

## DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

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NOTICE OF FINAL RULEMAKING

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The Director of the Department of Housing and Community Development, pursuant to the authority set forth in § 5 of the Housing Production Trust Fund Act of 1988, D.C. Law 7-202, D.C. Official Code § 42-2801 *et seq.*, and Mayor's Order No. 89-130 (June 9, 1989), hereby gives notice of the following amendment to, Chapter 41 (Housing Production Trust Fund Program) of Title 10 DCMR (Planning and Development) governing the administration and operation of the Housing Production Trust Fund. The following rulemaking was published in the *D.C. Register*, Vol. 52-No.29, July 22, 2005. No comments were received and no substantive changes have been made to the text published in the proposed rulemaking.

The purpose of this rulemaking is to implement revisions to the Housing Production Trust Fund Act of 1988 as amended by the "Fiscal Year 2005 Budget Support Act of 2004" (D.C. Law 15-205, effective December 7, 2004). Adoption of this rule will implement Subtitle B. of Title II of the "Fiscal Year 2005 Budget Support Act of 2004".

Housing Production Trust Fund

Section 4100 of Chapter 41 (Housing Production Trust Fund Program) of Title 10 DCMR is amended as follows:

Subsection 4101.7 is amended by adding the following sentence to the end of the paragraph:

"The duration of the period of affordability for which the housing shall be affordable on a continuing basis is detailed in §4107.2(c)."

Subsection 4102.1 is amended by striking the phrase "expended from" and inserting the phrase "deposited into" in its place.

Subsection 4107.1 is amended by inserting the phrase "as further defined in § 4107.2 (c)", after the phrase "continuing basis".

Subsection 4107.2(c) is amended to read as follows:

- "(c) Reserved Units shall be continuously affordable to low, very low and extremely low- income households as required by the Act and further specified in § 4112.5, subject to the following requirements:
  - (1) Reserved Units shall be continuously affordable for a period of at least 15 years from the date of loan settlement for for-sale units;

- (2) Reserved Units shall be continuously affordable for a period of at least 40 years from the date of the issuance of a Certificate of Occupancy for rental units; and
- (3) No period of affordability will be attached to units where assistance is provided for the rehabilitation of owner-occupied single-family homes or where assistance is provided under the Homestead Housing Preservation Act of 1986, effective August 9, 1986 (D.C. Law 6-135; D.C. Official Code § 42-2107) or another statutory program; and"

Subsection 4112.8(a) is amended by striking the "semi-colon" after the phrase "extremely low-income households" and inserting in its place the phrase "for the periods specified in § 4107.2 (c);"

Subsection 4112.8(b) is amended by striking the "period" after the phrase "continuing basis," and inserting the phrase "for the periods specified in § 4107.2(c)."

Subsection 4112.9 is amended to read as follows:

"With respect to Reserved Units, if any, which may be sold to low, very low and extremely low- income households for homeownership, including condominium and cooperative ownership, each applicant shall provide a written strategy subject to the express, prior written approval of DHCD, to ensure that the initial sale prices and all subsequent resale prices shall be continually affordable to low, very low and extremely low- income households for the periods specified in § 4107.2(c)."

Subsection 4199.1 is amended by inserting the following definition:

**"Continuing Basis** – Without interruption for the periods of time defined in § 4107.2(c)"

**THE DISTRICT OF COLUMBIA  
LOTTERY AND CHARITABLE GAMES CONTROL BOARD  
NOTICE OF FINAL RULEMAKING**

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in D.C. Official Code §3-1306, District of Columbia Financial Responsibility and Management Assistance Authority Order issued September 21, 1996, and Office of the Chief Financial Officer Financial Management Control Order No. 96-22 issued November 18, 1996, hereby gives notice of the adoption of amendments to Chapters 5,6 and 9 of Title 30 DCMR, "Lottery and Charitable Games." No substantive changes have been made to the text of these emergency and proposed rules published in the D.C. Register on December 2, 2005 at 52 DCR 10586. These final rules will be effective upon publication of this notice in the D.C. Register.

