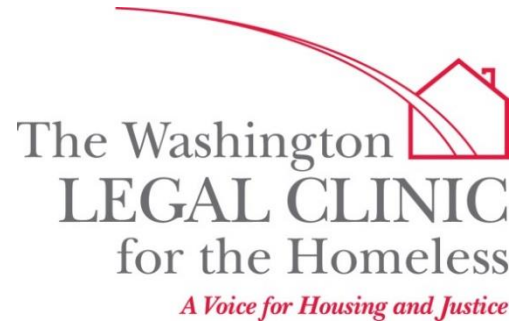


True Reformer Building
1200 U Street NW, Washington, DC 20009
(202) 328-5500 | www.legalclinic.org
Amber W. Harding, Executive Director



D.C. Council Committee on Human Services- DHS Performance Oversight Hearing-
March 5, 2025

Testimony of Joshua M. Drumming, Policy and Advocacy Attorney, and Brittany K. Ruffin, Director of Policy and Advocacy, The Washington Legal Clinic for the Homeless

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. In the last year, virtually every part of D.C.’s housing infrastructure has been compromised, making mere survival harder for everyday D.C. residents. The social safety net that many D.C. residents depend upon is already facing threats federally. D.C. residents need D.C. Council to invest in permanent housing resources, reform Rapid Re-Housing, improve rental assistance, improve the shelter system, and make D.C. a place where more than just the wealthiest residents can survive.

I. Ending Homelessness

To end homelessness and combat D.C.’s affordability crisis, D.C. must use and appropriately fund all of the different types of vouchers available. D.C. Council must ensure that DHS and DCHA have the requisite staffing and coordination for participants to be quickly identified and approved for permanent housing resources and to swiftly lease up. Agency bureaucracy prolongs homelessness. Sadly, two-thirds of the unhoused people who died in 2023

were identified for (matched to) a voucher. This testimony will detail a variety of changes in D.C.'s housing apparatus that make vouchers possibly more important than they have ever been before. D.C. Council must also increase oversight of DHS and DCHA to promote more efficient voucher administration, utilization, and staffing.

II. Rapid Re-Housing Reform

Rapid Re-Housing (RRH) was created to support families and individuals experiencing tough financial times, offering the support necessary to establish greater financial stability and sustain permanent housing. Unfortunately, it has actually contributed to housing instability and trauma through its “one-size-fits-all” model that cycles the lowest-income residents in and out of homelessness. Poor program administration has fostered a program where at least ninety-seven (97%) percent of its participants are unable to afford market rent upon exit and a tangled web of legislative and regulatory changes has made the program less comprehensible. In fact, families in Rapid Re-Housing only saw a fourteen percent increase in their incomes over the course of their time in the program. Conversely, individuals in Rapid Re-Housing actually saw their incomes fall by ten percent while in the program.

DHS, seeking to “right-size” the program, put forth a plan to terminate over 3,000 families between 2024 and 2025 for reaching an arbitrary twelve-month time limit, with no consideration as to what would happen to terminated families after their subsidies end. DHS is actually ahead of its mass termination schedule, as they have already given notices of exit to 2,908 families. Of these, approximately 555 families have already been exited without a way to maintain their housing. The primary reason that more have not been exited is because nearly 1,900 families have appealed their termination through a process that intentionally diminishes and obfuscates participants' expectations and rights. Even formerly established rules, such as those that preclude exit when a participant is matched to permanent housing, are routinely

ignored. Due process rights have been desolated, allowing program participants that have received no promised services to be exited without true legal recourse. The appeal process—of which DHS serves as, both, judge and jury—makes decisions based on a single metric: whether you have or have not reached twelve months in the program. This mockery of a process was emphasized by the DHS announcement, *only two weeks* into the new fiscal year, that there would be no FY25 program extensions due to an exhaustion of funds.

Last budget season, in an effort to minimize the harm caused by DHS and stop homelessness for participants, D.C. Council funded 325 Permanent Supportive Housing (PSH) vouchers and 126 Local Rent Supplement Program (LRSP) vouchers. Unfortunately, due to its own budgeting errors and lack of transparency with D.C. Council, DHS later reported that only thirty-eight (38) out of the 325 PSH vouchers could actually be funded for FY25. Additionally, to minimize the problem her agency created, Mayor Bowser was able to get DCHA to agree to direct 1,300 HCVP vouchers to exited families. Unfortunately, with approximately 3,000 families in the exit pipeline and no sign of exits slowing, there is still an insufficient amount of housing resources to prevent homelessness for all of these participants.

