 119 (1) Housing Production Account;
- 120 (2) Affordable Housing Subsidy Account;
- 121 (3) Preservation Account;
- 122 (4) Tenant Purchase Support Account; and
- 123 (5) District Acquisition Account.

124 (b) No less than 5% of the monies deposited into any sub-account of the Housing  
125 Opportunity Fund in a fiscal year, or an equivalent amount appropriated from the General Fund  
126 or other sources, shall be used to pay reasonable costs of compliance monitoring and  
127 enforcement related to funding awards.

128 Sec. 105. Apportionment of deposits and appropriations.

129 (a) There is authorized to be appropriated at least \$150 million annually, from all sources,  
130 to be deposited into and expended from the Housing Opportunity Fund (“Fund”), adjusted every  
131 5 fiscal years by the national Building Cost Index published by the Engineering News-Record.

132 (b) The Mayor shall submit to the Council, as part of the annual budget, a requested  
133 appropriation of local funds for the Housing Opportunity Fund, along with a proposed  
134 apportionment plan to distribute among the sub-accounts of the Fund any dedicated revenues  
135 received, pursuant to section 103(e), above amounts in the Council's approved budget for that  
136 fiscal year.

137 (1) In formulating the Mayor's proposed annual budget for submission to the  
138 Council, direct appropriations to the Housing Opportunity Fund shall be budgeted such that:  
139 (A) The Housing Production Account and Affordable Housing Subsidy  
140 Account combined shall comprise no less than 60% of the total amount appropriated to the  
141 Housing Opportunity Fund in each fiscal year;  
142 (B) No sub-account enumerated in section 115 receives less than 5% of  
143 the total amount appropriated to the Housing Opportunity Fund for each fiscal year.  
144 (c) Nothing in this section shall be interpreted as to constrain the Mayor's ability to

147       (a) Except as provided in this section, at the request of the Mayor at any time in a fiscal  
148       year, the Chief Financial Officer ("CFO") shall reallocate funds between sub-accounts of the  
149       Housing Opportunity Fund, provided that the CFO determines that the funds are available for  
150       reallocation. Subchapter IV of Chapter 3 of Title 47 of the District of Columbia Official Code  
151       shall not apply to such reallocations.

152 (b) For the purposes of this section, “restricted reprogramming” means a reprogramming  
153 request that includes:

154 (1) Funds transferred from the Tenant Purchase Support Account to another sub-  
155 account in the Housing Opportunity Fund;

156 (2) Funds transferred from the Affordable Housing Subsidy Account to another  
157 sub-account in the Housing Opportunity Fund; or

158 (3) Funds transferred from any sub-account of the Housing Trust Account to  
159 another budget category.

160 (c)(1) Notwithstanding § 47-361(14), § 47-363(a) shall apply to a restricted  
161 reprogramming, regardless of dollar value.

162 (2) Notwithstanding § 47-363(b)-(d), upon receipt of a restricted reprogramming  
163 request, the Chairman of the Council shall cause a notice of the request to be published in the  
164 District of Columbia Register, together with a statement that the request shall be deemed  
165 disapproved 10 days from the date of publication in the District of Columbia Register, unless a  
166 proposed approval resolution is filed before that time by a Councilmember, and that if a  
167 proposed approval resolution is filed, the request shall be deemed disapproved 30 days  
168 (excluding weekends, holidays, and days of Council recess) from the date of the receipt of the  
169 reprogramming request, unless before the end of the 30-day review period the Council adopts a  
170 resolution of disapproval or approval.

171 (3) The publication of a notice of a reprogramming request shall satisfy the public  
172 notice requirements of this section and the rules of the Council and no further notice shall be  
173 necessary for the Council to adopt a resolution affecting the request.

174 (4) The Council shall consider the reprogramming request according to its rules.  
175 No reprogramming request may be submitted to the Chairman of the Council under this  
176 subsection during such time as the Council is on recess, according to its rules, nor shall any time  
177 period provided in this subsection or in the Council's rules with respect to the request continue to  
178 run during such time as the Council is on recess.

179 (5)(A) If no proposed approval resolution of a reprogramming request is filed  
180 with the Secretary to the Council ("Secretary") within 10 days of the publication of the request  
181 from the Mayor in the District of Columbia Register, the request shall be deemed disapproved.

182 (B) If a proposed approval resolution is filed with the Secretary to the  
183 Council within 10 days of publication of the reprogramming request from the Mayor in the  
184 District of Columbia Register, the Council may approve or disapprove the reprogramming  
185 request by resolution within 30 days (excluding weekends, holidays, and days of Council recess)  
186 of the receipt of the request from the Mayor. If the Council neither affirmatively approves or  
187 disapproves the request within 30 days (excluding weekends, holidays, and days of Council  
188 recess) of the receipt of the request, the request shall be deemed disapproved.

189 (7) At any time before final action by the Council on a restricted reprogramming  
190 request, including deemed disapproval, the Mayor may withdraw the request.

