

## The Legal Clinic's 2025 Funding and Reform Priorities

### Address Homelessness; Expand and Improve Shelter

#### ➤ **Housing Vouchers**

Recent data indicates that homelessness in D.C. increased nearly fourteen percent (14%) in 2024. Family homelessness increased thirty-nine percent (39%). Unfortunately, the vast majority of people experiencing homelessness in D.C. need permanent housing subsidies to maintain housing stability. Additionally, due to laws providing for more opportunities for release from incarceration, there is an urgent need to fund housing for D.C. residents returning home and rebuilding lives post-incarceration. In recent years, poor agency coordination and administration have caused unnecessary delays in housing D.C. residents. However, even when those voucher resources are effectively distributed, the need for housing exceeds the resources provided. Unfortunately, due to a lack of agency transparency, last year's investment resulted in fewer resources than anticipated. D.C. must allocate funding more substantially and transparently in FY26. Also, one type of voucher is not sufficient to serve all D.C. residents in desperate need of housing. D.C. must fund all types of permanent vouchers to serve the varying needs of those experiencing homelessness, invest in outreach, and increase oversight of DHS and DCHA to reduce delays in voucher processing.

#### **Our Recommendation:**

- Increase funding for all permanent voucher programs.
- Increase oversight of Department of Human Services (DHS) and D.C. Housing Authority (DCHA) to reduce bureaucracy that prolongs homelessness due to delays in distributing and utilizing vouchers.

- Increase investment in homelessness outreach services.

**Budget Impact:**

<b>Program</b>	<b>Households</b>	<b>Cost</b>
Permanent Supportive Housing (PSH)-Families	764	Estimated \$30.03M
Targeted Affordable Housing	3058	Estimated \$93.01M
LRSP Tenant Vouchers	800	Estimated \$17.33M
Permanent Supportive Housing (PSH)-Individuals	1260 (multi-year ask for 3 consecutive years)	Estimated \$36.6M/year
LRSP vouchers for returning citizens	60	Estimated \$1.3M
Outreach	--	Estimated \$6.4M
<b>Total</b>	<b>5942</b>	<b>\$184.67M</b>

➤ ***Storage Options for Unhoused Individuals and Non-Congregate Shelter Improvement/Expansion***

Most shelters for single adults are large, congregate spaces with a variety of poor conditions. Residents experiencing street homelessness often cite these conditions, safety concerns, and/or restrictive shelter rules as reasons to avoid staying in D.C.’s shelters. Additionally, many shelters do not permit people to enter with more than two bags of personal belongings. When faced with the choice of keeping belongings or entering shelter, a lack of storage is a clear barrier to shelter access. Developing shelters and protocols that meet people’s expressed needs will reduce street homelessness and improve outcomes for shelter residents.

Last year, the Bowser Administration invested the requisite funds to ensure that two non-congregate shelters could be completed, as planned. It is of paramount importance to create more non-congregate shelter spaces across all wards of the District of Columbia. D.C. should invest additional funding to convert more of its shelters into humane and private spaces that respect and reflect diverse family structures and needs.

**Our Recommendation:**

- Fund secure storage options to safeguard the belongings of those experiencing homelessness.
- Ensure current and future non-congregate shelter sites are operated as intended, including with legal protections pursuant to the Homeless Services Reform Act (HSRA).
- Invest additional funds for future non-congregate shelter sites.

**Budget Impact:** \$1.5M for storage options; (TBD) funding for future non-congregate sites

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➤ **Encampments**

The Bowser Administration has continued to escalate its efforts to evict unhoused community members from encampments, causing displacement, trauma, and a disconnect with service providers. The encampment evictions are inhumane, dangerous, and prompted (at least, in part) by complaints from housed residents about the presence of those who are experiencing homelessness in their neighborhoods. Additionally, many clearings are determined and executed unilaterally by the Bowser Administration after broadly citing a “public health and safety risk” without adequate notice, clear metrics, or transparent policies defining what prompts that determination. Also, unhoused residents should not have to choose between seeking shelter and keeping their belongings. With heightened federal government interest in the removal of D.C. encampments, D.C. must fully understand and acknowledge that eliminating the visibility of homelessness does not eliminate homelessness. [The solution to street homelessness is housing](#), not further displacement and dispossession.

**Our Recommendation:**

- Suspend all full encampment clearings. Instead, conduct trash-only cleanings, provide additional trash cans at encampments, and maintain portable bathrooms and hand washing stations.
- Create legislative policies that standardize requirements/criteria and definitions related to encampment evictions, establishing due process for encampment residents and minimizing opportunity for random and/or politicized encampment evictions.

**Budget Impact:** TBD. However, D.C. could save money by ending encampment-site evictions. Funds saved by ceasing displacement could be reinvested into resources that actually end homelessness.

