

DC Court of Appeals clarifies definition of single-family accommodation for TOPA

6 Oct 2025

Christopher A. Glaser

The United States District Court for the District of Columbia has resolved an issue created by the 2018 amendments to the Tenant Opportunity to Purchase Act (TOPA). Those amendments created a distinction between rights which tenants and tenant organizations hold in multi-family accommodations versus single-family accommodations. In single-family accommodations, tenants have the right to a notice of a sale, but the opportunity to purchase is a right only afforded to tenants within a multi-family accommodation. The not-so-simple issue is what is the distinction between a single-family accommodation and a multi-family one when it relates to a condominium spanning 33 separate buildings containing individual condominium units being separately rented to tenants.

In *Katherine DeMetro v. Vaughan McLean, LLC*, the owner of a complex of 33 residential buildings containing a total of 574 individual condominium units sought to sell the property. Treating the sale as one of multiple single-family accommodations, the owner provided the individual tenants with notice of its intent to sell but did not provide the tenants with an opportunity to purchase. Following a tortured pathway through administrative claims at the Department of Housing and Community Development and the Court of Appeals, the tenants filed new claims in the Superior Court which were removed to the District Court. Once in the District Court, the remaining tenants argued that the owner had registered each of the 33 buildings as multi-family accommodations with the Rental Accommodations Division so as to claim an exemption from rent-control requirements and that the owner's prior declaration was binding on the determination of whether the property was single-family or multi-family. The District Court disagreed noting that the statutory notice requirements control without regard to how the owner had treated the property in its regulatory filings. The statute, the District Court held, included within the definition of "single-family accommodation" a "single rental unit in a condominium." Thus, whether a sale is for one individual condominium or a bulk transfer of hundreds of individual condominium units, the sale is treated as one for a single-family accommodation and the tenants are entitled only to notice and not an opportunity to purchase.

Jackson & Campbell, P.C. represents title insurers and insureds in Maryland, Virginia, and Washington, D.C. and we strive to keep our clients and other title professionals up to date on various developments in the law. Additionally, we present no-cost in-house updates of the nation's most noteworthy cases and national trends following the spring and fall American Land Title Association's Title Counsel meetings.

If you have any questions about this case or laws impacting real estate in and around the Washington, D.C. region, feel free to contact us. Our [Real Estate Litigation and Transactions](#) Practice Group is ready to assist.

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DC COURT OF APPEALS CLARIFIES DEFINITION OF SINGLE-FAMILY ACCOMMODATION FOR TOPA

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