

True Reformer Building
1200 U Street NW, Washington, DC 20009
(202) 328-5500 | www.legalclinic.org

Amber W. Harding, Executive Director

D.C. Council Housing Oversight Roundtable for the Performance of DCHA- October 26, 2023

Testimony of Brittany K. Ruffin, Director of Policy and Advocacy, and Charisse Lue, Staff Attorney, The Washington Legal Clinic for the Homeless

Greetings, Councilmembers and Committee Chair. Since 1987 the Legal Clinic 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 have equal access to the resources that they need to thrive. The Legal Clinic strongly recommends that this Committee use its oversight authority to ensure DCHA adheres to local and federal laws and establishes policies for better accessibility and preservation of affordable housing. This testimony will highlight a few of our primary areas of concern.

For decades, D.C. public housing residents have had to endure deplorable and dangerous conditions. Currently, D.C. Housing Authority is in the process of executing a large-scale public housing demolition and renovation process for several public housing properties. With constant agency turnover and lack of transparency, residents, community members, and DCHA are unaware of the current agency plan for the redevelopment of properties. However, it is crucial that DCHA and this Committee center the needs of displaced residents by codifying DCHA's promise of a resident right to return once the renovations are complete. This Committee should reintroduce the *Public Housing Preservation and Tenant Protection Amendment Act of 2020* and include its language in the Budget Support Act (BSA).

In response to HUD's scathing 2022 audit, DCHA decided to completely overhaul the existing regulations that govern the administration of public housing and the HCVP program. DCHA proposed these rules as emergency measures to transform the troubled agency, but we have deep concern that many of these policies create barriers and bypass local and federal law. This Committee should be aware that DCHA has made significant changes to long-standing and accepted rules within the new *Admissions and Continued Occupancy Policies (ACOP)* and *Admin Plan* regulations. For instance, under the new ACOP regulations (public housing), DCHA has taken unilateral action to reduce applicants' and current residents' right to request an informal hearing within one-year of an adverse action to a mere 15 days, effectively denying their right to true due process. The agency's new policy to deny applicants based on their pre-DCHA rental history and use arrests that did not result in convictions is counterproductive to accessibility, ignores the realities of the low and very-low-income populations it is tasked to serve, violates local laws, and rejects federal HUD guidance. Undoubtedly, changes like this will have a deeply negative impact on accessibility and housing retention. The Committee should use its oversight authority to ensure that DCHA follows all federal and local laws, particularly laws intended to increase accessibility and the preservation of affordable housing.

Relatedly, while we are supportive of the federal rent-reasonableness policy and have long advocated for DCHA's proper administration of it, we know that DCHA's confusing implementation and a lack of a formal and transparent process has already created barriers for voucher holders. D.C. Council must do meaningful oversight to ensure that DCHA's implementation does not continue to frustrate the lease up process and disadvantage extremely-low income residents. DCHA's failure to have a transparent and comprehensive implementation process is costing low-income voucher recipients money and preventing them from securing homes. Currently, voucher-holders are having to pay multiple application fees due to DCHA's lack of guidance and failure to apply HUD's "small area fair market rent" (SAFMR) which would increase housing choices and accessibility for D.C. voucher holders.

D.C. Council should also implore DCHA to increase transparency and ease communication access for the residents & community members it serves. The agency should improve technology capabilities and increase access to staff in order to better streamline the voucher process and ensure that D.C. residents are housed more efficiently. The agency should implement a coordinated voucher utilization process that allows for greater agency accountability and a much shorter lease-up timeframe. D.C. residents are made to wait too long to obtain access to housing.

Finally, this Committee must continue to plan for thoughtful legislation that creates a framework for an effective and more independent Board of Commissioners once the current Stabilization and Reform Board expires, ensuring that all DCHA policies are executed to serve the needs of future and current DCHA residents. D.C. Council must ensure that DCHA commits to its mission of creating and providing housing for those who most need it.