



Instructions for Completing Certificate of Rent Adjustment

These instructions are to be used with a Housing Provider's Certificate of Rent Charged (RAD Form 9). This form applies only to rental units covered by the Rent Stabilization Program of the Rental Housing Act of 1985.

When to Use This Form. The Certificate of Rent Adjustment is required for a housing provider to give the Rental Accommodations Division notice of rent adjustments and rent levels. A housing provider must provide the Rental Accommodations Division with written notice of a rent increase no more than thirty (30) days after the effective date of the rent adjustment. You must file a copy of the Housing Provider's Notice to Tenant of Rent Adjustment (Form 8) served on your tenant(s) along with this Certificate of Rent Adjustment (RAD Form 9). You may only increase the rent once during a twelve (12) month period. Failure to implement a rent adjustment within the time allowed shall result in the forfeiture of the rent adjustment. Use of this RAD Form 9 is required effective January 31, 2023.

If you require assistance, you may contact the Rental Accommodations Division on (202) 442-9505.

**** INFLATION PROTECTION UPDATE ****

Effective 06/29/2023, the Council of the District of Columbia enacted legislation capping inflation-based rent adjustments for a two-year cumulative limit of 12% of the rent charged before 05/01/2023 for nonelderly and nondisabled tenants. This means if a rental unit's rent was increased by more than 6.7% in 2023, the rent increase adjustment on or after 05/01/2024 must be less than 4.9%. The calculation is due to the legislation's compounding requirement that the rent increases are based on the rent in effect on 04/30/2023. Applicable limits for affected rental units must be carefully calculated.

Completing the Certificate of Rent Adjustment Form.

Name of Individual/Business. Fill in the name of the person completing the form.

1. Capacity of Declarant. Check which box applies to the person completing the form and fill in your capacity if you select "other."

2. Address. Fill in your address. Note: post office box addresses are unacceptable.

3. Telephone Number. Fill in your telephone number.

4. Email Address. Complete your email address.

5. Housing Accommodation Address. Fill in the housing accommodation address. A housing provider may not take a rent increase unless a rental unit or housing accommodation is registered with the Rental Accommodations Division. Complete the property registration number.

Basic Business License Number. A housing provider must have a valid basic business license. Complete the basic business license number and the basic business license expiration date.

Certificate of Occupancy. If a housing accommodation consists of two (2) or more rental units, the housing provider must have a valid certificate of occupancy. Complete the certificate of occupancy number.

7. Expired or Terminated Exemption. If you are adjusting the rent charged because of the expiration or termination of an exemption, you must calculate the new rent charged according to § 42-3502.09 of the Rental Housing Act. Check the box and attach a worksheet showing your new rent charged calculations.

8. Attachment. Check which box is applicable. You may either file a copy of the notice for each rent adjustment in the RAD Form 9 Appendix with the Rental Accommodations Division, or you may file a true copy of one sample notice for all rent adjustments in the RAD Form 9 Appendix that took effect on the same date and have the same basis under the Act (e.g., if multiple CPI-W adjustments and rent surcharges took effect in the same thirty (30) day period, at least two (2) sample notices are required). You are certifying that the new rent charged and reported is less than or equal to the amount in the notice you served on your tenant. You are also certifying that the residential lease or lease rental agreement does not require that the tenant provide more than a 30-day notice of the tenant's intention to vacate the premises unless the lease or agreement also requires that the housing provider provide the tenant with a written notice of any rent increase that is at least 15 days more than that time period.

Housing Provider Signature. Sign the form, print your name, and check the box indicating your title or role.

Directions for completing Appendix of Rent Adjustments.

Fill in all applicable information for each affected rental unit. Handwritten forms may be rejected if illegible. You may create and fill out an identical table on your own but do not omit any column. Leave columns blank if not applicable.

"Authorization Date" means the date the rent adjustment first became authorized under the Act.

- For CPI-W or COLA adjustments, this will be May 1 of each calendar year.
- For vacancy adjustments, this is the date the housing provider took possession of the vacated rental unit from the former tenant. **This form must be filed within thirty (30) days of the authorization date for any vacancy adjustment.**
- The effective date of a rent adjustment must be less than 12 months from the authorization date, unless an exception applies to delay the start of the 12-month limit. See 14 DCMR §§ 4204.9 and .10 for details.
- If a final order approving a petition was appealed, enter the date the appeal was resolved.

