


Government of the District of Columbia  
Office of the Chief Financial Officer



**Glen Lee**  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Glen Lee  
Chief Financial Officer 

**DATE:** March 21, 2025

**SUBJECT:** Fiscal Impact Statement – Emergency Rental Assistance Program  
Reform Amendment Act of 2025

**REFERENCE:** Bill 26-46, Draft Committee Print as provided to the Office of Revenue  
Analysis on March 18, 2025

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**Conclusion**

Funds are sufficient in the fiscal year 2025 through fiscal year 2028 budget and financial plan to implement the bill.

**Background**

The bill makes permanent several changes made last year on a temporary basis<sup>1</sup> to the Emergency Rental Assistance Program (ERAP) within the Department of Human Services (DHS). First, ERAP applicants will continue to be required to document their eligibility. Under current permanent law<sup>2</sup>, an applicant could self-certify eligibility by providing a sworn declaration if documentation wasn't available. Second, applicants will continue to be required to document that an applicant's situation is the result of an unforeseen or unusual event that affects their ability to pay rent without assistance.

The bill adds some new requirements not included in the current temporary law. First, the bill requires the Mayor to issue regulations implementing the bill. Second, with regard to evictions based solely on claims of nonpayment, the bill requires a housing provider to reschedule an eviction for a date no earlier than in three weeks, if the tenant provides documentation of ERAP approval or a pending application. The current temporary law only allows for this with regard to an ERAP approval.

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<sup>1</sup> Emergency Rental Assistance Reform Temporary Amendment Act of 2024, expires July 30, 2025 (D.C. Law 25-253; 72 DCR 000326).

<sup>2</sup> D.C. Official Code § 4-753.08(2)(A).

The Honorable Phil Mendelson

FIS: Bill 26-46, "Emergency Rental Assistance Program Reform Amendment Act of 2025," Draft Committee  
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Second, if a court finds that a housing provider has not provided documentation to a tenant necessary for an ERAP application and caused a delay, then the court may waive rent for that month as not recoverable by the housing provider. Third, the bill adds a provision allowing a court to require a housing provider to provide necessary documents to tenants for an ERAP application, unless the housing provider demonstrates a third party is responsible for the delay.

### **Financial Plan Impact**

Funds are sufficient in the fiscal year 2025 through fiscal year 2028 budget and financial plan to implement the bill.

Making permanent the documentation requirements already in effect under the temporary law does not have a fiscal impact. Adding a rental waiver option for a judge if a housing provider doesn't provide documentation does not affect the budget and financial plan. Lastly, DHS can issue regulations within current resources.