

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  
Joan Alker  
Cheryl K. Barnes  
Jeffrey D. Bauman  
Laurie B. Davis  
Wesley R. Heppler  
Tom Karr  
Sterling Morris  
Laura Tuell Parcher  
David E. Rogers  
Valerie E. Ross  
Jeff Schwaber  
Stanley O. Sher  
Effie Smith  
John H. Stroud  
Marsha Tucker  
David Wittenstein

#### *Semper Nobiscum*

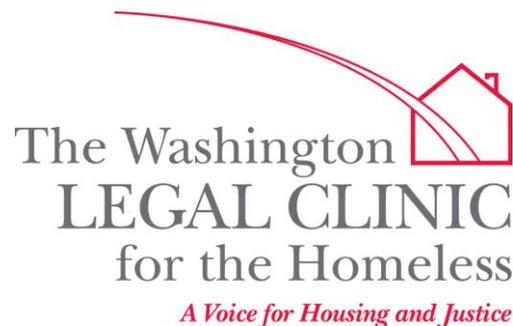
Mary Ann Luby  
1940 - 2010

#### Staff

Patricia Mullahy Fugere  
*Executive Director*  
Marta I. Beresin  
*Staff Attorney*  
LaJuan Brooks  
*Administrative Assistant*  
Amber W. Harding  
*Staff Attorney*  
David M. Booth  
*Disability Rights Initiative*  
Parastou Hatami\*  
*Human Rights Counsel*  
Dea C. Lott  
*Staff Attorney*  
Kristi Matthews  
*Kressley Fellow for  
Grassroots Advocacy*  
Scott McNeilly  
*Staff Attorney*  
William R. Merrifield, Jr.  
*Staff Attorney*  
Nassim Moshiree  
*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*  
Morena Zelaya  
*Volunteer Coordinator*

\*admitted only in Australia

\*\*admitted only in Florida



**Testimony before the DC Council Committee on Health and Human Services  
Oversight Hearing on the DC Department of Human Services  
Presented by Max Tipping  
February 25, 2016**

Good morning Councilmember Alexander and members of the Health and 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 District's rapid re-housing program.

As you know, rapid re-housing is a time-limited rental subsidy paired with case management assistance that is designed to help homeless families quickly move back into housing. While this intervention is relatively new and unproven, it is currently the primary tool for resolving family homelessness in the District. Under the Homeward DC 5-year plan, it is projected that over 60 percent of homeless families will exit shelter via rapid re-housing. There are almost 1,100 families currently in the program. I do not believe it is an exaggeration to say that if rapid re-housing fails, the Homeward DC plan to end homelessness fails with it.

The current administration has made a number of positive structural changes to this program, but today I would like to focus my testimony on a more basic problem facing many of these families: finding a quality apartment to rent.

Many families have been in shelter for a year or more because they have not been able to find an apartment through rapid re-housing. These families face a multitude of barriers. They must spend the little money they have on application fees for apartments only to be screened out by minimum income requirements, poor credit, or landlords illegally refusing to accept rapid re-housing. Counter to the program regulations, they are not provided with a written notice that they can show to prospective landlords confirming that they will receive a rapid re-housing subsidy. Most receive little to no support with finding housing from their case managers, other than perhaps the occasional name of a landlord to contact.

Even when they are finally able to find and lease an apartment, many families discover that their living conditions are barely improved from those of DC General. With families desperate to get out of shelter and many of the city's reputable landlords unwilling to work with them, rapid re-housing participants are driven to a sub-prime rental market. Some of the city's less scrupulous landlords have discovered that they can rent units in poor condition for prices well above what they would be able to get on the private market. One landlord had a four-unit building that was occupied exclusively by rapid re-housing families. The rent charged for the units was \$1,350 per month despite the fact that the units had such severe rodent infestations and mold that all of the families were eventually moved out for their own safety. There is also the example of Sanford Capital, which is currently being sued by the DC Office of the Attorney General for mistreating its tenants, and has been described as a slumlord by members of the Council. Sanford Capital houses 130 of the families in rapid re-housing, approximately 1 out of every 8 families in the program.

The rapid re-housing regulations do little to prevent these kinds of abuses as they contain no guidance on the housing standards required of prospective landlords. DHS stated in its responses to the oversight questions posed by this Committee that units must meet the HUD Housing Quality Standards (HQS) as determined by an HQS inspector. However, the inspection checklist attached in response to the same question is not consistent with HQS, and the certification at the end of the form specifically states that the inspectors are not HQS certified. But regardless of what inspection standards are actually used, there are numerous cases where they were clearly ignored, with families forced to live with mold, rodents, flooding, broken heat, and a host of other serious housing code violations. In one family's case, it appears that there was not an inspection at all, as crucial items such as a stove and refrigerator were simply missing from the apartment at the time of move-in. This problem is further compounded by the fact that the regulations penalize families that exercise their right as DC tenants to withhold rent due to housing code violations, stripping them of their ability to pressure their landlords to make repairs.

This program is too important to be failing our city's most vulnerable families in these ways. Thankfully, there are some simple changes that would go a long way towards resolving these issues.

1. DHS should issue the notice required by the rapid re-housing program regulations at 78 DMCR § 7803.5 so that families in the program can demonstrate to landlords that they will receive a subsidy.
2. Case managers should have the flexibility to assist families with the cost of application fees.
3. There should be clear inspection standards in the regulations that are uniformly and strictly enforced.
4. There should be three-way contracts between DHS, tenants, and landlords to clarify who is responsible for rent and what happens when repairs are not made in a timely manner.

5. Tenants in this program should not be penalized for withholding rent if there are serious housing code violations.
6. Housing search assistance should be readily available for families in shelter and families already in the program who need to move due to poor housing conditions.

These changes would not only help to increase the shelter exit rate and reduce the pressure on the emergency shelter system, but will save vulnerable families from predatory slumlords and dangerous living conditions.

Thank you for the opportunity to testify today.