

Rent Payment Plans for District Tenants Affected by the COVID-19 Pandemic¹

- 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](#)² in several languages.

¹ D.C. Official Code § 42–3192.01. Found at <https://code.dccouncil.us/us/dc/council/code/sections/42-3192.01.html>.

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