191 Sec. 107. Regular audits; report on reasonable fees.

192 (a) The Chief Financial Officer ("CFO") shall commission an annual audit report of the  
193 Housing Opportunity Fund by a Certified Public Accountant or firm of public accountants  
194 independent of the Department in accordance with generally acceptable government auditing  
195 standards covering financial and compliance audits which sets forth the amount of deposits in the  
196 Fund, the aggregate amount of all loans or grants issued by the Fund, and the number and  
197 amount of Fund loans in default.

198 (b) The Office of the District of Columbia Auditor shall audit the application, scoring,  
199 and award processes of the Fund every 5 years.

200 (c) Within 365 days of the applicability date of this subsection, and by request of the  
201 Housing Opportunity Fund Board at any time thereafter, the CFO shall commission a report on  
202 reasonable fees, including developer fees, bond fees, and consultant fees, that are associated with  
203 financing of the production and preservation of affordable housing by the District and  
204 instrumentalities of the District.

205 Sec. 108. Use of Fund for stabilization.

206 (a) The Mayor may utilize up to 40% of the total approved budget of the Housing  
207 Opportunity Fund in a fiscal year to issue awards for stabilization of properties in periods of  
208 severe market distress, subject to the requirements of this section and provided that funds from  
209 the Tenant Purchase Support Account shall not be used for such purposes.

210 (b)(1) If the planned fund usage for stabilization constitutes more than 10% of the total  
211 approved budget of the Housing Opportunity Fund within that fiscal year, the Mayor shall, prior  
212 to a solicitation for stabilization funds, submit to Council a resolution authorizing such use for a  
213 30-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council  
214 recess. A resolution that has not been approved or disapproved, in whole or in part, by resolution,  
215 within this 30-day review period, the proposed rules shall be deemed approved.

216 (2) The resolution required under this subsection shall include an analysis of the  
217 affordable housing market and projections for how the award of stabilization funds will serve to  
218 stabilize the market.

219 (c) Within 60 days after a stabilization funding award is issued, property-specific analysis  
220 shall be transmitted to the Council including:

221 (1) Financial data on the performance of the property;

222 (2) A third-party analysis of how the property will achieve stabilization after  
223 receiving a stabilization award; and

224 (3) A copy of the latest Department of Buildings inspections of the building.

225 (d) The Mayor may award stabilization funds as a grant, or waive repayment of funds  
226 awarded as a loan, provided that the Mayor and recipient or property owner enter into a written  
227 agreement providing the District a reasonable equity stake in the property.

228                   **SUBTITLE B. GENERAL PROVISIONS.**

229                   Sec. 111. Bond issuance authorized.

230                   (a) Pursuant to section 490 of the Home Rule Act, the Mayor is authorized to issue bonds  
231                   to assist in financing, refinancing, or reimbursing costs of undertakings by the District to  
232                   accomplish the purposes of the Housing Opportunity Fund.

233                   (b) The bonds, which may be issued from time to time, in one or more series, shall be  
234                   tax-exempt or taxable as the Mayor shall determine.

235                   (c) The Mayor is authorized to pay from the proceeds of the bonds the costs and expenses  
236                   of issuing and delivering the bonds. Remaining proceeds of the bonds shall be deposited into the  
237                   Housing Opportunity Fund pursuant to sections 104 and 105.

238                   Sec. 112. Project application and selection.

239                   The provisions of this section shall apply to all sub-accounts of the Housing Opportunity  
240                   Fund and any stabilization funds made available pursuant to section 108.

241                   (1)(A) The Mayor shall publish a Request for Proposals ("RFP") to advertise  
242                   funds made available pursuant to this act. The RFP may include other relevant housing funds  
243                   made available by the District. The RFP shall include scoring and selection criteria specific to  
244                   each sub-account of the Fund.

245                   (B) An applicant may apply for an award of funding from one or more  
246                   sub-accounts of the Fund, or in the form of an application to a consolidated RFP.

247                   (C) Eligibility for one sub-account shall not invalidate eligibility for any  
248                   other sub-account. An award of funding may be made to one project or applicant from multiple  
249                   funds, either simultaneously or sequentially.

(D) Applications shall be accepted and scored on a quarterly basis, except as provided in section 124.

(2) In the fiscal year before a fiscal year in which dedicated tax revenues will be collected, proposals may be solicited and recipients ranked in funding priority order for the expenditure of those tax revenues that will be dedicated to the Housing Opportunity Fund in the next fiscal year; provided, that the dedicated tax revenues are not otherwise committed or appropriated for other purposes and are certified in the approved financial plan for the next fiscal year.

(3) The Mayor may issue an award that deviates from published scoring methodology and selection criteria, provided, that:

(A) The project's initial score falls within 10% of either a point threshold established in an RFP or the next lowest-scoring comparable project issued an award in that fiscal year, whichever is higher;

(B) The decision to issue the award is based on factors not otherwise captured by the scoring methodology; and

(C) The award is reviewed and approved by a majority of members appointed to the Housing Production Opportunity Fund Board as established in section 115.

### Sec. 113. Maintaining affordability.

268 (a) An affordable housing rental unit constructed pursuant to this act shall remain  
269 affordable for a period of no less than 40 years.

