

**Subject:** comments on- proposed rulemaking (RHC proposed rules 12/16/22)

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Mr. Mayer,

I am a landlord in DC. I have several comments on the proposed RHC rulemaking. The current landscape is a mess and even the judges don't know what to do sometimes.

Comments:

1. 4300.5 (\$600 threshold): It is not "futile" to issue a notice of nonpayment of less than \$600. The law does not state that a complaint can only be filed 30 days after \$600 in delinquency sits- and goes unpaid. Nothing in the law prohibits a notice of any amount from being a valid pre-suit notice, and there is no reason why the Court can't accept such a notice despite RHC feeling it should be "invalid." For a tenant in the voucher program who owes \$1-200/mth, it is stupid to force someone to wait three months of nonpayment just to start the legal clock and it's not the law.

2. 4300.7 g/h: License/Registration: the proposal states a business license # is required "if one was issued." The next section then states a notice won't be 'invalid' if it's missing one for a subtenant, implying that all other situations are invalid. There is no reason for any notice to be invalid if it doesn't include the # because the law allows the court to waive the requirement where there is cause. The proposed rule should be scrapped entirely for license and registration number- such notice is not being served on the Rent Administrator and filed under the registration #- nor is there reason to be wasting the court's time litigating disputes about business numbers being on notices. The rule should fully align with the law, which permits waiver.

"(q) No tenant shall be evicted from a rental unit unless the housing provider provides documentation to the court at the time of filing a writ of restitution demonstrating that the housing provider has a current business license for rental housing issued pursuant to § 47-2828(c)(1), **unless the court waived the license requirement**"

Same in DC Code 16-1501: "(2) **The Court may waive the requirements** for a current license for rental housing in this subsection if the person aggrieved can demonstrate that they were unable to obtain or renew a current rental housing license due to extenuating circumstances"

3. 4300.25 (service): "handing" is an awkward phrase. "Personally serving" would match service in the Code.

Sincerely,  
Alex Gallo  
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