

DC Council Committee on Housing and Executive Administration- DCHA Oversight
Hearing- March 5, 2021

*Testimony of Brittany K. Ruffin, Affordable Housing Advocacy Attorney, Washington
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Good afternoon, Councilmembers. I am Brittany K. Ruffin, 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, it is still just a vision. It is difficult for the vast majority of DC’s vulnerable residents to focus on thriving when basic survival has become such a challenge.

The most pressing challenge within DC’s affordable housing crisis is how to create and preserve housing for the residents making the least amount of money in this city. The pandemic has only heightened the urgency of the need for safe and deeply affordable housing for DC’s lowest income residents. We know that the Transformation Plan and its impact on residents has been a foremost issue of concern for so many. I refer this Committee to our [Joint Comments](#) that were submitted to DCHA in September of 2019 and advanced at this Committee’s roundtable last January. This testimony will explore a few areas related to the Transformation Plan and DCHA, in general, in hopes of highlighting the need for greater oversight and commitment to the housing needs of low-income DC residents.

It is crucial that the number of units that currently house DC’s public housing residents *remain* after any repositioning efforts. While the ultimate goal of any public housing repositioning should be to increase the number of units available to DC’s lowest-income residents struggling to survive in this city, DCHA must ensure, *at a minimum*, that all replacement units are available to its current and future residents within the 0-30 percent AMI range. These replacement units must remain deeply affordable in perpetuity. Thus, all regulations and development deals must reflect and enforce such terms.

In order to protect the lowest-income DC residents, DCHA must preserve its interest in the proposed redeveloped properties. Of course, the strongest way for DCHA to preserve its interest in any redeveloped properties is to continue to own and manage those properties. However, since private owners are being considered, DCHA must preserve its interest in the properties by entering into ground leases with any private owners and retaining ownership of the valuable land that is currently housing DC’s most vulnerable residents. DCHA is one of the largest landowners in D.C. It is also the largest source of DC’s large-family and accessible units. DCHA cannot allow its properties to become subject to the will of developers whose sole purpose in this city is to garner exorbitant

profits. Though imagined profits are often vital to developer interest, DCHA must counter that motivation by asserting its own interest as supreme: preserving and creating housing for the residents earning the least in the District.

Currently, more than eighty-five percent of the residents in DCHA properties are within the 0-30 percent AMI range. The overwhelming majority of DC's rent-burdened residents, 77 percent, fall within this range. The DC Fiscal Policy Institute issued a report indicating that 27,000 new units of affordable housing are needed to house DC's residents living within the 0-30 percent AMI level. Unsurprisingly, Black and brown residents account for nine out of ten of those extremely low-income households. There must remain an overarching commitment to families struggling the most to live in DC. A loss in affordability or number of public housing units would further exacerbate Black displacement and racial inequity in the city.

The WLCH has a unique position of advocating for current *and* future residents of public housing. Approximately nineteen percent of D.C.'s population is living in poverty, much higher than the national average. With over 60,000 families on the waitlist for public housing and the Housing Choice Voucher Program in DC, the need for DCHA to make sure that any and all future development deals prioritize DC's lowest income residents (DCHA's primary demographic) is crucial. DCHA must maintain a superseding interest and commitment to guaranteeing the affordability of the buildings/units on its properties for extremely low-income residents, making it specific and unquestionable. Any repositioning efforts resulting in mixed-income development in DC should also be available to voucher holders seeking to utilize their vouchers in DC. Therefore, maximum rents charged in the mixed-income developments should not exceed the payment standards set and covered by DCHA for its Housing Choice Voucher Program.

While the proposed transformation plan is certainly about building restoration, it must fundamentally center the residents whose homes are within those buildings, now and in the future. Ultimately, DCHA should not be prepared to transition redevelopment to the private sector without maintaining control of how potential private owners or management will operate, including regarding the Right to Return and maintaining enforcement of public housing rights. Director Garrett has previously and publicly committed to memorializing rights in regulations, and we are anxiously awaiting DCHA's follow-through on that commitment. We also hope that the Council will reintroduce and strongly support the *Public Housing Preservation and Tenant Protection Amendment Act*, a step towards reiterating that commitment.

Currently, there are major streamlining issues between DCHA and DHS that need to be addressed so that voucher holders do not continue to face prolonged wait times and inefficiencies within the lease-up process. DCHA and DHS have acknowledged the need to ensure that the protocols and procedures of each agency do not create further barriers to housing. However, both agencies must move past acknowledgment and take action to identify the breakdowns in the process and ensure that the agencies are collaborating to seamlessly provide housing as quickly as possible to those who need it the most. Further investigation and oversight must also occur to ensure that all available vouchers are utilized quickly and efficiently in each fiscal year. Council must be more proactive in conducting regular oversight and requiring consistent updates to ensure efficiency in the voucher distribution and lease-up process.

Unfortunately, HUD's oversight of public housing conversions has been significantly lacking. DCHA and the Council must fill that gap with its own oversight of any repositioning efforts. Implementing necessary legislation, requiring regular reporting, and monitoring any private

developers during and post-repositioning are fundamental to ensuring building affordability. It is imperative that the Council exercise its full oversight authority. Residents are sincerely concerned about how their lives will be affected as the process moves forward. The protection of resident rights and deeply affordable housing in DC must be guaranteed, and DC Council must do what is within its power to maintain and expand space for the District's most vulnerable residents.