270 (b)(1) A for-sale unit constructed pursuant to this act shall remain affordable for no less  
271 than 180 months, in accordance with section 2218 of Title 14 of the District of Columbia

272 Municipal Regulations (14 DCMR § 2218). If a for-sale unit is sold before the affordability  
273 period expires, the new affordability term shall begin on the date of the sale.

274 (2) After the affordability period expires, there shall be no resale restrictions  
275 unless otherwise agreed in an additional covenant. If no additional covenant exists after the  
276 affordability period expires, the purchaser shall repay all preexisting equity to the Housing  
277 Opportunity Fund pursuant to Subtitle A provided, that:

278 (A) Title to the property transferred from the purchaser to another party by  
279 a means other than inheritance; or

280 (B) Refinancing of indebtedness secured by the property results in any  
281 withdrawals of cash or equity value from the property by the purchaser/borrower.

282 (3) If the future sales price is not sufficient to pay off all deeds of trust, the  
283 customary seller's closing costs, and the preexisting equity, the amount due to the Housing  
284 Opportunity Fund for the repayment of the preexisting equity shall be the amount available from  
285 the sale of the property after payment of all deeds of trust and customary seller's closing costs.

286 (4) Repayment of the preexisting equity shall not be required upon the refinancing  
287 of indebtedness resulting in withdrawal of cash or equity value if the new loan, all other  
288 indebtedness, and the preexisting equity result in an amount that is less than 80% of the  
289 appraised value of the property.

290 (c) For the purposes of this section, the term:

291 (1) "Future sales price" means the greater of any contract sales price or a value  
292 equal to 90% of the fair market appraised value determined within 6 months of the date of resale  
293 by a licensed appraiser of an affordable for-sale unit.

294 (2) "Preexisting equity" means the discounted price determined as the difference  
295 between an initial contract sales price and the fair market appraised value at the time of the initial  
296 sale or the amount of public subsidy provided pursuant to this chapter that was invested in the  
297 creation of the affordable housing unit.

298 Sec. 114. Anti-displacement strategy.

299 (a) For proposed projects that result in the temporary or permanent displacement of  
300 current occupants, including commercial tenants, an applicant must submit a Relocation and  
301 Anti-Displacement Strategy along with an application for funding. Instances where a Relocation  
302 and Anti-Displacement Strategy is required include the following:

303 (1) Tenants will be required to move to facilitate the building's rehabilitation,  
304 even if they are moved to other units within the same building or complex;

305 (2) Demolition of existing dwelling or commercial units or buildings that are  
306 occupied at the time of acquisition or at the time the applicant executes a legal instrument that  
307 demonstrates site control; or

308 (3) Tenants will be displaced because the proposed rents are not affordable to  
309 those households.

310 Sec. 115. Housing Opportunity Fund Board.

311 (a) There is established a Housing Opportunity Fund Board ("Board"). The Board shall:

312 (1) Advise the Mayor and Council on:

313 (A) The development, financing, and operation of the Housing  
314 Opportunity Fund;

315 (B) Compliance monitoring and enforcement of Housing Opportunity  
316 Fund projects; and

317 (C) Other matters related to the production and preservation of affordable  
318 housing;

319 (2) Review the uses of the Housing Opportunity Fund and all sub-accounts for  
320 their conformity with this Title. The Board shall have access to records necessary to perform this  
321 review;

322 (3) Review and approve or disapprove of proposed fund awards that deviate from  
323 scoring methodology, pursuant to section 112; and

324 (4) Attend and, via the chairperson of the Board, provide testimony at one or more  
325 Council oversight hearings per year, if invited by the chairperson of the Council committee with  
326 jurisdiction over the Housing Opportunity Fund or the chair of the Council.

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

328 (1) One member shall be a representative of the financial services industry.

329 (2) One member shall be a representative of the nonprofit housing production  
330 community.

331 (3) One member shall be a representative of the for-profit housing production  
332 industry.

333 (4) One member shall be a representative of an organization that advocates for the  
334 production, preservation, and rehabilitation of affordable housing for lower-income households.

335 (5) One member shall be a representative of a low-income tenant association.

336 (6) One member shall be a representative of an organization that advocates for  
337 people with disabilities.

338 (7) The remaining 3 members shall have significant knowledge of an area related  
339 to financing, production, preservation, or rehabilitation of affordable housing.

340 (c) The members of the Board shall be appointed by the Mayor with the advice and  
341 consent of the Council. Members of the Housing Production Trust Fund Board appointed and  
342 confirmed pursuant to section 3a of the Housing Production Trust Fund Act of 1988, effective  
343 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 24-2802.01) shall have their terms  
344 transitioned to corresponding seats on the Housing Opportunity Fund Board.

345 (d) The terms of the members of the Board shall be 4 years.

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

347 (f) The Board shall select a chairperson from among its members.

