



District of Columbia Department of Housing and Community Development

Housing Regulation Administration – Rental Conversion and Sale Division

1800 Martin Luther King, Jr. Avenue, S.E.

Washington, D.C. 20020

Telephone (202) 442-4407 | www.dhcd.dc.gov

**INSTRUCTIONS FOR PREPARING AND ISSUING
A RIGHT OF FIRST REFUSAL
FOR FIVE (5) OR MORE RENTAL UNIT HOUSING ACCOMMODATIONS**

PLEASE READ AND FOLLOW THESE INSTRUCTIONS CAREFULLY

These instructions apply to a Right of First Refusal (Form C) for the sale of a five (5) or more residential rental unit housing accommodation. The Right of First Refusal (Form C) notifies the registered tenant organization after the owner has accepted (ratified) a third party sale contract for the housing accommodation. **This Right of First Refusal (Form C) is used only when the owner has issued an Offer of Sale Without a Third Party Sale Contract (Form B) and the tenants formed a tenant organization and filed a tenant organization registration application.** The tenant organization has fifteen (15) days to match the ratified third party sale contract. The right of first refusal period commences **after** the end of the negotiation period.

INSTRUCTIONS FOR ISSUING THE RIGHT OF FIRST REFUSAL (FORM C)

1. Do not delete or alter any part of the Right of First Refusal (Form C).
2. Fill in the date, number of occupied and vacant rental units, the name and rental unit number of the tenant organization president, the housing accommodation address, the Offer of Sale (Form B) date, and the address and telephone number of the owner or owner's agent.
3. The owner or the owner's agent must sign his or her full name on the Right of First Refusal (Form C). For the purposes of legibility, a printed or typed name must also be placed on the appropriate line. An individual's **name**, not a business name, must be on this line. The name of the business may be placed in the address area.
4. Send the Right of First Refusal (Form C) **and** a copy of the third party sale contract to the tenant organization president by first class mail. (Faxing or emailing is **NOT** proper delivery.)
5. Send a copy of the Right of First Refusal (Form C) **and** a copy of the third party sale contract to the Rental Conversion and Sale Division. The Rental Conversion and Sale Division's address and telephone numbers are listed below and on the Right of First Refusal (Form C).

District of Columbia Department of Housing and Community Development

Rental Conversion and Sale Division

1800 Martin Luther King, Jr. Avenue, S.E.

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(Revised 04/02/2015)

5+ Rental Units Right of First Refusal (Form C) Instructions

FORM C

DO NOT DELETE OR ALTER ANY PART OF THIS RIGHT OF FIRST REFUSAL
POST A COPY IN THE HOUSING ACCOMMODATION

RIGHT OF FIRST REFUSAL
FOR A FIVE OR MORE RENTAL UNIT HOUSING ACCOMMODATION

FIVE OR MORE RENTAL UNITS

DATE: _____

Number of Occupied Rental Units _____

Number of Vacant Rental Units _____

COMBINED TOTAL NUMBER OF RENTAL UNITS _____

Dear _____, Tenant Organization President:

Pursuant to Section 408 of the Rental Housing Conversion and Sale Act of 1980 (D.C. Law 3-86, § 42-3401.01 et. seq. (2001)), as amended (the "Act"), the owner has enclosed a copy of the third party sale contract, dated _____, which the owner accepted (ratified) for the sale of the housing accommodation in which you and the tenant organization members reside at _____, Washington, D.C. _____. The total number of rental units in the housing accommodation is: _____.

In accordance with the Act, in addition to the statutory time periods of which you were notified in the owner's Offer of Sale & Tenant Opportunity to Purchase Without a Third Party Sale Contract for Housing Accommodations with Five or More Rental Units, dated _____, the tenant organization has fifteen (15) days to match the **enclosed** ratified third party sale contract. The fifteen (15) day time period starts at the end of the one hundred twenty (120) day negotiation time period. If the tenant organization did not send the owner and the Rental Conversion and Sale Division a written statement accepting the owner's offer to sell the housing accommodation and a proper tenant organization registration application, or if the one hundred twenty (120) day negotiation time period has expired, the tenant organization has fifteen (15) days from receipt of this Right of First Refusal to match the ratified third party sale contract.

If the tenant organization matches the ratified third party sale contract and signs a sale contract with the owner, the tenant organization will have a minimum of one hundred (120) days to obtain financing or financial assistance and go to settlement for the purchase of this housing accommodation. However, if a lending institution or agency estimates that a decision regarding financing or financial assistance will be made within two hundred forty (240) days after the date the contract is ratified, the owner will provide the tenant organization with an extension of time consistent with the written estimate.

If you would like information concerning technical and financial assistance, you may contact Housing Counseling Services on (202) 667-7006, Latino Economic Development Corporation on (202) 540-7417, the D.C. Department of Housing and Community Development, Development Finance Division on (202) 442-7200, the Rental Conversion and Sale Division on (202) 442-4407, or the D.C. Office of the Tenant Advocate on (202) 719-6560.

FORM C

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If you have any questions regarding this matter, please call _____ (insert
owner's name or owner's agent's name) on telephone number () _____
_____.

THIS RIGHT OF FIRST REFUSAL IS NOT A NOTICE TO VACATE.

Sincerely (either Owner or Owner's Agent may sign),

Owner's SIGNATURE

Owner's PRINTED Name

Owner's Address, City, State and Zip Code

Owner's Agent's SIGNATURE

Owner's Agent's PRINTED Name

Owner's Agents Address, City, State and Zip Code

cc: 1 copy of the Right of First Refusal, a copy of the third party sale contract and a list of all tenants to:
District of Columbia Department of Housing and Community Development
Rental Conversion and Sale Division
1800 Martin Luther King, Jr. Avenue, S.E.
Washington, D.C. 20020
Telephone (202) 442-4407

(Revised 04/02/2015)