

lien in favor of the United States for construction or other charges as provided in the Act of June 17, 1902, and Acts amendatory thereof and supplementary thereto, known as the reclamation law: *Provided*, That such lands are otherwise eligible for loans under the Federal Farm Loan Act: *And provided further*, That the amount and date of maturity of such lien shall be given due consideration in fixing the value of such lands for loan purposes.

Approved, May 15, 1922.

Proviso.
If otherwise eligible.
Amount and maturity of lien.

CHAP. 194.—An Act To amend the Code of Law for the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Code of Law for the District of Columbia be amended by adding a new section to read as follows:

SEC. 204a. That whenever the United States attorney for the District of Columbia shall certify in writing to the Chief Justice of the Supreme Court of said District, or, in his absence, to the senior associate justice of said court, that the exigencies of the public service require it, said chief justice or senior associate justice may, in his discretion, order an additional grand jury summoned, which additional grand jury shall be drawn at such time as he may designate in the manner now provided by law for the drawing of grand jurors in the District of Columbia, and unless sooner discharged by order of said chief justice or, in his absence, senior associate justice, said additional grand jury shall serve during and until the end of the term in and for which it shall have been drawn.

Approved, May 19, 1922.

May 19, 1922.
[S. 3505.]
[Public, No. 220.]

District of Columbia
Code Amendment.
Vol. 41, p. 560, amended.

Grand jury.
Additional, to be drawn when exigency for, certified to District Supreme Court.

CHAP. 196.—An Act Making an appropriation to enable the Department of Justice to investigate and prosecute war frauds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the investigation and prosecution of alleged frauds, either civil or criminal, or other crimes or offenses against the United States, growing out of or arising in connection with the preparation for or prosecution of the late war, to be available for the employment of counsel and other assistants, rent, and all other purposes in connection therewith, whether in the District of Columbia or elsewhere, there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500,000, to be expended in the discretion of the Attorney General, and to remain available until June 30, 1923: *Provided*, That this appropriation shall not be available for rent of buildings in the District of Columbia if suitable space is provided by the Public Buildings Commission: *Provided further*, That not more than one person shall be employed hereunder at a rate of compensation exceeding \$10,000 per annum.

Approved, May 22, 1922.

CHAP. 197.—An Act To extend for the period of two years the provisions of Title II of the Food Control and the District of Columbia Rents Act, approved October 22, 1919, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared that the emergency described in Title II of the Food Control and the District of Columbia Rents Act still exists and continues in the Dis-

May 22, 1922.
[H. R. 11645.]
[Public, No. 221.]

War frauds.
Appropriation for prosecution, etc., of, by Department of Justice.
Post, p. 1081.

Proviso.
Rent restriction.

Pay restriction.

May 22, 1922.
[S. 2919.]
[Public, No. 222.]

District of Columbia
Rents Act.
Emergency declared for extending.
Vol. 41, p. 298.

district of Columbia, and that the present housing and rental conditions therein require the further extension of the provisions of such title.

Provisions reenacted and continued until May 22, 1924. *Acte*, p. 200.

SEC. 2. That Title II of the Food Control and the District of Columbia Rents Act, as amended, is reenacted, extended, and continued, as hereinafter amended, until the 22d day of May, 1924, notwithstanding the provisions of section 1 of the Act entitled "An Act to extend for the period of seven months the provisions of Title II of the Food Control and the District of Columbia Rents Act, approved October 22, 1919, and for other purposes," approved August 24, 1921.

Vol. 41, p. 298, amended.

SEC. 3. That section 101 of the Food Control and the District of Columbia Rents Act, as amended, is amended to read as follows:

Meaning of terms.

"SEC. 101. When used in this title, unless the context indicates otherwise—

"Rental property."

"(a) The term 'rental property' means any building or part thereof or land appurtenant thereto in the District of Columbia rented or hired, and the service agreed or required by law or by determination of the commission to be furnished in connection therewith; but does not include (1) a garage or warehouse, (2) any other building or part thereof or land appurtenant thereto used by the tenant exclusively for a business purpose other than the subleasing or otherwise subcontracting for use for living accommodations, or (3) any apartment or hotel.

"Person."

"(b) The term 'person' includes an individual, partnership, association, or corporation.

