



District of Columbia
Municipal
Regulations
Title 14

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DCMR Title 14

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This Title has chapters numbered to 65, with many chapters reserved (blank). The other chapters are divided into subsections, as follows:

- Subsection B (Ch. 14-16) deals with procedures for occupancy permits and code violations.
- Subsection C (Ch. 17-24) deals with the tenant assistance program.
- Subsection D (Ch. 25-37) is entitled Home Ownership and Rehabilitation, and concerns the home ownership assistance program.
- Subsection E (Ch. 38-59) deals with rent control.
- Subsection F (Ch. 60-65) concerns low-income housing.

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CHAPTER 1 ADMINISTRATION AND ENFORCEMENT

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100 GENERAL PROVISIONS

- 100.1 The provisions of this subtitle (chapters 1-13 of this title) shall apply to every premises or part of any premises occupied (including those owned by the District of Columbia government), used, or held out for use as a place of abode for human beings.
- 100.2 The provisions of this subtitle are promulgated for the purpose of preserving and promoting the public health, safety, welfare, and morals through the abatement of certain conditions affecting residential buildings and areas, including dilapidation, inadequate maintenance, overcrowding, inadequate toilet facilities, inadequate bathing or washing facilities, inadequate heating, insufficient protection against fire hazards, inadequate lighting and ventilation, and other insanitary or unsafe conditions.
- 100.3 Notwithstanding any other provision of this subtitle, the Mayor may delegate the authority to enforce these regulations to any agency he or she deems appropriate.
- 100.4 Whenever any officer or department of the District government is referred to in this subtitle, the term shall include the agent of that officer or department.
- 100.5 Each section and subsection of this subtitle shall be independent of and severable from every other section or subsection, and the finding or holding of any section or subsection to be void, invalid, or ineffective for any cause shall not be deemed to affect any other section or subsection.

AUTHORITY: Unless otherwise noted, the authority for this chapter is contained in paragraphs 28 and 48 of §7 of An Act to make appropriations to provide for the government of the District of Columbia for fiscal year ending June 30,1903, and for other purposes. Public No. 218, approved July 1, 1902, as amended by An Act approved July 1,1932, and as further amended by An Act approved July 22, 1947. I

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§1 104,2101 and 2102,0.0. 55-1503 (August 11, 1955); as amended by §6 of the Regulation Enforcement and Fire Safety Amendment Act of 1979, D.C. Law 3-42 26 DOR 2082 (November 8, 1979).

101 CIVIL ENFORCEMENT POLICY

- 101.1 The maintenance, of leased or rental habitations in violation of the provisions of this subtitle, where those violations constitute a danger to the health, welfare, or safety of the occupants, is declared to be a public nuisance.
- 101.2 The abatement of the public nuisances referred to in §101.1 by criminal prosecution or compulsory repair, condemnation, and demolition alone has been and continues to be inadequate.
- 101.3 The public nuisances referred to in §101.1 additionally cause specific, immediate irreparable and continuing harm to the occupants of these habitations.
- 101.4 The public nuisances referred to in §101.1 damage the quality of life and the mental development and well-being of the occupants, as well as their physical health and personal property, and this harm cannot be fully compensated for by an action for damages rescission or equitable set-off for the reduction in rental value of the premises.
- 101.5 It is the purpose of this section to declare expressly a public policy in favor of speedy abatement of the public nuisances referred to in §101.1, if necessary, by preliminary and permanent injunction issued by Courts of competent jurisdiction.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2901, 0.0.55-1503 (August 11, 1955).

102 ENFORCEMENT AND PENALTIES

- 102.1 Any person, other than a person licensed as a housing business under authority of D.C. Code §47-2828 (1981) and chapter 2 of this subtitle, who fails to comply with any provision of this subtitle after expiration of the time for compliance established in accordance with this subtitle shall, upon conviction, be punished by a fine not to exceed three hundred dollars (\$300), or by imprisonment for not more than ninety (90) days, in lieu of or in addition to any fine, for such failure to comply.
- 102.2 No further penalties shall be imposed under §102.1 for an offense during the period in which any appeal from a conviction of that offense is pending.
- 102.3 Any person licensed as a housing business under authority of D.C. Code §47-2828 (1981) and chapter 2 of this subtitle, who fails to comply with any provision of this subtitle shall upon conviction, be punished by a fine not to exceed three hundred dollars (\$300) or imprisonment for not more than ninety (90) days for each such failure to comply.
- 102.4 Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this chapter, or any rules or regulations issued under authority of this subtitle pursuant to titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985. Adjudication of any infraction of this chapter shall be pursuant to titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985.
- 102.5 Any person, including a tenant, who causes a violation of any provision of this subtitle is subject to the same penalties as those provided in this section.
- 102.6 In the event of any failure to comply with any provision of this subtitle, each and every day such violation continues shall constitute a separate offense.

- 102.7 The penalties prescribed in §§102.1 and 102.3 shall be applicable to each separate offense, except as provided in §102.2.
- 102.8 The violation of any applicable provision of this subtitle or the failure to comply with any of the applicable requirements of this subtitle shall be grounds for the institution of proceedings for revocation of a license issued under chapter 3 of this title, as provided in the License Act.

SOURCE: The Housing Regulations, SG DCRR §2104, C.O. 55-1503 (August 11, 1955), as amended by §4 of the Smoke Detector Act of 1978 Amendment Act of 1984, D.C. Law 5-139, §4, 31 DCR 5751 5744; and by §489 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, D.C. Law 6-42, 32 OCR 4450, 4482.

103 PLACARDING

- 103.1 If any premises (or part of any premises) occupied by a housing business does not comply with the provisions of this subtitle, or a violation of this subtitle is permitted to continue in the premises, the Director, after reasonable notice to the operator, in his or her discretion, may place upon the entrance to that part of the premises found to be in violation, a placard declaring the premises or part of the premises to be unfit for human habitation.
- 103.2 A placard, after being posted under the provisions of §103.1, shall not be removed by any unauthorized person.
- 103.3 In the case of apartments and tenements only, thirty (30) days after the date of placarding under §103.1, it shall be unlawful for any operator to permit the occupancy of or for any person to occupy that apartment or tenement (or the affected part of that apartment or tenement) until the placard is removed by the Director.

SOURCE: The Housing Regulations, 50 DCRR §3301, C.O. 55-1503 (August 11, 1955).

104 RIGHT OF ENTRY BY GOVERNMENT OFFICIALS

- 104.1 Any duly designated agent of the District may, at all reasonable hours, lawfully enter any premises for the purpose of enforcing this subtitle.
- 104.2 The District, both prior to the issuance of a housing business license and during the license period, may, at all reasonable hours, enter and inspect the premises occupied or to be occupied by a housing business, except as provided in §104.3.
- 104.3 If the operator of a housing business claims that any portion of a premises is under the exclusive control of a tenant, and the operator has so notified the Director, in accordance with the requirements of Commissioners' Order 301,260/10 (September 14, 1948), as amended, the District shall make no inspection of that portion of the premises so designated without first having obtained from the tenant or his agent permission to make any inspection required by this subtitle.
- 104.4 If any tenant of a housing business persists in refusing to permit an inspection of that portion of the premises under his or her exclusive control, that tenant shall be in violation of this subtitle.

104.5 Refusal to permit an agent of the District to inspect the premises occupied or to be occupied by a housing business shall be cause for withholding the issuance of a license for those premises until the inspection is permitted.

104.6 Refusal to permit an agent of the District to inspect the premises occupied or to be occupied by a housing business shall be cause for the revocation of any existing license.

SOURCE: The Housing Regulations, 5G DCRR §§2103, 3104, C.O. 55-1503 (August 11, 1955).

105 NOTICE OF VIOLATION

105.1 Whenever any duly designated agent of the District finds reasonable grounds to believe that a violation of any provision of this subtitle exists, he or she shall make a report to the Director, who may give notice of the alleged violation to the person or persons responsible for that violation.

105.2 Each notice of violation shall be in writing and shall meet the following requirements:

- a. State the nature of the violation;
- b. Indicate the section or sections of this subtitle being violated;
- c. Allow a reasonable time for the performance of any act required by the police; and
- d. Be signed by the Director or the Director's authorized agent.

105.3 Each notice shall be served upon the person or persons responsible for correcting the violation described in the notice.

105.4 The notice shall be deemed to be properly served upon the person to be notified by any of the following means:

- a. By serving a copy of the notice upon him or her personally; or
- b. By leaving a copy of the notice at his or her usual place of business or at his or her usual residence with a person over the age of sixteen (16) years then employed or residing at that place; or
- c. If no residence or place of business can be found in the District by reasonable search, by leaving a copy of the notice with any agent of the person to be notified who has any authority or duty with reference to the premises to which the notice relates, or by leaving a copy of the notice at the office of that agent with any person employed in that office; or
- d. By mailing a copy of the notice postage prepaid to the last known address of the person to be notified, if the mailed notice is not returned by the Post Office authorities; or
- e. If no address is known or can be ascertained by reasonable diligence, or if any notice mailed as authorized by paragraph (d) of this subsection is returned undelivered by the Post Office authorities, or if by reason of an outstanding unrecorded transfer of title the name of the owner in fact cannot be ascertained by a reasonable search, by publishing a copy of the notice on three (3) consecutive days in a daily newspaper published in the District.

SOURCE: The Housing Regulations, 50 DCRR §1301 CO. 55-1503 (August 11, 1955).

106 NOTIFICATION OF TENANTS CONCERNING VIOLATIONS

- 106.1 After an inspection of a habitation, the Director shall provide the tenant of the habitation a copy of any notification with respect to that habitation issued to the owner pursuant to this subtitle.
- 106.2 The notification to the tenant shall state plainly and conspicuously that it is only for the tenant's information; Provided, that if the notice places duties on the tenant, it shall state those duties.
- 106.3 In any instance where a violation of this subtitle directly involves more than one habitation, the Director shall post a copy of any notification issued to the owner pursuant to this chapter for a reasonable time in one or more locations within the building or buildings in which the deficiency exists. The locations for posting the notification shall be reasonably selected to give notice to all tenants affected.
- 106.4 No person shall alter, modify, destroy, or otherwise tamper with or mutilate a notification posted under this section.
- 106.5 Any tenant directly affected by the violation(s) shall, upon request to the Director, be sent a copy of the posted notification.
- 106.6 This section shall not be subject to any notice requirement of this subtitle.

SOURCE: The Housing Regulations, 5G DCRR §2903(b), CO. 55-1503 (August 11, 1955).

107 APPEAL AND HEARING

- 107.1 Any owner, licensee, or operator of any premises subject to the provisions of this subtitle who is adversely affected by a determination made pursuant to this subtitle or title I or II of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 may file an appeal in writing with the Board of Appeals and Review.
- 107.2 The appeal shall be filed within ten (10) days after the date of service of the notice of violation unless, in the public interest, the notice of violation specifies a period of less than ten (10) days, but not less than twenty-four (24) hours, within which to file an appeal, except as provided in §107.3.
- 107.3 If a request for a variance has been submitted to the Director in accordance with the provisions of §109, the appeal shall be filed within ten (10) days after the date of service of the notice of the final determination on that request for a variance.

SOURCE: The Housing Regulations. 5G DORR §2703, C.O. 55-1503 (August 11, 1955); as amended by §3 of Council Regulation 74-11, approved May 31, 1974, as further amended by §489 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, D.C. Law 6-42, 32 DCR 4450,4482.

108 DEPOSIT OF COLLATERAL FOR UNCORRECTED VIOLATIONS

108.1 If orders are issued for one (1) or more violations specified in §108.2 or §108.3, and no appeal from the orders has been taken, and reinspection of the premises indicates that one or more of the items have not been corrected, then the Director or his or her authorized representative may issue a notice requiring the deposit of collateral for the uncorrected item or items.

108.2 The following violations of this subtitle shall be subject to the provisions of this section:

Bedding	§§1005, 1104
Cleanliness and Sanitation	§800
Drainage	§703
Extermination	§805
Facilities for Food Preparation and Storage	§600
Gutters and Downspouts	§703
Heating	§501
Locks and Keys	§607
Mattresses	§607
Receptacles for Ashes, Garbage or Refuse	§803
Register	§§1002, 1102
Screening	§806
Sheds and Fences	§808
Storage of Ashes, Garbage or Refuse	§803
Unoccupied and Uncompleted Buildings	§900
Water Heating Facility	§606
Windows and Doors	§705

108.3 The Director may, with respect to residential property, enforce the following regulatory requirements by the use of the procedure authorized in this section as they are discovered in the course of standard housing inspections:

POLICE REGULATIONS

Safeguarding of unused or discarded refrigerators, iceboxes, freezer lockers, or other boxes or containers capable of confining children	Art. 39, §1
Keeping fowl without a permit	Art. 18, §7
Keeping pigeons without a permit	Art. 18, §10

HEALTH ORDINANCES

Obstructed pipes and drains	§10 (Health Regs.)
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108.4 The Director may, with respect to residential property, enforce the following statutory requirements (D.C. Code, 1981 Ed.) as they are discovered in the course of standard housing inspections by using the procedure authorized in this section:

- a. Nuisances to be abated D.C. Code §5-604 (1981); and
- b. Removal of weeds D.C. Code §§6-1101, 6-1102 (1981).

108.5 The notice authorized by this section shall:

- a. State the nature of the violation;
- b. Provide for a period of five (5) days after receipt of notice for the responsible person to deposit collateral as directed; and
- c. Provide for the responsible person the options of forfeit in collateral or requesting a court trial.

SOURCE: The Housing Regulations, 5G DCRR §§2801, 2802, 2803, CO. 55-1503 (August 11,1955); as added by Commissioners' Order 64-274.

109 VARIANCES

109.1 Any owner, licensee, or operator required to perform an act by this subtitle may be excused by the Director or by the Board of Appeals and Review from the performance of that act, either in whole or in part, upon a finding by the Director or by the Board that the full performance of the act would result in exceptional or undue hardship by reason of excessive structural or mechanical difficulty, or impracticability of bringing the premises affected into full compliance with the requirements of this subtitle.

109.2 A variance may be granted only where, and to the extent, necessary to ameliorate exceptional or undue hardship and only when compensating factors are present which give adequate protection to the public health, welfare, safety, or morals, and the variance can be granted without impairing the intent and purposes of the housing program of the District of Columbia as embodied in this subtitle.

109.3 The owner, licensee, or operator may submit, on his or her own initiative, a written request for a variance setting forth the nature of the act required to be performed, the exceptional or undue hardship which would result from its performance, and any variance from the terms of the notice and requirements of this subtitle which the owner, licensee, or operator may seek.

109.4 Each request for a variance shall be filed with the Director within the period specified in the notice for compliance, but in no case more than thirty (30) days after the service of that notice.

109.5 The Director may refer requests for variances, without final decision, to the Board of Appeals and Review for the action of the Board.

109.6 A written record shall be maintained of each variance granted or denied, and the written record shall be available for inspection by the public.

SOURCE: The Housing Regulations, SG DCRR §2702, CO. 55-1503 (August 11, 1955).

110 PERMITS FOR REPAIRS AND IMPROVEMENTS

- 110.1 Any repair or improvement which may be required by a notice issued under the authority of this subtitle for which a permit is required to be issued shall not be made until a permit has been issued by the District.
- 110.2 The permit shall not be conditioned on the making of any repair or improvement, except as required under this subtitle or in order to comply with a notice issued under the authority of this subtitle.
- 110.3 All work performed under a permit shall be done in accordance with all applicable laws and regulations. If there is any difference in standards between this subtitle and other applicable regulations of the District, the provisions of this subtitle shall apply.
- SOURCE: The Housing Regulations, 5G DCRR §2704, CO. 55-1503 (August 11, 1955).

199 DEFINITIONS

- 199.1 For the purpose of chapters 1 through 19 of this title (the District of Columbia Housing Code), the following words and terms shall have the meanings ascribed:

Apartment - one or more habitable rooms with kitchen and bathroom facilities exclusively for the use of and under the control of the occupant of the room(s).

Apartment house - any building or part of a building in which there are three (3) or more apartments, as defined in this section, which are occupied, or offered for occupancy, for consideration; or three (3) or more apartments plus one or more bachelor apartment.

Ashes - the residue from the burning of wood, coal, coke, or other combustible material, and includes household incinerator ashes, or oyster or clam shells.

Bachelor apartment - one or more habitable rooms with bathroom facilities exclusively for the use of and under the control of the occupant of the room(s), in a building containing three (3) or more apartments as defined in this section; Provided, that in that building no kitchen facilities or privileges are available to or used by the occupant of the bachelor apartment. For the purpose of this title, a bachelor apartment shall be considered a dwelling unit.

Bathing facility - either a bathtub or a shower.

Bathroom - any room or compartment containing a water closet, shower, or bathtub, or any combination of those facilities.

Board of Appeals and Review - the Board of Appeals and Review established by Organization Order #112, approved August 11, 1955.

Boarding house - any building or part of a building, other than a hotel, used as, maintained as, advertised as, or held out to be an enclosure where meals or lunches are furnished for a consideration to five (5) or more transients who have sleeping

accommodations upon the premises, or to five (5) or more boarders.

Chief of Police - the Chief of Police of the District of Columbia, or his or her agent.

Common space - all portions of the premises used in common by the occupants of a building housing more than one habitation and not under the exclusive control of the tenant of any one habitation.

Custodial care - the care of persons who may be dangerous to themselves or others, or who are alcoholics or drug addicts. This care may include any or all of the following procedures:

- a. Giving of bedside care;
- b. Administration of medicines;
- c. Provision of special diets; or
- d. Carrying out of treatments prescribed by a physician.

Dietetic facilities - any place where food, drinks, or refreshments are prepared, stored, or served; and any place or room where utensils are washed, rinsed, sterilized, or stored ready for use.

Director - the Director of the agency of the District of Columbia to whom authority and responsibility for the implementation and enforcement of any provision of this title has been delegated by the Mayor.

Domiciliary care - the care required by a person because of an infirmity, chronic disease, or advancing age. This care may include any or all of the following procedures:

- a. Personal care;
- b. Provision of special diets;
- c. Feeding in sleeping rooms;
- d. Giving of bedside care; or
- e. Assistance in rising, feeding, dressing, walking, toileting, or any other ordinary activity of life.

Dwelling - a residential building used or intended to be used for human habitation by members of not more than one family.

Dwelling, multiple - any residential building containing three (3) or more dwelling units, three (3) or more rooming units, or any combination of dwelling or rooming units totaling three (3) or more.

