

**AFFIDAVIT AND AGREEMENT OF TENANT’S ELECTION NOT TO EXERCISE AND
WAIVER OF TOPA RIGHTS FOR A SINGLE-FAMILY ACCOMMODATION**

File No. _____

Accommodation: _____, Unit No. _____

The undersigned, being first duly sworn, deposes and says:

I am a tenant in the property referenced above (hereinafter the “Property”).

I have been made aware of the intent of _____ (“LANDLORD”), to sell the Accommodation and acknowledge receipt of FORM 1, NOTICE TO TENANT OF LANDLORD’S RECEIPT OR SOLICITATION OF AN OFFER TO SELL THE SINGLE-FAMILY ACCOMMODATION AND NOTICE OF INTENT TO SELL (“Form 1”), dated _____ and delivered to me on _____, in accordance with the D.C. Tenant Opportunity to Purchase Act (“TOPA”).

I understand that only tenants who are 62 years of age or more and/or have a disability, who signed a lease agreement with Landlord on or before March 31, 2018 and who occupied the accommodation on or before April 15, 2018 are eligible for rights under TOPA, including but not limited to the right to receive an offer of sale from Landlord and the right of first refusal with respect to any contract of sale entered into by Landlord and a third party. I meet these criteria and I delivered Form 2, the LETTER TO LANDLORD attached to Form 1, claiming eligibility for rights under TOPA, on _____.

I have received a Tenant Offer of Sale, Tenant Right of First Refusal and a full copy of a ratified contract (“Contract”) by and between Landlord and _____ (“Purchaser”) in accordance with TOPA.

I am aware of my rights under the TOPA. I have the right to enter into negotiations for the purchase of the Property (“Purchase Right”) and acquire it from Landlord on the same terms and conditions as in the Contract between Landlord and Purchaser (“Right of First Refusal”).

I have elected **NOT** to exercise my rights under TOPA, including but not limited to my Purchase Right and Right of First Refusal. I hereby waive my TOPA rights, including but not limited to my Purchase Right and my Right of First Refusal. The election not to exercise TOPA rights and waiver of TOPA rights are made after review and appropriate consultation, for consideration satisfactory to me. I have not assigned my rights under TOPA to any individual or entity.

I understand that the Property will be sold to Purchaser. Execution of this Affidavit evidences my approval and acceptance of the proposed sale of Property to Purchaser and the election not to exercise my TOPA rights and waiver of my TOPA rights.

Signature

Printed Name: _____

Address: _____

Phone Number: _____

State of _____
County of _____, to wit:

Signed and sworn to (or affirmed) before me on this _____ day of _____,
20__, by _____.

Notary Public
My Commission Expires: