

# ENROLLMENT(S)

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COUNCIL OF THE DISTRICT OF COLUMBIA

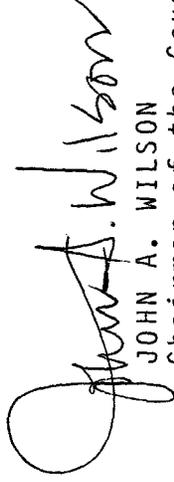
NOTICE

D.C. LAW 8-209

"Real Estate Transaction Amendment Act  
of 1990".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 8-514 on first and second readings, November 13, 1990, and December 4, 1990, respectively. Following the signature of the Mayor on December 14, 1990, this legislation was assigned Act No. 8-284, published in the December 28, 1990, edition of the D.C. Register, (Vol. 37 page 8464) and transmitted to Congress on January 11, 1991 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 8-209, effective March 6, 1991.

  
JOHN A. WILSON  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 11,14,15,16,17,18,22,23,24,25,28,29,30,31

February 1,4,5,6,7,19,20,21,22,25,26,27,28

March 1,4,5

Codification,  
District of Columbia Code  
(1991 Supplement)

AN ACT

D.C. ACT 8-284

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DEC. 14, 1990

To amend the District of Columbia Real Estate Licensure Act to discourage discrimination against owners and occupants of real property, including individuals who are HIV-infected or who have AIDS, by providing that certain non-physical circumstances concerning real property are not material facts that must be disclosed to prospective purchasers of the real property.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Real Estate Transaction Amendment Act of 1990".

Sec. 2. The District of Columbia Real Estate Licensure Act of 1982, effective March 10, 1983 (D.C. Law 4-209; D.C. Code, sec. 45-1921 et seq), is amended to read as follows:

(a) Section 3 (D.C. Code, sec. 45-1922) is amended by adding the following subsections to read as follows:

Section  
45-1922

"(15) "Psychological impact" means any fact or suspicion with respect to circumstances, other than the physical condition of the property, that creates a fear, belief, or mental condition.

"(16) "Material fact" means information that, if known, would be likely to induce a reasonable person to enter into or not enter into or consummate a real estate transaction."

(b) Section 17 (D.C. Code, sec. 45-1936) is amended by adding a new subsection (f) to read as follows:

Section  
45-1936

"(f)(1) Notwithstanding the possibility that a fact may have a psychological impact on a purchaser, lessee, or sublessee, it shall not be a material fact that must be disclosed in a real estate transaction that:

"(A) An occupant of real property, at any time, was infected or was or is suspected to have been infected with a human immune deficiency virus;

"(B) An occupant of real property, at any time, has been diagnosed, was infected, or was suspected to

have been diagnosed as having acquired immune deficiency syndrome or any other disease that has been determined by medical evidence to be highly unlikely to be transmitted through occupancy of property alone; or

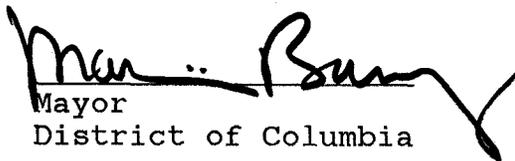
"(C) The property, at any time, has been or was suspected to have been the site of a suicide, homicide, or other felony.

"(2) A cause of action shall not arise against an owner of real property, a real estate broker, a real estate salesperson, a property manager, a lessee, or sublessee for the failure to disclose to the purchaser lessee or sublessee that the real property was the site of any circumstances described in paragraph (1) of this subsection."

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED: December 14, 1990



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**Council Period Eight**

**RECORD OF OFFICIAL COUNCIL VOTE**

DOCKET NO: B8-514

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 11-13-90

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( \_\_\_\_/\_\_\_\_/\_\_\_\_ )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

Russell G. Smith  
 Secretary to the Council

10 December 1990  
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 12-04-90

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( \_\_\_\_/\_\_\_\_/\_\_\_\_ )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

Russell G. Smith  
 Secretary to the Council

10 December 1990  
 Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( \_\_\_\_/\_\_\_\_/\_\_\_\_ )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date