- Use the effective date of a tenant's certification of protected status if reducing the rent under code 224(b) or 224(e) (see table on page 4).
- Use the date of OCFO's determination letter if applying a rent surcharge because tax credits are not available. Attach a copy of the determination letter to this form if it is not already included with the copy of the notice given to the tenant(s).

“Dollar Amount Change to Rent” is the amount of the rent charged adjustment *or* rent surcharge being implemented or removed.

“Effective Date of Rent Adjustment” should generally be the first date on which the new rent is due from the tenant. See 14 DCMR § 4205.6 for details. Leave blank for a vacancy adjustment if the unit does not have a new tenant yet. When re-occupied, you must file a copy of the new tenant disclosure forms given to the tenant showing the rent history, including the vacancy adjustment.

“New Total Surcharges Applied” includes only those surcharges that are actually charged to the tenant. If this rent adjustment does not involve a surcharge, leave blank.

“Notice Service Date” is the date the Housing Provider's Notice of Rent Adjustment (RAD Form 8) was served on the tenant(s).

“Percent Change of Rent Charged” should be calculated by dividing the “dollar amount change to rent” over the “prior rent charged.”

“Petition Case No.” means the identification number assigned to petition or voluntary agreement that authorized or required a rent adjustment. Use only the petition type (HP, CI, SR, SF, VA, or TP) and the 4- or 5-digit numerical portion of administrative petitions; for example, if the Office of Administrative Hearings labeled your hardship petition “2020-DHCD-HP 20,001” enter “20,001” or “HP 20,001.”

“Prior Rent Charged” and **“New Rent Charged”** have the meaning of “rent charged” given on page 2. Leave “new rent charged” blank if implementing a rent surcharge pursuant to an approved petition.

“Prior Total Surcharges Authorized” is the total dollar amount of all rent surcharges that were approved and previously implemented, including any rent surcharges which the current tenant is exempt as an elderly tenant or tenant with a disability (“protected tenants”).

“Prior Surcharge Case Number(s)” is each case number (see below), including the petition type (HP, CI, SR, SF, VA), that resulted in an authorized surcharge. SF and VA rent adjustments are considered surcharges for protected tenants. Use multiple lines as needed.

Tenant Name enter the name of the current tenant occupying the rental unit.

Unit No. must be entered.

[Continued to next pages]

The following columns should be filled in with the appropriate code from each table:

“Section of Act” (Adjustment Type)	Legal Basis for Rent Adjustment
208(h)(2)(A)	CPI-W + 2% or 10% (general)
208(h)(2)(B)	CPI-W or COLA or 5% (protected tenant)
208(h)(2)(C)	CPI-W or 5% (home servs. provider)
209	End of exemption (attach computation)
210	Capital Improvement Petition surcharge
211	Services/Facilities Petition
212	Hardship Petition surcharge
212(c)	Hardship Petition surcharge (conditional)
213(a)(1)	Vacancy adjustment 10%
213(a)(2)	Vacancy adjustment 20% (longevity bonus)
214	Substantial Rehabilitation Petition surcharge
215	Voluntary Agreement (70% of tenants)
216	Final order on Tenant Petition
224(b)	Removal of surcharge(s) for protected tenant
224(e)	Revision of CPI-W adjustment for protected tenant
224(g)	Implementation of surcharge – no tax credit
103(29A)	Reduction in rent charged for any other reason

“Service Type”	Method of Service of Notice on Tenant
1	Personal service on tenant(s)
2	Personal service on adult at the rental unit with instructions to deliver to tenant(s)
3	Personal service on an authorized representative of tenant(s)
4	First class mail
5	Certified mail
6	Priority mail with delivery confirmation
7	Electronic service by email attachment
8	Electronic service by document sharing service
9	Other electronic method

Service on Tenant(s) and Filing with RAD. You must file this Certificate of Adjustment in Rent Charged (RAD Form 9) and a copy of the Housing Provider's Notice to Tenant of Rent Adjustment (RAD Form 8) with the Rental Accommodations Division. If multiple units are affected, you must file a sample copy of this Housing Provider's Notice to Tenant of Rent Adjustment (RAD Form 8) with the Certificate of Adjustment in Rent Charged (RAD Form 9) with the Rental Accommodations Division.

Filing with the Rental Accommodations Division may be made by hand delivery, mail, or by electronic mail to dhcd.rad@dc.gov. If filing with the Rental Accommodations Division by electronic mail, the form must be in a portable document format (PDF). You must submit one form per email with a limit of no more than ten (10) emailed filings per day. You accept the risk that an email or attachment may be delayed or disrupted by technical failure or defect.