"Apartment." Apartment hotels included.

"(c) The term 'apartment' means any apartment or apartment hotel, or part thereof, in the District of Columbia rented or hired and the land and outbuildings appurtenant thereto, and the service agreed or required by law or by determination of the commission to be furnished in connection therewith.

"Owner."

"(d) The term 'owner' includes a lessor or sublessor, or other person entitled to receive rent or charges for the use or occupancy of any rental property or apartment, or any interest therein, or his agent.

"Tenant."

"(e) The term 'tenant' includes a subtenant, lessee, sublessee, or other person, not the owner, entitled to the use or occupancy of any rental property or apartment.

"Service."

"(f) The term 'service' includes the furnishing of light, heat, water, telephone or elevator service, furniture, furnishings, window shades, screens, awnings, storage, kitchen, bath and laundry facilities and privileges, maid service, janitor service, removal of refuse, making all repairs suited to the type of building or necessitated by ordinary wear and tear, and any other privilege or service connected with the use or occupancy of any rental property or apartment.

"Commission."

"(g) The term 'commission' means the Rent Commission of the District of Columbia."

Vol. 41, p. 299, amended.

SEC. 4. That section 102 of the Food Control and the District of Columbia Rents Act is amended to read as follows:

Rent Commission created. Composition and appointment.

"SEC. 102. (a) A commission is hereby created and established to be known as the Rent Commission of the District of Columbia. After this section, as amended, takes effect, the commission shall be composed of five commissioners, to be appointed by the President, by and with the advice and consent of the Senate; except that the present commissioners in office at the time this section, as amended, takes effect shall continue in office and shall have and exercise all the rights, powers, and duties vested in the commissioners by law until such time as a majority of the five commissioners whose appointment is provided for by this subdivision take office. The term of the five commissioners shall be for the period beginning at the time of taking office and ending May 22, 1924. Any vacancy in the office of any such commissioner shall be filled in the same manner as the original appointment, except that the appointment of the

Temporary continuance of present members.

Term, etc., of new members.

commissioner shall be made only for the unexpired term of the commissioner whom he succeeds.

"(b) In case of a vacancy in the office of one of the present commissioners prior to the time that a majority of the commissioners whose appointment is provided for by subdivision (a) take office a successor to such commissioner may be appointed by the President, by and with the advice and consent of the Senate. The term of such successor shall be for the period beginning at the time of taking office and ending at the time that a majority of the commissioners whose appointment is provided for by subdivision (a) take office.

Temporary successor to present members if vacancy in office.

Term.

"(c) No commissioner shall be appointed who is directly or indirectly engaged in, or in any manner interested in or connected with, the real estate or renting business in the District of Columbia.

Disqualifications.

"(d) All appointments of commissioners made before January 1, 1922, whether or not made in accordance with the law in effect at the time such appointments were made, are hereby validated and confirmed. All acts by or under the authority of the commission made in the administration of this Act and all proceedings instituted by or before the commission prior to the time this section, as amended, takes effect shall, for all purposes, be regarded as having the same status as if such appointments had been valid at the time when made.

Former appointments and acts validated.

"(e) The commission shall at the time of its organization and annually thereafter elect a chairman from its membership. The commission may make such rules and regulations as may be necessary to carry this title into effect. All powers and duties of the commission may be exercised by a majority of its members. A vacancy in the commission shall not impair the right of the remaining commissioners to exercise all the powers of the commission. The commission shall have an official seal, which shall be judicially noticed."

Organization, execution of powers, etc.

SEC. 5. That the last sentence of the first paragraph of section 105 of the Food Control and the District of Columbia Rents Act is amended to read as follows:

Examination of papers, etc.
Vol. 41, p. 300, amended.

"Each member of the commission may sign subpoenas, administer oaths and affirmations, summon and examine witnesses, conduct hearings, and receive evidence touching any matter which the commission is authorized to consider or investigate, and the substance of such evidence, when certified to the commission by the member of the commission who heard and received the same and when filed by the commission with the papers pertaining to such matter, may be made the basis of the commission's determination respecting the matter under consideration or investigation."

Each member authorized to administer oaths, conduct hearings, etc.