Dwelling, two family - a residential building used or intended to be used for human habitation by not more than two (2) families, each with separate household arrangements.

Dwelling unit - any habitable room or group of habitable rooms located within a

residential building and forming a single unit which is used or intended to be used for living, sleeping, and the preparation and eating of meals. For purposes of this title, "dwelling unit" includes bachelor apartment.

Eating, drinking, or cooking utensils - any kitchenware, tableware, cutlery, glassware, utensils, containers, or other equipment with which food or drink comes in contact during preparation, serving, or storage.

Exterior Surface - exterior surfaces readily accessible to children under the age of eight (8) years for any dwelling, dwelling unit, or other structure on residential premises including publicly owned residential property. Readily accessible exterior surfaces shall specifically include doors, door frames, railings, steps, window frames and sills.

Family - as used in this subtitle, the term "family" includes, but is not limited to, a single person living alone.

Fire Chief - the Fire Chief of the District of Columbia or his or her agent.

Food Handler - any person who handles food or drink during the preparation or serving of the food or drink, or who comes in contact with any eating, drinking, or cooking utensils.

Garbage - the animal and vegetable waste resulting from the handling, preparation, cooking, or consumption of food.

Habitable room - an undivided enclosed space which has sufficient light and ventilation, protection against the elements, and ceiling height to comply with this title, and which is properly located with reference to the ground surface to comply with this title. Habitable rooms include rooms used for living or sleeping, and rooms in dwelling units used for the preparation or eating of meals, but do not include attics, cellars, closets, corridors, hallways, laundries serving or storage pantries, bathrooms, or similar places.

Habitation - any place used as a dwelling unit or rooming unit.

Hotel - any building or part of a building where not less than thirty (30) habitable rooms are reserved exclusively for transient guests, and where meals are prepared in a kitchen on the premises by the management or a concessionaire of the management to be eaten in a dining room accommodation simultaneously not less than thirty (30) persons (which dining room shall be communicating with the lobby). If kitchen or dining room facilities are operated by a concessionaire, the hotel licensee and its manager shall be liable for compliance with all regulations applicable to the kitchen and dining area including the penalties under those regulations, unless otherwise specifically provided in this title.

Interior surface - any surface in the interior of any residential building, including, but

not limited to any portion of a window, window frame, door, door frame, wall, ceiling, stair, rail, spindle, balustrade or other guard or appurtenance.

Motel - a building containing not less than thirty (30) non-connecting habitable rooms, suites, or combinations of rooms and suites reserved exclusively for transient guests. Each room or suite must have a private bath and at least one (1) private parking space. The term "motel" shall include motor courts, tourist courts, and motor lodges.

Nurse's aide - anyone who through an in-service program has been trained to give to convalescents services which do not require the skills of a professional or practical nurse.

Nursing care - care required by a person because of a mental or physical condition during recovery from an injury or disease, or during delivery or seventy-two (72) hours after delivery. This care may include any or all of the following procedures:

- a. Giving of bedside care;
- b. Administration of medicines;
- c. Provision of special diets;
- d. Application of dressings and bandages; or
- e. Carrying out of treatments prescribed by a physician.

Occupant - any person over one year of age, living, sleeping, cooking, or eating in, or having actual possession of a habitation.

Operator - the licensee of any premises subject to being licensed under the provisions of the License Act of July 1, 1902, as amended (Title 47, Chapter 28, D.C. Code (1981), or the agent of a licensee appointed to conduct the business of the licensee.

Owner - any person who, alone or jointly or severally with others, meets either of the following criteria:

- a. Has legal title to any building arranged, designed, or used (in whole or in part) to house one or more habitations; or
- b. Has charge, care, or control of any building arranged, designed or used (in whole or in part) to house one or more habitations, as owner or agent of the owner, or as a fiduciary of the estate of the owner or any officer appointed by the court. Any persons representing the actual owner shall be bound to comply with the terms of this title and any notice or rules and regulations issued pursuant to this title, to the same extent as if he or she were the owner.

Person - any individual, firm, partnership, corporation, company, or association; and includes any personal representative, trustee, receiver, assignee or other similar representative. In determining permissible occupancy only those persons over one year of age shall be considered.

Physician - a person licensed to practice the healing art in the District of Columbia.

Practical nurse - a person who has graduated from a school of practical nursing approved by the National Association of Practical Nurse Education, or who has attended at least one year of an approved school of professional nursing, or who is licensed in a state as a practical nurse.

Premises - a building, together with any fences, walls, sheds, garages, or other accessory buildings appurtenant to that building, and the area of land surrounding the building and actually or by legal construction forming one enclosure in which the building is located.

Professional nurse - a person who is currently registered by the Nurses' Examining Board of the District of Columbia to practice professional nursing in the District of Columbia.

Refuse - any solid household wastes excepting ashes, dead animals, garbage, or human excreta.

Resident - a person who makes the District of Columbia his or her principal place of abode.

Residential building - any building which is wholly or partly used or intended to be used for living and sleeping by human occupants.

Residential premises - any building wholly or partly used or intended to be used for living and sleeping by human occupants, together with any fences, walls, sheds, garages, or other accessory buildings appurtenant to the building, and the area of land surrounding the building and actually or by legal construction forming one enclosure in which such a building is located.

Rooming house - any building or part of a building, other than a hotel or a motel, containing sleeping accommodations occupied for a consideration by or offered for occupancy for a consideration to five (5) or more persons who are not members of the immediate family of the owner or lessee of the building or part of the building, and which accommodations are not under the exclusive control of the occupants of the accommodations.

Rooming unit - any habitable room or group of habitable rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for the preparation or eating of meals.

Tenant - any person who holds or possesses a habitation in subordination to the title of the owner of the premises in which such habitation is located, with the consent of such owner.

Tenement - a dwelling unit consisting of one or more habitable rooms under the

exclusive control of the tenant of each dwelling, who does not also have in connection with the dwelling unit bathroom facilities under his or her exclusive control. The term "tenement" shall not include "apartment" or "bachelor apartment", as defined in this chapter.

Tenement house - any building or part of a building containing three (3) or more tenements occupied or offered for occupancy for a consideration; or any building or part of a building containing a combination of three (3) or more tenements and apartments, of which not more than two (2) are apartments, occupied or offered for occupancy for a consideration.

Transient - any person living in a rooming unit for a period of not more than five (5) consecutive days during any one stay in that unit.

SOURCE: The Housing Regulations, SG DCRR §1102, CO. 55-1503 (August 11, 1955), as amended by Commissioners Order 63-1354 issued June 6,1963, 9 DCR 276 (June 24, 1963); by §1 of Commissioners Order 70-111 issued March 29,1970,16 DCR 386 (April 20,1970); by §1 of Council Regulation 73-7 approved April 12, 1973 (19 DCR 931); by §201 of the Community Residence Facilities Licensure Act of 1977, D.C. Law 2-35,24 DCR 1458, 1514 (August 19,1977); and by §2 of the Lead-Based Paint Poisoning Prevention Act of 1983, 30 OCR 4156 (August 19, 1983).

CHAPTER 2 HOUSING BUSINESS LICENSES

Secs

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200 GENERAL LICENSING REQUIREMENTS

- 200.1 The provisions of this chapter shall be applicable to housing businesses licensed under the authority contained in paragraph 28 of §7 of the Act approved July 1, 1902, D.C. Code §47-2828 (1981), as amended.
- 200.2 Whenever any provision of this chapter 2 which is specifically applicable to housing businesses conflicts with or supersedes a general provision of this subtitle, the provision specifically applicable to housing businesses shall be applicable.
- 200.3 No person shall operate a housing business in any premises in the District of Columbia without first having been issued a housing business license for the premises

by the District.

200.4 No license to operate a housing business shall be issued or retained if the Chief of Police determines that the applicant for the license or the licensee is not a person of good character. An adverse report by the Chief may be appealed to the Board of Appeals and Review.

200.5 No license to operate or conduct a particular housing business in premises not approved during the immediately preceding license period and currently zoned or excepted for that use in the District of Columbia shall be issued until the Director has determined that the applicable provisions of this subtitle have been observed.

200.6 The licensee shall have each valid license framed under clear glass or plastic and shall post the license (or cause the license to be posted) in a conspicuous place in the residential building for which that license is issued.

AUTHORITY: Unless otherwise noted, the authority for this chapter is contained in paragraphs 26 and 46 of §7 of An Act to make appropriations to provide for the government of the District of Columbia for fiscal year ending June 30, 1903, and for other purposes, Public No. 218, approved July 1, 1902, as amended by An Act approved July 1, 1932, and as further amended by An Act approved July 22, 1947.

SOURCE: The Housing Regulations of the District of Columbia, SG DCRR §§3101,3102, 3105, CO. 55-1503 (August 11, 1955); as amended by C.O. 57-3191 issued November 27,1957.

201 INSPECTION OF PREMISES

201.1 The Fire Chief and the Directors of the District agencies responsible for enforcement of the housing and health regulations shall inspect every licensed housing business and any premises for which a housing business license application has been filed with the District, and the Chief of Police shall inspect every licensed housing business in accordance with the provisions of this section.

201.2 The Director of the applicable agency shall determine conformity with the applicable provisions of the license laws and regulations, and shall require that the building or part of the building to be licensed complies with the applicable provisions of the laws and regulations enforced by him or her relating to buildings and appurtenances.

201.3 The Director of the agency responsible for enforcement of public health regulations shall require that the premises comply with the applicable provisions of the laws and regulations enforced by him or her relating to public health.

201.4 The Fire Chief shall require that the premises comply with the applicable provisions of the laws and regulations enforced by him or her relating to fire prevention and control.

201.5 The Chief of Police shall require that the operator comply with the applicable provisions of the laws and regulations enforced by him or her relating to the operation of housing businesses.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§3103, CO. 55-1503 (August 11,1955).

202 REGISTRATION AND CERTIFICATION OF MANAGERS

- 202.1 If the manager of a housing business is someone other than the licensee, that manager shall register his or her full name and address, and the location of the housing business of which he or she is manager, with the license officer for the police precinct in which the housing business is located.
- 202.2 The manager of a housing business that is first opened for business after promulgation of these regulations shall register within five (5) business days after the opening of the business.
- 202.3 If the position of manager is created for an existing housing business, or a change in management of an existing housing business is made, the new manager shall register with the license officer of the police precinct within five (5) business days.
- 202.4 No person shall manage a housing business if the Chief of Police determines that the person is not of good character. An adverse report by the Chief of Police may be appealed to the Board of Appeals and Review.
- SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §3106, CO. 55-1503 (August 11, 1955).

203 RENEWAL OF HOUSING BUSINESS LICENSES

- 203.1 The Director may, upon application, issue a renewal of a valid housing business license subject to subsequent determination that the applicable provisions of this subtitle are being observed.
- 203.2 Concurrent with filing the application for renewal of a housing business license, the licensee shall file with the Director a report itemizing total security deposits being held for that business pursuant to chapter 3 of this subtitle. The report shall include the nature, location, and amount of the escrow account in which the deposits are being held, and any additional information which may be required by the Director regarding the status of the deposits.
- SOURCE: The Housing Regulations of the District of Columbia, SG DCRR §3102.3. C.O. 55-1503 (August 11, 1955), as amended by §4 of the Security Deposit Act, D.C. Law 1-48, 22 DCR 2823, 2828 (November 28, 1975).

204 DENIAL, SUSPENSION, AND REVOCATION OF LICENSES

- 204.1 Refusal to permit the District of Columbia to inspect the premises occupied or to be occupied by a housing business shall be cause for withholding the issuance of a license for the premises until such time as inspection is permitted.
- 204.2 Refusal to permit the District of Columbia to inspect the premises occupied by a licensed housing business shall be cause for revocation of the license.
- 204.3 The violation of any applicable provision of this subtitle or the failure to comply with any of the applicable requirements of this subtitle shall be cause for the institution of proceedings as provided for in the License Act.

204.4 Any licensee who fails to comply with the applicable provisions of this subtitle after due notice of deficiencies may have his or her license suspended or revoked.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §53102, 3104, 3302, CO. 55-1503 (August 11, 1955), as amended by §4 of the Security Deposit Act, D.C. Law 1-4.8, 22 DCR 2823, 2827 (November 26, 1975).

299 DEFINITIONS

299.1 The provisions of §199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.

CHAPTER 3 LANDLORD AND TENANT

Secs

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- [300](#) Notice to Tenants of Housing Code Provisions
- [301](#) Implied Warranty and Other Remedies
- [302](#) Voiding Lease for Violation of Regulations
- [303](#) Signed Copies of Agreements and Applications
- [304](#) Prohibited Waiver Clauses in Lease Agreements
- [305](#) Inspection of Premises after Breach of Warranty or Voided Lease
- [306](#) Written Receipts for Payments by Tenants
- [307](#) Prohibition of Retaliatory Acts Against Tenants
- [308](#) Security Deposits
- [309](#) Repayment of Security Deposits to Tenants
- [310](#) Return of Security Deposit: Inspection of Premises
- [311](#) Interest on Security Deposit Escrow Accounts
- [399](#) Definitions

300 NOTICE TO TENANTS OF HOUSING CODE PROVISIONS

300.1 The owner of each habitation shall provide to each existing tenant, and shall at the commencement of any tenancy provide to the tenant, a copy of the provisions of this chapter and a copy of the following sections of chapter 1 of this subtitle:

- a. Chapter 1, §101 (Civil Enforcement Policy); and
- b. Chapter 1, §106 (Notification of Tenants Concerning Violations).

AUTHORITY: Unless otherwise noted, the authority for this chapter is contained In paragraphs 28 and 46 of §7 of An Act to make appropriations to provide for the government of the District of Columbia for fiscal year ending June 30, 1903, and for other purposes, Public No. 218, approved July 1, 1902, as amended by An Act approved July 1, 1932, and as further amended by An Act approved July 22, 1947.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2904, C.O. 55-1503 (August 11, 1955).

301 IMPLIED WARRANTY AND OTHER REMEDIES

301.1 There shall be deemed to be included in the terms of any lease or rental agreement covering a habitation an implied warranty that the owner will maintain the premises in compliance with this subtitle.

301.2 The rights, remedies, and duties set forth in this chapter shall not be deemed to be exclusive of one another unless expressly so declared or to preclude a court of law from determining that practices, acts, lease provisions and other matters not specifically dealt with in this chapter are contrary to public policy or are unconscionable or otherwise unlawful.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§2902, 2913, CO. 55-1503 (August 11, 1955). U

302 VOIDING LEASE FOR VIOLATION OF REGULATIONS

302.1 The leasing of any habitation which, at the beginning of the tenancy, is unsafe or unsanitary due to violations of this subtitle in that habitation or in the common space of the premises (whether or not those violations are subject of a notice issued under this subtitle) of which the owner has knowledge or reasonably should have knowledge, shall render void the lease or rental agreement for the habitation.

302.2 After the beginning of the tenancy, if the habitation becomes unsafe or unsanitary due t violations of this subtitle in that habitation or in the common space of the premises (whether or not the violations are the subject of a notice issued under this subtitle), the lease or rental agreement for the habitation shall be rendered void if both of the following apply:

- a. The violations did not result from the intentional acts or negligence of the tenant or his or her invitees; and
- b. The violations are not corrected within the time allowed for correction under a notice issued under this subtitle (or, if a notice has not been issued, within a reasonable time after the owner has knowledge or reasonably should have knowledge of the violations)

SOURCE: The Housing Regulations of the District of Columbia, SG DCRR §2902, CO. 55-1503 (August 11, 1955).

303 SIGNED COPIES OF AGREEMENTS AND APPLICATIONS

303.1 In each lease or rental of a habitation entered into after June 12, 1970, the owner shall provide to the tenant upon execution (or within seven (7) days after execution) an exact legible, completed copy of any agreement or application which the tenant has signed.

303.2 This section shall not be subject to any notice requirement of this subtitle.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2905, CO. 55-1503 (August 11,1955).

304 PROHIBITED WAIVER CLAUSES IN LEASE AGREEMENTS

304.1 Any provision of any lease or agreement contrary to, or providing for a waiver of, the term of this chapter, or §101 or §106 of chapter 1, shall be void and unenforceable.

304.2 No person shall cause any of the provisions prohibited by this section to be included in lease or agreement respecting the use of the property in the District of Columbia, or demand that any person sign a lease or agreement containing any such provision.

304.3 No owner shall cause to be placed in a lease or rental agreement any provision exempting the owner or premises from liability or limiting the liability of the owner or the residential premises from damages for injuries to persons or property caused by or resulting from the negligence of the owner (or the owner's agents, servants, or employees) in the operation, care, or maintenance of the leased premises, or any facility upon or portion of the property of which the leased premises are a part.

304.4 No owner shall place (or cause to be placed) in a lease or rental agreement a provision waiving the right of a tenant of residential premises to a jury trial, or requiring that the tenant pay the owner's court costs or legal fees, or authorizing a person other than the tenant to confess judgment against a tenant. This subsection shall not preclude a court from assessing court or legal fees against a tenant in appropriate circumstances.

304.5 The provisions of this section shall not be subject to any notice requirement of this subtitle.

SOURCE: The Housing Regulations of the District of Columbia, SG DCRR §§2912, 2906,2907, C.O. 55-1503 (August 11, 1955).

305 INSPECTION OF PREMISES AFTER BREACH OF WARRANTY OR VOIDED LEASE

305.1 Following a judicial determination that the owner has breached the implied warranty of habitability applying to the premises (under §301 of this chapter), or following a judicial determination that a lease or rental agreement is void, the owner shall obtain a certificate from the Director that the habitation is in compliance with this subtitle

prior to the next reletting of the habitation.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2911, CO. 55-1503 (August 11,1955).

306 WRITTEN RECEIPTS FOR PAYMENTS BY TENANT

306.1 In each lease or rental of a habitation, the owner shall provide written receipts for all monies paid to him or her by the tenant as rent, security, or otherwise, unless the payment is made by personal check.

306.2 Each receipt issued under this section shall state the following:

- a. The exact amount received;
- b. The date the monies are received; and
- c. The purpose of the payment.

306.3 Each receipt shall also state any amounts still due which are attributable to late charges, court costs, or any other such charge in excess of rent.

306.4 If payment is made by personal check, and there is a balance still due which is attributable to late charges, court costs, or any other such charge in excess of rent, the owner shall provide a receipt stating the nature of the charges and the amount due.