### 348 Sec. 116. Fund transparency and reporting.

349 (a) The Mayor shall create and maintain, on at least a quarterly basis, a publicly available  
350 Housing Opportunity Fund database which shall include, at minimum:

351 (1) Applications and underwriting and prioritization scores of each application,  
352 for both submitted and selected applications;

353 (2) For selected applications:

354 (A) Names of all corporate entities and related principals with a proposed  
355 ownership interest in the project's ownership entity;

356 (B) The status of the project in the selection, funding, construction, and  
357 operating pipeline;

358 (C) Fund sub-accounts utilized and amount of funding awarded;

359 (D) Percentage contribution of the Fund amount compared to the project's  
360 total funding sources;

361 (E) Loan or grant agreements with the name of the recipient, amount, loan  
362 interest rate, and terms;

363 (F) The number, affordability tier, and bedroom size of housing units

364 created or preserved;

365 (G) The period of time units shall remain affordable;

366 (H) Status of the award recipient's compliance with the loan agreement;

367 and

368 (I) For any award that deviates from published scoring methodology and

369 selection criteria, justification for the deviation and confirmation of the Housing Opportunity

370 Fund Board's approval, pursuant to section 112.

371 (b) The Mayor and Housing Authority shall submit to the Chief Financial Officer

372 ("CFO") and Council quarterly reports on activities and expenditures related to the Fund, which

373 shall be consistent with the District's internal accounting reporting systems and the Annual

374 Comprehensive Financial Report, and shall include a list of the loan repayments due and paid

375 during the reporting period and identify all fund recipients who are not in compliance with

376 agreement terms;

377 (c)(1) Each recipient of funds from the Housing Opportunity Fund shall provide certified

378 final development cost reports to the CFO. Such cost data shall include:

379 (A) Total development cost per unit for each project;

380 (B) Descriptive statistics such as average and median per-unit or per-

381 bedroom costs; and

382 (C) Other information that the CFO deems necessary to improve cost

383 controls and enhance understanding of development costs.

384 (2) The CFO shall provide information received pursuant to this subsection upon  
385 request of the Council, the Mayor, the District of Columbia Housing Authority, the Housing  
386 Opportunity Fund Board, or the District of Columbia Auditor.

387 (d) The Mayor shall monitor for compliance written agreements entered into pursuant to  
388 this title.

389 **SUBTITLE C. SUB-ACCOUNTS.**

390 Sec. 121. Housing Production Account.

391 (a) The Housing Production Account ("Production Account") is established as a sub-  
392 account of the Housing Opportunity Fund, which shall be administered by the Mayor for the  
393 purpose of assisting in the provision of affordable housing through new construction or adaptive  
394 re-use of vacant or previously non-residential structures. The Production Account shall prioritize  
395 affordable units that do not require ongoing operating subsidy to maintain affordability.

396 Allowable uses of the Production Account include:

397 (1) Pre-development loans;

398 (2) Bridge loans and gap financing;

399 (3) Financing for site acquisition, construction loan guarantees, collateral, or  
400 operating capital;

(4) Debt service for bonds issued pursuant to section 111; and

402 (5) Other loans and grants for housing production determined by the Mayor to be  
403 consistent with the purposes of this section.

404 (b) Up to 50% of funds obligated to new projects for a future expenditure from the  
405 Production Account during a fiscal year may be used to support the production of rental housing

406 units not subject to an income or rent-restricted affordability covenant, provided that, for such  
407 units:

408 (1) The initial rent shall be set at a rate that does not exceed the Small Area Fair  
409 Market Rents established annually for the District of Columbia by the federal Department of  
410 Housing and Urban Development, or Reasonable Rents established by the District of Columbia  
411 Housing Authority, whichever is lower.

412 (2) Future increases in rent shall be governed by Title II of the Rental Housing  
413 Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.01 *et seq.*);  
414 and

415 (3) The Mayor and Housing Authority have approved a plan, as submitted by the  
416 applicant, to market units to holders of tenant-based housing vouchers.

417 (c) As a condition of receiving funds from the Production Account, the Mayor shall  
418 require that the recipient agree to enter into future affordability covenants, contingent on funding  
419 awarded from the Affordable Housing Subsidy Account as established in section 122, or from  
420 other sources.

421 (d) The Mayor shall establish application criteria and scoring procedures for the  
422 Production Fund with greater weight given to applications that:

423 (1) Support the appropriate geographic distribution of new housing production;  
424 (2) Provide for the direct District acquisition of land using a purchase and  
425 leaseback agreement;

426 (3) Increase the supply of housing units with three or more bedrooms;  
427 (4) Incorporate child development facilities; or

428 (5) Encourage or facilitate the entry of well-qualified firms and investors to the  
429 District's housing market.

430 Sec. 122. Affordable Housing Subsidy Account.

431 (a) The Affordable Housing Subsidy Account ("Subsidy Account") is established as a  
432 sub-account of the Housing Opportunity Fund, which shall be used exclusively to support the  
433 creation and operations of Tier 1 and Tier 2 affordable units. Allowable uses of the Subsidy  
434 Account include:

435 (1) Shallow operating subsidy for units produced with support from the Housing  
436 Production Fund to make such units available for very low income and extremely low income  
437 households;

438 (2) Funding the conversion of housing units without affordability covenants,  
439 including the awarding of funds to the owner of a housing accommodation in order to establish  
440 an affordability covenant on one or more existing rental units;

441 (3) The Rent Supplement program as established by section 26a of the District of  
442 Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C.  
443 Official Code § 6-226 *et seq.*);

444 (4) Supportive services for tenants provided above minimum requirements; and

445 (5) Construction loans and gap financing for projects in which Tier 1 and Tier 2  
446 affordable units comprise no less than 30% of overall units.

