

Committee on Human Services  
Councilmember Brianne Nadeau, Chairperson  
Public Hearing on  
B24-0893, the “Rapid Re-Housing Reform Amendment Act of 2022”  
October 20, 2022  
Testimony of Amber Harding

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 name is Amber Harding and I am the Director of Policy and Advocacy at the Legal Clinic. We fully support the Rapid Re-Housing Reform Amendment Act of 2022.

Rapid re-housing was created as part of the federal response to the 2008 recession. It worked well in places where job loss was the primary cause of homelessness or where the program was limited to a small number of people considered “most likely to succeed.” But in DC, rents are too high, incomes are too low and it has been used as a “one-size fits all” solution to family homelessness, without recognition of the very real challenges families face in affording rent on their own, even if they have multiple jobs.

For many years, families in rapid re-housing shared their stories in hopes of effecting change. Families have raised that the rent burden is higher than in any other program, that the services are not helpful, that housing conditions are terrible and, most of all, that the time limit causes housing instability and repeated incidences of homelessness. In 2017, the Legal Clinic published a report titled “[Set Up to Fail](#)” detailing some of these stories, available data, and recommendations for reform. In 2019, DHS convened the FRSP Task Force, but instructed participants that they could not make any recommendations to improve rapid re-housing that cost any money. Nevertheless, the task force recommended, among other things, that rapid re-housing be used as a bridge program to PSH or TAH.

During the pandemic, DHS halted time limit terminations, in recognition of the importance of stable housing as a public health intervention, and the difficulty getting stable employment during the pandemic. In the fall of 2021, DHS announced that the reprieve had ended, and they would be issuing notices of termination to the 1000 families who had been in rapid re-housing the longest and were not receiving permanent housing subsidies. Last spring, we, along with 65 other organizations and experts and more than 400 individuals, asked the Council to intervene to fund more permanent housing for these families and legislatively reform the program.

The Rapid Re-housing Reform Amendment Act of 2022 is a response to the real harm that occurred last winter when families were terminated with no safety net in place, to a program that has failed and continues to fail its participants by terminating families when the agency knows good and well that displacement and harm will result—their own data shows that 97% of families terminated for a time limit cannot afford rent without further assistance.<sup>1</sup> Their data also shows that 97% of participants are Black, meaning the harm and trauma that comes from destabilizing these families is borne almost exclusively by Black families.

Since the Council introduced this bill, DHS announced a moratorium for the rest of the fiscal year on time-limit terminations, bringing relief to hundreds of families. They have also made some improvements to the program design that are consistent with the bill: a new voluntary services model and a cap of participant's rent at 30% of income. Both of those are welcome reforms. However, our highest priority for reform has always been the removing the arbitrary time limit in housing assistance. Instead, DHS proposes to double down on the inflexibility of time limits by removing the one mechanism that allows for families to request extensions and explain why they need more assistance. If DHS implements this change, the agency would be on track to terminate thousands of families all at once in the spring of 2024, no matter what their situations are.

DHS has at times portrayed this bill as creating a right to housing. While we wish that were true, that is not what the bill does. The bill only creates some limits on DC's ability to terminate participants who have reached a set time limit in the program, just like there are limits on when participants can be terminated from other housing programs, like PSH or TAH. Setting restrictions on the grounds the government can use for termination in housing or public benefit programs does not transform those programs into entitlements.

The Rapid Re-housing Reform Amendment Act is critical to reform the time limit and to ensure that proposed aligned agency reforms are guaranteed regardless of any changing political tides. We, and the 48 other organizations and experts signed onto the attached letter, are particularly supportive of these critical components of the bill:

- 1. The end of an arbitrary time limit for housing support.**
- 2. The movement to a voluntary services model.**
- 3. The requirement that rent be no more than 30% of a participant's income.**
- 4. Increased transparency and accountability for permanent housing program eligibility.**

We also support changes to the bill to ensure that participants can transfer when they have poor housing conditions or other concerns with their placement and the Department of Buildings is notified after emergency transfers for when housing code violations.

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<sup>1</sup> According to the National Low Income Housing Coalition, a family would have to earn \$34.33 per hour, or \$71,406.46 per year, to afford a two-bedroom apartment in DC.  
[https://nlihc.org/sites/default/files/oor/2022/OOR\\_2022\\_Mini-Book.pdf](https://nlihc.org/sites/default/files/oor/2022/OOR_2022_Mini-Book.pdf)

October 20, 2022

DC Council members,

We, the undersigned organizations, join together to support the quick passage and funding of the Rapid Re-Housing Reform Amendment Act of 2022 (the Act). After many years of rapid re-housing participants raising concerns about the program, we are pleased to see some significant reform enshrined in the proposed law.