It is time for D.C. Council to remedy these issues by passing the Rapid Re-Housing Reform Amendment Act of 2025. Recently re-introduced, this legislation enjoys broad support from RRH participants, advocacy organizations, and community members. Many have advocated for this legislative reform for years and D.C. Council has shown support for it. Among other things, this legislation prohibits terminations based on reaching arbitrary time limits if the family cannot afford market rent on their own, requires evaluation for permanent housing programs, ensures participants only pay thirty percent (30%) of their income in rent, and makes case management truly optional. As of now, this legislation has not been set for a hearing. We ask this Committee to quickly set a hearing date, so that this reform can move forward and end the uncertainty many D.C. families are currently experiencing.

III. ERAP

The Emergency Rental Assistance Program (ERAP) helps D.C. residents maintain housing and avoid eviction. Due to a recent legislative overhaul, it is now primed as a vehicle for eviction. This change weakens tenants' ability to seek eviction stays, removes almost all self-attestation for those in situations that need it, and introduces a narrow definition of emergency. These emergency changes were made, largely, in response to landlord complaints and threats about the future of D.C.'s affordable housing infrastructure. However, the advocate community has yet to see any corroborating evidence that ERAP, as it was, imperils this infrastructure. In lieu of evidence, D.C. Council has relied upon unsubstantiated allegations of fraud, racist tropes, and classist myths about low-income, Black people. Instead of advancing legislation that expands access and improves DHS's poor ERAP administration, emergency legislation was passed to expedite and increase tenant evictions.

Homelessness has increased in D.C. by fourteen (14%) percent. Inflation has increased by twenty-three (23%) percent since 2020. Despite narratives that landlords have not been able to successfully utilize the eviction process, data shows that evictions in D.C. actually reached a ten-year high in 2024.

We ask D.C. Council, in permanent legislation, to increase oversight to require regular reporting on ERAP administration and distribution, including timelines, staffing, and delays of administering organizations. D.C. Council must also increase landlord accountability in this process, establishing minimum standards for participation and cooperation with ERAP when a tenant is seeking assistance. When landlords refuse to cooperate, tenants should not have to bear the consequences.

IV. Shelter System Reform

Family homelessness has increased thirty-nine percent (39%) since 2023. It is likely that changes in various parts of D.C.'s housing infrastructure will lead to increases in the shelter system. Thus, it is incumbent upon D.C. Council to make these sites safe and accessible. This accessibility is threatened by the Virginia William Family Resource Center's recent move to 64 New York Avenue. While DHS assured D.C. Council that their services would remain just as accessible as they were in their Rhode Island location, this is not the case. A core part of the Legal Clinic's services is assisting families in accessing shelter after they have been unjustifiably denied by Virginia Williams Family Resource Center. Prior to the relocation, our community engagement team was regularly at the site to do outreach to denied families and connect them with attorneys. DHS has alleged that, under its new lease, it can no longer have visitors. As a result, DHS alleges that Legal Clinic and other organizations can no longer have access. Since families seeking emergency shelter are also visitors, the assertion is unusual. If we are kept out of Virginia Williams, we are certain that even more families will remain on the street or in unsafe conditions. This is inevitable if they cannot connect with assistance and are unaware of their rights under the HSRA, particularly during hypothermia season. This Committee should ensure transparency and accessibility.

According to DHS' oversight responses, even before the move to 64 New York Avenue and despite the Legal Clinic's support and intervention, Virginia Williams Family Resource Center denied over seventy-five percent (75%) of the families that sought shelter in FY24. Seventy-five percent is an astronomical amount of families to deny from emergency shelter each year—so astronomical that its presence should naturally invite further inquiry and investigation. Curiously, Virginia Williams Family Resource Center's acceptance rate thus far this fiscal year mirrors the FY24 rate. In fact, the current FY25 acceptance rate is only two-hundredths of a percent away from the FY24 rate (24.45% vs. 24.47%). It is concerning when only twenty-five

percent of families in need are able to secure access to safe shelter. D.C. Council should utilize its oversight to require regular reporting as to the reasons for family shelter denials.

Additionally, D.C. Council should amend the HSRA to mandate low-barrier shelter access and implement consistent and standardized staff training so that families are not routinely, arbitrarily, and unlawfully denied shelter placement.

V. Conclusion

It is time for D.C. to return to being a city for all. That is only possible through deep and intentional investment in its housing and human services infrastructure. D.C. Council must provide greater oversight of DHS and its contracted partners in order to improve programs and eliminate practices that unfairly target low-income residents and to expedite processes that are meant to support all within D.C.'s housing apparatus.