SEC. 6. That the last paragraph of section 105 of the Food Control and the District of Columbia Rents Act is amended to read as follows:

Vol. 41, p. 300, amended.

"Such attendance of witnesses and the production of such books, accounts, records, papers, and correspondence may be required from any place in the United States at any designated place of hearing. In case of disobedience to a subpoena or of the contumacy of any witness appearing before the commission, or in case of the failure to file with the commission any plans or other data required by the commission under section 117 of this title, the commission may invoke the aid of the Supreme Court of the District of Columbia or of any district court of the United States. Such court may thereupon issue an order requiring the person subpoenaed to obey the subpoena or to give evidence touching the matter in question or to file the plans or other data. Any failure to obey such order of the court may be punished by such court as a contempt thereof. No officer or employee of the commission shall, unless authorized by the commission or by a court of competent jurisdiction, make public any information obtained by the commission."

Attendance at hearings, etc.

Assistance of courts.

Post, p. 550.

Contempt proceedings.
Divulging information forbidden.

Vol. 41, p. 300, amended.

SEC. 7. That section 106 of the Food Control and the District of Columbia Rents Act is amended to read as follows:

Property affected.

"SEC. 106. (a) For the purposes of this title it is declared that all rental property and apartments are affected with a public interest, and that all rents and charges therefor, all service in connection therewith, and all other terms and conditions of the use or occupancy thereof, shall be fair and reasonable; and any unreasonable or unfair provision of a lease or other contract for the use or occupancy of such rental property or apartment, with respect to such rents, charges, service, terms, or conditions is hereby declared to be contrary to public policy. The commission upon its own initiative may, or upon complaint shall, determine whether the rent, charges, service, and other terms or conditions of a lease or other contract for the use or occupancy of any such rental property or apartment are fair and reasonable. Such complaints may be made and filed by or on behalf of any tenant, and by or on behalf of the owner of any rental property or apartment, notwithstanding the existence of a lease or other contract between the tenant and the owner. In fixing and determining the fair and reasonable rents, or charges for any rental property or apartment, the commission shall, in all cases, take into consideration the character and condition of the property and the character of the service, if any, furnished in connection therewith.

Rents, service, etc., to be fair and reasonable.

Determination as to, by Commission.

Filing of complaints.

Considerations in determining.

Notice of hearings.

Proviso.
To agents.

Hearings open to the public.

Fair and reasonable rents, service, etc., to be fixed and determined.

Effect of determination in landlord and tenant cases.

Finding of facts to be filed with determination.

Details.

Vol. 41, p. 301, amended.

"(b) In all such cases the commission shall give notice personally or by registered mail and afford an opportunity to be heard to all parties in interest: *Provided*, That notice given by the commission to an agent for the collection of rents due his principal shall be deemed and held to be good and sufficient notice to the principal. The commission shall promptly hear and determine the issues involved in all complaints submitted to it. All hearings before the commission, or any member of the commission, shall be open to the public. If the commission finds that the existing rents, charges, service, or other terms or conditions of the use or occupancy of any rental property or apartment are unfair and unreasonable, it shall fix and determine the fair and reasonable rents or charges for the rental property or apartment under consideration, and may fix and determine the fair and reasonable service, terms, and conditions of the use or occupancy of the rental property or apartment, and may also order and require the furnishing of such service by the owner as it shall lawfully determine to be fair and reasonable.

"(c) In any suit in any court of the United States or the District of Columbia involving any question arising out of the relation of landlord and tenant with respect to any rental property or apartment, except on appeal from the commission's determination as provided in this title, such court shall determine the rights and duties of the parties in accordance with the determination and regulations of the commission relevant thereto.

"(d) The commission shall file with its determination a finding of the facts on the evidence presented, and upon which its determination is based. Such finding of facts shall set out the following: (1) The fair and reasonable value of the whole property, (2) the allowance for maintenance, repairs, taxes, service, and all other expenses, (3) the separate rentals of the whole property as fixed by the commission, or if not fixed by the commission, then as paid by the tenants, (4) the commission's estimated net return to the owner upon the value as fixed by it, and (5) such other findings of fact as the commission deems proper to submit. Such findings of fact shall constitute a part of the record of the case."