**AMEND CHAPTER 5. "LOTTERY TICKET"**

Amend subsection 501.2 by substituting the following:

501.2 In addition to the persons identified in § 501.1, none of the following persons shall purchase a POWERBALL<sup>®</sup>, Hot Lotto<sup>™</sup> ticket or win or be paid a POWERBALL<sup>®</sup> or Hot Lotto<sup>™</sup> prize:

- (a) A Multi-State Lottery Association ("MUSL") employee, officer, or director;
- (b) A contractor or consultant under agreement with MUSL to review the MUSL audit and security procedures;
- (c) An employee of an independent accounting firm under contract with MUSL to observe drawings or site operations and actually assigned to the MUSL account and all partners, shareholders, or owners in the office of the firm located at the MUSL draw site or in the District of Columbia; or
- (d) A parent, stepparent, child, stepchild, spouse, or sibling of an individual described in §§ 501.2(a), (b) and (c).

Amend subsections 503.1 and 503.4 by substituting the following:

503.1 A ticket which is printed in error for the Lucky Numbers and DC-4 game(s) may be cancelled only on the date purchased and prior to the drawing break. The tickets shall be voided only by the issuing agent and the terminal that printed the ticket, and the player may request a refund or a replacement ticket. If for any reason the terminal that issued the ticket is inoperable prior to the drawing break, the player's sole recourse shall be a refund of the ticket price.

503.4 A ticket for POWERBALL<sup>®</sup>, KENO, Hot Lotto<sup>™</sup>, DC Daily 6<sup>™</sup>, Rolling Cash 5<sup>™</sup>, Quick Cash<sup>™</sup>, and HOT FIVE<sup>™</sup> tickets shall not be voided or cancelled.

**AMEND CHAPTER 6. "CLAIMS AND PRIZE PAYMENTS"**

Amend subsection 605.1 by substituting the following:

605.1 In addition to the validation requirements of § 603, an on-line game ticket shall not be valid unless all of the following conditions are met:

- (a) The ticket validation number shall be presented and shall correspond in its entirety, using the computer validation file, to the selected numbers printed on the ticket for the date printed on the ticket;
- (b) For the POWERBALL®, Hot Lotto™ and Rolling Cash 5™ games, the player selected numbers on the ticket shall be in individual groups of prescribed numbers each associated with a single letter "A," "B," "C," "D," or "E";
- (c) For the Quick Cash™ game, the player selected numbers on the ticket shall be in individual groups of prescribed numbers each associated with a single letter "A," "B," and "C." The requisite number and the associated letters constitute a single lettered game board play;
- (d) For the DC Daily 6™ game, the player selected numbers on the ticket shall be in individual groups of prescribed numbers each associated with a single letter "A" and "B." The requisite number and the associated letters constitute a single lettered game board play;
- (e) The ticket data shall have been recorded on the central computer system on magnetic tape or disk prior to the drawing, and the ticket data shall match this computer record in every respect;
- (f) The player selected numbers, the validation number data and the drawing data of an apparent winning lottery ticket shall appear on the official file of winning tickets, and a ticket with that exact data shall not have been previously paid; and
- (g) The Agency shall not pay tickets that cannot be processed for validation purposes by the terminal except as provided in § 503.7.

Amend subsection 611.1 by substituting the following:

611.1 Payment of any prize, including a POWERBALL® or Hot Lotto™, or a prize awarded pursuant to Chapter 10 of this title, shall discharge the District of Columbia, the Agency, the Multi-State Lottery Association, and their members, product groups, officers, employees, agents and attorneys, representatives, and contractors of all liability for payment of the prize.

**AMEND CHAPTER 9. "DESCRIPTION OF ON-LINE GAMES"**

Amend Chapter 9 by deleting sections 900 and 901 in their entirety and replace with the following:

**900. DESCRIPTION OF THE DC Daily 6™ GAME**

900.1 The Agency may offer a game known as DC Daily 6™.

- 900.2 The DC Daily 6<sup>TM</sup> game is a six (6) out of thirty-nine (39) on-line lottery game. A bonus ball shall be drawn from the remaining thirty-three (33) numbers after the initial six (6) winning numbers are drawn. DC Daily 6<sup>TM</sup> pays the top prize in accordance with these rules. To play the DC Daily 6<sup>TM</sup> game, a player shall select six (6) numbers from 1 to 39 for input into a terminal. The holder of a winning DC Daily 6<sup>TM</sup> game ticket may win in only one prize category per game board.
- 900.3 The price of a DC Daily 6<sup>TM</sup> game ticket shall be two (2) boards for one dollar (\$ 1) or any other price designated by the Executive Director from a price schedule adopted by the Agency.
- 900.4 The bonus ball, which is chosen after the initial six (6) winning numbers are drawn may not be used to claim the top prize and shall only pay according to the prize structure in § 901.1.
- 900.5 If a single ticket contains more than one (1) winning play on separate game boards, the prize amounts shall be added together and shall be paid in accordance with the prize payment limits set forth in §§ 900.6 and 901.1.
- 900.6 The holder of a winning DC Daily 6<sup>TM</sup> ticket may win in only one prize category per board in connection with the winning numbers drawn, and shall be entitled only to the prize for the highest prize category won by those numbers.
- 900.7 A ticket subject to the validations requirements of this title shall be the only proof of a wager.

## **901 DC Daily 6<sup>TM</sup> PRIZE STRUCTURE AND PROBABILITY OF WINNING**

- 901.1 The DC Daily 6<sup>TM</sup> game is a fixed payout game which pays prizes based on a one dollar (\$1) bet are as follows:

### Number of Matches Per Play

- |   |           |
|---|-----------|
| (a) All six (6) winning numbers on a single lettered game board                       | \$250,000 |
| (b) Any five (5) winning numbers plus the bonus ball on a single lettered game board  | \$5,000   |
| (c) Any five (5) winning numbers and no bonus ball on a single lettered game board    | \$ 500    |
| (d) Any four (4) winning numbers plus the bonus ball on a single lettered game board  | \$ 250    |
| (e) Any four (4) winning numbers and no bonus ball on a single lettered game board    | \$ 10     |
| (f) Any three (3) winning numbers plus the bonus ball on a single lettered game board | \$ 5      |
| (g) Any three (3) winning numbers and no bonus ball on a single lettered game board   | \$ 2      |

901.2 There shall be a \$1,000,000 prize cap to be paid out on a pari-mutuel basis on the DC Daily 6<sup>TM</sup> top prize for each draw. The DC Daily 6<sup>TM</sup> top prize is \$250,000 unless there are five (5) or more top prizewinners for any one draw. If there are more than five (5) DC Daily 6<sup>TM</sup> top prizewinners for any draw, the \$1,000,000 prize cap will be shared by each of the top prizewinners on a pari-mutuel basis.

901.3 The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category, based upon the total number of possible combinations in DC Daily 6<sup>TM</sup> game.

Number of Matches Per Ticket	Probability Distribution	Number of Winners	Probable Set Prize Amount
All six (6) winning numbers on a single lettered game board	1: 1,631,311.50	1	\$250,000
Any five (5) winning numbers plus the bonus ball on a single lettered game board	1: 271,885.25	6	\$5,000
Any five (5) winning numbers and no bonus ball on a single lettered game board	1: 8,496.41	192	\$500
Any four (4) winning numbers plus the bonus ball on a single lettered game board	1: 3,398.57	480	\$250
Any four (4) winning numbers and no bonus ball on a single lettered game board	1: 219.26	7,440	\$10
Any three (3) winning numbers plus the bonus ball on a single lettered game board	1: 164.45	9,920	\$5
Any three (3) winning numbers and no bonus ball on a single lettered game board	1: 16.44	99,200	\$2
Overall	1: 13.91	117,239	

**THE DISTRICT OF COLUMBIA  
LOTTERY AND CHARITABLE GAMES CONTROL BOARD  
NOTICE OF FINAL RULEMAKING**

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in D.C. Official Code §3-1306, District of Columbia Financial Responsibility and Management Assistance Authority Order issued September 21, 1996, and Office of the Chief Financial Officer Financial Management Control Order No. 96-22 issued November 18, 1996, hereby gives notice of the adoption of amendments to Chapter 9 of Title 30 DCMR, "Lottery and Charitable Games." No substantive changes have been made to the text of these emergency and proposed rules published in the D.C. Register on December 2, 2005 at 52 DCR 10590. These final rules will be effective upon publication of this notice in the D.C. Register.