447 Sec. 123. Preservation Account.

448 (a) The Preservation Account is established as a sub-account of the Housing Opportunity  
449 Fund, which shall be administered by the Mayor to support the following purposes:

450 (1) Supporting, preserving, and expanding the District's existing stock of  
451 affordable housing, which may include:

452 (A) Projects that propose replacing an existing, occupied building with  
453 new on-site construction, provided that affordable housing units are replaced on no less than a  
454 one-for-one basis;

455 (B) The acquisition and rehabilitation of existing, occupied housing where  
456 affordability will be preserved for current tenants;

457 (C) The addition of affordable units to a property already subject to an  
458 active affordability covenant;

459 (D) Bridge funding to support affordable housing accommodations  
460 awaiting other funds for rehabilitation;

461 (E) Projects pending conversion to permanent financing;

(F) Provide debt or equity to finance housing preservation activities;

463 including acquisition bridge loans, predevelopment expenses, environmental remediation, critical  
464 repairs, and other activities necessary to preserve the affordability of housing units; provided,  
465 that for any property benefited by an expenditure of funds pursuant to this subsection, a covenant  
466 shall be recorded with respect to affordability, the terms and conditions of which shall be  
467 determined by the Mayor.

468 (2) Funding the establishment of an affordability covenant on one or more  
469 existing rental units without income-restricted affordability covenants; and

470 (3) Supporting the purposes of the Homestead Housing Preservation Act of 1986,  
471 effective August 9, 1986 (D.C. Law 6-135; D.C. Official Code § 42-2101 *et seq.*).

(b) The Mayor shall establish application criteria and scoring procedures for the  
viation Account, with greater weight given to applications that have previously received an  
from the Tenant Purchase Support Account or a prior bridge loan from the Preservation  
nt issued pursuant to Subtitle D of Title II of the Fiscal Year 2018 Budget Support Act of  
effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code §1-325.351).

### Sec. 124. Tenant Purchase Support Account.

(a) The Tenant Purchase Support Account is established as a sub-account of the Housing

479 Opportunity Fund, which shall be administered by the Mayor to support the following purposes:

480 (1) Assisting tenants with the financing of pre-purchase and down payment costs  
481 for housing pursuant to the Tenant Opportunity to Purchase Act of 1980, effective September 10,  
482 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.01 *et seq.*), and costs incurred related to  
483 organizing a tenant association for the purposes of exercising purchase rights;

484 (2) Assisting tenant associations with the financing of the development costs,  
485 including acquisition, rehabilitation, and marketing, associated with the conversion of multi-unit  
486 rental housing to cooperatives and condominiums;

487 (3) The purchase, redevelopment, or substantial rehabilitation of a property  
488 resulting from the assignment of the purchase rights of tenants or the District to a qualified  
489 purchaser, pursuant to sections 406 and 436 of the Tenant Opportunity to Purchase Act of 1980,  
490 effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code §§ 42-3404.06 and 42-  
491 3404.36); and

492 (4) Any project eligible for another sub-account of the Housing Opportunity Fund  
493 that involves the exercise or assignment of tenant purchase rights.

494 (b)(1) Notwithstanding section 112(1)(D), applications for funds from the Tenant

495 Purchase Support Account shall be accepted on a rolling basis.

496 (2) The Mayor shall endeavor to make Tenant Purchase Support Account funds  
497 available throughout the year, and to align the timeline of application, selection and awarding of  
498 funds with timelines related to the exercise of tenant rights as established in the Rental Housing  
499 Conversion and Sale Act of 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*).

500 Sec. 125. District Acquisition Account.

501 (a) The District Acquisition Account ("Acquisition Account") is established as a sub-  
502 account of the Housing Opportunity Fund, which shall be administered by the Mayor to support  
503 the acquisition of improved and unimproved properties by the District or an instrumentality of  
504 the District, primarily for the purpose of affordable housing production and preservation.

505 (b) The following shall be considered allowable uses of the Acquisition Account:

506 (1) A transaction related to the Land Purchase Partnership Program as established  
507 in section 203;

508 (2) Costs associated with site acquisition for any project that includes the  
509 acquisition by the District or an instrumentality of the District of real property for a period of no  
510 less than 50 years;

511 (3) Acquisition of real property pursuant to Subchapter II of Subtitle 13 of Title  
512 16 of the District of Columbia Official Code;

513 (4) A master loan agreement to support time sensitive land purchase opportunities  
514 on the District's behalf and ensure the District's competitiveness in the real estate market;

515 (5) Debt service for bonds issued pursuant to section 111;

516 (6) The District Construction Loan Fund, as established in section 204; and

(7) Transactions pursuant to the District Opportunity to Purchase Act, effective December 24, 2008 (D.C. Law 17-286; D.C. Official Code § 42-3404.31 *et seq.*).

(c)(1) Except as otherwise provided, within one year of acquisition of a property into the District's portfolio of real property, the Mayor shall submit to the Zoning Commission an application for a zoning map amendment pursuant to 11 DCMR § Z305.

