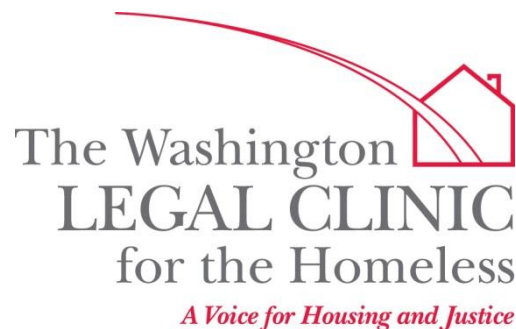


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D.C. Council Committee on Housing and Neighborhood Revitalization-Tenant
Protection and Eviction Prevention Hearing

September 28, 2020

Testimony of: Brittany K. Ruffin, Esq., Affordable Housing Advocacy Attorney, and
Jasmine Davis, Legal Intern

Good afternoon, Councilmembers. 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, it is hard for the vast majority of our vulnerable residents to focus on thriving when basic survival in DC has become such a challenge.

The COVID-19 pandemic has had a devastating impact on DC residents. According to the United States Census Bureau, more than 35 percent of District households have reported some loss of employment income due to the global pandemic. Each day, the number of unemployment claims continue to rise, currently reaching over 145,000. Many residents fear the possibility of eviction because they are out of work, uncertain as to when or if they will return to their jobs, and cannot pay their rent. While evictions are horrible during normal times, evicting residents during this public health crisis is even more detrimental because of the increased risk of COVID-19 spread. Evictions would force people to move into close quarters in new shared housing settings with friends or family, or congregate settings such as homeless shelters. According to the Census Bureau American Housing Survey, 32% of renters reported that they would move in with friends or family members upon eviction, increasing household crowding. Studies show that COVID-19 transmission is high within households. Household contacts are estimated to be 6 times more likely to become infected by a case of COVID-19 than other contacts. Additionally, evicted individuals without access to assistance or family and friend alternative living options will undoubtedly contribute to the growing homeless population. The homeless population

has already been drastically affected by COVID-19. People experiencing homelessness are a high-risk population for contracting the virus and struggle with obtaining access to the necessary resources and environments to adhere to public health recommendations that would prevent the further spread of COVID-19. Evictions will only serve to increase the rate of homelessness in DC.

The Center for Disease Control and Prevention (CDC) announced the issuance of an Order under Section 361 of the Public Health Service Act, in effect through December 31, 2020. This order will temporarily halt residential evictions for non-payment of rent in order to prevent the further spread of COVID-19. This action by the CDC highlights the seriousness of impending mass evictions. Fortunately, DC has even stronger eviction moratorium provisions in place. While we are pleased that the DC Council extended the public health emergency through December 31st, DC residents are still afraid of what their future holds when the public health emergency and corresponding moratorium are lifted. If the moratorium ends and increased support is not provided to help DC residents remain in their homes, eviction proceedings will leave thousands of DC residents displaced.

Prior to COVID-19, DC had been suffering from an affordable housing crisis that threatened thousands of its residents. Too many low-income households are rent-burdened. Nearly 60% of the District's lowest income households are severely rent-burdened. COVID-19 has only exacerbated the affordable housing crisis. Experts have estimated that homelessness will increase 40-50% nationwide due to the global pandemic and economic recession, with many more people being unable to afford housing. DC Council must do more to protect its residents from eviction and ensure that residents can maintain and access affordable housing.

We appreciate the existence of the Emergency Rental Assistance Program (ERAP) and other eviction prevention programs created to support District residents impacted by the public health emergency. However, these programs were not enough to meet the need before the public health emergency. They are certainly not enough to support the growing number of individuals in need. According to the DC Fiscal Policy Institute (DCFPI) and data from The Brookings Institute, the current ERAP will not meet the need of households facing eviction. The Brookings Institute has estimated that more than 9,500 households making up to \$40,000 will need assistance paying rent. That assistance would require more than approximately \$10.6 million *each month*. With less than \$15 million in total funds, the current FY21 ERAP budget is severely inefficient. In addition, ERAP currently only pays for up to 5 months of overdue rent or \$4,250 for an average family. At this point in the public health emergency, most households facing eviction will owe and need assistance with paying more than five months of rent. DC Council must address these realities and massively expand ERAP funding to serve the actual needs of DC residents and prevent evictions.

Evictions are traumatic and carry long-term effects and consequences. Black and brown residents—the groups with the highest percentages of being rent-burdened—are particularly harmed, and access to future housing becomes even more unattainable. There is great uncertainty as to when this public health emergency will end. Therefore, it

is important that DC take all necessary precautions to protect tenants facing potential evictions and create greater opportunities for those who need to secure housing in the future. DC Council must support the Fair Tenant Screening Act of 2019 and the Michael A. Stoops Anti-Discrimination Amendment Act of 2019. These pieces of legislation would assist in ensuring that citizens applying for housing in the DC area have increased access to housing and are not discriminated against based on their classification as low-income or homeless or for the collateral consequences that arise from poverty. Many low-income and unemployed residents are struggling right now. Families do not know how they will maintain or obtain housing under dire financial circumstances. Certainly, these bills will not immediately cure the longstanding issues of displacement, affordable housing, homelessness, or eviction. However, they will aid in providing greater access to housing during this public health emergency and beyond it.

This global pandemic has had disastrous effects on the nation and our DC community. It must be the goal of DC Council to do whatever is necessary to alleviate the burden and minimize the harm and trauma for DC residents. These efforts must include investing in the expansion of affordable housing, implementing initiatives to end homelessness, extending eviction prevention measures, and committing to meaningful tenant protections.