



2023 District of Columbia Legislative End of Year Report

The CAI District of Columbia Chapter Legislative Action Committee (LAC) actively advocated on behalf of the [approximately 116,000 Washingtonians living in 49,000 homes in nearly 2,000 community associations across the District](#) during 2023. The LAC actively tracked 31 bills out of 1,892 bills introduced in 2023. Below is a brief overview of highlights of legislation from the first half of the 2023-2024 Council of the District of Columbia:

B 25-0011 Continuity in Condominium Warranty Claims Emergency Amendment Act of 2023- This bill repeals the Condominium Warranty Claims Temporary Amendment Act of 2022 to ensure the timely implementation of legislation currently under Congressional review, which would revise the construction defect warranty provisions, along with the process for filing claims against the warranty bond required to be posted with the District of Columbia's government to secure a condominium declarant's warranty obligations. Repealing the temporary act is a necessary procedural step to ensure that the permanent act can be implemented with no potential conflicts in DC's code.

Status: PASSED. Signed by Mayor Bowser 2/10/23, expires May 2, 2023.

B 25-0323 Association Meeting Flexibility Temporary Amendment Act of 2023. Despite having an expiration date attached to it, this bill's intent to allow for virtual meetings in condominiums is in line with CAI's advocacy priorities, and the CAI DC LAC **supported** it.

This bill allows condominium associations to meet virtually and for board members to submit votes up to 7 days in advance via electronic means unless otherwise stated in the declaration. The act does expire 225 days after taking effect, meaning the Council will need to revisit the issue during the 2024-2025 legislative session.

Status: Successfully PASSED. Signed by Mayor Bowser on 7/31/23, effective from 9/15/23, and expires 4/28/24.

B 25-0106 Comprehensive Electric Vehicle Infrastructure Access, Readiness, and Sustainability Amendment Act of 2023. CAI DC LAC is actively working with lawmakers to ensure that this legislation balances the authority of community associations to reasonably



regulate electric vehicle charging stations with the emission reduction and electric vehicle access goals set forth by the District.

This draft bill – which is still evolving – would allow owners in condominium and homeowners associations, as well as cooperatives, to install electric vehicle charging stations. While associations would not be able to prohibit installation within an owner’s dedicated parking space or unit outright, they would be able to impose reasonable rules and regulations, and regulate according to the following criteria:

- *“(A) Bona fide safety requirements consistent with an applicable building code or recognized safety standard for the protection of persons and property;*
- *“(B) A requirement that the electric vehicle charging station be registered with the condominium association or common interest association within 30 days after installation; or*
- *“(C) Reasonable aesthetic provisions that govern the dimensions, placement, or external appearance of an electric vehicle charging station.”*

The bill also sets insurance requirements for installation, requiring that the association be named as an additional party. Owners would also be required to pay installation and energy usage costs, and hire a licensed electrical contractor to perform the installation.

Status: IN COMMITTEE.

B 25-0482 Releasing Restrictive Covenants in Deeds Act of 2023- This bill would allow for the simplified removal of discriminatory covenants, in line with CAI’s advocacy priorities, and the CAI DC LAC is in **support** of it.

This bill affirms that discriminatory restrictive covenants in deeds and governing documents are illegal and void in the District of Columbia. The bill also allows community associations to remove discriminatory restrictive covenant language through a vote of the board at no fee when notifying the Recorder of Deeds of the action. It also requires that a unit owner may initiate board action on a discriminatory restrictive covenant, provided the covenant is identified in writing. The board would have 90 days to respond to the request for removal.

Status: IN COMMITTEE.

B 25-0049 Foreclosure Moratorium and Homeowner Assistance Fund Coordination Congressional Review Emergency Amendment Act of 2023. The DC LAC monitored this legislation which extends DC’s foreclosure moratorium for households that applied for DC Housing Assistance Funds before September 30, 2022, by 90 days. This extension applies to



foreclosure actions initiated by community associations, provided the homeowner can provide proof of application submission before September 30, 2022.

Status: PASSED, effective from 10/20/23, expires 1/9/24.

B 25-0045 Banning Associations from Banning Youth Amendment Act of 2023. This bill prohibits condominium associations from adopting bylaws after 9/19/23 that prohibits the operation of a home-based child daycare facility. However, it does preserve the right for condominium associations to require facility owners to pay the cost of any building retrofits needed for the facility to meet code requirements, require the coverage of certain utility fees by facility owners, and prohibit the conversion of a residential unit into a purely commercial unit. The bill also preserves the right for an association to make rules and regulations regarding architectural control, parking, landscaping, noise, or other matters not specific to the operation of a child daycare facility. Condominium associations would also be allowed to require that a facility carry liability insurance with the association named as an additional insured party.

Status: PASSED, effective from 11/28/23.

For more information on community association legislation in the District of Columbia, visit <https://www.caionline.org/Advocacy/LegalArena/Laws/Pages/DC.aspx>.

Your Assistance is Needed

CAI relies on outside resources such as professional lobbying as a vital and integral part of the legislative process. The volunteers who advocate – including homeowner leaders, community managers, and business partners – greatly rely on contributions from management companies and business partners in addition to individuals to continue their important efforts in the legislature. CAI needs your financial support to bolster their advocacy activities in 2024 and beyond. We encourage donations from DC community associations, business partners, and individuals. Please visit www.caionline.org/lacdonate/ and donate to CAI's District of Columbia Legislative Action Committee to support our continued efforts.

We need YOUR voice! [Sign up today](#) to become a CAI Advocacy Ambassador and help shape legislation in your state!

CAI District of Columbia Contact Information



DISTRICT OF COLUMBIA
LEGISLATIVE ACTION COMMITTEE
Community Associations Institute

- Visit <https://www.caionline.org/Advocacy/LAC/DC/Pages/default.aspx>
- CAI Washington Metropolitan Chapter website- <http://www.caidc.org>
- CAI Washington Metropolitan Chapter email- jbarnhart@caidc.org
- Contact CAI's Government and Public Affairs Team at government@caionline.org
- To find the chapter nearest you, please call (888) 224-4321.