306.5 The provisions of this section shall not be subject to any notice requirement of this subtitle.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2909, CO. 55-1503 (August 11, 1955).

307 PROHIBITION OF RETALIATORY ACTS AGAINST TENANTS

307.1 No action or proceeding to recover possession of a habitation may be brought against tenant, nor shall an owner otherwise cause a tenant to quit a habitation involuntarily, ii retaliation for any of the tenant's actions listed in §307.3.

307.2 No demand for an increase in rent from the tenant, nor decrease in the services to which the tenant has been entitled, nor increase in the obligations of a tenant shall be made in retaliation against a tenant for any of the tenant's actions listed in §307.3.

307.3 This section prohibits the taking of any of the actions set forth in this section in retaliation against the tenant for any of the following actions by a tenant:

- a. A good faith complaint or report concerning housing deficiencies made to the owner or a governmental authority, directly by the tenant or through a tenant organization;
- b. The good faith organization of a tenant organization or membership in a tenant organization;
- c. The good faith assertion of rights under this subtitle, including rights under

§301 and §302 of this chapter, or §101 of chapter 1 of this subtitle.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2910, C.O. 55-1503 (August 11, 1955).

308 SECURITY DEPOSITS

- 308.1 For purposes of this chapter, the term "security deposit" shall mean all monies paid to the owner by the tenant as a deposit or other payment made as security for performance of the tenant's obligations in a lease or rental of the property.
- 308.2 On or after February 20, 1976, any security deposit or other payment required by an owner as security for performance of the tenant's obligations in a lease or rental of a dwelling unit shall not exceed an amount equivalent to the first full month's rent charged that tenant for the dwelling unit, and shall be charged only once by the owner to the tenant.
- 308.3 All monies paid to an owner by tenants for security deposits or other payment made as security for performance of the tenant's obligations shall be deposited by the owner in an interest bearing escrow account established and held in trust in a financial institution in the District for the sole purposes of holding such deposits or payments.
- 308.4 All monies held by an owner on February 20, 1976 for security deposits or other payments covered by this section shall be paid into an escrow account within thirty (30) days.
- 308.5 The owner of more than one residential building may establish one (1) escrow account for holding security deposits or other payments by the tenants of those buildings.
- 308.6 For each security deposit or other payment covered by this section, the owner shall clearly state in the lease or agreement or on the receipt for the deposit or other payment the terms and conditions under which the payment was made.
- 308.7 The provisions of this section shall not be applicable to Federal or District of Columbia agencies' dwelling units leased in the District of Columbia or to units for which rents are Federally subsidized.

SOURCE: The Housing Regulations of the District of Columbia, 50 DCRR §2908, C.O. 55-1503 (August 11, 1955), as amended by §3 of the Security Deposit Act, D.C. Law 1-48, 22 DCR 2823 (November 28, 1975).

309 REPAYMENT OF SECURITY DEPOSITS TO TENANTS

- 309.1 Within forty-five (45) days after the termination of the tenancy, the owner shall do one of the following:
- a. Tender payment to the tenant, without demand, any security deposit and any similar payment paid by the tenant as a condition of tenancy in addition to the stipulated rent, and any interest due the tenant on that deposit or payment as provided in §311; or
 - b. Notify the tenant in writing, to be delivered to the tenant personally or by

certified mail at the tenant's last known address, of the owner's intention to withhold and apply the monies toward defraying the cost of expenses properly incurred under the terms and conditions of the security deposit agreement.

- 309.2 The owner, within thirty (30) days after notification to the tenant pursuant to the requirement of §309.1(b), shall tender a refund of the balance of the deposit or payment, including interest, not used to defray such expenses, and at the same time give the tenant an itemized statement of the repairs and other uses to which the monies were applied and the cost of each repair or other use.
- 309.3 Failure by the owner to comply with §309.1 and §309.2 of this section shall constitute prima facie evidence that the tenant is entitled to full return, including interest as provided in §311, of any deposit or other payment made by the tenant as security for performance of his or her obligations or as a condition of tenancy, in addition to the stipulated rent.
- 309.4 Failure by the owner to serve the tenant personally or by certified mail, after good faith effort to do so, shall not constitute a failure by the owner to comply with §309.1 and §309.2 of this section.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2908. C.O. 55-1503 (August 11, 1955); as amended by §3 of the Security Deposit Act, D.C. Law 1-40, 22 DCR 2823 (November 28, 1975).

310 RETURN OF SECURITY DEPOSIT: INSPECTION OF PREMISES

- 310.1 In order to determine the amount of the security deposit or other payment to be returned to the tenant, the owner may inspect the dwelling unit within three (3) days, excluding Saturdays, Sundays, and holidays, before or after the termination of the tenancy.
- 310.2 The owner shall conduct the inspection, if the inspection is to be conducted, at the time and place of which notice is given to the tenant.
- 310.3 The owner shall notify the tenant in writing of the time and date of the inspection.
- 310.4 The notice of inspection shall be delivered to the tenant, or at the dwelling unit in question, at least ten (10) days before the date of the intended inspection.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2908, CO. 55-1503 (August 11, 1955); as amended by §3 of the Security Deposit Act, D.C. Law 1-48, 22 OCR 2823 (November 28, 1975).

311 INTEREST ON SECURITY DEPOSIT ESCROW ACCOUNTS

- 311.1 The interest in the escrow account described in §309 on all money paid by the tenant prior to or during the tenancy as a security deposit, decorating fee, or similar deposit or fee, shall commence on the date the money is actually paid by the tenant, or within thirty (30) days after February 20, 1976, whichever is later, and shall accrue at a rate of

not less than five percent (5%) per annum simple interest.

311.2 Interest on an escrow account shall be due and payable by the owner to the tenant upon termination of any tenancy of a duration of twelve (12) months or more, unless an amount is deducted under procedures set forth in §309.

311.3 Except in cases where no interest is paid to the tenant as provided in §311.2, no interest or other consideration shall inure to the benefit of the owner by reason of the owner's control over the escrow account nor shall the account be assigned or used as security for loans.

311.4 It is the intent of this section that the account referred to in this section and §309 shall be used solely for the purpose of securing the lessees' performance under the lease.

311.5 This section and §309 and §310 shall not be subject to the notice requirements of any other section of this subtitle.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2908, C.O. 55-1503 (August 11, 1955); as amended by §3 of the Security Deposit Act, D.C. Law 1-48, 22 OCR 2823 (November 28, 1975).

399 DEFINITIONS

399.1 The provisions of §199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.

CHAPTER 4 HOUSING CODE: GENERAL REQUIREMENTS

Secs

- [400](#) General Provisions
- [401](#) Privacy
- [402](#) Occupancy Requirements
- [403](#) Habitable Rooms
- [404](#) Habitable Rooms Partially below Ground
- [405](#) Ceiling Height in Habitable Rooms
- [406](#) Subdivision of Habitable Rooms
- [499](#) Definitions

400 GENERAL PROVISIONS

400.1 No owner, licensee, or tenant shall occupy or permit the occupancy of any habitation in violation of this subtitle.

- 400.2 Every owner or licensee shall advise each tenant in writing, either by insertion in the lease between the parties or otherwise, of the maximum number of occupants permitted under this subtitle in the habitation leased or rented to that tenant.
- 400.3 No person shall rent or offer to rent any habitation, or the furnishings of a habitation, unless the habitation and its furnishings are in a clean, safe, and sanitary condition, in repair, and free from rodents or vermin.
- 400.4 The owner or licensee of each residential building shall provide and maintain the facilities, utilities, and services required by this subtitle.
- 400.5 Each facility and utility provided in a residential building to comply with the requirements of this subtitle shall be properly and safely installed, and shall be maintained in a safe and good working condition.
- 400.6 If an owner or licensee of any residential building furnishes any facilities for cooking, storage, or refrigeration of food, those facilities shall be maintained by the owner or licensee in a safe and good working condition.
- 400.7 No person shall rent or offer for rent any habitation or operate any housing business in any building, or part of a building, in which there is another business, trade, or commercial activity from which noxious gases, fumes, mists, vapors, dusts, offensive odors, or excessive noise arise or are generated.
- 400.8 The use of any building or other structure (or any part of any building or structure) as a tenement unit or tenement house is prohibited. Authority: Unless otherwise noted, the authority for this chapter is contained in paragraphs 28 and 48 of 57 of An Act to make appropriations to provide for the government of the District of Columbia for fiscal year ending June 30, 1903, and for other purposes, Public No.218, approved July 1, 1902, as amended by An Act approved July 1, 1932, and as further amended by An Act approved July 22, 1947.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR 552301,2303,2304, C.O. 55-1503 (August 11,1955).

401 PRIVACY

- 401.1 Common space shall be accessible to the occupants of every dwelling unit for which such space is provided without the necessity of going through another habitation.
- 401.2 Water closets, showers, and bathtubs shall be located in a room or compartment which affords privacy to a person within that room or compartment
- 401.3 Bathrooms or sleeping rooms shall be accessible to the occupants of rooming units without the necessity of the occupants going through any of the following:
- a. Another rooming unit;
 - b. A bathroom;
 - c. A sleeping room which is part of another habitation; or
 - d. A commercial or industrial establishment.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR 52307, C.O. 55-1503 (August 11, 1955).

402 OCCUPANCY REQUIREMENTS

402.1 Each dwelling unit shall contain the following minimum amount of floor area in order to comply with the occupancy requirements of this subtitle:

- a. At least one hundred thirty square feet (130 ft²) of floor area in habitable rooms for the first occupant of the dwelling unit;
- b. At least ninety square feet (90 ft²) of additional floor area in habitable rooms for each additional occupant of the dwelling unit up to a total of seven (7) occupants; and
- c. At least seventy-five square feet (75 ft²) of additional floor area in habitable rooms for each additional occupant of the dwelling unit if the dwelling unit is to be occupied by more than seven (7) persons.

402.2 Each room used for sleeping purposes by not more than one (1) occupant shall be a habitable room containing at least seventy square feet (70 ft²) of habitable room area.

402.3 Each room used for sleeping by two (2) or more occupants shall be a habitable room containing at least fifty square feet (50 ft²) of habitable room area for each occupant.

402.4 No sleeping facilities shall be permitted in any room in which there is located any of the following:

- a. A furnace;
- b. A space heater using an open flame, unless that space heater is effectively flue connected;
- c. A domestic water heater; or
- d. A gas meter.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR I§2305, 2306, C.O. 55-1503 (August 11, 1955).

403 HABITABLE ROOMS

403.1 No room other than a habitable room shall be used for living or sleeping, or, in a dwelling unit, for the preparation of meals or for eating, except as provided otherwise in this section.

403.2 Each habitable room shall conform to the requirements of this subtitle.

403.3 A room that is used only for the preparation of meals which is not daylighted as required by chapter 6 (but which otherwise meets the requirements of this subtitle) may continue to be used for the preparation of meals; Provided, that the floor area of that room shall not be included in calculating the total habitable area of the dwelling unit of which it is a part. SOURCE The Housing Regulations of the District of Columbia, 5G DCRR 5§2302, 2201, C.O. 55-1503 (August 11, 1955).

404 HABITABLE ROOMS PARTIALLY BELOW GROUND

- 404.1 Any room with more than fifty percent (50%) of any exterior wall area from floor to ceiling below ground level (using average level along each exterior wall) shall not be used as a habitable room, except as otherwise provided in this section.
- 404.2 In a building in existence prior to June 9, 1960, where there is an existing open well or areaway which is three feet (3') or more in width immediately adjacent to any exterior wall, that wall shall be considered above ground level for the length and depth of the open well or areaway.
- 404.3 Whenever any building in existence prior to the effective date of this amendment (June 9, 1960) is altered to conform to the requirements of this section, the newly constructed court or areaway immediately adjacent to any exterior wall shall be four feet (4') or more in width and of a depth necessary so that one-half (1/2) the height of all portions of any exterior wall of the room, measured from floor to ceiling, shall be above the ground immediately adjacent to the newly constructed court or areaway.
- 404.4 Whenever any existing building is altered to conform to the requirements of this section, a permit shall be obtained from the Director, and all alterations must conform in other respects to the applicable requirements of the Building Code of the District of Columbia (Title 12A, DCMR).
- 404.5 Areaways constructed on buildings erected after the effective date of this amendment (June 9, 1960) shall comply fully with the applicable requirements of the Building Code (Title 12A DCMR) and the Zoning Regulations (Title 11, DCMR).
- SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR 52204, C.O. 55-1503 (August 11, 1955), as amended by Part IV of C.O. 60-1255 effective June 9, 1960, 6 DCR 316 (June 27, 1960).

405 CEILING HEIGHT IN HABITABLE ROOMS

- 405.1 In any room that is otherwise a habitable room only that portion of the room area that has a clear ceiling height of not less than seven feet (7') shall be counted as habitable room area, except as otherwise provided in this section.
- 405.2 In any dwelling unit or rooming unit, not more than fifty percent (50%) of the total habitable space may be in a room or rooms having a sloping ceiling.
- 405.3 In those rooms with a sloping ceiling, at least seventy-five percent (75%) of the habitable room area shall have a clear ceiling height of not less than seven feet (7'), and any part of the room where the ceiling height is less than five feet (5') shall not be considered in computing the habitable room area.
- 405.4 All habitable room area shall have a minimum clear head room of six feet eight inches (6' 8") under beams, pipes, ducts, or other construction projections from the ceiling.
- 405.5 Beams spaced closer than four feet (4'), face-to-face, shall be considered as joists and shall have a minimum clear head room of not less than seven feet (7').
- SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2205, C.O. 55.1503 (August 11, 1955).

406 SUBDIVISION OF HABITABLE ROOMS

- 406.1 No habitable room shall be divided in any manner into space intended for living, sleeping, eating, or cooking purposes by an installed partition or divider of any type above four feet (4') in height, unless each such subdivided part complies with the requirements for a habitable room, except as otherwise provided in this section.
- 406.2 The enclosure of cabinet-type kitchenettes by doors or other closing devices, where those kitchenettes are too small to be occupied when the doors or other closing devices are closed in a normal manner, and where those kitchenettes are continuously mechanically ventilated, at least when closed, shall not be deemed to subdivide the room.
- 406.3 If any separation of a habitable room leaves a clear unobstructed opening between the parts of that habitable room at least equal to eighty percent (80%) of the cross sectional area of that part of the room receiving its light through any other part, that separation shall not be in violation of this section.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR 12206, CO. 55-1503 (August 11, 1955).

499 DEFINITIONS

- 499.1 The provisions of §199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.

CHAPTER 5 HOUSING CODE: HEATING, LIGHTING, AND VENTILATION

Secs

- [500](#) General Provisions
- [501](#) Heating of Residential Buildings
- [502](#) Lighting in Habitable Rooms
- [503](#) Obstructions to Light
- [504](#) Lighting of Bathrooms
- [505](#) Lighting of Hallways, Stairways, and Other Common Space
- [506](#) Ventilation of Habitable Rooms
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- [508](#) Control and Maintenance of Mechanical Ventilation
- [509](#) Obstructions to Ventilation
- [510](#) Air Conditioning
- [599](#) Definitions

500 GENERAL PROVISIONS

500.1 The owner of a building used for residential purposes shall provide that building with adequate facilities for heating, ventilating, and lighting.

500.2 Each facility provided and maintained to comply with this section shall be properly and safely installed, and shall be maintained in a safe and good working condition.

Authority: Unless otherwise noted, the authority for this chapter is contained In paragraphs 28 and 48 of 57 of An Act to make appropriations to provide for the government of the District of Columbia for fiscal year ending June 30, 1903, and for other purposes, Public No. 218, approved July 1, 1902, as amended by An Act approved July 1, 1932. and as further amended by An Act approved July 22,1947.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR 551201 and 2401, C.O. 55.1503, (August 11,1955).

501 HEATING OF RESIDENTIAL BUILDINGS

501.1 Adequate heating facilities shall mean the provision and maintenance in good repair of one of the following:

- a. A central heating facility;
- b. A non-portable, flue-connected heating facility; or
- c. An electric heating facility which may or may not be flue-connected.

501.2 The heating facility shall be capable of maintaining a minimum temperature of seventy degrees Fahrenheit (70o F.) in buildings or parts of buildings used for habitation.

501.3 Each heating facility shall be designed and installed to permit the control of the temperature resulting from the use of that facility in such manner that the maximum resulting temperature in the premises heated by such facility will not exceed the maximum temperature in the "Comfort Chart" contained in the 1951 Guide of the American Society of Heating and Ventilating Engineers.

501.4 Whenever the heating facilities of any habitation or bathroom are not under control 01 an occupant of the habitation, it shall be the responsibility of the owner or licensee to supply sufficient heat to maintain the following minimum temperatures for every occupied habitation and bathroom:

- a. A minimum temperature of sixty-eight degrees Fahrenheit (68o F.) between the hours of 6:30 a.m. and 11:00 p.m.; and
- b. A minimum temperature of sixty-five degrees Fahrenheit (65o F.) between the hours of 11:00 p.m. and 6:30 a.m.

501.5 The temperatures referred to in this section shall be measured with all usually-close outside openings closed in a normal manner.

501.6 The owner of a single-family dwelling, occupied in whole or in part by a tenant o tenants in which one (1) or more housing violation notices were issued because of defective heating system under the control of the owner, shall cause the furnace,

boiler or other central heating or hot water system to be inspected by a qualified person in the period between March 1 and September 1 subsequent to the issuance of the violation notices.

- 501.7 In addition to testing the efficiency and adequacy of the heating and hot water systems the flues, vents, and dampers shall be inspected for escape of carbon monoxide gas.
- 501.8 The findings on inspections shall be recorded on forms approved by the Department C Consumer and Regulatory Affairs ("Department") within fifteen (15) days following the inspection and shall be delivered to the owner, who shall file a copy with the Department within seven (7) days of the receipt of the findings.
- 501.9 The owner shall correct all defects as found upon the inspection before October 1 c that year and shall certify to the Department that the corrections have been made.
- 501.10 The owner of a multiple dwelling, containing two (2) or more units, shall cause the furnace, boiler, or other central heating systems to be inspected by a qualified person between March 1 and September 1 of each year. Subsections §501.7 through §501.9 shall also apply to this subsection.
- 501.11 For purposes of §§501.6 through 501.10, the term "qualified person" means a mast plumber and gas fitter, heating and air conditioning contractor, master mechanic, license by the District, or a certified employee of a public utility.
- 501.12 The certifications required by §§50L6 through 501.10 shall be in writing and shall I signed by the owner and by a "qualified person".

