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3 Chairman Phil Mendelson

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7 Councilmember Mary M. Cheh

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11 Councilmember Brianne K Nadeau

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15 Councilmember Kenyan McDuffie

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19 Councilmember Charles Allen

Councilmember Elissa Silverman

Councilmember Brandon Todd

Councilmember LaRuby May

Councilmember Anita Bonds

Councilmember Jack Evans

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23 A BILL

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29 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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34 To amend An Act To provide for the abatement of nuisances in the District of Columbia by
35 the Commissioners of said District, and for other purposes, to reduce the maximum
36 duration of vacant property tax exemptions, to allow for a partial rebate of vacant
37 property taxes if a property is sold or occupied within a year of being designated as
38 vacant, to increase maximum fines for noncompliance, and to require investigations of all
39 buildings with a water meter that is not running or is showing low usage.

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41 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
42 act may be cited as the "Vacant Property Enforcement Amendment Act of 2016".

43 Sec. 2. An Act To provide for the abatement of nuisances in the District of Columbia by
44 the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat.

45 115; D.C. Official Code § 42-3131.01 *et seq.*), is amended as follows:

46 (a) Section 6 (D.C. Official Code § 42-3131.06(b)(4)) is amended as follows:

47 (1) Subsection (b)(3) is amended by striking the phrase “date;” and inserting the
48 phrase “date, provided that the time period for this exemption shall not exceed one year from the
49 day the initial building permit was first issued;” in its place.

50 (2) Subsection (d) is amended by striking the word “fees” and inserting the phrase
51 “fees and any unpaid taxes assessed against the property” in its place.

52 (3) Subsection (f)(1) is amended by striking the phrase “3 real property tax years.”
53 and inserting the phrase “2 real property tax years.” in its place.

54 (c) A new section 6a is added to read as follows:

55 “Section 6a. Eligibility for Partial Refund of Class 3 Property Taxes.

56 “(a) Except as provided in subsection (b), an owner shall receive a partial refund of Class
57 3 Property Taxes if the owner submits evidence that demonstrates to the satisfaction of the
58 Mayor that:

59 “(1) The owner acquired the property from the District and, within one year of
60 taking title to the property, the building received a certificate of occupancy and the owner
61 actively sought in good faith to rent or sell it; or

62 “(2) Within one year of the building being placed on the vacant property list
63 compiled pursuant to section 16, the building became occupied, and the building thereafter
64 remained occupied for a period of at least six months.

65 “(b) An owner shall not be eligible for a partial refund of Class 3 Property Taxes under
66 this section if, while the property was owned by that owner or a related owner and after it
67 became vacant:

68 “(1) The owner failed to register the property as vacant pursuant to section 6 by
69 the required registration date;

70 “(2) The property’s registration was revoked pursuant to section 7;

71 “(3) The owner failed to timely pay any taxes and fees due in relation to the
72 property;

73 “(4) The property was subject to nuisance abatement or citation by the District; or

74 “(5) The property was finally determined to be blighted pursuant to section 11.

75 “(c) The partial refund of Class 3 Property Taxes owed under this section shall equal the
76 difference between actual property taxes paid for the most recent property tax year commencing
77 after September 30, 2017 that the property appeared on the vacant property list compiled
78 pursuant to section 16 and the property taxes for that year that would have been owed if the
79 property had not been vacant.”

80 (d) Section 10(a) (D.C. Official Code § 42-3131.10(a)) is amended by striking the phrase
81 “fine not to exceed \$1,000” and inserting the phrase “fine not to exceed \$5,000” in its place.

82 (e) Section 11 (D.C. Official Code § 42-3131.11) is amended by striking the phrase “The
83 Mayor shall identify nonregistered vacant buildings in the District, excluding vacant buildings
84 identified in § 42-3131.08, and blighted vacant buildings” and inserting the phrase “The Mayor
85 shall identify nonregistered vacant buildings in the District, excluding vacant buildings identified
86 in section eight, and blighted vacant buildings, by, among other actions, investigating all
87 privately-owned buildings not already registered or identified as blighted, vacant, or exempt that
88 have a water meter that is either not running or is showing low usage” in its place.

89 Sec. 3. Fiscal impact statement.

90 The Council adopts the fiscal impact statement in the committee report as the fiscal
91 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
92 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

93 Sec. 4. Effective date.

94 This act shall take effect following approval by the Mayor (or in the event of veto by the
95 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
96 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
97 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)) and publication in the District of
98 Columbia Register.