

Amendment 4

to

CB 120090 – Right of First Refusal

Sponsor: CM Morales

Ensuring equivalent protections for housing choice voucher holders.

Amend Section 22.206.160.C.10 as follows:

10. If a tenant has agreed to terminate a tenancy, including but not limited to termination within a rental agreement or in a separate termination agreement, the tenant may rescind that agreement to terminate a tenancy:

a. Within ten business days after signing the agreement by delivering written notice of rescission to the landlord, unless subsection 22.206.160.C.10.c applies; or

b. More than ten business days after signing the agreement by delivering written notice of rescission to the landlord if the tenant signed the agreement: without representation by an attorney or other tenant advocate; or outside of a proceeding mediated by a neutral third party.

~~c. Subsection 22.206.160.C.10.a does not apply to a mutual termination agreement described in 24 CFR 982.354, in which a tenant with a housing choice voucher may move to a new unit when a lease has terminated only via mutual termination agreement.~~

* * *

Effect: As originally drafted, the legislation intended to protect a tenant from rescinding a mutual termination agreement when such agreement was the only mechanism by which the tenant could use the housing voucher to move into a new housing unit. However, this amendment accounts for the fact that a tenant with representation in signing a mutual termination agreement would be advised of such implications when signing the agreement, and tenants without representation would still be allowed to rescind their agreement if they chose to do so.