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR 551201 and 2401, C.O. 55-1503, (August 11, 1955); as amended by §1 of Council Regulation 72-28, approved November 30, 1972, and by §2 of the Self-Inspection of Heating and Hot-Water Systems Act of 1988, D.C. Law 6-158, 33 OCR 4938 (August 15,1986).

502 LIGHTING IN HABITABLE ROOMS

- 502.1 Each habitable room shall have a glass area transmitting natural light equivalent to that which would be transmitted by a clear glass area at least equal to one tenth (1/10) of the floor area served, consisting of one or more of the following:
- a. Windows;
 - b. Glazed doors;
 - c. Glazed doors with either or both side lights or transoms; or
 - d. Other glass construction facing directly to the outside.
- 502.2 Rooms opening on enclosed porches and meeting the lighting requirements of Article 501-01-e of the 1941 Building Code, as amended (Title 12, DCMR) and rooms lighted through sunporches and meeting the lighting requirements of §3-515 of the 1961 Building Code, as amended, shall be deemed to have adequate natural light.
- 502.3 The sash area of openable windows, side lights, or transoms, the horizontal projection of the glass area of skylights, and in all other instances the gross glass area, shall be used in computing the required glass area.
- 502.4 Any portion of any glass area facing directly on any wall, portion of a structure, or other light obstruction less than three feet (3') from that glass area, shall not be

included as contributing to the required natural light.

502.5 At least fifty percent (50%) of the required glass area shall be a window, glazed door, side light, or transom, each glazed with clear glass.

502.6 Obscure glass, glass blocks, or other approved translucent material may be used to transmit up to fifty percent (50%) of the required natural light.

SOURCE: The Housing Regulations of the District of Columbia, SG DCRR §2202, C.O. 55-1503, (August 11, 1955); as amended by CO. 62-1493 issued August 21, 1962, 9 OCR 42 (September 3, 1962Y).

503 OBSTRUCTIONS TO LIGHT

503.1 If a habitation is located on the ground floor of a residential building, the yard of that building which lies immediately outside the habitation shall be maintained clear of any obstruction to light for a distance of at least three feet (3') from the exterior wall of the building, or for such further distance as may be required by any other law or regulation.

503.2 A reasonable amount of trees or shrubbery shall not be considered to be in violation of this section.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2306, CO. 55-1503, (August 11, 1955).

504 LIGHTING OF BATHROOMS

504.1 Each bathroom shall be naturally or artificially lighted at least equivalent to the requirements of this section.

504.2 A naturally lighted bathroom shall have a glass area consisting of one or more of the following:

- a. Windows;
- b. Skylights;
- c. Transoms; or
- d. Other glass construction, except glazed doors.

504.3 The glass area shall face directly to the outside, and shall transmit natural light equivalent to that which would be transmitted by a clear glass area at least equal to one tenth (1/10) of the floor area served.

504.4 No glass area shall contain less than four square feet (4 ft²).

504.5 Obscure glass, glass blocks, or other approved translucent material may be used to transmit up to fifty percent (50%) of the required natural light.

504.6 The sash area of operable windows or transoms, the horizontal projection of the glass area of skylights, and in all other instances the gross glass area, shall be used in computing the required glass area.

504.7 Any portion of any glass area facing directly on any wall, portion of a structure, or other light obstruction less than three feet (3') from that glass area, shall not be included as contributing to the required natural light.

504.8 Artificially lighted bathrooms shall be illuminated with a minimum of ten (10) foot candles measured at floor level at any point on the open floor space.

SOURCE: The Housing Regulations of the District of Columbia, SG OCRR 52309, C.O. 55-1503, (August 11, 1955).

505 LIGHTING OF HALLWAYS, STAIRWAYS, AND OTHER COMMON SPACE

505.1 Hallways, stairways, and other common space used in common by the occupants of more than one habitation shall have adequate lighting facilities, which shall be kept in good condition at all times.

505.2 The artificial illumination of stairs and hallways in each housing business licensed under this subtitle shall be arranged and maintained to provide illumination from sunset to sunrise and at other times when daylight does not provide illumination of an intensity of at least six (6) foot candles at the tread and floor level.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2409, CO. 55-1503, (August 11, 1955).

506 VENTILATION OF HABITABLE ROOMS

506.1 Each habitable room shall have either natural or mechanical ventilation at least equal to the requirements of this section.

506.2 Natural ventilation shall be provided by an opening directly to the outside, the area of which is at least equal to five percent (5%) of the floor area of the room served, except as otherwise provided in this section.

506.3 Rooms opening on enclosed porches and meeting the ventilation requirements of Article 501-01-e of the 1941 Building Code, as amended, and rooms ventilated through sunporches and meeting the ventilation requirements of §3-515 of the 1961 Building Code, as amended, shall be deemed to have adequate natural ventilation.

506.4 At least fifty percent (50%) of the required ventilation shall be furnished by an openable window, louvers located in the upper fifty percent (50%) of the room, side light, transom, glazed door, or door of the horizontally divided (dutch) or vertically divided (french) type.

506.5 For buildings erected, altered, or converted under permits issued prior to July 1, 1961, mechanical ventilation where used shall provide habitable rooms, other than kitchens, with at least three (3) air changes per hour.

506.6 Kitchens shall be provided with at least four (4) air changes per hour.

506.7 Openable area directly to the outside at least equal to three percent (3%) of the floor area of the habitable space served shall be available for use in case of temporary failure of mechanical ventilation, except as provided in §506.8.

506.8 Interior kitchens which are not daylighted as required by §502 may be artificially lighted and mechanically ventilated if they comply with the following:

- a. Total floor area shall not exceed one hundred square feet (100 ft²);

- b. Unobstructed floor space (after the installation of kitchen cabinets and equipment including space reserved for the installation of stove and refrigerator) shall not exceed fifty square feet (50 ft²);
- c. Mechanical ventilation shall be centrally controlled and operated and shall provide a minimum of eight (8) changes of air per hour through an independent duct system; and
- d. The interior kitchen is not to be counted as a habitable room;

506.9 Not more than seventy-five percent (75%) of the air supplied by mechanical ventilation shall be recirculated air.

506.10 The recirculation of air from kitchens, bathrooms, furnace rooms, laundry rooms, and garages is prohibited.

506.11 No air supplied to habitable rooms shall be drawn from a plenum or system fed with air returned from habitable rooms occupied by other families, common space, or commercial or industrial establishments.

506.12 For buildings erected, altered, or converted under permits issued after June 30, 1961, the requirements for mechanical ventilation shall be in accordance with the applicable provisions of §3-527 through §3-533, inclusive, of the 1961 D.C. Building Code, as amended.

SOURCE: The Housing Regulations of the District of Columbia, SG OCRR §2203, C.O. 55-1503, (August 11,1955), as amended by C.O. 62-1493 issued August 21, 1962, 9 OCR 42 (September 3, 1962).

507 VENTILATION OF BATHROOMS

507.1 Each bathroom shall be naturally or mechanically ventilated; at least equivalent to the requirements of this section.

507.2 Natural ventilation shall be provided by openings, other than a door, directly to the outside, the openable area of which is at least equal to five percent (5%) of the floor area of the room served.

507.3 No opening for ventilation of a bathroom shall contain less than two square feet (2 ft²).

507.4 . If mechanical ventilation is used, it shall provide for each bathroom with a single water closet outside air in a minimum quantity of one and one half cubic feet per minute per square foot of floor area (1 1/2 ft. 3/min./ft²), with no recirculation permitted.

507.5 A bathroom having more than one water closet shall be provided with a minimum outside air quantity of two and one half cubic feet per minute per square foot of floor area (2 1/2 ft. 3/min./ft²), with no recirculation permitted.

507.6 A mechanically ventilated bathroom shall not serve or open into any area that opens on, or is served by, a bathroom that is not similarly ventilated.

SOURCE: The Housing Regulations of the District of Columbia, SG OCRR §§2209, 2309.6, C.O. 55-1503, (August 11, 1955); as amended by C.O. 66-314 issued March 8,1968,12 OCR 196 (March 28, 1966).

508 CONTROL AND MAINTENANCE OF MECHANICAL VENTILATION

508.1 If mechanical ventilation is provided for any residential building by the owner or licensee, the owner or licensee shall maintain that system in safe and good working condition.

508.2 If the mechanical ventilation system is not under the control of the occupant of any habitation, the owner or licensee of the residential building shall keep that equipment in constant and continuous operation.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2408, CO. 55-1503, (August 11, 1955).

509 OBSTRUCTIONS TO VENTILATION

509.1 If a habitation is located on the ground floor of a residential building, the yard of the building which lies immediately outside the habitation shall be maintained clear of any obstruction to ventilation for a distance of at least three feet (3') from the exterior wall of the building, or such further distance as may be required by any other law or regulation.

509.2 A reasonable amount of trees or shrubbery shall not be considered to be a violation of this section.

SOURCE: The Housing Regulations of the District of Columbia, 5G OCRR §2308, 0.0. 55-1503, (August 11, 1955).

510 AIR CONDITIONING

510.1 The owner of a rental habitation, who provides air conditioning as a service either through individual air conditioning units or a central air conditioning system, shall maintain such unit or system in safe and good working condition so that it provides an inside temperature at least fifteen degrees Fahrenheit (15° F.) less than the outside temperature.

510.2 The owner shall also have the individual units or central system inspected each year, between September 1 and May 1, by a master refrigeration and air conditioning mechanic or master refrigeration and air conditioning mechanic limited, licensed by the District of Columbia to ensure compliance with this section and with the Fire Prevention Code (12D DCMR F101.6(5)).

510.3 The findings on inspection shall be recorded on forms approved by the Department of Consumer and Regulatory Affairs ("Department") within fifteen (15) days following inspection and shall be delivered to the owner, who shall file a copy with the Department within seven (7) days of receipt of the findings.

510.4 The owner shall correct all defects as found upon the inspection by June 1 of each year, and shall submit written certification to the Department that the corrections have been made.

510.5 The written certification shall be signed by the owner and by a master refrigeration and air conditioning mechanic or master refrigeration and air conditioning mechanic limited licensed by the District of Columbia.

SOURCE: The Housing Regulations of the District of Columbia, SG OCRR 5§1 201, 510, C.O. 55-1503, (August 11, 1955); as amended by §2 of the Air-Conditioning Maintenance Amendment Act of 1988, D.C. Law 6-161,33 OCR 5114 (August 22, 1986).

599 DEFINITIONS

599.1 The provisions of §199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.

CHAPTER 6 HOUSING CODE: FACILITIES, UTILITIES, AND FIXTURES

Sec

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[600](#) General Provisions

[601](#) Plumbing Facilities

[602](#) Shared Bathrooms

[603](#) Waterproof Floor. in Toilets

[604](#) Access to Bathrooms

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600 GENERAL PROVISIONS

600.1 The owner or licensee of each residential building shall provide and maintain the facilities, utilities, and fixtures required by this section.

600.2 Each facility, utility, or fixture shall be properly and safely installed, and shall be maintained in a safe and good working condition.

600.3 Where a utility (such as water, electricity, gas or other fuels, or sewer or refuse service) is the responsibility of or are under the control of the owner or licensee of any residential building, the utility shall be furnished and maintained by the owner or licensee in the quantities needed for normal occupancy.

600.4 Whenever an owner or licensee of any residential building furnishes any facilities for

cooking, storage, or refrigeration of food, those facilities shall be maintained by the owner or licensee in a safe and good working condition.

AUTHORITY: Unless otherwise noted, the authority for this chapter is contained in paragraphs 28 and 46 of 17 of An Act to make appropriations to provide for the government of the District of Columbia for fiscal year ending June 30, 1903, and for other purposes, Public No. 216, approved July 1, 1902, as amended by An Act approved July 1, 1932, and as further amended by An Act approved July 22, 1947.

SOURCE: The Housing Regulations of the District of Columbia, 5G OCRR 552401, 2405 and 2406, C.O. 55-1503 (August 11, 1955).

601 PLUMBING FACILITIES

- 601.1 Minimum basic plumbing facilities in buildings used in whole or in part to house one (1) or more habitations shall be as required in this section, except as specifically provided otherwise in §602.
- 601.2 Each dwelling unit, except a bachelor apartment, shall contain a kitchen sink for the exclusive use of the occupant(s) of that dwelling unit.
- 601.3 Each dwelling unit and each rooming unit shall have available for the use of the occupant(s) of that unit a lavatory, a water closet, and a bathing facility.
- 601.4 Each kitchen sink, lavatory, and bathing facility required by this chapter shall be properly connected with both hot and cold water lines.
- 601.5 All plumbing fixtures shall be properly connected to the public water system and to an approved sewerage system.
- 601.6 Any lavatory required to be installed by this subtitle shall be located in the room or compartment with the required water closet, or as close to it as practicable, except as provided in §601.7.
- 601.7 If a lavatory is not provided in the same room with the water closet, the specific location of the lavatory shall be approved by the Director.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2403, CO. 55-1503 (August 11, 1955).

602 SHARED BATHROOMS

- 602.1 Each dwelling unit shall contain a lavatory, water closet, and bathing facility for the exclusive use of the occupants of that dwelling unit, except that roomers renting space within a dwelling unit shall be permitted to share the use of the water closet, lavatory and bathing facility to the extent authorized by this section.
- 602.2 Where the occupants of a dwelling unit and one or more rooming units share a water closet, lavatory, and bathing facilities, at least one lavatory, one water closet, and one bathing facility shall be provided for the use of each six (6) occupants of that dwelling unit and rooming unit or units.
- 602.3 Where the occupants of one or more rooming units share a water closet, lavatory, and bathing facilities, at least one lavatory, one water closet, and one bathing facility shall be provided for the use of each six (6) occupants of the rooming unit or units.
- 602.4 For the purpose of determining the number of occupants for whom a water closet

lavatory, and bathing facilities are to be provided, as required by this section, if determination shall be made on the basis of one (1) occupant for each single or 3/4 bed and two (2) occupants for each double bed in dwelling units or rooming units the occupants of which share the same water closet, lavatory, and bathing facilities, except provided in §602.5.

602.5 The Director may accept the affidavit of the owner, licensee, or operator to establish the actual number of occupants where it is claimed that double beds are of single occupancy

602.6 For the purpose of determining the number of water closets, lavatories, and bathing facilities to be provided for the use of the occupants of dwelling units or rooming unit required to share any water closet, lavatory, or bathing facility, the number of occupants sharing the facilities shall be divided by four (4) or six (6). Any fractional part of a group of four (4) or six (6) shall be considered a full group, and the facilities shall be provided for the use of the fractional part of a group as if the occupants constituting that fractional part constitute a full group.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2403, C.O. 55-1503 (August 11, 1955).

603 WATERPROOF FLOORS IN TOILETS

603.1 The owner of a building used for residential purposes shall provide each water closet compartment, privy, toilet room, and bathroom in the building with a waterproof floor surface and wall base.

603.2 The wall base shall be at least three inches (3") in height.

603.3 The waterproof floor surface shall consist of one of the following:

- a. Smooth-finished tile or masonry which is effectively sealed so that it has a nonporous surface, laid in a manner free from cracks or open joints, and tightly joined to the base;
- b. Tongue-and-groove hardwood flooring that is tightly laid without open cracks or joints, and which is tightly joined to the base. Both the base and surface shall be covered with a seal coat of waterproof finish; or
- c. Linoleum, plastic, or rubber floor covering; or linoleum, asphalt, rubber or plastic floor tiles; which is (are) firmly cemented to a smooth substantial subfloor, laid without overlapping or open joints, and tightly joined to the base.

603.4 The term "linoleum," as used in this section, means a floor covering made of special preparations of linseed oil, gum, coloring matter, and wood flour, firmly affixed to a cloth or felpaper base, and does not include enameled and cottonlinter composition coverings.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §1202, C.O. 55-1503 (August 11, 1955).

604 ACCESS TO BATHROOMS

- 604.1 Unless a bathroom is intended for use only by persons outside of a building, no door to the bathroom shall open to the outside of the building in which it is located.
- 604.2 Access to a bathroom shall be from within the building or the part of the building that the bathroom is intended or required to serve.
- 604.3 Passageways leading to bathrooms shall be arranged so that each bathroom is readily accessible from all parts of the building it is intended or required to serve without having to go outside the building.
- 604.4 A bathroom may not be used as the only entrance to any other room.
- SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2310, CO. 55-1503 (August 11, 1955), as amended by CO. 66-314 issued March 8, 1966, 12 DCR 198 (March 28, 1966).

605 ELECTRICAL OUTLETS

- 605.1 Each habitable room shall be provided with at least two (2) separate electric outlets, at least one (1) of which shall be a wall or floor convenience outlet.
- 605.2 Each furnace room, laundry room, stairway, and bathroom shall be provided with at least one (1) electric light outlet.
- SOURCE: The Housing Regulations of the District of Columbia, 50 DOAR 552404.1 end 2404.2, C.O. 55-1503 (August 11, 1955).

606 WATER HEATING FACILITIES

- 606.1 Each residential building shall be provided with a water heating facility which is properly connected with the hot water lines of the required fixtures, and which is capable of providing sufficient hot water at a temperature of not less than one hundred twenty degrees Fahrenheit (1200 F.) at those fixtures to meet normal demands.
- 606.2 Where the hot water heating facility is not under the control of the occupant of any habitation, the owner or licensee of that residential building shall provide and maintain a continuous supply of running hot water to meet normal needs.
- 606.3 The owner of a single-family dwelling, occupied in whole or in part by a tenant or tenants in which one (1) or more housing violation notices were issued because of defective water heating facility, under the control of the owner, and whose water heating facility is separate from the central heating system, shall cause the water heating facility to be inspected by a qualified person in the period between March 1 and September 1, subsequent to the issuance of the violation notices.
- 606.4 In addition to testing the efficiency of the water heating facility, the flues, vents and dampers shall be inspected for escape of carbon monoxide gas.
- 606.5 The findings on inspection shall be recorded on forms approved by the Department of Consumer and Regulatory Affairs ("Department") within fifteen (15) days following the inspection and shall be delivered to the owner, who shall file a copy with the Department within seven (7) days of receipt of the findings.
- 606.6 The owner shall correct all defects as found upon the inspection before October 1 of that year and shall certify to the Department that the corrections have been made.