SEC. 8. That section 108 of the Food Control and the District of Columbia Rents Act is amended to read as follows:

"SEC. 108. (a) Unless within ten days after the filing of the commission's determination any party to the complaint appeals therefrom to the Supreme Court of the District of Columbia in general term, the determination of the commission shall be final and conclusive. The Supreme Court of the District of Columbia, in general term, is hereby given jurisdiction to hear and determine appeals taken from determinations of the commission, and such appeals shall be given precedence over the other business of the court. At the hearing of such appeals the chief justice of the court shall preside, with at least two of the associate justices thereof, to be designated by the chief justice. In the absence of the chief justice, the senior associate justice of the court shall preside, have the powers, and perform the duties of the chief justice.

Finality of determination.

Appeal allowed to Supreme Court of the District, in general term.

"(b) If such an appeal is taken from the determination of the commission, the record before the commission or such part thereof as the court may order shall be certified by it to the court and shall constitute the record before the court, and the commission's determination shall not be modified or set aside by the court, except for error of law.

Record to be certified to court.

"(c) If any party applies to the court for leave to adduce additional evidence and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceedings before the commission, the court may order such additional evidence to be taken before the commission and to be adduced upon the hearing in such manner and upon such terms and conditions as the court may deem proper. The commission may modify its findings as to the facts, or make new findings, by reason of the additional evidence so taken, and it shall file such modified or new findings, which shall be conclusive, and its recommendations, if any, for the modification or setting aside of its original determination, with the return of such additional evidence.

Order to adduce additional evidence on application.

Modification of findings, etc., conclusive.

"(d) In the proceedings before such court on appeal from a determination of the commission, the commission shall appear by its attorney or other representative and submit oral or written arguments to support the findings and the determination of the commission.

Court procedure.

"(e) No determination of the commission shall be affirmed, set aside, modified, or otherwise reviewed, or its enforcement in any manner stayed, except upon appeal from such determination as provided by this title."

Determination may be changed, etc., only upon appeal.

SEC. 9. That section 109 of the Food Control and the District of Columbia Rents Act is amended to read as follows:

Vol. 41, p. 301, amended.

"SEC. 109. (a) The right of a tenant to the use or occupancy of any rental property or apartment, existing at the time this Act takes effect, or thereafter acquired, under any lease or other contract for such use or occupancy or under any extension thereof by operation of law, shall, notwithstanding the expiration of the term fixed by such lease or contract, continue at the option of the tenant, subject, however, to any determination or regulation of the commission relevant thereto; and such tenant shall not be evicted or dispossessed so long as he pays the rent and performs the other terms and conditions of the tenancy as fixed by such lease or contract, or, in case such lease or contract is modified by any determination or regulation of the commission, then as fixed by such modified lease or contract.

Continuation of existing tenancies subject to determination of Commission.

Evictions restricted.

"(b) All remedies of the owner at law or equity, based on any provision of any such lease or contract to the effect that such lease or contract shall be determined or forfeited if the premises are sold, are hereby suspended so long as this title is in force. Every purchaser shall take conveyance of any rental property or apartment subject to the rights of tenants as provided in this title.

Legal remedies of owners under lease or sale suspended.

Possession by owner for personal occupancy, etc.

Notice required.

Vol. 31, p. 1382.

Statement of purposes.

Waste, etc., by tenant.
Restriction.

Possession after notice.

Settlement of disputes by court.

Disputes pending before Commission.

Payment by tenant pending decision of court.

Acceptance not a waiver by owner.

Tenancy pending appeal.
Vol. 41, p. 302, amended.

If rent increased by determination.
Payment thereof to Commission.

Acceptance of bond in lieu.

Appeal dismissed on noncompliance.

