Rent Payment Plans for District Tenants Affected by the COVID-19 Pandemic

a. Payment plan program required: Each landlord must develop a rent payment plan ("payment plan") and make it available to tenants during the Public Health Emergency ("PHE") and for one year thereafter (through July 24, 2022).
b. Required coverage: A payment plan must cover any rent that comes due during the PHE, and for up to one year thereafter (again, through July 24, 2022), so long as the tenant remained a tenant.
c. Plan must include fees charged under the lease: The landlord must also include in the payment plan any amenity fee or other fee that is a part of the lease.
d. Eligibility: To be eligible, a tenant must notify the landlord that the PHE directly or indirectly caused the tenant to be unable to pay all or a portion of the rent due.
e. Minimum term length: A payment plan must have a minimum term length of one year, unless the tenant requests a shorter term.
f. Payment schedule: A payment plan’s payment schedule shall be equal monthly installments, unless the tenant requests a different payment schedule.
g. No waiver of rights under the lease: A payment plan may not require a tenant to give up any rights under the tenant’s lease.
h. Application procedure: The landlord must establish a payment plan application procedure, and must accept applications both by telephone and online.
i. Proof of hardship: The landlord generally cannot deny an application where the tenant documents inability to pay rent during the covered period due to a financial hardship resulting directly or indirectly from the COVID-19 Public Health Emergency.
j. No negative credit reporting: The landlord may not report to credit bureaus any delinquency arising from the tenant’s participation in a payment plan, so long as the tenant complies with the terms of the payment plan.
k. No penalties or fees: The landlord cannot charge interest, fees, or penalties associated with entering into a payment plan.
l. Complaints: A tenant may file a complaint with the Rent Administrator if the landlord denies an application for a rent payment plan. A tenant should use the Rent Administrator’s official Tenant Payment Plan Complaint form (Form 24), which can be found at this link in several languages.

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2 https://dhcd.dc.gov/service/rent-control

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