

True Reformer Building
1200 U Street, NW
Washington, DC 20009
(202) 328-5500
www.legalclinic.org

Board

John R. Jacob
President
Susan M. Hoffman
Vice President
James E. Rocap, III
Treasurer
Emily Whiting
Secretary
Jonathan L. Abram
Cheryl K. Barnes
Jeffrey D. Bauman
Nancy Tyler Bernstine
Laurie B. Davis
Wesley R. Heppler
Allison M. Holt
Sam Mondry-Cohen
Sterling Morris
David E. Rogers
Valerie E. Ross
Tiana L. Russell
Jeff Schwaber
Stanley O. Sher
Effie Smith
Marsha Tucker
Laura Tuell
David Wittenstein

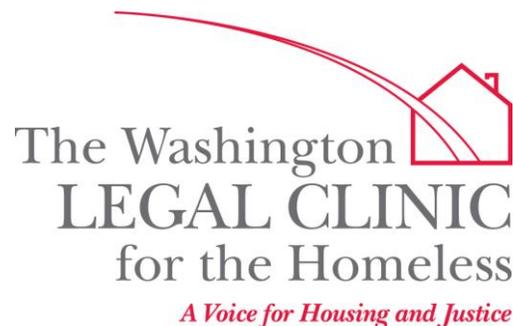
Semper Nobiscum

Mary Ann Luby
1940 - 2010

Staff

Patricia Mullahy Fugere
Executive Director
Renata Aguilera-Titus
Communications Manager
LaJuan Brooks
Administrative Assistant
Caitlin Cocilova*
Staff Attorney
Akela D. Crawford
Staff Attorney
Amber W. Harding
Staff Attorney
David M. Booth
Disability Rights Initiative
Dea C. Lott
Staff Attorney
Kristi Matthews
*Kressley Fellow for
Grassroots Advocacy*
Scott McNeilly
Staff Attorney
William R. Merrifield, Jr.
Staff Attorney
Becky O'Brien
Staff Attorney
Leslie Plant
Administrator
Ann Marie Staudenmaier
Staff Attorney
Max Tipping
Equal Justice Works Fellow
Sponsored by
Greenberg Traurig, LLP
and Steptoe & Johnson LLP
Kelsey Vaughan
Volunteer Coordinator

*Admitted only in Pennsylvania



**Testimony before the DC Council Committee on Human Services
Budget Hearing on the DC Department of Human Services (DHS)
Presented by Max Tipping
May 3, 2017**

Good morning Councilmember Nadeau and members of the Human Services Committee. My name is Max Tipping and I am an Equal Justice Works fellow at the Washington Legal Clinic for the Homeless. The Legal Clinic envisions – and since 1987 has worked towards – a just and inclusive community for all residents of the District of Columbia, where housing is a human right and where every individual and family has equal access to the resources they need to thrive.

My testimony today will focus on the need to begin decreasing DC's reliance on the rapid re-housing program for homeless families by shifting proposed funding increases to more successful housing interventions such as the Targeted Affordable Housing program. Samantha Beckett from Bread for the City will provide further details on the serious concerns of legal services providers about rapid re-housing, and why we do not believe the District should continue increasing its reliance on this failing program.

As you know, rapid re-housing is currently the District's answer to the family homelessness crisis. Except for Washington, no state is more reliant on the rapid re-housing model than the District. There are currently over 1,300 families in DC's rapid re-housing program, representing approximately 4,000 people, including over 2,300 children.

Rapid re-housing has become a band-aid approach to the crisis of family homelessness, one that hides the problem, but does not actually solve it. On May 1, the Legal Clinic released a report on DC's rapid re-housing program entitled *SET UP TO FAIL*. The report analyzes the experiences of over 100 families in the program, as well as data provided by the Department of Human Services and national sources, and concludes that homeless families in DC's rapid re-housing program struggle with poor housing conditions, are severely rent burdened, and often are sued in eviction court *while they are in the program*. Then, families' assistance is routinely terminated based on an arbitrary time limit, despite the fact that the average income of participants is far *less* than the average rent. It is mathematically impossible for these families to sustain their housing post-termination.



Among DC’s low-income families with children, this real-world rapid re-housing cliff is just as damaging as the impending TANF cliff that has justifiably received a lot of attention in recent years—but hundreds of families have already fallen off of the rapid re-housing cliff. We need to stop that now.