“(c) The rights of the tenant under this title shall be subject to the limitation that the bona fide owner of any rental property or apartment shall, upon giving thirty days’ notice in writing, served in the manner provided by section 1223 of the Act entitled ‘An Act to establish a code of laws for the District of Columbia,’ approved March 3, 1901, as amended (which notice shall contain a full and correct statement of the facts and circumstances upon which the same is based), have the right to possession thereof, (1) if necessary immediately for actual and bona fide occupancy by himself, or his wife, children, or dependents, or for the making of material repairs or alterations, or for the remodeling or erection of a new building, whether or not to be used for rental purposes by the owner, or for any other purpose inconsistent with the continued use or occupancy of the existing tenant, if such purpose does not involve unfair discrimination against such tenant and in favor of any subsequent tenant, or (2) if the tenant commits waste, nuisance, breach of peace, or is otherwise disorderly upon the premises; but in no case shall possession be demanded or obtained by such owner in contravention of the terms of any such lease or contract. After the expiration of the thirty days’ period specified in such notice, the owner of the rental property or apartment may recover possession thereof in accordance with such Act of March 3, 1901, as amended. If there is a dispute between the owner and the tenant as to the accuracy or sufficiency of the statement set forth in such notice, as to the good faith of such demand, or as to the service of notice, the matters in dispute shall be determined by the court in the proceedings for the recovery of possession. Any such dispute pending before the commission upon complaint at the time this section as amended takes effect shall be determined by the court in accordance with the provisions of this section.

“(d) During the period between the service of the notice and the final decision in the proceedings for the recovery of possession the tenant shall pay to the owner rent in accordance with the terms of the lease or other contract for the use or occupancy of the rental property or apartment, or, in case such lease or contract is modified by any determination of the commission, then in accordance with such modified lease or contract. Acceptance of such rent by the owner shall not be held a waiver by him of any right under the provisions of this section or under the terms of the lease or contract. If any tenant fails so to pay rent to the owner during such period, the rights of the tenant under this section shall cease.”

Sec. 10. That section 110 of Title II of the Food Control and the District of Columbia Rents Act is amended by inserting “(a)” after the section number and by amending the last sentence thereof to read as follows:

“(b) In case of the increase of the rent for the use or occupancy of any rental property or apartment, made by a determination of the commission from which an appeal is taken by the tenant under the provisions of this title, the tenant shall, from time to time during the period between the filing of the determination and the time when the determination becomes final, and in accordance with the terms of the lease or other contract, pay to the commission the amount of the increase and to the owner the remainder of the amount of rent fixed by the determination. In lieu of such payments the tenant may, in the discretion of the commission and at the time of taking the appeal, give bond, approved by the commission, for the payment of the amount of the increase. The disposition of moneys so paid to the commission and the payments under the terms of the bond shall be made in accordance with the determination of the commission as modified by the final decision on appeal. The court shall dismiss the appeal of any tenant who fails to comply with this subdivision.

“(c) In case of a decrease of the rent by any such determination, the tenant shall, from time to time during such period and in accordance with the terms of the lease or other contract, pay to the owner the amount of rent fixed by the determination. The difference, if any, between the amount of rent paid during such period and the amount that would have been payable for such period, under the determination as modified in accordance with the final decision on appeal, may be added to future rent payments or sued for and recovered in an action in the municipal court of the District of Columbia.

If rent decreased. Payment to owner of amount determined.

Recovery of difference if determination modified.

“(d) The amendment of this section shall not be held to terminate any right for the recovery of rent in an action in the municipal court of the District of Columbia if such right arose prior to the time that this section as amended takes effect.

Prior actions in municipal court not affected.

“(e) The decision of the Supreme Court of the District of Columbia upon appeal from any determination of the commission shall be final, except that it shall be subject to review by the Supreme Court of the United States upon certiorari to the same extent as cases subject to such review under section 240 of the Judicial Code, if such writ is duly applied for within thirty days after the decision is rendered. The issue of the writ shall not operate as a supersedeas or in any manner stay or postpone the decision of the Supreme Court of the District of Columbia if such decision affirms or modifies the determination of the commission.”

Court decision final, subject to review by United States Supreme Court. Vol. 36, p. 1157

Effect of writ.

Vol. 41, p. 302, amended.

SEC. 11. That section 111 of the Food Control and the District of Columbia Rents Act is amended to read as follows:

“SEC. 111. The determination of the commission in a proceeding begun by complaint or upon its own initiative fixing fair and reasonable rents, charges, service, and other terms and conditions of use or occupancy of any rental property or apartment shall constitute the commission's determination of the fairness and reasonableness of such rents, charges, service, terms, or condition for the rental property or apartment affected, and shall remain in full force and effect notwithstanding any change in ownership or tenancy thereof, unless and until the commission modifies or sets aside such determination upon complaint either of the owner or of the tenant.”

Ownership or tenancy changes. Determination of Commission not affected by.

SEC. 12. That section 112 of the Food Control and the District of Columbia Rents Act is amended to read as follows:

Vol. 41, p. 302, amended.

“SEC. 112. (a) If the owner of any rental property or apartment collects any rent or charge therefor in excess of the amount fixed in a determination of the commission made and in full force and effect in accordance with the provisions of this title, he shall be liable for and the commission is hereby authorized and directed to commence an action in the municipal court of the District of Columbia to recover double the amount of such excess, together with the costs of the proceeding, which shall include an attorney's fee of \$50, to be taxed as part of the costs. Such actions shall be brought in the municipal court, regardless of the amount to be recovered, and the municipal court is hereby given special jurisdiction to hear and determine all such cases.

Collecting rents in excess of determination.

Commission to bring suit for double amount, etc.

Jurisdiction of municipal court.

“(b) The commission is hereby authorized to bring such actions without the payment of costs, and no bond shall be required in the case of any appeal taken by the commission from any judgment of the municipal court in any such case. Out of any sums received on account of such recovery the commission shall pay over to the tenant the amount of the excess so paid by him and the balance shall be paid into the Treasury of the United States to the credit of the District of Columbia: *Provided*, That if the commission finds that such excess was paid by the tenant voluntarily and with knowledge of the commission's determination, the whole amount of such recovery

Bond not required.

Disposal of amount recovered.

Proviso. If excess voluntarily paid with knowledge of determination.

shall be paid into the Treasury of the United States to the credit of the District of Columbia.

Compromise by Commission authorized.

"(c) The commission may compromise any case arising under this section instead of commencing an action in respect thereto, or may compromise such case after an action in respect thereto has been commenced. Whenever any such case is compromised there shall be placed on file in the office of the commission a written opinion of the commission or its attorney stating the reasons for such compromise, the amount of the excess rent or charge for which the owner is liable, and the amount thereof actually paid in accordance with the terms of the compromise."

Record to be filed.

Vol. 41, p. 302, amended.

SEC. 13. That section 113 of the Food Control and the District of Columbia Rents Act is amended to read as follows:

Services to tenants. Assessment on owner for willfully withdrawing, etc.

"SEC. 113. (a) If in any proceeding before the commission, begun by complaint or on the commission's own initiative, and involving any lease or other contract for the use or occupancy of any rental property or apartment, the commission finds that at any time after the passage of this Act, but during the tenancy, the owner has, directly or indirectly, willfully withdrawn from the tenant any service agreed or required by a determination of the commission to be furnished, or has by act, neglect, or omission contrary to such lease or contract or to the law or any ordinance or regulation made in pursuance of law, or of a determination of the commission exposed the tenant, directly or indirectly, to any unsafe or insanitary condition, or imposed upon him any burden, loss, or unusual inconvenience in connection with his use or occupancy of such rental property or apartment, the commission shall determine the sum which in its judgment will fairly and reasonably compensate or reimburse the tenant therefor. In any such proceeding involving a lease or other contract, in which the term specified had not expired at the time the proceeding was begun, the commission shall likewise determine the amount or value of any bonus or other consideration in excess of the rental named in such lease or contract received at any time directly or indirectly by the owner in connection with such lease or contract. The tenant may recover any amount so determined by the commission in an action in the municipal court of the District of Columbia.

Determination of amount.

Bonuses to be included.

Recovery by tenant.

Punishment for willfully failing to furnish service hereafter.

"(b) Any person who, after the passage of this amendatory Act, willfully fails to furnish the tenants of any rental property or apartment such service (1) as has ordinarily been furnished the tenant of such rental property or apartment prior to such failure, or (2) as is required either expressly or impliedly to be furnished by the lease or other contract for the use or occupancy of the rental property or apartment, or any extension thereof by operation of law, shall, upon conviction, be punished by a fine not exceeding \$1,000 or by imprisonment for not more than one year, or by both."

Vol. 41, p. 303, amended.

SEC. 14. That section 116 of the Food Control and the District of Columbia Rents Act is amended to read as follows:

Punishment for exacting bonuses, etc.

"SEC. 116. Any person who with intent to avoid the provisions of this title enters into any agreement or arrangement for the payment of any bonus or other consideration in connection with any lease or other contract for the use or occupancy of any rental property or apartment, or who participates in any fictitious sale or other device or arrangement the purpose of which is to grant or obtain the use or occupancy of any rental property or apartment without subjecting such use or occupancy to the provisions of this title or to the jurisdiction of the commission, shall upon conviction be punished by a fine not exceeding \$1,000, or by imprisonment for not exceeding one year, or by both."

Making fictitious sales, etc., to obtain property.

Vol. 41, p. 303, amended.

SEC. 15. That section 117 of the Food Control and the District of Columbia Rents Act is amended to read as follows:

“SEC. 117. (a) The commission shall prescribe standard forms of leases and other contracts for the use or occupancy of any rental property or apartment and shall require their use by the owner thereof. Every such lease or contract entered into after the commission has prescribed and promulgated a form for the tenancy provided by such lease or contract shall be deemed to accord with such standard forms; and any such lease or contract in any proceeding before the commission or in any court of the United States or of the District of Columbia shall be interpreted, applied, and enforced in the same manner as if it were in the form and contained the stipulations of such standard form.

Forms of leases, etc., to be prescribed.

Legal effect of.

Enforcement.

“(b) The owner of an apartment shall file with the commission, but only in such cases as the commission deems necessary, plans and other data in such detail as the commission requires, descriptive of the rooms, accommodations, and service in connection with such apartment, and a schedule of rates and charges therefor. The commission shall, after consideration of such plans, schedules, data, or other information, determine and fix a schedule of fair and reasonable rates and charges for such apartments; and the rates and charges stated in such schedule shall thereafter constitute the fair and reasonable rates and charges for such apartment. The commission’s determination in such case shall be made after such notice and hearing and shall have the same force and effect and be subject to appeal in the same manner as a determination of the commission under section 106 of this title.”

Data may be required from apartment owners.

Rates, etc., to be fixed by Commission.

Hearings, etc.

Ante, p. 546.

SEC. 16. That section 118 of the Food Control and the District of Columbia Rents Act is amended by adding at the end thereof a new sentence to read as follows: “This section shall not be construed as in any way authorizing the assignment of any lease or the subletting of any rental property or apartment in violation of the terms of the lease or other contract for the use or occupancy of the rental property or apartment, or of such lease or contract as extended by operation of law.”

Assigning and subletting.

Vol. 41, p. 304, amended.

No authority for, in violation of terms of lease, etc.

SEC. 17. That subdivision (b) of section 124 of the Food Control and the District of Columbia Rents Act, as amended, is amended to read as follows:

Ante, p. 201, amended.

“(b) In the case of (1) any proceeding begun under the provisions of section 114 before the termination of this title, or (2) any proceeding on appeal from a determination of the commission begun before the termination of this title, such proceeding may, after such termination, be continued in the same manner with the same effect as if this title had not been terminated, and all powers and duties in respect to such proceedings (including the custody and disposition of moneys paid under section 110) vested in the commission by this title shall for the purposes of such proceedings be vested in the Attorney General.

Attorney General to continue proceedings pending at termination of Act.

Vol. 41, p. 303.

Ante, p. 548.

SEC. 18. The Food Control and the District of Columbia Rents Act is amended by adding at the end thereof a new section to read as follows:

New matter. Ante, p. 201, amended.

“SEC. 125. The commission shall, as soon as practicable after this section takes effect and at least semiannually thereafter, publish its determinations, opinions, rulings, and regulations, all important court and administrative decisions in respect to this Act, and such provisions of the law relating to landlords and tenants as the commission deems advisable, together with a cumulative index-digest thereof.”

Publication of determinations, court decisions, etc., directed.

Effective date.

SEC. 19. This Act shall take effect upon its passage; except that if its passage occurs after May 21, 1922, it shall be held to have taken effect as of such date.

SEC. 20. That all Acts or parts of Acts in conflict herewith are, to the extent that they are in such conflict, suspended so long as Title II of the Food Control and the District of Columbia Rents Act is in force.

Conflicting laws, etc., suspended while Act in force.