



D.C. Council Committee on Housing-DCHA Oversight Hearing- March 6, 2025

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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.

After years of resident advocacy and pleas for relief from deplorable conditions, D.C. Housing Authority is executing a large-scale public housing demolition and renovation for several public housing properties. This Committee should use its oversight authority to ensure that DCHA lays out a clear plan that includes an effective resident engagement process and centers the needs of those impacted. In particular, Council should utilize its authority to protect displaced residents and codify DCHA's promise of residents' right to return once the renovations are complete by reintroducing and passing the *Public Housing Preservation and Tenant Protection Amendment Act of 2020* and including its language in the Budget Support Act (BSA).

In response to HUD's scathing 2022 audit, DCHA is overhauling the existing regulations that govern public housing and the HCVP program. Since 2023, the agency has published seven

emergency and proposed *Admin Plans* and *Admissions and Continued Occupancy Plans* (ACOP). DCHA erroneously proposed these rules as emergency measures and discarded their long-standing practice of transparency and community feedback *before* publication. After each publication, legal service providers and tenants' rights organizations submitted joint comments to DCHA. Last year, after many proposed iterations of the regulations, DCHA began engaging legal service providers and tenant advocates in workgroup sessions where advocates detail the many concerns and offer solutions to the very problematic and overly burdensome changes to the regulations. We appreciate that the meetings have continued. However, thus far, each subsequent iteration of regulations has failed to demonstrate meaningful consideration of the feedback provided.

Last year, many testified that DCHA had reduced applicants' and residents' right to request an informal hearing within one year of an adverse action to a mere fifteen (15) days. Executive Director Pettigrew agreed the change was extreme and promised the Committee it would be addressed. Currently, a year and some drafts later, the update has yet to be published. DCHA has also failed to restore its obligation to produce requested documents and files before hearings, a reduction that further diminishes agency accountability and violates due process rights. These are only a couple of examples. Without substantive updates, many of DCHA's policies remain counterproductive to accessibility, ignore the realities of the extremely vulnerable populations it is tasked to serve, violate local laws, and reject established HUD guidance.

Relatedly, in its oversight responses, DCHA referenced the permanent Local Rent Supplement Program (LRSP) Eligibility Amendment Act as something that is “impacting” the agency because of what it *would* do. That statement is troubling since the Local Rent Supplement Program Eligibility Amendment Act has already been in effect for a few years as emergency and temporary amendments. The Committee should use its oversight authority to ensure DCHA’s commitment to upholding established local laws and its own mission to help those who need deeply affordable housing in D.C.

While we are generally supportive of the federal rent-reasonableness policy and have long advocated for DCHA’s proper administration of it, there continues to be a lack of transparency and guidance that is causing confusion with its implementation. DCHA recently previewed some updates to better coordinate with landlords, but the process continues to cause barriers for voucher holders. This confusion and lack of transparency encourages housing discrimination and continues to result in prolonged housing instability and homelessness. DCHA’s efforts should be focused on clear instructions and equitable transparency to, both, voucher holders and landlords. Currently, DCHA only informs the landlord of the rent-reasonable range, leaving applicants unaware and powerless to negotiate the rental price. Additionally, the agency should implement a coordinated voucher utilization process, with improved technology that allows for greater agency accountability, better collaboration with DHS, and a much shorter lease-up period.

Finally, in order for DCHA to fulfill its mission to provide safe, healthy, and affordable housing to D.C. residents, D.C. Council must create a thoughtful framework to appoint a Board of Commissioners that includes and relies on the expertise of voting resident members. It is crucial that the Board's structure supports independent, critical, and transparent analysis in its decision making-- especially when DCHA is conducting a massive redevelopment and rehabilitation process for multiple housing units that will impact thousands of D.C. residents and applicants. DCHA residents and applicants deserve a Board structure that is focused on the agency's mission, avoids undue mayoral influence and control, and ensures the preservation and creation of deeply affordable and quality housing. While the Board should have knowledge of affordable housing development, it must also prioritize a concern for and understanding of the people who actually live in the buildings. The WLCH is hopeful that the Council accepts our recommendations and uses its legislative and oversight authority to ensure that DCHA becomes an agency that D.C. residents can rely on to provide safe, healthy and affordable housing for those in need.