**AMEND CHAPTER 9. "DESCRIPTION OF ON-LINE GAMES"**

Amend Chapter 9 by amending sections 920 and 921 in their entirety and replace with the following:

**920. DESCRIPTION OF THE ROLLING CASH 5<sup>TM</sup> GAME**

920.1 The Agency may offer a game known as Rolling Cash 5<sup>TM</sup>.

920.2 The Rolling Cash 5<sup>TM</sup> game is a five (5) out of thirty-five (35) on-line lottery game that pays set prizes for matching two (2), three (3) or four (4) of the five (5) selected numbers. Rolling Cash 5<sup>TM</sup> pays a parimutuel jackpot prize for matching five (5) out of five (5) of the Agency selected numbers. The Jackpot prize is a rolling jackpot with a guaranteed minimum.

920.3 To play the Rolling Cash 5<sup>TM</sup> game, a player shall select five (5) numbers from one (1) to thirty-five (35) for input into a terminal. The Agency shall select five (5) out of thirty-five (35) numbers in a Rolling Cash 5<sup>TM</sup> drawing. The holder of a winning Rolling Cash 5<sup>TM</sup> game ticket may win in only one prize category per game board.

920.4 The price of a Rolling Cash 5<sup>TM</sup> game ticket shall be one (1) board for one dollar (\$ 1) or any other price designated by the Executive Director from a price schedule adopted by the Agency.

920.5 If a single ticket contains more than one (1) winning play on separate game boards, the prize amounts shall be added together and shall be paid in accordance with the prize payment limits set forth in §§ 920.6 and 921.2.

- 920.6 The holder of a winning Rolling Cash 5<sup>TM</sup> ticket may win in only one prize category per board in connection with the winning numbers drawn, and shall be entitled only to the prize for the highest prize category won by those numbers.
- 920.7 A ticket subject to the validations requirements of this title shall be the only proof of a wager.

**921 ROLLING CASH 5<sup>TM</sup> PRIZE POOL, PRIZE STRUCTURE AND PROBABILITY OF WINNING**

- 921.1 The prize pool for all prize categories shall consist of fifty-seven percent (57%) of each drawing period sales.
- 921.2 The Rolling Cash 5<sup>TM</sup> game with a rolling jackpot and fixed payout game for lower tier prizes, which pays prizes based on a one-dollar (\$1) bet are as follows:

Number of Matches Per Play

- |  |         |
|--|---------|
| (a) All five (5) winning numbers<br>on a single lettered game board  | Jackpot |
| (d) Any four (4) winning numbers<br>on a single lettered game board  | \$ 100  |
| (f) Any three (3) winning numbers<br>on a single lettered game board | \$ 10   |
| (g) Any two (2) winning numbers<br>on a single lettered game board   | \$ 1    |

- 921.3 The Rolling Cash 5<sup>TM</sup> Jackpot prize shall be determined on a parimutuel basis for each draw and shall consist of forty-five point twenty percent (45.20%) of the prize pool.
- 921.4 If the Rolling Cash 5<sup>TM</sup> Jackpot is not won in a drawing, the prize money allocated for the Jackpot prize shall roll over and be added to the next Rolling Cash 5<sup>TM</sup> Jackpot prize pool for the next drawing and the process is repeated until there is a Rolling Cash 5<sup>TM</sup> Jackpot prizewinner.
- 921.5 If there are more than one Rolling Cash 5<sup>TM</sup> Jackpot prizewinners for any draw, then the Jackpot amount will be shared by each Jackpot prizewinners on a parimutuel basis.



921.6 The Agency may offer guaranteed minimum jackpot prize amounts or minimum increases in the Jackpot prize between drawings or make other changes in the allocation of prize money where the Agency finds that it would be in the best interest of the game.

921.7 The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category, based upon the total number of possible combinations in Rolling Cash 5<sup>TM</sup> game.

Number of Matches Per Ticket	Probability Distribution	Number of Winners	Probable Set Prize Amount	Percentage Allocation to Prize
Any five (5) winning numbers on a single lettered game board	1: 324,632	1	Jackpot	45.20%
Any four (4) winning numbers on a single lettered game board	1: 2,164	150	\$100	8.29%
Any three (3) winning numbers on a single lettered game board	1: 75	4,320	\$10	24.05%
Any two (2) winning numbers on a single lettered game board	1: 8	40,600	\$1	22.45%
Overall	1: 7.20	45,101		100%