



District of Columbia Department of Housing and Community Development
 Housing Regulation Administration – Rental Accommodations Division
 1800 Martin Luther King Jr. Avenue SE, 2nd Floor
 Washington, DC 20020
 (202) 442-9505

RAD Date Stamp

90 DAY NOTICE TO VACATE
FOR PERSONAL USE AND OCCUPANCY

SECTION 501(d) NOTICE
D.C. OFFICIAL CODE § 42-3505.01(d) (Supp. 2008)
14 DCMR §§ 4300 et seq.(2004)

Internal Use Only
 C/O current: yes no n/a
 BBL current: yes no
 Reg. current: yes no

THIS NOTICE MUST BE FILED WITH THE RENTAL ACCOMMODATIONS DIVISION
WITHIN FIVE (5) DAYS OF THE DATE OF ISSUANCE TO THE TENANT

TENANT'S NAME: _____ DATE: _____

TENANT'S ADDRESS: _____

Dear Tenant:

This notice is sent to you pursuant to Section 501(d) of the District of Columbia Rental Housing Act of 1985, as amended (Act), codified as D.C.OFFICIAL CODE. § 42-3505.01(d) (Supp. 2008).

Section 501(d) of the Act provides that a natural person with a freehold (ownership) interest in your Rental Unit may recover possession of your Rental Unit where the person seeks in good faith to recover possession of your Rental Unit for the person's immediate and personal use and occupancy as a dwelling. The housing provider shall serve on you a ninety (90) day notice to vacate in advance of an action to recover possession of your Rental Unit in instances arising under Section 501(d). No housing provider shall demand or receive rent for your Rental Unit which the Housing Provider has repossessed under this subsection during the twelve (12) month period beginning on the date he/she will recover possession of your Rental Unit. A stockholder of a cooperative housing association who has the right to repossession in a Rental Unit may exercise the rights of a natural person of a freehold (ownership) interest under this subsection.

Attached is a copy of the Housing Provider's affidavit regarding personal use and occupancy submitted to the Rent Administrator, Rental Accommodations Division.

This notice is your ninety (90) day Notice to Vacate your Rental Unit by (date):

_____.

This notice is intended to be a Notice to Vacate, and you are hereby notified that the Housing Provider desires to have and gain possession of the Rental Unit occupied by you. You are notified to vacate the Rental Unit occupied by you as set forth above, no later than midnight on the date stated above.

In the event you fail to vacate the Rental Unit as stated, the Housing Provider is authorized to take any steps under D.C. law to evict you, including the filing of a suit in the Superior Court of the District of Columbia for possession of the Rental Unit.

Nothing herein shall be deemed to relieve you of your obligation to promptly pay all future rents when due (subject to any limitations herein), or to prevent the Housing Provider from suing for possession of the Rental Unit for any other reason whatsoever under D.C. law. You are also notified that the rent for the Rental Unit is due in accordance with your lease, up to and including the date by which you are required to vacate. Also, you will be liable for any damages arising from your continuing use and occupancy of the Rental Unit if you fail to vacate by the date specified in this notice and for any other claims of any type for damages which may arise out of any provision of the lease agreement.

This Rental Unit is registered with the Rental Accommodations Division. The Housing Provider's Registration Number is _____.

If you have any questions about this Notice, please direct them to the Rental Accommodations Division in writing at 1800 Martin Luther King Jr. Avenue SE, 2nd Floor, Washington, DC 20020. You may call (202) 442-9505, Monday through Friday from 8:30 am to 4:30 pm or visit the Housing Resource Center Monday thru Friday from 8:30 am to 3:30 pm.

Housing Provider's Business Address
(No P.O. Box)

Housing Provider's Name (print)

Owner Authorized Agent

Title (if applicable): _____

Housing Provider's Telephone Number and E-mail
address:

Housing Provider's Signature

NOTE: This affidavit must be completed and signed by the owner(s) of the Housing Accommodation or Rental Unit when the Notice to Vacate is issued pursuant to Section 501(d) of the Act, codified at D.C. OFFICIAL CODE § 42-3505.01(d) (Supp. 2008). Each Owner of a Housing Accommodation shall complete a separate Affidavit.

OWNER'S AFFIDAVIT

County: _____ to wit
State: _____

I, (Owner's name) _____, been first duly sworn according to law, deposes and states as follows:

- (1) I am record owner of the following Housing Accommodation or Rental Unit (address):

- (2) I am currently leasing the Housing Accommodation or Rental Unit to (Tenant's name):

- (3) I intend to occupy and use this Housing Accommodation or Rental Unit for my own personal use and occupancy as a dwelling immediately, but not later than, ____ business days from the date of this Affidavit.
- (4) Upon recovery of the Housing Accommodation or Rental Unit from the Tenant, I will not demand or receive rent from the Tenant during the twelve (12) month period beginning on the date of recovery of possession of the Housing Accommodation or Rental Unit.
- (5) If I fail for any reason to regain possession and occupy said Housing Accommodation or Rental Unit within ____ business days from the date of this Affidavit, I shall notify the Rental Accommodations Division immediately.

Owner's Business Address (No P.O. Box)

Owner's Name (print)

Owner Authorized Agent

Title (if applicable): _____

Owner's Telephone Number and E-mail address:

Owner's Signature

Subscribed and Sworn to before me this _____ day of _____, 20__.

Notary Public Signature

My Commission Expires (date): _____

CERTIFICATE OF SERVICE

Note: If you file a Complaint in the Landlord and Tenant Branch of the Superior Court of the District of Columbia, you may be required to prove that you served this Notice correctly.

I hereby certify that my name is (Please Print): _____ and I am authorized to serve the attached 90 Day Notice to Vacate for Personal Use and Occupancy under D.C. OFFICIAL CODE § 42-3505.01(d) (Supp. 2008).

I further certify that my age is _____ (must be at least 18 years old), and my business address is: _____

At the following time: _____ AM/PM and on the following date: _____, 20____, I served the attached 90 Day Notice to Vacate for Personal Use and Occupancy under D.C. OFFICIAL CODE § 42-3505.01(d) (Supp. 2008) in both English and Spanish (check only one below):

By personal service upon the Tenant (insert name and address of Tenant):

By substitute service upon (insert name and address of person served):

Description of person served for personal or substitute service:

Approximate height: _____ Approximate weight: _____ Sex (m/f): _____

Approximate age: _____ Hair color: _____ Other: _____

By certified mail, with delivery confirmation, to (name and address of person served):

By priority mail, with delivery confirmation, to (name and address of person served):

By first class mail to (name and address of person served):

Signature of Process Server

OPTIONAL NOTARIZATION: *Notarization of this Certificate of Service regarding this 90 Day Notice to Vacate for Personal Use and Occupancy under D.C. OFFICIAL CODE § 42-3505.01(d) (Supp. 2008) is not required.*

Subscribed before me this _____ day of _____, 20_____.

Notary Public

My commission expires: _____