(2) The proposed zone district shall have a floor-area ratio at or near the upper end of the residential floor-area ratio range of that property's Future Land Use Map designation, as defined in 10 DCMR § A200.

(3) Properties that, upon acquisition, are zoned at or near the upper end of the residential floor-area ratio range of that property's Future Land Use Map designation shall be exempt from the requirements of this subsection.

#### **SUBTITLE D. MISCELLANEOUS PROVISIONS.**

### Sec. 131. Conforming Amendments.

(a) Section 26a(b) of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-226(b)), is amended to read as follows:

"(b) The Authority shall allocate the funds appropriated for the program annually toward project-based and sponsor-based voucher assistance, as described in section 26b, and tenant-based assistance, as described in section 26c. ".

(b) Section 6(a) of the District of Columbia Community Development Act of 1975, effective December 16, 1975 (D.C. Law 1-39; D.C. Code § 6-1005(a)), is amended to read as follows:

"(a) Real property acquired for the purposes of this subchapter may be acquired pursuant to subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code.".

540 (c) Section 104(c) of the Inclusionary Zoning Implementation Amendment Act of 2006,  
541 effective March 14, 2007 (D.C. Law 16-275; D.C. Official Code § 6-1041.04(c)) is amended by  
542 striking the phrase "Housing Production Trust Fund" and inserting the phrase "Housing  
543 Opportunity Fund" in its place.

544 (d) The Workforce Housing Production Program Approval Act of 2006, effective March  
545 14, 2007 (D.C. Law 16-278; D.C. Official Code § 6-1061.01 *et seq.*) is repealed.

546 (e) Section 322 of the District of Columbia Real Estate Deed Recordation Tax Act,  
547 approved March 2, 1962 (76 Stat. 17; D.C. Official Code § 42-1122) is amended by adding a  
548 new subsection (d) to read as follows:

549                   “(d) In Fiscal Year 2026 and each fiscal year thereafter:

550                             “(1) The lesser of the following amounts shall be deposited into the Housing  
551                             Opportunity Fund pursuant to section 105 of the Housing Opportunity Fund Act of 2026,  
552                             introduced February 17, 2026 (Bill 26-      ):

553 " (A) 15% of the monies collected under this chapter; or

556 (f) Section 301(15A) of the District of Columbia Housing Finance Agency Act, effective  
557 March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2703.01(15A)) is amended to read as  
558 follows:

559       “(15A) To acquire, own, lease, clear, construct, reconstruct, rehabilitate, improve, repair,  
560       maintain, manage, operate, assign, encumber, or sell or otherwise dispose of any real property.”.

561 (g) Section 207(b) of the Housing Act of 2002, effective April 19, 2002 (D.C. Law 14-  
562 114; D.C. Official Code § 42-2851.07(b)) is amended to read as follows:

563                             "(b) All fines collected pursuant to this section shall be paid into the Housing  
564                             Opportunity Fund pursuant to section 105 of the Housing Opportunity Fund Act of 2026,  
565                             introduced February 17, 2026 (Bill 26-\_\_\_\_).".

566                             (h) Section 910(d) of the Rental Housing Act of 1985, effective April 16, 2020 (D.C.  
567                             Law 23-72; D.C. Official Code § 42-3509.10(d)), is amended to read as follows:

568                             "(d) The Mayor shall deposit into the Housing Opportunity Fund, pursuant to section 104  
569                             of the Housing Opportunity Fund Act of 2026, introduced February 17, 2026 (Bill 26-\_\_\_\_), all  
570                             fees paid pursuant to this section.".

571                             (i) § 47-392.02(j-5)(1) is amended to read as follows:

572                             "(1) 50% shall be deposited in the Housing Opportunity Fund pursuant to section 105 of  
573                             the Housing Opportunity Fund Act of 2026, introduced February 17, 2026 (Bill 26-\_\_\_\_); and".

574                             (j) The Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law  
575                             7-202; D.C. Official Code § 24-2801.01 *et seq.*) is repealed.

576                             (k) Chapter 27 of Title 14 of the District of Columbia Municipal Regulations (14 DCMR  
577                             § 2700 *et seq.*) is repealed.

578                             (l) Chapter 45 of Subtitle B of Title 10 of the District of Columbia Municipal Regulations  
579                             (10 DCMR § B4500 *et seq.*) is repealed.

580                             Sec. 132. Transfers; continuation.

581                             (a) All functions, authority, programs, positions, personnel, property, records, and  
582                             unexpended balances of appropriations, allocations, and other funds available or to be made  
583                             available to the Housing Production Trust Fund, as established by the Housing Production Trust  
584                             Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 24-2801.01  
585                             *et seq.*) are transferred to the Housing Opportunity Fund.

586 (b) All rules, orders, obligations, determinations, grants, contracts, licenses, and  
587 agreements of the Housing Production Trust Fund, as established by the Housing Production  
588 Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 24-  
589 2801.01 *et seq.*) shall continue in effect according to their terms until lawfully amended,  
590 repealed, or modified.