While we support the entire bill, we are particularly supportive of these critical components of the bill:

**1. The end of an arbitrary time limit for housing support.**

The Act finally brings an end to the much-maligned arbitrary time limit imposed by rapid re-housing. The lack of affordable housing in the District of Columbia is a structural, systemic problem with deep roots that demands comprehensive and sustained solutions. Cutting DC residents from rental assistance because they hit a time limit- even when they cannot afford market rent on their own- is unfair, unjust, and will lead to increased evictions and homelessness. This, of course, disproportionately harms Black residents and other communities of color. The Department of Human Services has shared data that 97% of families terminated for a time limit cannot afford rent without further assistance! The Act formally implements a key recommendation from the FRSP Task Force—that rapid re-housing work as a bridge program to long-term subsidies for those who are eligible.

**2. The movement to a voluntary services model.**

DC has, for years, had a Housing First service delivery model for all of its locally funded housing programs, where services are voluntary and housing support is not contingent on participation in case management. National best practices call for rapid re-housing to follow this Housing First model. Unfortunately, for years rapid re-housing has been the outlier in DC's housing programs, utilizing a mandatory services model. The Act requires rapid re-housing to move to a voluntary services model.

**3. The requirement that rent be no more than 30% of a participant's income.**

The Act ensures that rent is affordable to participants in rapid re-housing by limiting the rental burden to 30% of income—the same rent as every other affordable housing program. Currently, participants pay between 40-60% of their income for rent. Not only are those rents considered unaffordable by federal guidelines, but different households bear different rent burdens, causing the Inspector General to cite the Department of Human Services for seemingly arbitrary rent determinations.

**4. Increased transparency and accountability for permanent housing program eligibility.**

The Act requires assessments of and eligibility determinations for participants for Targeted Affordable Housing (TAH) and Permanent Supportive Housing (PSH) within six months of entry and within three months of proposed exit. Often, participants are not aware that these programs exist, are not consistently assessed for these programs, and do not receive lawful eligibility notices explaining why they are or are not eligible for these programs.

Thank you for your hard work to ensure that rapid re-housing is reformed and participants have increased housing stability.

Sincerely,

1. Asian Pacific American Legal Resource Center
2. Asian/Pacific Islander Domestic Violence Resource Project
3. Autistic People of Color Fund
4. Autistic Women and Nonbinary Network
5. Beloved Community Incubator
6. Marta Beresin, Deputy Director, Health Justice Alliance, Georgetown University Law Center
7. Black Swan Academy
8. Bread for the City
9. Yael Cannon, Associate Professor of Law and Director, Georgetown University Health Justice Alliance Law Clinic
10. Children's Law Center
11. Coalition for Environmentally Safe Communities
12. DC Action
13. DC Bar Pro Bono Center
14. DC Coalition Against Domestic Violence
15. DC for Democracy
16. DC Kincare Alliance
17. DC Statehood Green Party
18. DC Tenants Rights Center
19. District Alliance for Safe Housing, Inc
20. Equal Rights Center
21. Empower DC
22. Fair Budget Coalition
23. First Shift Justice Project
24. Friendship Place
25. Greater DC Diaper Bank
26. Homeless Children's Playtime Project
27. Jews United for Justice
28. Justice and Witness Action Network DC team for The UCC Potomac Association
29. Legal Aid Society of the District of Columbia
30. Legal Counsel for the Elderly
31. Lincoln Congregational Temple UCC
32. Many Languages One Voice (MLOV)
33. Migrant Solidarity Mutual Aid Network
34. Mother's Outreach Network
35. National Center for Housing and Child Welfare
36. National Coalition for the Homeless
37. One DC

38. Platform of Hope
39. Plymouth Congregational UCC Board of Social Action
40. Positive Force DC
41. Rebuilding the Community
42. Rising for Justice
43. Rising Voices Politics
44. Sunrise DC
45. TENAC (DC Tenants' Advocacy Coalition)
46. Washington Lawyers' Committee for Civil Rights and Urban Affairs
47. Washington Legal Clinic for the Homeless
48. We Are Family Senior Outreach Network
49. Yachad