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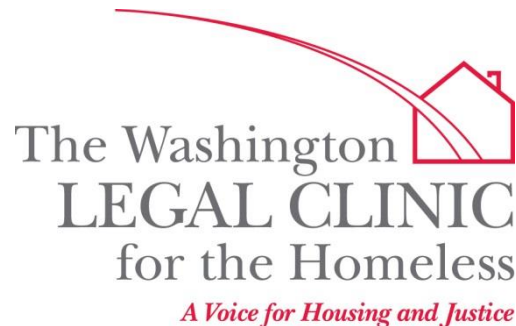
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DC Council Committee on Housing and Neighborhood Revitalization Performance Oversight Hearing - February 22, 2019

Good afternoon, Councilmembers. I am Brittany K. Ruffin, an Affordable Housing Advocacy Attorney at the Washington Legal Clinic for the Homeless. Since 1987, the WLCH has envisioned and 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. Unfortunately, our vision is still that—a vision. Currently, there is no right to housing; and, it is hard for the vast majority of our vulnerable residents to focus on thriving when basic survival has become such a challenge.

We are all aware of the severe affordable housing crisis that affects so many cities across our nation. D.C. is not alone in having to address the issues that come with having an increased population, limited space, income inequality, and a preoccupation with big development. Unfortunately, these factors make maintaining the public housing stock an even more urgent matter than it has previously been regarded. With over 40,000 households on a closed waitlist in hopes of receiving stable housing through D.C.'s public housing and Housing Choice Voucher programs, a real effort must be made to protect the institution of public housing and the rights that come with it.

Protecting public housing must mean protecting those individuals who rely on it. Public housing residents have been suffering in detestable living conditions. Upon the recent evaluation of current public housing units, work orders increased from 3,000 to 17,000 system-wide. Of course, 14,000 new instances of needed repairs did not just suddenly occur. Reports of longstanding issues with rodents, leaks, mold, and other health hazards are nothing new. They are, undoubtedly, evidence of the extreme neglect and deterioration that has become the “norm” for the majority of DCHA residents. We recognize that, under Executive Director Garrett’s administration, some agency personnel changes have been made and the curtain is slowly and finally being pulled back in order to officially expose and document the depth of decline and dilapidation that residents have had to endure for so long. However, this must only be the beginning of the transparency that is necessary to secure solutions to the many problems that DCHA faces.

Though there are so many unanswered questions and things to figure out regarding the future of DCHA, there must be a concerted and intentional focus on acknowledging that D.C.’s current public housing stock is crucial to the future of D.C. and its residents. The DCHA should be a mission-driven agency that focuses on the importance of maintaining public housing.



Public housing remains the only real source of large family housing units, a necessity for many native D.C. residents and communities. DCHA is one of the largest landowners in D.C. The District of Columbia should not be willing to allow DCHA's public housing properties to eventually succumb to an infatuation with commercial and luxury development at the expense of its vulnerable and minority residents. Public housing should remain public. DCHA needs local money to repair the public housing stock and sustain an operating budget that can maintain it. With that local money, there should be a requirement of regular and publicly available reporting, more efficient monitoring, and a guarantee of public housing tenant rights. There should also be greater transparency and communication with the residents whose lives are most impacted. Often, the issues facing DCHA have been exacerbated by a deeply ingrained failure to truly listen to and consider the needs of its residents.

At the WLCH, we are in a unique position to be able to work with current *and* future residents of public housing. We support the use of vouchers in combating housing instability, but also know how hard it can be for residents to utilize those vouchers in this market while facing various forms of discrimination. Aside from the challenges that people face in attempting to utilize vouchers, simply obtaining a voucher is a battle of its own. DCHA's Housing Choice Vouchers rarely "turn over". As aforementioned, there are 40,000 households on the closed waitlist to obtain either public housing or a Housing Choice Voucher. The average wait for a voucher is twenty years, making the acquisition of one akin to receiving a *Willy Wonka* golden ticket. That is, at least, how DCHA behaves in its determination of eligibility. Too often, we represent clients seeking our assistance in fighting DCHA denials of eligibility due to the *homeless preference verification*. Generally, former clients had been on the waitlist for more than twelve years and consistently struggled with housing instability, losing hope that they would ever have stable housing—until they were notified of their good fortune in having their names come to the top of the list. However, their hope was quickly dashed when DCHA deemed them ineligible to receive their vouchers because of arbitrary findings that they had not sufficiently proven their homelessness.

In one case, during an informal hearing, when facts had been established that a woman had been sleeping in her car, an eligibility supervisor expressed that, "sleeping in her car does not mean that she's homeless." When he realized that argument sounded ridiculous to everyone in the room, he resorted to the argument that the gym manager who allowed our client to take showers inside of the locker room and whose parking lot the client had been sleeping was not a "qualified source" to attest to our client's homelessness, as referenced in 14 DCMR §6125.3(a). Thankfully, the hearing examiner saw no merit in either argument and decided on behalf of our client.

In another case, our client had given DCHA three separate letters to verify her homelessness before she came to WLCH. None of the letters were accepted by DCHA supervisors. The letter from her Miriam's Kitchen case manager was not enough to show that she was actually homeless. The letter from a MPD police officer who regularly observed her sleeping in her car was also not enough. Despite having the officer's name, contact info, and badge information within the letter, DCHA determined that it was not acceptable because the officer did not type it on MPD letterhead—not an actual requirement within the DCMR. A letter from a case manager at an organization providing counseling services to our client was also considered to be unacceptable because DCHA was not convinced of how the case manager *truly* knew that our client was homeless. Our client presented a fourth letter from a pastor who had offered to let her sleep in the church. At that point, for some reason, DCHA decided to go ahead and give her the voucher.

These clients should never have been denied eligibility for their vouchers. DCHA should be helping homeless individuals to obtain housing, not making it harder. People should not have to jump through hoops to receive stable housing. Unfortunately, the practice within the agency seems to center around skepticism and trying to prove that applicants are *not* homeless, instead of striving to provide relief to those who are. DCHA's task is simply to determine whether the person who comes to the top of the list is eligible—not to make a value judgment about who is the “most deserving” of services. The current arbitrary practice is contrary to the purported mission of DCHA, and should be impermissible.

Fortunately, the clients in the described instances were able to find their way to our office. But, what about the many people who undoubtedly received denials and gave up? Those households who were unable to make it to a legal service provider within the appeal time? Those individuals who spend the bulk of their time just trying to survive each day and, used to being kicked around by society, just accepted the denial as valid because they never seem to get a break anyhow? One would hate to believe that DCHA plays on the vulnerability of these applicants, knowing that the vast majority will be unable to challenge a denial. Are denials being used as part of an effort to decrease the waiting list numbers? Again, one would hope not. However, it is hard to disavow such cynicism when you see the types of denial cases that legal service providers see. Ultimately, DCHA staff and property managers need greater training as to the laws that they must follow and the rights of their residents, current and future.

Oftentimes, past is prologue. A few decades ago, agency mismanagement, lack of leadership continuity, excessive D.C. entanglements, and politicization resulted in deterioration so severe that the agency was put into receivership. In considering the path forward to best protect vulnerable D.C. residents, we must focus on lessons learned and avoid past mistakes that led to agency disarray and dilapidation. Increased transparency, greater accountability, collaboration with residents and the advocate community, and better training for staff and property managers in order to center the needs of residents are good fundamental steps towards progress.