## **TITLE II. HOUSING PRODUCTION.**

592 Sec. 201. Retirement fund real property investment.

593 The District of Columbia Retirement Reform Act of 1979, approved November 17, 1979  
594 (93 Stat. 866; D. C. Official Code § 1-701 *et seq.*) is amended as follows:

595 (a) Section 141 (D.C. Official Code § 1-721) is amended as follows:

596 (1) Subsection (a)(1) is repealed.

597 (2) Subsection (d) is repealed.

598 (b) A new section 141a is added to read as follows:

## 599 "Sec. 141a. Real Property Investment Policy.

600 "(a) The Board is authorized to issue amendments to its rules and procedures, including

## 601 Investment Objectives, the Investment Policy Statement for Real Assets, and target asset

allocations, in order to establish goals and procedures for investment in real property in the

603 District of Columbia, with an emphasis on multifamily real estate and affordable housing.

604        "(b) Rules and procedures established pursuant to this section shall not provide the Board  
605        with direct discretionary authority for investment decisions in individual properties.".

606 Sec. 202. Condemnation authority for housing development.

607 Section 16-1311 of the District of Columbia Official Code is amended as follows:

608 (a) Designate the existing text as subsection (a).

609 (b) A new subsection (b) is added to read as follows:

610 "(b) Housing production and preservation in high-need areas shall be considered an

611 authorized municipal use for the purposes of subsection (a).".

612 Sec. 203. Land Purchase Partnership Program.

613 (a) There is hereby authorized the Land Purchase Partnership Program ("Program").

614 (b) Under the Program, the Mayor may acquire land on which privately-owned rental,

615 ownership, or cooperative housing is located, or on which privately-owned rental, ownership, or

616 cooperative housing is to be constructed, for the purposes of assisting a tenant purchase pursuant

617 to the Tenant Opportunity to Purchase Act of 1980, effective September 10, 1980 (D.C. Law 3-

618 86; D.C. Official Code § 42-3404.01 *et seq.*), or to facilitate the production or preservation of

619 affordable housing. The land acquisition may be effectuated by means of:

620 (1) Direct purchase or transfer of the land from an owner-applicant;

621 (2) Acceptance of assignment of an applicant's right to purchase the property from

622 a third party; or

623 (3) Purchase of land or land and improvements from an applicant immediately

624 following the applicant's purchase of property from a third party.

625 (c) The Mayor may thereafter enter into a ground lease of the land to the owner or

626 developer of the rental or homeownership housing, provided that:

627 (1) As a condition of any ground lease entered into under this section, the Mayor

628 shall require that the owner of the land file a covenant in the land records of the District requiring

629 that during the term of the ground lease at least 50% of the housing units on the land shall be

630 Tier 3 affordable housing, as that term is defined in section 102 of the Housing Opportunity

631 Fund Act of 2026, introduced February 17, 2026 (D.C. Law 26-\_\_\_\_), or better;

632 (2) A lease entered into under this section for the purposes of assistant tenant  
633 purchase shall have a term of no less than 40 years.

634 (d) A lease entered into under this section shall not be subject to An Act Authorizing the  
635 sale of certain real estate in the District of Columbia no longer required for public purposes,  
636 approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*).

637 (e) Section 6(c) of the District of Columbia Community Development Act of 1975,  
638 effective December 16, 1975 (D.C. Law 1-39; D.C. Code § 6-1005(c)) shall not apply to the  
639 disposition of real property that was acquired by the District for the purposes of this section.

640 Sec. 204. Revolving public construction loan fund for affordable housing.

641 The District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C.  
642 Law 2-135; D.C. Official Code § 42-2701.01 *et seq.*) is amended as follows:

643 (a) Section 102 (D.C. Official Code § 42-2701.02) is amended by inserting a new  
644 paragraph (6A) to read as follows:

645 "(6A) "DCLF" has the meaning set forth in section 309(a) of this act.".

646 (b) A new section 309 is inserted to read as follows:

647 "Sec. 309. Revolving public construction loan fund for affordable housing.

648        "(a) The Agency may establish and administer a District Construction Loan Fund  
649        ("DCLF") from which it may provide housing project construction loans subject to the  
650        requirements of this section.

651        "(b) Notwithstanding any provision to the contrary in this act, the Agency may issue a  
652 construction loan from the balance of the DCLF to support a project under the following  
653 circumstances:

654                         "(1) The property is under the majority ownership and control of the District  
655     government, including any independent agency or instrumentality, or a subsidiary under the  
656     majority ownership and control thereof.

657                         "(2) The project applicant agrees that no less than 30% of units are Tier 2 and Tier  
658     3 affordable units, as those terms are defined in section 102 of the Housing Opportunity Fund  
659     Act of 2026, introduced February 17, 2026 (D.C. Law 26-\_\_\_\_), not including any housing units  
660     subsidized through a federal public housing annual contributions contract or project-based  
661     voucher that may otherwise be included in the project.

662                         "(3) The loan term does not exceed 5 years.

663                         "(4) The Agency charges interest at a rate calculated to cover the Agency's  
664     administrative costs for the loan and maintain the DCLF as a revolving fund.

665                         "(5) The applicant presents a plan for takeout financing and repayment of the loan  
666     at the time of application.

667                         "(c)(1) The Agency may capitalize the DCLF with proceeds from one or more taxable  
668     bond issuances.

669                         "(2) Notwithstanding anything to the contrary in this act, for purposes of  
670     capitalizing the DCLF using bond proceeds, the Agency and Mayor may enter into one or more  
671     agreements for the District to provide security in forms other than project-specific proceeds,  
672     including District revenues and debt service appropriations up to a specified annual maximum,  
673     provided, that bonds issued pursuant to this subsection shall not be general obligation bonds of  
674     the District.

675                   "(d) Nothing in this section, including the reiteration of specific authorities for purposes  
676 of administering the DCLF, shall be construed to limit general authorities of the Agency  
677 enumerated in this act.".

678                   Sec. 205. District opportunity to purchase certain properties.

679                   The Rental Housing Conversion and Sale Act of 1980 (D.C. Law 3-86; D.C. Official  
680 Code § 42-3401.01 *et seq.*) is amended as follows:

681                   (a) Section 402b(20) (D.C. Official Code § 42-3404.02b(b)(20)) is amended as follows:

682                   (1) The existing text is designated sub-paragraph (A).

683                   (2) Strike the phrase "A sale or transfer" and insert the phrase "Except as provided  
684 in sub-paragraph (B), a sale or transfer".

685                   (3) A new sub-paragraph (B) is added to read as follows:

686                   "(B) Notwithstanding section 432(a), for any transaction involving a  
687 housing accommodation exempt under this paragraph that would otherwise be considered a sale  
688 as defined in subsection (a) of this section, the owner of the housing accommodation shall  
689 provide the Mayor, on behalf of the District, an opportunity to purchase the housing  
690 accommodation pursuant to Title IV-A.".

691                   (b) Section 432(a) (D.C. Official Code § 42-3404.32(a)) is amended to read as follows:

692                   "(a) Except as provided in section 402b(b)(20)(B), the District's opportunity to purchase  
693 shall be subordinate to the right of a tenant.".

694                   (c) Section 433 (D.C. Official Code § 42-3404.33) is amended as follows:

695                   (1) Subsection (b) is amended as follows:

696                   (A) Paragraph (1) is amended to read as follows:

697                         "(1) After the purchase of a property pursuant to this subchapter, rents for units  
698 not governed by an existing affordability covenant or other local or federal affordability program  
699 shall be governed by Title II of the Rental Housing Act of 1985, effective July 17, 1985 (D.C.  
700 Law 6-10; D.C. Official Code § 42-3502.01 *et seq.*).

701 (B) Paragraph (2) is repealed.

702 (C) Paragraph (3) is repealed.

703 (D) Paragraph (4) is repealed.

704 (E) Paragraph (5) is repealed.

705 (2) Subsection (c) is repealed.

706 (3) Subsection (d) is repealed.

707 (d) Section 436 (D.C. Official Code § 42-3404.36) is amended by striking the phrase "to  
708 a qualified purchaser" and inserting the phrase "to an instrumentality of the District or to a  
709 qualified purchaser" in its place.

710 Sec. 206. Nonprofit Workforce Housing Properties eligibility clarification.

711 § 47-1005.03 is amended as follows:

712 (a) Subsection (a)(1) is repealed.

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

714        "(b) Subject to the provisions of this section, land and improvements owned and used by  
715        a nonprofit owner to provide rental housing shall be exempt from District of Columbia real  
716        property taxation, provided, that no less than 50% of the housing accommodation is comprised of  
717        Tier 3 affordable units, as that term is defined in section 102 of the Housing Opportunity Fund  
718        Act of 2026, introduced February 17, 2026 (Bill 26-\_\_\_\_), or higher.".

719 (c) Subsection (c) is repealed.

720 (d) Subsection (d) is repealed.

721 (e) Subsection (f)(2) is amended to read as follows:

722 "(2) For purposes of the certification required under paragraph (1), a

723 determination of whether a particular property or unit is eligible for an exemption under this

724 section shall be based upon the recording of a covenant in the land records of the District of

725 Columbia that units shall be rent- and income-restricted as set forth in subsection (b).".

726 **TITLE III. STANDARD PROVISIONS.**

727 Sec. 301. Rulemaking.

728 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,

729 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules

730 to implement the provisions of this act.

731 Sec. 302. Applicability.

732 (a) This act shall apply upon the date of inclusion of its fiscal effect in an approved

733 budget and financial plan.

734 (b) The Chief Financial Officer shall certify the date of the inclusion of their fiscal effect

735 in an approved budget and financial plan and provide notice to the Budget Director of the

736 Council for certification.

737 (c) The Budget Director shall cause the notice of the certification to be published in the

738 District of Columbia Register.

739 Sec. 303. Fiscal impact statement.

740 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact

741 statement required by section 4a of the General Legislative Procedures Act of 1975, approved

742 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

743 Sec. 304 Effective date.

744 This act shall take effect after approval by the Mayor (or in the event of veto by the

745 Mayor, action by the Council to override the veto) and a 60-day period of congressional review

746 as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December

747 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)).