The District cannot continue operating under the illusion that rapid re-housing is working for homeless families. It is time for DC policymakers to decide whether to continue investing in a broken program or start moving forward towards a homeless services system that actually ends family homelessness.

The Legal Clinic and four other legal services organizations have signed on to a letter to you, Councilmember Nadeau, asking that the Mayor’s proposed increase in rapid re-housing be redirected to long-term housing vouchers through the Targeted Affordable Housing program, also known as TAH. In addition, as Samantha Beckett will testify, those legal services organizations are asking for your support for a moratorium on time limit terminations until the Council is able to weigh in on this practice. Indeed, when Director Zeilinger first started at DHS, there was a temporary halt on such terminations, or in the words of the agency back in February 2016:

“It has not been the practice to exit families from [rapid re-housing] who otherwise would end up back in the homelessness system--which would be more costly.”¹

Along with Bread for the City, Children’s Law Center, DC Law Students in Court, and the Legal Aid Society of the District of Columbia, the Legal Clinic is calling for a return to DHS policies circa February 2016 in order to spare further trauma to families in this program until the Council can address this issue. We also hope to work with you and DHS to explore other changes to the existing rapid re-housing program that would make it a safer, more humane program for families, such as not requiring that families be severely rent burdened and putting in place enforcement procedures to deal with slumlords.

It should be noted that in order to accomplish this shift away from rapid re-housing, there is a need to streamline the referral process for TAH. Families in rapid re-housing have to go through a number of complicated steps to get connected to TAH, and there are several ways to simplify the process and get the money out the door much more quickly. DHS, for instance, could just send a list of names over to the DC Housing Authority and that agency could handle the application process on its own, which is how most voucher “set-asides” work at the DC Housing Authority.

In addition, the Legal Clinic fully supports the budget requests of The Way Home Campaign and the Fair Budget Coalition to end chronic and family homelessness. In particular, the Mayor’s budget leaves a \$13.6 million gap in funding needed to get the

¹ Responses to Fiscal Year 2015-2016 Performance Oversight Questions, DC Department of Human Services, February 2016, page 35, available at http://dccouncil.us/files/user_uploads/budget_responses/DHSResponsestoFY1516PerformanceOversightQuestions.pdf.

District on track to end chronic homelessness and a \$21.6 million gap in funding needed to get back on track to ending family homelessness. While the funding for some of these programs is not in the Committee on Human Services, the Legal Clinic would ask that you work with your colleagues on the Committee on Housing and Neighborhood Revitalization to find the money for these critical housing programs.

The Legal Clinic is also very concerned that the Mayor's budget proposes to move money away from the Emergency Rental Assistance Program, or ERAP, towards the Homeless Prevention Program. ERAP is highly effective at preventing homelessness and has been chronically underfunded such that it does not come close to meeting the full need of the community. It runs out of money every year, and getting appointments can be very challenging. As a result, by the time tenants are able to obtain assistance, they are already far along in the court process and the cost of stopping an eviction has increased. While we support increased funding for the Homeless Prevention Program, we see no reason why that increase should be tied to a decrease in ERAP funding.

Finally, the Legal Clinic supports stopping the scheduled tax cuts for estates and businesses, and instead directing those funds to programs that end homelessness. These tax cuts represent a choice between more money in the pockets of wealthy DC residents, and affordable housing for DC families in crisis.

To briefly conclude, DC's civil legal services community knows that rapid re-housing is not working, as they represent family after family in eviction court. DC landlords know that this program is not working, as many refuse to accept the subsidies because they know the support is insufficient and time-limited. Case managers for the program know that rapid re-housing is not working, as they request extensions or transfers for the families that they work with, and those requests are routinely denied by program administrators. Most importantly, families in the program and in shelter know that rapid re-housing is not working. With the release of *SET UP TO FAIL*, I would hope that policymakers now know that this program is not working, with DHS's own data demonstrating that rapid re-housing is a flawed model for the District.

I know that there are a lot of caring, dedicated people who are trying to make this program work for families. And I know that this kind of criticism is hard to take. But without a frank, public discussion of what is not working and why, things will never get better.

Thank you for the opportunity to testify today.