- 606.7 The owner of a multiple dwelling, containing two (2) or more units, whose water heating facility is separate from the central heating system, shall cause the water heating facility to be inspected by a qualified person between March 1 and September 1 of each year.
- 606.8 Pursuant to §606.7, in addition to testing the efficiency of the water heating facility, the flues, vents and dampers shall be inspected for escape of carbon monoxide gas.
- 606.9 Pursuant to §606.2, the findings on inspection shall be recorded on forms approved by the Department of Consumer and Regulatory Affairs within fifteen (15) days following the inspection and shall be delivered to the owner, who shall correct all defects as found upon the inspection before October 1 of each year, and shall certify to the Department that the corrections have been made.
- 606.10 For the purposes of §§606.3 through 606.9, the term "qualified person" means a master plumber and gas fitter, heater and air conditioning contractor, master mechanic, licensed by the District, or a certified employee of a public utility.
- 606.11 The certifications required by §§606.3 through 606.9 shall be in writing and shall be signed by the owner and by a qualified person.
- SOURCE: The Housing Regulations of the District of Columbia, 5G OCRR §2402, C.O. 55-1503 (August 11, 1955), as amended by §3 of the Self-Inspection of Heating and Hot Water Systems Act of 1986, D.C. 6-158, 33 OCR 4936, 4938 (August 15, 1986).

607 MISCELLANEOUS SERVICES TO BE PROVIDED BY HOUSING BUSINESSES

- 607.1 When furnished by the operator of a housing business, mattresses shall not be made of moss, sea grass, excelsior, husks, or shoddy.
- 607.2 The owner or operator of a housing business shall provide to each tenant, when the tenant first enters into possession of a habitation, an adequate lock and key for each door used or capable of being used as an entrance to or egress from the habitation, and shall keep each lock in good repair. Each lock shall be capable of being locked from inside and outside the habitation.
- SOURCE: The Housing Regulations of the District of Columbia, 50 OCRR §§3702 and 3203, C.O. 55-1503 (August 11, 1955).

699 DEFINITIONS

- 699.1 The provisions of §199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.
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CHAPTER 7 HOUSING CODE: CONSTRUCTION, MAINTENANCE, AND REPAIRS

Sec

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- [700](#) General Provisions
- [701](#) General Maintenance and Repairs
- [702](#) Roofs and Chimneys
- [703](#) Gutters and Drainage
- [704](#) Foundations, Structural Members, and Exterior Walls
- [705](#) Windows and Doors
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- [707](#) Peeling Wall Covering or Paint
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700 GENERAL PROVISIONS

700.1 The purpose of this subtitle is to require repairs and maintenance designed to make a premises or neighborhood healthy and safe. These requirements are in addition to the basic repairs and maintenance needed to keep out the elements.

700.2 Each premises accommodating one (1) or more habitation shall be maintained and kept in repair to provide decent living accommodations for the occupants.

AUTHORITY: Unless otherwise noted, the authority for this chapter is contained in paragraphs 28 and 48 of §7 of An Act to make appropriations to provide for the government of the District of Columbia for fiscal year ending June 30,1903, and for other purposes, Public No. 218, approved July 1, 1902, as amended by An Act approved July 1, 1932, and as further amended by An Act approved July 22, 1947.

SOURCE: The Housing Regulations of the District of Columbia, SG DCRR §2501, C.O. 55-1503 (August 11, 1955): as amended by C.O. 58-458 issued April 1,1958,4 DCR 264 (April21, 1958).

701 GENERAL MAINTENANCE AND REPAIRS

701.1 All structures located on a premises, including, but not limited to, accessory structures (such as walls, garages, fences, and sheds) shall be maintained in a sanitary and structurally sound condition and in good repair.

701.2 All walkways on private property shall be maintained in good repair, free of holes and safe for walking purposes

701.3 Material used in making any repair shall be of a quality and kind suitable for the purpose for which it is used, and of a kind normally used by a good mechanic in the

appropriate trade. Each repair shall be done in a workmanlike manner.

701.4 Construction details for alterations, additions or other work done as a result of any standard established in this subtitle shall be accomplished under permit and in the manner provide in the Building Code, Electrical Code, Plumbing Code, or other building regulations of the District of Columbia, as applicable.

SOURCE: The Housing Regulations of the District of Columbia, 50 DCRR § §1209,2513, 2514 and 2515, CO. 55-1 5((August11, 1955), as amended by CO. 58-458 issued April 1,1958.

702 ROOFS AND CHIMNEYS

702.1 The roof shall be maintained so it does not leak, and all rain water shall be drained an conveyed from the roof so that it does not cause wet walls or ceilings.

702.2 Each smoke pipe and each chimney shall be adequately supported, free from obstruction and maintained in such condition that there will be no leakage or backing up of noxious o dangerous gases.

702.3 Each chimney shall be reasonably plumb.

702.4 The total area of all flue openings shall not exceed the net area of the chimney flue.

702.5 Unrequired openings in chimneys shall be closed with masonry.

702.6 All flue openings in chimneys shall be supplied with flue crocks, or metal or masonry thimbles.

SOURCE: The Housing Regulations of the District of Columbia, 50 DCRR § §2507 and 2509, C.O. 55-1503 (August 11 1955).

703 GUTTERS AND DRAINAGE

703.1 All gutters and downspouts shall be properly connected, and shall be maintained in goo condition, free of holes and obstructions.

703.2 Water shall be conveyed off premises in accordance with the plumbing regulations of the District of Columbia.

703.3 The owner of any premises used in whole or in part for residential purposes shall cause the yard or area at the premises to be graded and paved so that all drainage flows freely from all parts of the premises into any sewer traps which may have been provided for that purpose.

703.4 If there are no sewer traps, the drainage shall flow away from any inhabited building on the premises.

703.5 Yard spaces and other areas appurtenant to a residential building shall be graded by the owner to avoid the accumulation of water.

SOURCE: The Housing Regulations of the District of Columbia, 50 DCRR § §1203,2510 and 2604, CO. 55-1503 (August 11, 1955).

704 FOUNDATIONS, STRUCTURAL MEMBERS, AND EXTERIOR WALLS

- 704.1 Foundations and structural members shall provide a safe, firm, and substantial base and support for the structure at all points.
- 704.2 Exterior walls shall be structurally sound and free of cracks and holes through which rodents or the elements can enter the buildings.
- 704.3 Masonry walls shall be kept pointed.
- 704.4 All exterior surfacing materials shall be kept securely fastened in place.
- 704.5 All exterior wood surfaces shall be kept painted, varnished, shellacked, or covered with other preservative, unless the wood is customarily used in its natural state.
- SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR § 2503 and 2512, C.O. 55-1503 (August 11, 1955).

705 WINDOWS AND DOORS

- 705.1 Each window shall be fully supplied with window panes which are without open cracks or holes.
- 705.2 Each window sash shall be in good condition and shall fit reasonably well within its frame.
- 705.3 Each window, other than fixed windows, shall be capable of being easily opened and held in open or closed position by window hardware.
- 705.4 Each door, transom, side light, skylight, door hinge, and door latch shall be in good condition.
- 705.5 Each exterior door, when closed, shall fit reasonably well within its frame and shall be equipped with a lock which will permit easy egress without a key but will prevent entrance to the multi-unit dwelling without a key unless the door is opened from the inside, electrically or otherwise, by one (1) of the tenants or by an employee of the building owner.
- 705.6 All windows and doors and their frames shall be constructed and maintained in relation to each other and to wall construction to do the following:
- a. Exclude rain completely from entering the structure: and
 - b. Exclude wind substantially from entering the structure.
- 705.7 Each basement hatchway shall be constructed and maintained to prevent the entrance of rodents, rain, and surface drainage water into the dwelling.
- SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2506, CO. 55-1503 (August 11, 1955), as amended by §2 of the Mandatory Lock Amendment Act of 1984, D.C. Law 5-131, 31 OCR 572 (November 16, 1984).

706 INTERIOR WALLS, FLOOR, AND CEILINGS

- 706.1 Each interior wall or ceiling shall be structurally sound and free of loose plaster or other loose structural or surfacing material.
- 706.2 Each interior wall or ceiling shall be free of holes and wide cracks.
- 706.3 Each floor shall be structurally sound, reasonably level, and free of holes and wide

cracks.

706.4 Each floor shall be free of loose, splintered, protruding, or rotting floor boards.

706.5 The floors and interior wall surfaces of residential buildings shall be maintained reasonably free of dampness.

706.6 In any habitable room where any wall or floor surface is damp, that condition shall be corrected, and the wall or floor shall be maintained in a corrected condition.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR § §2504,2505 and 2511, CO. 55-1503 (August 11,1955).

707 PEELING WALL COVERING OR PAINT

707.1 Loose or peeling wall covering or paint on interior surfaces shall be removed, and the surface so exposed shall be repainted or repapered by the owner, except as provided otherwise in §707.2.

707.2 If a room or ceiling is completely replastered and white-coated, that room or ceiling need not be painted or papered.

707.3 The owner of any residential premises in which there resides a child under the age of eight (8) years or to which a child under the age of eight (8) years is a regular visitor who spends a substantial portion of his or her time in the premises, shall maintain the interior and exterior surfaces of the residential premises free of lead or lead in its compounds in any quantity exceeding five-tenths (0.5) of one percent (1%) of the total weight of the material or more than seven-tenths of a milligram per square centimeter (0.7 mg/cm²), or in any quantity sufficient to constitute a hazard to the health of any resident of the residential premises of any regular visitor to the residential premises who spends a substantial portion of his or her time in the residential premises.

707.4 The Director of the Department of Housing and Community Development shall order the owner of the residential premises as described in §7073 in which a lead poisoning hazard was found to do any of the following:

- a. Remove all materials containing lead or lead in its compounds from the interior or exterior surfaces to their base surface, under the safety conditions approved by the Director of Housing and Community Development, and then either cover surfaces with a paint not containing lead or lead in its compounds in a quantity exceeding five-tenths (0.5) of one percent (1%) of the total weight of the material or seven-tenths of a milligram per square centimeter (0.7 mg/cm²) of the material or leave the surfaces in their natural state: Provided, that the flame spread rating of the natural state is at least equal to that required by the Second Amendment to the 1972 D.C. Building Code.
- b. Covering the interior or exterior surfaces with a durable material approved by the Director of the Department of Housing and Community Development;
or
- c. Eliminate the lead hazard by other methods approved by the Director of the Department of Housing and Community Development.

- 707.5 Inaccessible exterior surfaces shall be scraped to remove peeling and flaking paint and to make the surface tight.
- 707.6 No surface which is the subject of a notice pursuant to §707.4 shall be refinished until an inspector from the Department of Housing and Community Development has certified in writing that the condition affecting the surface has been abated in accordance with the section.
- 707.7 Any owner who is served with an order pursuant to §707.4 shall comply with the order within ten (10) days of its service upon him or her or shall obtain an extension of the ten (10) day period from the Director of the Department of Housing and Community Development. No extension shall exceed thirty (30) days, but thirty (30) day extensions may be renewed at the discretion of the Director of the Department Housing and Community Development.
- 707.8 The Mayor of the District of Columbia shall designate an agent of the District of Columbia to inspect any residential premises where there is reason to believe lead may present a health hazard because of the presence of a child under the age of eight (8) years who lives in the premises or is a regular visitor to the premises who spends a substantial portion of his or her time there.
- 707.9 For the purpose of this section, the phrase "a substantial portion of his or her time" means at least ten (10) hours per week in the aggregate on a regular basis.
- 707.10 The designated agent is authorized to secure specimens of paint, plaster, or structural materials, and to analyze or cause an analysis to be made of the specimens to determine the quantity of lead or lead in its compounds contained in the material whenever the agent finds any of the following conditions:
- a. Upon inspection finds the presence of flaking, peeling, chipped or loose paint, plaster, or structural materials on any interior or exterior surface of any residential premises; or
 - b. Has other reasonable grounds to believe that a hazard may exist to the health of any inhabitant of or visitor to the residential premises because of the presence of lead or lead in its compounds on the surfaces.
- 707.11 The agent may, instead of securing specimens, as described in §707.10, test a surface with an in situ analyzer device.
- 707.12 In instances where suspected lead poisoning has been reported and verified, the Mayor or his or her designated agent may cause the inspection of any exterior surface, beyond those surfaces specifically defined in §199, and order corrections of any exterior surface condition found hazardous under §70713; Provided, that there is a reasonable probability that the exterior surface conditions on the property other than those specifically defined in §199 are related to the reported lead poisoning.
- 707.13 In any case in which analysis reveals the presence of lead or lead in its compounds in a quantity exceeding five-tenths (0.5) of one percent (1%) or more of the total weight of materials or seven-tenths of a milligram or more per square centimeter (0.7 mg/cm²) or in a quantity otherwise sufficient to constitute a hazard to the health of any inhabitant of the residential premises under the age of eight (8) years, or regular visitor to the residential premises under the age eight (8) years who spends a substantial portion of his or her time there, the agency shall notify the Director of the

Department of Housing and Community Development, in writing, within seventy-two (72) hours, that a lead poisoning hazard exists.

707.14 The Director of the Department of Housing and Community Development shall notify, in writing, the inhabitants and the owner of record of the property that lead in a quantity sufficient to constitute a hazard was found and that a lead poisoning hazard exists.

707.15 In order to determine compliance with the provisions of this section, the Mayor and any other duly authorized official of the District of Columbia having jurisdiction over, or responsibilities pertaining to, any residential premises shall have the right, after presenting official credentials of identification and authority issued by the District of Columbia either with or without prior notice, to enter upon and into any residential premises in which any of the following conditions exist:

- a. One (1) or more children under the age of eight (8) years reside at the premises and there is chipped, peeling, or flaking paint, or other materials on one (1) or more surfaces which are reasonably accessible to children under the age of eight (8) years; or
- b. A medical evaluation completed within the sixty (60) day period preceding an inspection has revealed the presence of lead toxicity in any occupant or regular visitor to the premises who spends a substantial portion of his or her time there.

707.16 The entry and inspection pursuant to §707.15 shall take place with the least possible disruption to the occupants.

707.17 The right of entry and inspection set forth in §707.16 shall be extended to any residential premises which the Mayor has reason to believe are in violation of the provisions of this section.

707.18 No entry or inspection of any residential premises shall be made without the permission of the occupant of the premises unless a warrant is obtained first from the Superior Court of the District of Columbia pursuant to D.C. Code §11-941 (1981), authorizing the entry and inspection for the purpose of determining compliance with provisions of this section.

707.19 Any entry and inspection shall be made with the least possible disruption to the occupants.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2605, CO. 55-1503 (August 11, 1955); as amended by §2 of the Lead-Based Paint Poisoning Prevention Act of 1983, D.C. Law 5-35, 30 DCR 4156 (August 19, 1983).

708 STAIRWAYS, STEPS, AND PORCHES

708.1 Stairways, steps, and porches shall be firm, and the walking surfaces shall be sufficiently smooth so as to be readily cleaned and provide safe passageways free of tripping hazards.

708.2 Treads shall be reasonably level and in any flight evenly spaced.

708.3 Interior stairs more than two (2) risers high shall have an enclosing wall, balustrade, or other guard on each side, and shall have a handrail on at least one side.

- 708.4 All stair well openings shall have a balustrade or other guard along the entire length of any open or otherwise unprotected side.
- 708.5 Open porches forty-two inches (42") or more above the ground shall have balustrades or other guards not more than forty-two inches (42") in height along the entire length of any open, unprotected side.
- 708.6 Open porches less than forty-two inches (42") but more than twenty-four inches (24") above the ground shall have balustrades, or other guards not more than forty-two inches (42") in height or a top rail not more than forty-two inches (42") above the porch floor with an intermediate rail approximately midway between the floor and top rail along the entire length of any open unprotected side.
- 708.7 Exterior flights of stairs more than twenty-four inches (24") in height, attached to buildings or an appurtenance of buildings, including a porch or landing, shall be protected with a handrail, balustrade, or other guard on at least one side.
- 708.8 If an exterior flight of stairs extends more than forty-two inches (42"), each side of the stairs shall be protected by either a handrail, balustrade, or wall.
- 708.9 If an exterior flight of stairs is protected by two (2) walls, one shall have a handrail which will clear the wall by not less than one and one-half inches (1 1/2") to provide maximum safety.
- 708.10 The vertical distance from the top of any handrail, balustrade, or other guard to the surface of any platform or front edge of any stair tread shall be not less than thirty inches (30") and not more than forty-two inches (42").
- 708.11 All steps, rails, balustrades, or other guards shall be of sound material and securely fastened.
SOURCE: The Housing Regulations of the District of Columbia, 50 DCRR §2508, C.O. 55-1503 (August 11, 1955); as amended by CO. 66-313 issued March 8, 1966, 12 OCR 198 (March 28, 1966).

799 DEFINITIONS

- 799.1 The provisions of §199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.

CHAPTER 8 HOUSING CODE: CLEANLINESS, SANITATION, AND SAFETY

Secs

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- [800](#) General Provisions
- [801](#) Responsibilities of Owners and Landlords
- [802](#) Responsibilities of Tenants

- [803](#) Storage of Ashes, Garbage, and Refuse
- [804](#) Ratproofing
- [805](#) Extermination
- [806](#) Screening
- [807](#) Radio and Television Antennas
- [808](#) Insanitary or Unsafe Sheds and Fences
- [899](#) Definitions

800 GENERAL PROVISIONS

- 800.1 All premises occupied for residential purposes shall be kept in a clean, safe, and sanitary condition, including, but not limited to, the requirements of this chapter.
- 800.2 Floors, floor coverings, and other walking surfaces shall be clean and free of dirt, dust, filth, garbage, human or animal wastes, litter, refuse, or any other insanitary matter.
- 800.3 Walls, ceilings, windows, and doorways shall be clean and free of cobwebs, dirt, dust, greasy film, soot, or any other insanitary matter.
- 800.4 Plumbing fixtures shall be kept in a clean, sanitary condition, and shall be kept free of dirt, filth, human or animal wastes, or any other insanitary matter. Each occupant shall exercise care in the proper use and operation of plumbing fixtures.
- 800.5 Areaways, walkways, and yards shall be clean and free of ashes, filth, garbage, human or animal wastes, litter, refuse, or any other insanitary matter.
- 800.6 Other portions of each premises which are not specifically listed in this section shall be kept clean, and in a safe and sanitary condition.
- 800.7 The owner, user, or any person having the right to use any private passageway or alley, shall not permit any ashes, debris, dirt, filth, garbage, human or animal waste, litter, refuse, stagnant water, or any other insanitary matter to remain on that passageway or alley.

