

**If you are a tenant in the District of Columbia,
And you are age 62 or over,**

**Then, not only do you have all the rights
that all other District tenants have,**

You also have these additional rights:

1. **You have the right under rent control to a lower cap on your annual rent increase:**
Generally, if a rental unit is under rent control, the landlord may raise the rent only once per year, and by no more than the Consumer Price Index (CPI) + 2 %. *But if you qualify as “elderly” because you are aged 62 or over, or as a person with a disability, then your maximum rent increase is just the CPI.* (D.C. Official Code § 42-3502.08(h)). From May 1, 2013, through April 30, 2014, the “rent control” CPI will be 2.2%. To raise rents by more than this standard amount, the landlord must file one of five special petitions with the Rent Administrator and get the necessary approval.
2. **You have the right under rent control to an exemption from any surcharge for a capital improvement, PROVIDED that you are “income-qualified”:**
Under the rent control law, the landlord may seek a rent surcharge that is larger than the standard rent increase to pay for a capital improvement. But even if the landlord’s capital improvement petition is granted, you may be *exempt* from paying this surcharge. This exemption applies if you are aged 62 or over or have a disability, and your annual income is not more than \$40,000. (D.C. Official Code § 42-3502.06(f)). To qualify for the exemption, you must register your “elderly” or “disability” status with the Rent Administrator.

3. **If your building ever converts to a condominium or cooperative, you have the right to a life-time tenancy, PROVIDED that you are “income-qualified”:**

Generally, when a rental building converts to a condo or coop, a tenant who does not wish to own his or her unit may be evicted. However, you may qualify for “life-time tenancy” -- and for a life-time cap on rent increases. The rent increase cap is the annual CPI amount discussed above. This exemption applies if you are aged 62 or over or have a disability, and your annual income does not exceed 95 % of the “area median income” (D.C. Official Code § 42-3402.08).

4. **If you are failing to meet an obligation of your tenancy due to an infirmity or disability, you have the right to a “reasonable accommodation” before being evicted:**

Some elderly tenants may face eviction simply because an infirmity or disability prevents them from fulfilling their lease obligations. Common examples include failing to keep the unit clean and tidy; “hoarding”; and failing to pay the rent on time. The federal Fair Housing Act protects tenants who have such physical or mental impairments against eviction. It does so by requiring the landlord to make “reasonable accommodations,” including for example “heavy-duty housecleaning” to cure housing code violations, or assistance from a social worker in paying the rent. (42 U.S.C. § 3602(h); 42 U.S.C. § 3604(a), (f); *Douglas v. Kriegsfeld Corp.*, 884 A.2d 1109 (D.C. 2005)).

5. **You have the right NOT to be discriminated against because of your age or disability:**

Under the D.C. Human Rights Act, no landlord may refuse to rent you an apartment, or refuse to negotiate with you regarding a rental unit, or otherwise make rental units unavailable to you, on the basis of your age or a disability. (D.C. Official Code §2-1402.21).

6. **You have the right to keep a guide dog if you are visually impaired, even if your landlord prohibits pets in the building:**

Under the federal Fair Housing Act, you have the right to keep a guide dog or other “service animal” if that is necessary for you to be able to remain at the property. The landlord must honor this as a “reasonable accommodation” even if the building has a “no pets” rule. (42 U.S.C. § 3604). This right does not apply if the building has four or fewer units and the owner resides at the property, or if the private property owner owns no more than three single family houses.

If you have questions -- or if you need help exercising any of your tenant rights -- contact the D.C. Office of the Tenant Advocate, located at 2000 14th Street, N.W., Suite 300 North, Washington, DC 20009, or (202) 719-6560, or www.ota.dc.gov. You may also seek assistance at AARP Legal Counsel for the Elderly, located at 601 E Street, N.W., Washington, DC 20049, or (202) 434-2120, or www.aarp.org/states/dc/dc-lce.