

[District of Columbia Official Code 2001 Edition Currentness](#)

Division VIII. General Laws.

Title 47. Taxation, Licensing, Permits, Assessments, and Fees. (Refs & Annos)

Chapter 8. Real Property Assessment and Tax. (Refs & Annos)

Subchapter III. MISCELLANEOUS.

§ 47-864.01. Owner-occupant residential tax credit (conditional).

(a) Real property receiving the homestead deduction under § 47-850 shall receive an owner-occupant residential tax credit.

(b) The credit shall be calculated as follows:

(1)(A) In the case of a real property that did not receive the credit under this section in the prior tax year:

(i) In accordance with [§ 47-864], for tax year 2006:

(I) The current tax year's taxable assessment shall be determined by subtracting \$22,000 from 110% of the prior tax year's taxable assessment; and

(II) The prior tax year's taxable assessment for taxable real property located in triennial groups 1 and 2, as designated by the Office of Tax and Revenue, that has been owned and occupied continuously by the same owner since October 1, 2001, shall be recalculated by

applying a 12% cap as of October 1, 2001; and

(ii) Multiply the amount determined in sub-subparagraph (i) of this subparagraph by 110% to determine the current tax year's taxable assessment; or

(B) In the case of a real property that did receive the credit under this section in the prior tax year, multiply the prior tax year's taxable assessment by 110% to determine the current tax year's taxable assessment; provided, that:

(i) For tax year 2006:

(I) The current tax year's taxable assessment shall be determined by subtracting \$22,000 from 110% of the prior tax year's taxable assessment;

(II) The prior tax year's taxable assessment for taxable real property located in triennial groups 1 and 2, as designated by the Office of Tax and Revenue, that has been owned and occupied continuously by the same owner since October 1, 2001, shall be recalculated by applying a 12% cap as of October 1, 2001; and

(III) This sub-subparagraph shall apply as of October 1, 2005;

(ii) For tax year 2007, the amount determined in sub-subparagraph (i) of this subparagraph shall be the prior tax year's taxable assessment;

(2) Subtract the current tax year's homestead deduction from the current tax year's assessed value;

(3) Subtract the current tax year's taxable assessment determined under paragraph (1) of this subsection from the amount determined in paragraph (2) of this subsection; and

(4) If the amount determined under paragraph (3) of this subsection is a positive number, multiply the difference by the applicable real property tax rate to determine the credit for the current tax year.

(c) The credit shall not apply if:

(1) During the prior tax year:

(A) The real property was transferred for consideration to a new owner and the return required by section 303(d) of the District of Columbia Deed Recordation Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1103(d)), and § 47-903(d) was due;

(B) The value of the real property was increased due to a change in the zoning classification of the real property initiated or requested by the homeowner or anyone having an interest in the real property; or

(C) The assessment of the real property was clearly erroneous due to an error in calculation or measurement of improvements on the real property;

(2) During the prior calendar year, the real property was assessed under § 47-829; or

(3) During the current tax year, qualifying homestead deduction applications for dwelling units in a cooperative housing association are:

(A) Filed for less than 50% of the dwelling units; or

(B) Not filed timely for the entire tax year.

(d) The credit shall:

(1) Be nonrefundable;

(2) Be apportioned equally between each installment during the tax year; and

(3) Not be carried forward or carried back.

(e)(1) This section shall apply for taxable years beginning after September 30, 2005; provided, that the condition of paragraph (2) of this paragraph is met prior to February 15, 2006; provided further, that this section shall apply for the second half of Fiscal Year 2006 if the condition of paragraph (2) of this subsection is met after February 14, 2006 and prior to August 5, 2006.

(2) This section shall not apply unless the amount of revenue in a revised quarterly revenue estimate of the Chief Financial Officer exceeds the annual revenue estimate incorporated in the approved fiscal year 2006 budget and financial plan by an amount sufficient to account for its fiscal effect.

(f) If this section takes effect as of October 20, 2005, § 47-864 shall sunset as of October 20, 2005.

(g) This section shall expire on August 5, 2006, if this section has not taken effect under subsection (e) of

this section.