AUTHORITY: Unless otherwise noted, the authority for this chapter is contained in paragraphs 28 and 46 of §7 of An Act to make appropriations to provide for the government of the District of Columbia for fiscal year ending June 30, 1903, and for other purposes, Public No. 218, approved July 1, 1902, as amended by An Act approved July 1, 1932, and as further amended by An Act approved July 22, 1947.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§2602 and 2603, C.O. 55-1503 (August 11, 1955).

801 RESPONSIBILITIES OF OWNERS AND LANDLORDS

- 801.1 If there are more than five (5) families residing in any multiple dwelling in which the owner does not reside, the owner(s) or lessee(s) of the building, when required by the Director, shall place in that building a janitor, housekeeper, or some other responsible person who shall reside in, and have charge of, the building.
- 801.2 In those portions of premises occupied for residential purposes which are vacant, used as common space, or are not under the exclusive control of a tenant, the owner or

licensee shall be responsible for the observance of the provisions of this chapter.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§1204 and 2601, CO. 55-1503 (August 11, 1955).

802 RESPONSIBILITIES OF TENANTS

802.1 In those portions of premises occupied for residential purposes under the exclusive control of a tenant, it shall be the responsibility of the tenant to observe the provisions of this chapter, unless otherwise indicated in this chapter.

802.2 In addition to the tenant's responsibilities under §800, the tenant shall specifically be responsible for the following:

- a. Keeping the part of the premises that the tenant occupies and uses as clean and sanitary as the conditions of the premises permit;
- b. Disposing from the tenant's dwelling unit all rubbish, garbage, and other organic or flammable waste, in a clean, safe, and sanitary manner;
- c. Keeping all plumbing fixtures as clean and sanitary as the condition of those fixtures permits;
- d. Properly using and operating all electrical, gas, plumbing, and heating fixtures and appliances.

802.3 A tenant shall not do or permit any person on the premises with the tenant's permission to do any of the following:

- a. Willfully or wantonly destroy, deface, damage, impair, or remove any part of the structure or dwelling unit; or
- b. Willfully or wantonly destroy, deface, damage, impair, or remove any part of the facilities, equipment, or appurtenances to the dwelling unit

802.4 The tenant of each dwelling unit in multiple dwellings shall provide as needed for the tenant's own use sufficient, lawful and separate receptacles for the storage of ashes, garbage, and refuse in the tenant's own unit.

802.5 All garbage, refuse, and ashes of each unit shall be placed by the tenant in receptacles and transferred by the tenant to the designated place of common storage on the premises, unless the collection and transfer is provided by the operator.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§2801, 2602A and 3205, CO. 55-1503 (August 11,1955).

803 STORAGE OF ASHES, GARBAGE, AND REFUSE

803.1 In each multiple dwelling where the occupants of habitations are responsible for taking the ashes, garbage, or refuse from their respective quarters to a place of common storage or disposal, the place of common storage or disposal shall be readily accessible to all occupants at all times through common space within the premises.

803.2 In multiple dwellings where the owner or licensee is responsible for the collection or removal of ashes, garbage, or refuse from the individual habitations to a place of

common storage or disposal, the owner or licensee shall cause sufficient daily collections, at an hour to be specified by the owner or licensee, to be made as may be necessary to keep the common space of the premises free from any accumulation of ashes, garbage, or refuse.

803.3 The principal occupant of a single or two-family dwelling, and the owners or licensees of multiple dwellings, shall provide and maintain water-tight metal receptacles with tight-fitting metal covers sufficient for the separate storage of all ashes, garbage, or refuse accumulating on the premises during the usual interval between collections of the ashes, garbage, and refuse.

803.4 If residential buildings are provided with interior refuse storage bins, the variety and number of those metal receptacles may be modified accordingly.

803.5 Persons required by this section to provide and maintain storage receptacles shall keep them free of accumulated grease, filth, or insect breeding, and shall keep them in a clean condition.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§2609 and 2610, C.O. 55-1503 (August 11, 1955).

804 RATPROOFING

804.1 Every residential building shall be ratproofed and maintained in a ratproof condition by the owner or licensee of that building.

804.2 Ratproofing shall include construction designed to prevent rats from entering a building by blocking off or stopping up all passages by which rats may gain entry.

804.3 Ratproofing shall also include the closing of openings in exterior walls with materials through which rats cannot penetrate.

804.4 Ratproofing shall also include such interior rat stoppage, harborage removal, and cleanup as may be necessary to reduce or eliminate rat breeding places.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2606, CO. 55-1503 (August 11, 1955).

805 EXTERMINATION

805.1 The occupant of any single-family dwelling shall keep the premises free from vermin, rodents, and rodent harborage.

805.2 The occupant of any habitation in a two-family or multiple dwelling shall be responsible for the extermination of vermin and rodents whenever his or her habitation is the only one infested, except as provided otherwise in §805.3.

805.3 If an infestation of a single habitation is caused by failure of the owner or licensee to maintain a residential building in a rodent-proof or reasonably insect-proof condition, the exterminating shall be done by the owner or licensee.

805.4 The owner or licensee of a two-family or multiple dwelling shall keep the common space in that residential building free from vermin and rodents, and rodent harborages.

805.5 The extermination of vermin and rodents shall be done by the owner or licensee

whenever infestation exists in two (2) or more of the habitations in two-family or multiple dwellings.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2607, C.O. 55-1503 (August 11,1955).

806 SCREENING

806.1 The owner or licensee of each residential building shall provide screens for all openings to the external air from March 15 through November 15 (both dates inclusive) of each year Provided, that effective means other than screens may be substituted for screens whet specifically approved by the Director.

806.2 Screens shall have a minimum of sixteen (16) meshes to the inch or the equivalent effectiveness of sixteen (16) meshes to the inch.

806.3 Screens shall be maintained to prevent effectively the entrance of flies and mosquitoes into the building.

806.4 All hinged screen doors shall open outwardly and be self-closing.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §2608, C.O. 55-1503 (August 11, 1955), s amended by C.O. 60-529 issued March 15,1960, 6 OCR 255 (April 4, 1960).

807 RADIO AND TELEVISION ANTENNAS

807.1 The owner or tenant of any premises shall not permit the horizontal members of radio an television antennas on the premises to be less than eight feet (8') in the clear above the roof.

807.2 No parts of any radio or television antenna shall be attached to or strung across any flu escape or ladder.

SOURCE: The Housing Regulations of the District of Columbia, SG OCRR §1208, CO. 55-1503 (August 11, 1955).

808 INSANITARY OR UNSAFE SHEDS AND FENCES

808.1 No person who is the owner, owner's agent, or manager of any property in the District shall allow to remain on that property any fence or shed which the Fire Chief finds constitutes a fire hazard to any nearby structure.

808.2 No person who is the owner, owner's agent, or manager of any property in the District shall allow to remain on that property any fence or shed which the Director of the Department of Consumer and Regulatory Affairs finds constitutes a safety hazard.

808.3 No person who is the owner, owner's agent, or manager of any property in the District shall allow to remain on that property any fence or shed which the Director of Human Services finds is dilapidated, and which facilitates the accumulation of or interferes with the collection of trash, garbage, ashes or other materials which

- constitute a health hazard; or which harbors or provides harborage for rodents.
- 808.4 No person who is the owner, owner's agent, or manager of any property in the District shall allow to remain on that property any fence or shed which the Chief of Police determines interferes with the performance of the duty of members of the Metropolitan Police force or constitutes a menace to the public safety.
- 808.5 Whenever an official listed in §§808.1 through 808.4 or any designated agent of that official finds that any fence or shed is hazardous as set forth in this section, he or she shall give the owner, owner's agent, or manager written notice to remove the hazard.
- 808.6 The written notice provided under §808.5 shall state the following:
- a. The reason or reasons for ordering the removal of the fence or shed; and
 - b. That the person receiving the notice shall comply with the requirements of the notice not later than thirty (30) days after the date of receipt of the notice, unless within that period of time he or she has appealed under §808.7.
- 808.7 Any owner, owner's agent, or manager receiving notice to remove a shed or fence under this section shall have thirty (30) calendar days in which to comply or to appeal in writing to the Board of Appeals and Review.
- 808.8 If within the time allowed, the owner, owner's agent, or manager files an appeal, he or she shall be given opportunity to appear at a hearing before the Board of Appeals and Review.
- 808.9 The decision of the Board of Appeals and Review shall be final. If the decision is adverse to the appellant, the appellant shall comply with the provisions of the order appealed from (as that order may have been sustained or modified by the Board) within ten (10) calendar days after receipt of notice of the decision of the Board. Failure to comply shall constitute a violation of the order.
- 808.10 Any shed removed in compliance with a notice issued pursuant to the authority herein contained may be replaced only by a shed constructed in accordance with the Building Code.
- 808.11 Whenever any fence or shed is ordered removed, a copy of the notice ordering the removal shall be forwarded to the responsible official who shall issue permits for the construction of fences and sheds in accordance with the provisions of the order and who shall maintain a file of all notices.
- 808.12 Any fence removed in compliance with a notice issued pursuant to the authority of this section may be replaced only by one of the following:
- a. An open-pattern, noncombustible fence which is not more than seven feet (7') in height; or
 - b. A combustible fence which is not more than three feet six inches (3'6") in height, constructed of pickets, palings, or boards, each of which is not more than four inches (4") in width and is separated from the immediately adjacent pickets, palings, or boards by spaces that are not less than two inches (2") in width.
- 808.13 Notwithstanding any of the provisions of this section, if there is a change in the ownership of any property affected by this section, or if that property is substantially improved or renovated, any fence or shed ordered removed from the property may

be replaced by a fence or shed constructed in accordance with applicable laws and regulations.

SOURCE: The Housing Regulations of the District of Columbia, 5G OCRR §1205, C.O. 55-1503 (August 11 1955).

899 DEFINITIONS

899.1 The provisions of §199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.

CHAPTER 9 SAFETY AND FIRE PREVENTION

Secs

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- [900](#) Occupancy of Residential Buildings
- [901](#) Fire Safety: General Provisions
- [902](#) Egress Facilities
- [903](#) Exit and Emergency Lights and Directional Signs
- [904](#) Fire Alarm Systems
- [905](#) Combustible Refuse and Debris
- [906](#) Heating and Cooking Appliances
- [907](#) Report of Fires
- [999](#) Definitions

900 OCCUPANCY OF RESIDENTIAL BUILDINGS

900.1 Allowable occupancy in residential buildings as provided in the this subtitle shall not be construed as superseding or contravening any limitations imposed on occupancy by applicable requirements of fire safety and egress.

900.2 Unoccupied buildings and buildings left uncompleted shall be protected by barricading, or other means, as to afford protection against accident to persons in or about the premises.

AUTHORITY: Unless otherwise noted, the authority for this chapter is contained in paragraphs 28 and 46 of §7 of An Act to make appropriations to provide for the government of the District of Columbia for fiscal year ending June 30, 1903, and for other purposes, Public No. 218, approved July 1, 1902, as amended by An Act approved July 1, 1932, and as further amended by An Act approved July 22, 1947.

SOURCE: The Housing Regulations of the District of Columbia, 50 DCRR §§1 210 and 1211, 0.0. 55-1503 (August 11, 1955); as added by 0.0. 62-257 issued February 6, 1962, 8 DOR 191 (February 19, 1962).

901 FIRE SAFETY: GENERAL PROVISIONS

- 901.1 The operator of each housing business shall maintain all required fire extinguishing equipment in an operable condition.
- 901.2 The operator of each housing business shall maintain all required fireproofing and all fire protective construction in a good state of repair.
- 901.3 The owner of a multiple dwelling, containing two (2) or more units, shall submit to the Department of Consumer and Regulatory Affairs ("Department") a copy of each report issued to the owner by the fire inspector of the District of Columbia citing one (1) or more violations of the Fire Prevention Code.
- 901.4 The owner shall submit a copy of the report to the Department within five (5) days of the date of issuance.
- 901.5 The owner shall correct the violations cited in the report within fifteen (15) days of the date of issuance, and shall submit written certification to the Department that the corrections have been made.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §§321.1 and 3212, 0.0. 55-1503 (August 11, 1955); as amended by §4 of the Self-Inspection of Heating and Hot Water Systems Act of 1986, D.C. Law 6-158, 33 DOR 4936, 4940 (August 15, 1986).

902 EGRESS FACILITIES

- 902.1 It shall be the duty of the operator of each housing business to keep fire escapes, stairways, and other egress facilities in a good state of repair and free from obstruction.
- 902.2 The operator of each housing business shall keep exterior stairways and fire escapes painted.
- 902.3 The operator of each housing business shall maintain all fire doors for vertical and horizontal communications in an openable condition in accordance with their required function.
- 902.4 The operator of each housing business shall keep all public and exit corridors free of obstructions. 50U ROE: The Housing Regulations of the District of Columbia, 5G DCRR §3208, 0.0. 55-1503 (August 11, 1955)

903 EXIT AND EMERGENCY LIGHTS AND DIRECTIONAL SIGNS

- 903.1 It shall be the duty of the operator of each housing business to maintain in an operable condition all emergency and exit lights.
- 903.2 The operator of each housing business shall maintain lighted exits and emergency lights from sunset to sunrise, and at other times when conditions warrant.
- 903.3 The operator of each housing business shall maintain all exit directional signs.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §3209, 0.0. 55-1503 (August 11, 1955)

904 FIRE ALARM SYSTEMS

- 904.1 The operator of each housing business shall maintain in an operable condition all required fire alarm systems.
- 904.2 The operator of each housing business shall provide and maintain informative sign concerning the operation of the local fire alarm system at each striking station.
- 904.3 Each operator shall post and maintain signs referring to fires in accordance with IF-104.3 of Article 1 of the Fire Prevention Code, 12 DCMR ~F-1043 (D.C. Supp. 1987).
- 904.4 Each owner or operator of a housing business shall install smoke detectors and comply with the requirements of the Smoke Detector Act of 1978 (D.C. Law 2-81).
SOURCE: The Housing Regulations of the District of Columbia. 50 DCRR 53210, C.O. 55-1503 (August 11, 1955); as amended by 511 of the Smoke Detector Act of 1978, D.C. Law 2-81,25 DOR 9056, 9065 (April 28, 1978).

905 COMBUSTIBLE REFUSE AND DEBRIS

- 905.1 No old rags, paper, or other like refuse material, gathered or recovered from any sources, shall be brought into or allowed to remain within any building used as a dwelling.
- 905.2 It shall be the duty of the operator of a housing business to maintain the premises, excepting those portions under the exclusive control of the tenant or tenants, free from combustible refuse and debris, accumulated grease, or oil spillage.
- 905.3 The operator of a housing business shall not permit the accumulation or rags, waste paper, broken furniture, or any combustible junk in any portions of the premises under the operator's control.
- 905.4 The tenant of a housing business shall not permit the accumulation of rags, waste paper, broken furniture, or any combustible junk in any portions of the premises under the tenant's control.
SOURCE: The Housing Regulations of the District of Columbia. 50 DCRR 511206 arid 3206, C.O. 55.15O3A Augu5t 11,1955).

906 HEATING AND COOKING APPLIANCES

- 906.1 The provisions of this section shall apply to all housing businesses.
- 906.2 Heating and cooking appliances shall be installed and maintained in accordance with the fire prevention and protection requirements of the applicable D.C. laws and regulations.
- 906.3 The operator shall be responsible for the fire-safe installation and maintenance of all heating and cooking appliances furnished by the operator of the housing business-
- 906.4 If appliances are furnished by the tenant, the tenant shall be responsible for meeting the District's laws and regulations on fire protection and prevention-
- 906.5 Oil heaters shall be flue-connected and installed in accordance with the requirements of the §F-308 of Article 3 of the Fire Prevention Code, BOCA Basic/National Fire

Prevention Code/1984, 12 DCMR *F-308 (D.C. Supp. 1987).

906.6 Ashes shall not be placed in combustible receptacles, nor on or against combustible materials.

906.7 The operator shall maintain each incinerator, shaft, spark arrester, and hopper door in a fire-safe condition.

906.8 It shall be the duty of the operator to keep each gas meter room free from combustible material, and maintain the required ventilation for that room.

SOURCE: The Housing Regulations of the District of Columbia, 50 DCRR 53207, 0.0. 55-1503 (August 11, 1955)

907 REPORT OF FIRES

907.1 Whenever a fire occurs in any residential building of any kind, except a private dwelling, it shall be the duty of the owner, manager, or person in control of that building, upon discovery of a fire, or evidence of there having been a fire (even though it has apparently been extinguished) immediately to cause notice of the existence of the fire, circumstances of the fire, and the location of the fire to be given to the Fire Department.

907.2 This requirement shall not be construed to forbid the owner, manager, or person in control of the building from using all diligence necessary to extinguish the fire prior to the arrival of the Fire Department.

SOURCE: The Housing Regulations of the District of Columbia, 50 DCRR §1207, CO. 55-1503 (August 11, 1955).

999 DEFINITIONS

999.1 The provisions of §199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.

CHAPTER 10 ROOMING HOUSES

Secs

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[1000](#) General Provisions

[1001](#) Resident Manager

[1002](#) Registration and Room Assignment

[1003](#) Room Keys

[1004](#) Vermin

[1005](#) Sleeping Accommodations

[1099](#) Definitions

1000 GENERAL PROVISIONS

- 1000.1 The provisions of this chapter shall be applicable to every building or part of a building occupied, used, or held out for use as a rooming house.
- 1000.2 The provisions of chapters 1 through 9 of this subtitle shall also be applicable to premises used or held out for use as a rooming house; Provided, that whenever any provision contained in this chapter conflicts with or supersedes a provision contained in chapters 1 through 9, the provision contained in this chapter shall be applicable.

AUTHORITY: Unless otherwise noted, the authority for this chapter is contained in paragraphs 28 and 46 of §7 of An Act to make appropriations to provide for the government of the District of Columbia for fiscal year ending June 30, 1903, and for other purposes, Public No. 218, approved July 1, 1902, as amended by An Act approved July 1, 1932, and as further amended by An Act approved July 22, 1947.

SOURCE: The Housing Regulations of the District of Columbia, 5G DORR §§41 01 and 4102, 0.0. 55-1503 (August 11, 1955).

1001 RESIDENT MANAGER

- 1001.1 If the licensee does not reside in person on the premises and does not superintend in person the operation or conduct of the rooming house, the licensee shall designate a manager or other person who is responsible for the premises.
- 1001.2 The designated manager or other person shall reside on the premises, shall superintend in person the operation or conduct of the rooming house, and shall have complete charge of the premises.

