



# The Rebalancing Expectations for Neighbors, Tenants, and Landlords (RENTAL) Act of 2025

## Frequently Asked Questions (FAQ)

January 2026

The Rebalancing Expectations for Neighbors, Tenants, and Landlords (RENTAL) Act of 2025 became effective law on December 31, 2025. The RENTAL Act reforms various aspects of D.C.'s housing laws, including the Tenant Opportunity to Purchase Act (TOPA).

### ***Key highlights of the RENTAL Act:***

- *Requires DHCD to provide written certifications of receipt or non-receipt of TOPA notices, and copies of notices, within five (5) days of a request;*
- *Authorizes DHCD to accept TOPA notices electronically, in addition to traditional delivery methods, as designated by the Department;*
- *Creates a cooling-off period that prohibits tenant organizations in buildings with five (5) or more units from assigning TOPA rights before receipt of an Offer of Sale or during the first 45 days following receipt of a valid Offer of Sale, unless statutory prerequisites are met;*
- *Formalizes the Notice of Transfer requirement for transactions claimed to be exempt from TOPA, including entity interest transfers, investor admissions or exits, estate or family transfers, LIHTC repositioning transactions, certain institutional properties, and qualifying new construction;*
- *Requires Notices of Transfer to include specific disclosures, including whether management or rents will change, whether affordability restrictions apply, and the legal basis for claiming that the transfer is not a "sale" under TOPA;*
- *Places the burden of proof on the owner to establish eligibility for any claimed TOPA exemption; and*
- *Creates a rebuttable presumption of a sale where a required Notice of Transfer is not provided or is materially misleading*

## **New Exemptions for Housing Accommodations with 5+ Rental Units**

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### ***What transactions are now exempt from TOPA?***

The RENTAL Act creates some new exemptions from TOPA for properties with 5+ rental units such as:

- New Construction (built in the last 15 years)
- DC Housing Authority (DCHA) Properties
- Congregate Housing/Dorms, Assisted Living; and
- Change of Ownership Interest with a Partnership

Housing providers must review the statute to determine if their proposed transfer qualifies for an exemption under the Sale Act.

### ***How are these exemptions from TOPA claimed?***

An updated Notice of Transfer form including these exceptions will be available soon. Housing providers must use the current Notice of Transfer forms and claim the exemption by detailing the proposed transfer on the form along with supplemental pages if necessary.

### ***How are Notice of Transfer forms submitted?***

The RENTAL Act allows DHCD to receive TOPA filings, notices and other correspondence via email. Email your documents to [topa.notices@dc.gov](mailto:topa.notices@dc.gov). An automated response will be sent to confirm receipt of your delivery. For a letter verifying that your documents were received, please submit an email request for a review of file to [reviewoffile.casd@dc.gov](mailto:reviewoffile.casd@dc.gov)

### ***Are posting and sending notices to tenants still required?***

Yes. The requirement to post notices and send notices to tenants via certified mail remains. Unless otherwise provided by law, tenants must receive notice of a proposed transfer before the transfer occurs.

### ***Can we use the existing Notice of Transfer forms to claim a new exemption under the Rental Act?***

Yes. The agency is working to publish updated forms as soon as possible. Until those forms are made available, the existing forms are sufficient to claim the new exemptions made possible by the Rental Act. The forms have blank spaces which provide space to write in the new exemptions.

## **New Exemptions for Housing Accommodations with 2 to 4 Rental Units**

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### ***Are there exemptions from TOPA for properties with fewer than 4 rental units?***

Yes. The RENTAL Act creates new exemptions from TOPA for housing accommodations with fewer than 4 units if a business or corporation does not own a majority of the economic or ownership interest in the property.

### ***How do I know if my transaction qualifies for new exemptions under the RENTAL Act?***

Housing providers must review the statute and determine if their transaction qualifies; the burden to prove eligibility is on the housing provider. Housing providers must use the current Notice of Transfer forms and claim the exemption by detailing the proposed transfer on the form along with supplemental pages if necessary.

### ***How are Notice of Transfer forms submitted?***

The RENTAL Act allows DHCD to receive TOPA filings, notices and other correspondence via email. Email your documents to [topa.notices@dc.gov](mailto:topa.notices@dc.gov). An automated response will be sent to confirm receipt of your delivery. For a letter verifying that your documents were received, please submit an email request for a review of file to [reviewoffile.casd@dc.gov](mailto:reviewoffile.casd@dc.gov)

### ***Are posting and sending notices to tenants still required?***

Yes. The requirement to post notices and send notices to tenants via certified mail remains.

## **Deadline to Notify Tenants of Exemption Status**

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### ***Are housing providers required to notify tenants about an exemption from TOPA?***

Yes. The RENTAL Act directs owners of exempt properties to notify tenants about the owner's right to claim an exemption from TOPA.

### ***When is the deadline to notify tenants about an exemption from TOPA?***

This notice must be sent to tenants, by any delivery methods, by March 31, 2026.

### ***Does DHCD have a notification form to tell tenants about an exemption from TOPA?***

No. However, the following language may be used in the notice to inform tenants:

*Dear Tenant:*

*The RENTAL Act became effective on December 31, 2025. The new law allows for several new exemptions from providing tenants the opportunity to purchase when the landlord decides to sell, renovate or discontinue the use of a housing accommodation with 5 or more rental units. The RENTAL Act requires the landlord to give a Notice of Transfer when they intend to transfer an ownership or economic interest in the housing accommodation and intend to claim one of these exemptions.*

*Under the RENTAL Act, apartment buildings and housing accommodations which are deemed to be new construction are exempt from the requirement to provide tenants the opportunity to purchase. This property received its permanent certificate of occupancy on [DATE] and is eligible for this exemption until [DATE].*

*If you have questions about your tenant rights, please contact the Office of the Tenant Advocate at 899 North Capitol Street NE or by phone at (202) 719-6560. For additional questions regarding TOPA or the RENTAL Act, please contact the Rental Conversion and Sale Division at the Department of Housing and Community Development, located at 1909 Martin Luther King Jr. Avenue SE, or call (202) 442-4407.*

## **Assignment of Right to Purchase by Tenants**

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### ***How soon can tenants assign their right to purchase after receiving notice?***

Under the RENTAL Act, tenants must wait 45 days before assigning their right to purchase under TOPA. If tenants receive counseling from a Certified Tenant Support Provider, they can assign their right to purchase without waiting 45 days.

### ***Which organizations are certified as tenant support providers?***

Currently, there are no certified providers. Until then, tenants can contact DHCD's network of community-based organizations (CBO) for technical assistance during the TOPA process; a CBO must be certified for tenants to waive the 45 days before assigning their right to purchase.

By law, only counseling from certified tenant support providers can waive the required waiting period. As tenant support providers become certified, DHCD will update all TOPA forms to include provider contact information.