SOURCE: The Housing Regulations of the District of Columbia, 5G DORR §4103, 0.0. 55-1503 (August 11, 1955).

1002 REGISTRATION AND ROOM ASSIGNMENT

- 1002.1 Each person to whom a license has been issued to conduct a rooming house shall at all times keep a register in which there shall be maintained the following information:
- a. The name of each person occupying a room; and
 - b. The date of arrival and date of departure of each person occupying a room.
- 1002.2 Each room shall be numbered, and the number shall be indicated in the register.

1002.3 No fictitious names shall be entered in the register.

1002.4 No room shall be assigned to persons of different sexes, except in the case of children accompanied by parent or guardian, unless such persons shall be registered as husband and wife.

SOURCE: The Housing Regulations of the District of Columbia, 5G DORR §§4104 and 4105, C.O. 55-1503 (August 11, 1955).

1003 ROOM KEYS

- 1003.1 The entrance door to each rooming unit shall be provided with a lock.
- 1003.2 A key for each rooming unit shall be furnished to each respective roomer.
- 1003.3 A duplicate key or keys shall be retained by the proprietor or manager.
- 1003.4 The proprietor or manager shall have access to all rooms at all reasonable hours.

SOURCE: The Housing Regulations of the District of Columbia, SG DORR 14106, C.O. 55-1503 (August 11,1955).

1004 VERMIN

- 1004.1 All food in sleeping rooms shall be kept in vermin-proof containers.
- 1004.2 All preparations used for the extermination of vermin, such as sodium fluoride, shall be conspicuously colored and kept in containers clearly labeled "POISON".
- 1004.3 Containers of poison shall not be placed with receptacles containing spices or condiments or other food substances.

SOURCE: The Housing Regulations of the District of Columbia, 5G DORR 114107 and 4110, CO. 55-1503 (August 11, 1955).

1005 SLEEPING ACCOMMODATIONS

- 1005.1 No room shall be used for sleeping purposes unless the clear height over the required floor area is at least the following:
 - a. Eight feet (8') in buildings erected after July 10, 1942; or
 - b. Seven feet (7') feet in buildings erected before July 10, 1942.
- 1005.2 Sleeping accommodations shall be determined by consideration of one (1) person for each single or three-quarters bed, and two (2) persons for each double bed present.
- 1005.3 The inspector shall accept the affidavit of an owner, lessee, proprietor, or manager to establish the actual number of persons occupying beds if it is claimed that double beds are of single occupancy.
- 1005.4 All bedding shall be kept in a clean and sanitary condition.
- 1005.5 A clean pillow slip, a clean sheet, and two (2) clean bath towels shall be provided at least once a week for each regular roomer.
- 1005.6 Each new roomer shall be provided with a complete change of linens and towels.
- 1005.7 The requirements of §§1005.4, 1005.5, and 10056 shall not apply if the roomer agrees in writing to furnish his or her own linens and towels.

SOURCE: The Housing Regulations of the District of Columbia, SG DORR §14108 and 4109, CO. 55-1503 (August 11, 1955).

1099 DEFINITIONS

- 1099.1 The provisions of §199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.

CHAPTER 11 BOARDING HOUSES

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- [1100](#) General Provisions
- [1101](#) Resident Manager
- [1102](#) Registration and Room Assignment
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1100 GENERAL PROVISIONS

- 1100.1 The provisions of this chapter shall be applicable to every building or part of a building occupied, used, or held out for use as a boarding house.
- 1100.2 The provisions of chapters 1 through 9 of this subtitle shall also be applicable to premises used or held out for use as a boarding house; Provided, that whenever any provision contained in this chapter conflicts with or supersedes a provision contained in chapters 1 through 9, the provision contained in this chapter shall be applicable.

AUTHORITY: Unless otherwise noted, the authority for this chapter is contained in paragraphs 28 and 46 of §7 of An Act to make appropriations to provide for the government of the District of Columbia for Fiscal year ending June 30, 1903, and for other purposes, Public No. 218, approved July 1, 1902, as amended by An Act approved July 1, 1932, and as further amended by An Act approved July 22, 1947.

SOURCE: The Housing Regulations of the District of Columbia, 5G DORR §14101 and 4102, CO.

55-1503 (August 11, 1955).

1101 RESIDENT MANAGER

1101.1 If the licensee does not reside in person on the premises and does not superintend in person the operation or conduct of the boarding house, the licensee shall designate a manager or other responsible person for the premises.

1101.2 The designated manager or other person shall reside on the premises, shall superintend in person the operation or conduct of the boarding house, and shall have complete charge of the premises.

SOURCE: The Housing Regulations of the District of Columbia, 50 DORR §4103, C.O. 55-1503 (August 11, 1955)

1102 REGISTRATION AND ROOM ASSIGNMENT

1102.1 Each person to whom a license has been issued to conduct a boarding house shall at times keep a register in which there shall be kept the following information:

- a. The name of each person who has sleeping accommodations on the premises; and
- b. The date of arrival and date of departure of each person who has sleeping accommodations on the premises.

1102.2 Each room shall be numbered, and the number shall be indicated in the register.

1102.3 No fictitious names shall be entered in the register.

1102.4 No room shall be assigned to persons of different sexes, except in the case of children accompanied by parent or guardian, unless those persons are registered as husband and wife.

SOURCE: The Housing Regulations of the District of Columbia, 5G DORR §14104 and 4105, CO. 55-1503 (August 1955).

1103 MANAGER'S CERTIFICATE

1103.1 Each manager or operating proprietor of a boarding house in the District where meals lunches are served to ten (10) or more persons, shall obtain a Manager's Certificate.

1103.2 It shall be unlawful for any person in the District of Columbia to assume the management of any boarding house where meals or lunches are served to ten (10) or more person without having first qualified for a Manager's Certificate.

1103.3 A Manager's Certificate may be obtained by making application for the same a undergoing an examination before a board consisting of three (3) persons, the chairman and other members to be persons employed by the District and designated by the May or the Mayor's designee.

1103.4 The examination shall be designed to test each applicant's proficiency in food a

restaurant sanitation.

1103.5 Each applicant successfully passing the examination shall be entitled to and shall awarded a Manager's Certificate, which shall entitle the holder to manage any boarding house in the District.

1103.6 Any applicant who fails to pass the examination shall be entitled to a re-examination thirty (30) days.

SOURCE: The Housing Regulations of the District of Columbia, 5G DORR §14201, C.O. 55-1503 (August 11, 1955).

1104 SLEEPING ACCOMMODATIONS

1104.1 No sleeping facilities shall be permitted in any room which is a part of any room where food is prepared, served or stored, or in which utensils are washed or stored.

1104.2 No room shall be used for sleeping purposes unless the clear height over the required floor area is at least the following:

- a. Eight feet (8') in buildings erected after July 10, 1942; or
- b. Seven feet (7') in buildings erected before July 10, 1942.

1104.3 Sleeping accommodations shall be determined by consideration of one (1) person for each single or three-quarters bed, and two (2) persons for each double bed present.

1104.4 The inspector shall accept the affidavit of an owner, lessee, proprietor, or manager to establish the actual number of persons occupying beds if it is claimed that double beds are of single occupancy.

1104.5 All bedding shall be kept in a clean and sanitary condition.

1104.6 A clean pillow slip, a clean sheet, and two (2) clean bath towels shall be provided at least once a week for each regular roomer.

1104.7 Each new roomer shall be provided with a complete change of linens and towels.

1104.8 The requirements of §§1104.5, 1104.6, and 1104.7 shall not apply if the roomer agrees in writing to furnish his or her own linens and towels.

SOURCE: The Housing Regulations of the District of Columbia, 5G DORR §14108 and 4109, C.O. 55-1503 (August 11, 1955).

1105 ROOM KEYS

1105.1 The entrance door to each rooming unit shall be provided with a lock.

1105.2 A key for each rooming unit shall be furnished to each respective roomer.

1105.3 A duplicate key or keys shall be retained by the proprietor or manager.

1105.4 The proprietor or manager shall have access to all rooms at all reasonable hours.

SOURCE: The Housing Regulations of the District of Columbia, 5G DORR 14106, CO. 55-1503 (August 11, 1955).

1106 FLOORS, WALLS, AND CEILINGS

- 1106.1 The floors of all rooms in which food or drink is stored, prepared, or served shall be constructed to be easily cleaned, shall be smooth, shall be kept clean, and shall be maintained in a safe and sanitary condition.
- 1106.2 Walls and ceilings of all rooms in which food or drink is stored, prepared or served, shall be kept clean, and shall be maintained in a safe and sanitary condition.
- 1106.3 The floors of all rooms in which utensils are washed or stored shall be constructed to be easily cleaned, shall be smooth, shall be kept clean, and shall be maintained in a safe and sanitary condition.
- 1106.4 Walls and ceilings of all rooms in which utensils are washed or stored shall be kept clean, and shall be maintained in a safe and sanitary condition.
- SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §14202 and 4203, CO. 55-1503 (August 11, 1955).

1107 VENTILATION

- 1107.1 All rooms in which food or drink is prepared, or in which food or drink is served, or in which utensils are washed, shall be reasonably ventilated.
- SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR 14205, CO. 55-1503 (August 11, 1955).

1108 LIGHTING

- 1108.1 All rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be provided with adequate natural or artificial lighting.
- 1108.2 In rooms in which food or drink is prepared or served, or in which utensils are washed, adequate natural or artificial lighting shall be provided which is sufficient to produce an intensity of not less than fifteen (15) foot candles at thirty inches (30") from the floor.
- 1108.3 In rooms in which food or drink is stored, adequate natural or artificial lighting shall be provided which is sufficient to produce an intensity of not less than four (4) foot candles, at thirty inches (30") from the floor.
- SOURCE: The Housing Regulations of the District of Columbia, SG DCRR 14204, C.O. 55-1503 (August 11, 1955).

1109 FOOD PREPARATION AND DISHWASHING FACILITIES

- 1109.1 The rooms in which food is prepared shall be of adequate size and construction to permit easy cleaning and the unhampered performance of kitchen operations.
- 1109.2 Running hot and cold water supply shall be easily accessible to all rooms in which food is prepared or utensils are washed, and shall be adequate and of a safe, sanitary quality. U
- 1109.3 All eating and cooking utensils, and all windows, counters, shelves, tables,

refrigerating equipment, sinks, and other equipment shall be kept clean and in a sanitary condition.

1109.4 All cloths used by waiters, chefs and other employees shall be clean.

1109.5 Single-service containers shall be used only once.

1109.6 All except single-service eating and drinking utensils shall be thoroughly cleansed and sterilized and shall at the time of service to the public, be thoroughly clean and sterilized.

1109.7 All multi-use containers and utensils used in the preparation, cooking or serving of food and drink shall be thoroughly cleansed and sterilized immediately following the day's operations.

1109.8 All boarding houses where dishwashing is done by other than mechanical means, shall be provided with facilities to ensure sterilization of all common eating and drinking utensils and thorough cleansing of all cooking utensils.

1109.9 Mechanical dishwashing machines used for sterilizing purposes shall be equipped to provide a minimum temperature of at least one hundred eighty degrees Fahrenheit (1800 F.) when in use for sterilizing purposes.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR 14209, C.O. 55-1503 (August 11, 1955).

1110 STORAGE AND HANDLING UTENSILS, AND EQUIPMENT

1110.1 After cleansing and sterilizing treatment, utensils shall be stored in a clean dry place; shall be protected from flies, dust, or other contamination; and shall be handled in manner which prevents contamination, so far as practicable.

1110.2 Single-service utensils shall be purchased only in sanitary containers and shall be stored in those containers in a clean, dry place until used.

1110.3 Kitchens shall not be used for the storage of other than food products and kitchen, cooking, or eating utensils and equipment in use.

1110.4 Cracked or chipped china and glassware shall not be used, but shall be discarded.

SOURCE: The Housing Regulations of the District of Columbia, SG DCRR §14210 and 4220, C.O. 55-1503 (August 11, 1955).

1111 STORAGE AND HANDLING OF FOOD

1111.1 All food and drink shall be stored and displayed so as to be protected from dust, rodents, flies, vermin, handling, droplet infection, overhead leakage and other contamination.

1111.2 All food in sleeping rooms shall be kept in vermin-proof containers.

1111.3 The containers in which flour, sugar, and similar food products are dispensed in daily usage shall be provided with tight-fitting tops and shall be so constructed as to protect the contents from dust, dirt, insects, and other contamination.

1111.4 Sugar served to the public in boarding houses shall be dispensed from screw top or

other type containers which provide protection from dirt, dust, other contamination and human handling, at all times, except in the case of lump sugar that is individually wrapped.

SOURCE: The Housing Regulations of the District of Columbia, 50 DCRR §14107, 4212 and 4219, CO. 55-1503 (August 11, 1955).

1112 REFRIGERATION

1112.1 All perishable food or drink shall be kept at or below forty-five degrees Fahrenheit (45o F.), except when being prepared or served.

1112.2 Waste water from refrigeration equipment shall discharge into an open sink or drain properly trapped and sewer connected; Provided, that if sewer connections are not available, clean, adequate, and water-tight drip pans shall be provided.

SOURCE: The Housing Regulations of the District of Columbia, SG DCRR 14213, CO. 55-1503 (August 11, 1955).

1113 WHOLESOMENESS OF FOOD AND DRINK

1113.1 All food and drink shall be wholesome, unadulterated, and free from spoilage.

1113.2 Milk shall be served in the original container in which it is received from the distributor.

1113.3 All shellfish shall be from sources approved by the United States Public Health Service.

1113.4 All cream dispensers shall be constructed to be readily cleansed.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR 14211, C.O. 55-1503 (August 11, 1955).

1114 POISONS

1114.1 All preparations used for the extermination of vermin, such as sodium fluoride, shall be conspicuously colored and kept in containers clearly labeled "POISON."

1114.2 Containers of poison shall not be placed with receptacles containing spices or condiments or other food substances.

1114.3 No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleansing or polishing of eating or cooking utensils.

SOURCE: The Housing Regulations of the District of Columbia, 50 DCRR §§41 10 and 4218, CO. 55-1503 (August 11, 1955).

1115 HEALTH OF EMPLOYEES

1115.1 The Director of the District agency responsible for enforcement of applicable health regulations with respect to food establishments shall have full power and authority at

any time to make any examinations and tests which may be necessary to determine whether any food handler has a disease in a communicable form or is a carrier of a communicable disease.

- 1115.2 It shall be the duty of all food handlers to submit to examination at the request of the Director, and any food handler who refuses to submit to an examination shall not be employed or continued as a food handler in any boarding house.
- 1115.3 No person knowing himself or herself to be afflicted with disease in a communicable form shall work as a food handler in any boarding house.
- 1115.4 Except with the approval of the Director, no operating proprietor or manager of any boarding house shall employ or continue to employ any person as a food handler if the operating proprietor or manager has reason to suspect the person is afflicted with disease in a communicable form.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §4214, C.O. 55-1503 (August 11, 1955).

1116 CLEANLINESS OF EMPLOYEES

- 1116.1 All employees shall wear clean garments and shall keep their hands clean at all times while engaged in the handling of food, drink, utensils and equipment.
- 1116.2 All female employees shall wear hair nets, and all male employees shall wear caps, while engaged in the preparation of food during working hours.
- 1116.3 All employees who in any manner come in contact with or handle food shall, before beginning work, thoroughly wash their hands with soap and water.
- 1116.4 No employee shall be permitted to smoke while on duty and engage in the preparation, handling, or serving of food.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §4216, C.O. 55-1503 (August 11, 1955).

1117 LAVATORY FACILITIES

- 1117.1 All kitchens where food is prepared shall be equipped with adequate hand-washing facilities for the washing and cleansing of the hands, equipped with running hot and cold water, soap and approved sanitary towels.
- 1117.2 The use of the common towel is prohibited.
- 1117.3 No employee shall return from a toilet room without having first washed his or her hands.
- 1117.4 Handwashing signs shall be posted in each toilet room used by employees.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR 14215, CO. 55-1503 (August 11, 1955).

1118 LOCKER OR DRESSING ROOM FOR EMPLOYEES

1118.1 Adequate lockers or dressing rooms shall be provided for the clothing of male and female employees.

1118.2 Soiled linens, coats, and aprons shall be kept in vermin-proof containers provide for that purpose.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR 421S, C.O. 55-1503 (August 11, 1955).

1199 DEFINITIONS

1199.1 The provisions of §199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.

CHAPTER 12 APARTMENTS AND APARTMENT HOUSES

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[1200](#) General Provisions

[1201](#) Non-ResIdent Licensees

[1202](#) Registration of Tenants

[1203](#) Posting of Information on Building Management

[1204](#) DesIgnation of Apartments

[1205](#) Elevator Maintenance

[1299](#) Definitions

1200 GENERAL PROVISIONS

1200.1 The provisions of this chapter shall be applicable to every building or part of a building occupied, used, or held out for use as an apartment or apartment house.

1200.2 The provisions of chapters 1 through 9 of this subtitle shall also be applicable to premises used or held out for use as an apartment or apartment house; Provided, that whenever any provision contained in this chapter conflicts with or supersedes a provision contained in chapters 1 through 9, the provision contained in this chapter shall be applicable.

AUTHORITY: Unless otherwise noted, the authority for this chapter Is contained in paragraphs 28 and 46 of §7 of An Act to make appropriations to provide for the government of the District of Columbia for fiscal year ending June 30, 1903, and for other purposes, Public No. 218, approved July 1,1902, as amended by An Act approved July 1,1932, and as further amended by An Act approved July 22, 1947.

SOURCE: The Housing Regulations of the District of Columbia, 50 DCRR §§6101 and 6102, CO. 55-1503 (August11, 1955).

1201 NON-RESIDENT LICENSEES

1201.1 No license to operate an apartment house business shall be issued to a person not a resident of the District of Columbia, unless that non-resident, as a condition of receiving and maintaining the license, does one of the following:

- a. Maintains an office in the District of Columbia; or
- b. Appoints or employs and maintains an attorney-in-fact, general agent or manager who is a resident of the District or who maintains an office in the District, and notifies the Director of that appointment or employment.

1201.2 A non-resident licensee shall notify the Director of any change in the appointment or employment of attorney-in-fact, general agent, or manager within five (5) business days of the change.

1201.3 In all cases of a non-resident licensee, notice of any action to be taken with respect to the license issued to the licensee may be served upon the attorney-in-fact, general agent, or manager appointed or employed by that non-resident licensee.

1201.4 Upon certification to the Director by an officer of the District required to serve notice in connection with the operation of an apartment house business, that a licensee (or the attorney-in-fact, general agent, or manager of that licensee) cannot be found after reasonable search, proceedings against the licensee may be instituted by serving notice, the manner prescribed in §105.4 of this title, upon either the licensee or any person who has been designated by the licensee as attorney-in-fact, general agent, or manager, and whose designation has not been rescinded by the licensee in a written notice of rescission sent to the Director.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §8103, C.O. 55-1503 (August 11, 1955).

1202 REGISTRATION OF TENANTS

1202.1 A licensee shall establish and maintain, within five (5) business days after the opening the business, a book, books, record, or records in which shall be written in English the name of each tenant of every apartment in the apartment house together with the number of the apartment in which the tenant is residing.

1202.2 The registration book, books, record, or records shall be kept current and in good repair at all times within the District of Columbia, and shall be open for inspection by the departments of the District government responsible for enforcement of District laws and regulations.

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR §8104, C.O. 55-1503 (August 11, 1955).

1203 POSTING OF INFORMATION ON BUILDING MANAGEMENT

1203.1 The licensee shall provide information regarding the building management in a notice framed under clear glass or plastic, and shall post the notice or cause the notice to be posted in a conspicuous place in the apartment building to which the notice applies.

1203.2 The notice shall contain the name, address and the telephone number of a responsible representative of the building management who may be reached in the event of complain or emergency situations.

1203.3 The notice shall also contain information regarding the manner in which the representative or alternate may be reached after normal working hours and on Sundays and holidays.

SOURCE: The Housing Regulations of the District of Columbia, SG DCRR §8105, C.O. 55-1503 (August 11, 1955)

1204 DESIGNATION OF APARTMENTS

1204.1 Each apartment entrance door shall be distinctively numbered or lettered and all other rooms in the apartment buildings shall be distinctively identified.

1204.2 The provisions of this section shall not apply to rooms in individual apartments.

1204.3 The owner of each apartment house shall maintain and provide the tenants of each apartment the use of a secure mail receptacle which has been approved by the United States Postal Service.

1204.4 Each receptacle, other than those in an apartment house that has twenty-four (24) hour-a-day desk clerk service shall be required to have a lock that will enable it to be secured and the owner shall provide each tenant with a key to the lock.

1204.5 Installation, security specifications, and maintenance of mail receptacles shall be consistent with the requirements of postal service laws and regulations.

1204.6 The owner shall be responsible for the proper installation of mail receptacles, and shall maintain the same in safe and good working condition.

1204.7 In the event of disrepair, the owner shall have a reasonable time (not to exceed seven (7) working days) to repair mail receptacles.

SOURCE: The Housing Regulations of the District of Columbia, SG DCRR §6106, CO. 55-1503 (August 11, 1955), as amended by CO. 57-1023 Issued June 6, 1957, 3 DCR 278 (June 17, 1957), as further amended by §2 of the Mandatory Mail Receptacle Act of 1984, D.C. Law 5-141, 31 DCR 5767 (November 16, 1984).

1205 ELEVATOR MAINTENANCE

1205.1 The owner of any apartment building or a house consisting of five (5) or more floors which contains one (1) or more elevators shall maintain the elevators in good working order.

1205.2 Any alterations, repairs, or replacements necessary to maintenance or restoration of elevator service shall be provided by the owner promptly after the stoppage or malfunction in order that service is restored as soon as reasonably possible.

1205.3 Any alterations, repairs, or replacement of elevator service shall comply with the District of Columbia Construction Codes.

SOURCE: §2 of the Apartment House Elevator Act of 1984, D.C. Law 5-132, 31 DCR 5718 (November 16, 1984).

1299 DEFINITIONS

1299.1 The provisions of §199 of chapter 1 of this title and the definitions set forth in that section shall be applicable to this chapter.

CHAPTER 14 CERTIFICATE OF OCCUPANCY: RULES OF PROCEDURE

Secs

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[1400](#) Purpose

[1401](#) General Requirement for Certificate of Occupancy

[1402](#) Application Procedure

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1400 PURPOSE

1400.1 The purpose of these rules is to establish the procedures for applying for a Certificate of Occupancy.

AUTHORITY: Unless otherwise noted, the authority for this chapter is An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1910, and for other purposes, 35 Stat 688, ch. 250, approved March 3, 1909, D.C. Code §5-433 (1981) and Reorganization Plan No. 1 of 1982, Vol. I of the D.C. Code, pp. 37 (1987 Supp.).

SOURCE: Final Rulemaking published at 29 DCR 5571 (December 17, 1982).

EDITOR'S NOTE: The procedural rules in this chapter were adopted by the Director, Department of Licenses, Investigations and Inspections pursuant to the authority, conferred by Part 11(e) of Reorganization Plan No. 1 of 1982 (D.C. Code, Vol. 1, 1988 Cum. Supp. at 37), to administer and enforce the zoning statutes, code and regulations governing the use of all private land and buildings. The Department of Licenses, Investigations and Inspections was abolished by Reorganization Plan No. 1 of 1983, (D.C. Code, Vol. 1, 1988 Cum. Supp. at 42), which transferred the authority, duties and functions of that department to the director of the Department of Consumer and Regulatory Affairs. References in this chapter have been changed to the "Department of Consumer and Regulatory Affairs" or "Department" and to "Director."

1401 GENERAL REQUIREMENT FOR CERTIFICATE OF OCCUPANCY

1401.1 Except as provided in the District of Columbia Zoning Regulations, 11 DCMR §3202, no person shall use any structure, land, or part thereof for any purpose other than a one-family dwelling until a Certificate of Occupancy has been issued to that person stating that the use complies with the Zoning Regulations and related building, electrical, plumbing, mechanical and fire prevention requirements.

SOURCE: Final Rulemaking published at 29 DCR 5571 (December 17, 1982).

1402 APPLICATION PROCEDURE

1402.1 All applications for Certificate of Occupancy shall be filed with the Director or his or her designee on the prescribed forms.

1402.2 The Director or his or her designee shall collect the designated fees and refer the application to appropriate inspection agencies within five (5) working days from the date of filing,

1402.3 For changes in ownership of structures, land, or parts with an existing valid Certificate of Occupancy, a new Certificate of Occupancy shall be issued in the name of the new owner (without reinspection), provided there is no proposed change in use or occupancy load.

1402.4 For new construction, renovation, and changes in use or occupancy load, no application for a Certificate of Occupancy shall be accepted unless the applicant provides proof that required permit work (electrical, plumbing and construction) is completed and has been approved and that the building or premises complies with the requirements of the Zoning Regulations and related building, electrical, plumbing, mechanical and fire prevention requirements.

1402.5 Following the filing of an application, inspections shall be made within fifteen (15) working days from the date of referral and the applicant shall be provided with a written composite notice of all existing violations of the applicable Codes and Regulations within ten (10) working days from the date of the initial inspection.

1402.6 The notice of violations shall be hand delivered to the applicant or sent by certified mail, return receipt requested. The inspection agency shall maintain the returned receipt for review by the Director.

1402.7 If an inspection has not been performed by an agency within fifteen (15) working days, the respective agency shall report all relevant facts to the Director or the designee, issuing Certificate of Occupancy and the Director or his or her designee shall report these facts to the applicant within ten (10) days.

1402.8 If a second visit is required to complete the initial inspection, the reinspection shall be made within ten (10) working days from the date of the initial inspection.

SOURCE: Final Rulemaking published at 29 DCR 5571, 5572 (December 17, 1982).

1403 FAILURE TO COMPLY WITH APPLICABLE LAWS AND REGULATIONS

1403.1 Except as provided in §1404, the failure to comply with all applicable District of Columbia laws and regulations pertaining to the issuance of a Certificate of Occupancy, within the prescribed timeframe in a deficiency notice, or within ninety (90) calendar days whichever occurs last, shall cause the application to be cancelled without further notice to the applicant, and the applicant shall be required to file a new Certificate of Occupancy application and pay the required fees.

1403.2 Refusal to permit entry for inspection of the premises may result in the cancellation of the Certificate of Occupancy application without further notice to the applicant,

SOURCE: Final Rulemaking published at 29 DCR 5571, 5573 (December 17, 1982).

1404 EXTENSION - SPECIAL OR UNUSUAL CIRCUMSTANCES

1404.1 An applicant may be granted an extension to comply with the deficiency notice for any of the following reasons:

- a. The District Government has performed all the required services but due to extenuating circumstances the applicant is unable, through no fault of his or her own, to bring the property into compliance; and
- b. Other special or unusual circumstances as determined by the Director.

1404.2 All requests for extensions shall be made in writing and addressed to the Director, Department of Consumer and Regulatory Affairs.

1404.3 All requests for extensions shall be filed fifteen (15) working days prior to the expiration of the prescribed time period. The request shall specify the following:

- a. The basis for the request including the details of all efforts on the part of the applicant to bring the property for which an exemption is requested into compliance;
- b. The facts which support the request in sufficient detail to enable the Director to make an informed judgment; and
- c. Any other information as the Director may require.

1404.4 The exemption requested shall be either granted or denied by the Director as soon as practicable after receipt of all required information.

1404.5 The decision to grant or deny the exemption shall be delivered to the applicant in writing by certified mail or personal service.

1404.6 A decision to grant an exemption shall set forth the extended period of time by which compliance shall be achieved.

1404.7 If a reinspection is required, the applicant shall receive an extension of time equal to the additional time required for the reinspection.

SOURCE: Final Rulemaking published at 29 DCR 5571, 5573 (December 17,1982).

1405 RECORDS

1405.1 The Director or his or her designee shall be the custodian of Certificate of Occupancy records. The records shall include, but not be limited to, the following:

- a. Pending Certificate of Occupancy applications;
- b. Exemptions granted pursuant to §1404; and
- c. All approved applications for Certificates of Occupancy, issued Certificates of Occupancy and copies of all cancellation notices and related correspondence.

SOURCE: Final Rulemaking published at 29 DCR 5571, 5574 (December 17, 1982).

1406 REVOCATION OF A CERTIFICATE OF OCCUPANCY

1406.1 Any Certificate of Occupancy issued pursuant to these rules may be revoked by the Director, after notice if the actual occupancy does not conform with that permitted or because of any misrepresentation in the application having a substantial bearing on the safety of the occupancy, or if due to any material circumstance, it is found to have been issued in error.

1406.2 Notice of the proposed revocation of the Certificate of Occupancy shall be given in writing, setting forth specifically the grounds of the complaint.

1406.3 The notice shall be by certified mail, at least ten (10) days prior to the date of the proposed action,

SOURCE: Final Rulemaking published at 29 DCR 5571, 5574 (December 17,1982).

1407 APPEALS

1407.1 Any person aggrieved by the action of the Director granting, withholding, or revoking a Certificate of Occupancy may appeal the action to the Board of Zoning Adjustment, pursuant to DC. Code §5-424(F) (1981), and the District of Columbia Zoning Regulations.

SOURCE: Final Rulemaking published at 29 DCR 5571, 5575 (December 17,1982).

1408 SEVERABILITY

1408.1 If any provision of these rules or the application thereof to any person or circumstance is held invalid, the remainder of the rules, and the application of such provision to other persons or circumstance, shall not be affected,

SOURCE: Final Rulemaking published at 29 DCR 5571, 5575 (December 17, 1982).

1409 STATUS OF PENDING CERTIFICATE OF OCCUPANCY

1409.1 All Certificate of Occupancy applications on file as of the effective date of these regulations, December 17, 1982, shall be considered as having been received on that date and shall be processed accordingly.

SOURCE: Final Rulemaking published at 29 DCR 5571, 5575 (December 17, 1982).

1410 REPEAL

1410.1 The Certificate of Occupancy Rules adopted on July 18, 1980, (27 DCR 3140) are hereby repealed.

SOURCE: Final Rulemaking published at 29 DCR 5571, 5575 (December 17, 1982).

1411 CERTIFICATE OF OCCUPANCY FEES

1411.1 The fees for a Certificate of Occupancy shall be computed as specified in this section.

1411.2 The fees for filing a Certificate of Occupancy shall be twenty dollars (\$20).

1411.3 Subsequent to administrative review and upon approval of an application for a new Certificate of Occupancy, the following computed fee shall be paid:

- | | | |
|-----|-----------------------------------|--|
| (a) | Up to 5,000 sq. ft. | \$27.00 |
| | 5001 sq. ft. to 50,000 sq. ft. | 27 plus .004 for all sq. ft. above 5,001 sq. ft.; |
| (b) | 50,000 sq. ft. to 100,000 sq. ft. | 207 plus .003 for all sq. ft. above 50,000 sq. ft.; |
| | | and |
| (c) | 100,001 sq. ft. and up | 357 plus .0013 for all sq. ft. above 100,001 sq. ft. |

1411.4 Where the lot or parcel upon which the building stands is also devoted to the use requested, or there is no building on the lot or parcel, the fee for a Certificate of Occupancy for the land shall be computed as cited in this section, multiplying the square footage of the lot occupied by the building by the appropriate fee.

SOURCE: Final Rulemaking published at 29 DCR 5571, 5575 (December 17, 1982).

1412 PARTIAL CERTIFICATE OF OCCUPANCY FEE

1412.1 The nonrefundable application fee for partial Certificates of Occupancy filed in accordance with the D.C. Building Code shall be twenty dollars (\$20), plus an hourly fee to be determined at a rate of thirteen dollars (\$13) per inspector hour charged by full hour or fraction thereof.

SOURCE: Final Rulemaking published at 29 DCR 5571, 5576 (December 17, 1982).

1413 MISCELLANEOUS FEES

1413.1 The miscellaneous fees shall be as follows:

- (a) For a revised Certificate occasioned by a change in name, not involving a change in ownership, due to court or other action, such as corporate or individual name changes, marriage, death or divorce \$7.00
- (b) For certified copy \$700
- (c) For duplicate copy \$1.00

SOURCE: Final Rulemaking published at 29 DCR 5571, 5576 (December 17, 1982).

1499 DEFINITIONS

1499.1 In addition to the definitions in the law and regulations, the following words shall have the meanings ascribed: **Director** - the Director, Department of Consumer and Regulatory Affairs (DCRA).

SOURCE: Final Rulemaking published at 29 DCR 5571 (December 17, 1982).

CHAPTER 15 REALTY VIOLATIONS CORRECTION AND SUMMARY ABATEMENT

Secs

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[1500](#) Purpose and Scope

[1501](#) Procedures

[1502](#) Authority to Correct

[1503](#) Exemptions from Assessment

[1599](#) Definitions

1500 PURPOSE AND SCOPE

1500.1 This chapter shall provide the minimum procedures and guidelines for implementation of D.C. Law 3-45, the "Realty Violations Correction Fund Act of 1979", which authorizes the correction of housing code violations when an owner fails or refuses to correct the condition, and D.C. Law 4-205 the "Summary Abatement of life-or-Health Threatening Conditions Act of 1982", which authorized summary correction of violations where life-or-health threatening conditions exist.

1500.2 This chapter shall apply when the violation of any law or regulation of the District of Columbia requires corrective action by the owner of any real property including vacant lots in the District of Columbia.

1500.3 Each section and every part of each section of this chapter is hereby declared independent of every other section or part, and the finding or holding of any section or part to be void or ineffective for any cause shall not be deemed to affect any other section or part.

1500.4 The Director may, for good cause shown, waive any of the provisions of this chapter, if not otherwise prohibited by law.

AUTHORITY: Unless otherwise noted, the authority for this chapter Is the Realty Violations Correction Fund Act of 1979, D.C. Law 3-45, 26 OCR 2305 (November 9, 1979); as amended by the Summary Abatement of Life-or-Health Threatening Conditions Act of 1982, D.C. Law 4-205, 30 DCR 188 (January 14, 1983), D.C. Code 55-513 (1981).

SOURCE: Final Rulemaking published at 33 DCR 7860 (December 19, 1986).

1501 PROCEDURES

1501.1 Where no specific time frame for the correction of the violation is contained in the law or regulation under which the violation has occurred, the following factors shall be considered in determining how much time should be given to correct the violation:

- a. The number of conditions to be corrected;
- b. The complexity or severity of the violation;
- c. The centralization of the violation in a few dwelling units or dispersion throughout many;
- d. The immediacy of any hazard presented;
- e. The availability of a particular type of material or labor skill needed to correct the violation;
- f. Weather conditions; and
- g. Any other factors as may be relevant in the particular case.

SOURCE: Final Rulemaking published at 33 DCR 7860 (December 19, 1986).

1502 AUTHORITY TO CORRECT

1502.1 The Director may consider the following factors in determining whether the Department should cause correction of a violation:

- a. The status of any current assessments against the property;
- b. The financial status of the property including whether the property is in either foreclosure or receivership, or has been abandoned;
- c. The physical condition of the property including whether there are any major structural problems;
- d. The current vacancy rate of the property, if a housing accommodation;
- e. The amount of funds needed to make the correction in relation to market value of the property;
- f. The prospect of timely repayment of the funds expended including whether there is an active Tenant's Association paying funds into an escrow account;
- g. The best interests of the tenants in being provided safe and sanitary conditions; and
- h. Any other factors which the Director deems relevant.

SOURCE: Final Rulemaking published at 33 DCR 7860, 7861 (December 19, 1986).

1503 EXEMPTIONS FROM ASSESSMENT

1503.1 The Director may waive or defer an assessment of the cost to the District of Columbia of correcting a violation totally or partially upon application of the owner.

1503.2 Except as provided in §1503.3, the Director may waive or defer the assessment only upon an affirmative showing of good cause by the owner.

1503.3 The Director may waive or defer the assessment without an affirmative showing of good cause by the owner, if the Director finds the owner has not acted in bad faith, and the following applies:

- a. The owner is a non-profit organization as defined under Federal or District tax laws;
- b. The owner is a natural person over the age of sixty (60) years; or
- c. The housing accommodation is receiving assistance under any program administered by the Department of Housing and Community Development.

SOURCE: Final Rulemaking published at 33 OCR 7860, 7862 (December 19, 1986).

1599 DEFINITIONS

1599.1 When used in this chapter, the following words and terms shall have the meaning ascribed: **Director** - the Director of the Department of Consumer and Regulatory Affairs or his or her designee. **Real Property** - any residential or commercial building, or structure or lot.

SOURCE: Final Rulemaking published at 33 DCR 7860, 7662 (December 19, 1986).