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➤ **Family Shelter System Eligibility Reform**

DHS is operating a family shelter intake system that is high barrier and burdensome, leaving many unhoused families with no option other than to remain in unsafe environments. Intake workers regularly deny eligibility to families, require arbitrary and extensive documentation of homelessness in consideration of placement, and refuse to provide lawful notices of ineligibility when families are denied services—all in violation of the Homeless Services Reform Act (HSRA). The Legal Clinic regularly assists family shelter applicants in enforcing their existing legal rights after denial to gain shelter placement. Since the recent relocation of the Virginia Williams Family Resource Center and the decision to bar the Legal Clinic from outreach to shelter applicants at that site, the Legal Clinic has seen a dramatic decrease in requests for shelter denial assistance, raising legitimate concerns about family access to services and legal support. However, even so, families seeking low-barrier emergency shelter should not have to seek and obtain legal assistance to access emergency shelter. The current family shelter system eligibility process must be reformed to truly serve the needs of families seeking accessible and low-barrier emergency shelter.

**Our Recommendation:**

- Amend the Homeless Services Reform Act (HSRA) to require a low barrier and humane family shelter, including passage and funding of the *Housing is Maternal Health Amendment Act of 2024*.
- Implement consistent and standardized staff training so that families are not routinely, arbitrarily, and unlawfully denied shelter placements.
- Increase reporting and data on access, eligibility, and denials to D.C. shelter services.

**Budget Impact:** N/A

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Preventing and Reducing Housing Instability

➤ **Rapid Re-Housing Reform**

In 2022, in the midst of hundreds of families facing terminations for hitting an arbitrary time limit in D.C.'s Rapid Re-Housing program, an extensive coalition including organizations, experts, and hundreds of individuals, demanded that the D.C. Council reform the Rapid Re-Housing (RRH) program.

That campaign culminated in the Rapid Re-housing Reform Amendment Act, legislation to improve the program that was overwhelmingly supported by D.C. Councilmembers. Unfortunately, that legislation was not funded or passed. DHS' own data has indicated that at least 97% of families in the program cannot afford to maintain their housing upon program exit or termination.

Last year, however, DHS put forth a plan to terminate over 3,000 RRH participant families in 2024 and 2025 for reaching an arbitrary twelve-month time limit, with no consideration as to what would happen to them after their subsidies ended. The Bowser Administration also proposed stripping nearly all substantive and procedural rights from families in the program. Hundreds of people testified, emailed, and called the Council to advocate for housing and strong legal rights for the participant. While the Council did increase investments in housing, it also passed a Budget Support Act that included [a subtitle that eviscerated the rights of rapid re-housing participants](#). The program is now a strict 12-month housing program with no exceptions, which will drive up evictions and homelessness significantly.

Recently reintroduced, the *Rapid Re-Housing Reform Amendment Act of 2025* would address the core problem of D.C.'s Rapid Re-Housing Program: being an ineffective housing resource for the vast majority of homeless families. The 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 (as opposed to varying and arbitrarily assigned percentages), and makes case management (an undefined and largely unhelpful requirement) voluntary. Legislative reform is long overdue to prevent DHS from continuing to displace participant families without regard to their ability to pay expensive D.C. rents.

**Our Recommendation:**

- Require accurate and transparent RRH program data and costs from DHS.
- Repeal the FY25 Budget Support Act subtitle that eviscerates the rights of participants
- Pass and fund the Rapid Re-Housing Reform Amendment Act.

**Budget Impact:** TBD (DHS has resisted providing transparency in RRH program data and costs). However, this recommendation is closely tied to the funding request for family housing vouchers. Every family housing subsidy funded within that voucher request will decrease the fiscal impact of this recommendation.

➤ **Rental Assistance**

A recent Urban Institute study indicated that twelve (12%) percent of D.C. residents are currently experiencing housing insecurity. Recent data shows that homelessness in D.C. increased by 14% over the last year. Rising unaffordability has only exacerbated the economic crisis for thousands of D.C. residents unable to pay critical utilities or rent. Unfortunately, with the significant cuts to ERAP and underinvestment in housing resources in FY25, there is no reason to believe that housing instability will decrease. D.C. must ensure that there is adequate relief funding to prevent continued harm and keep residents housed. The Emergency Rental Assistance Program (ERAP) plays a critical role in preventing homelessness and evictions by providing rental assistance to tenants that need help paying rental arrears.

Unfortunately, in response to landlord complaints and threats about D.C.'s future rental housing infrastructure, [emergency legislation](#) was passed to significantly restrict ERAP eligibility and expedite evictions. Despite landlord narratives that the eviction process has become more difficult, data actually shows that, in 2024, D.C. evictions reached a ten-year high. In permanent legislation, D.C. Council must reject falsehoods based in fear and greed, unsubstantiated allegations of fraud, and racist and classist myths to advance legislation that expands ERAP access, includes landlord accountability, and improves DHS's poor ERAP administration.

The ERAP application portal last opened in November 2024 and closed within a few hours once DHS' application limit was met. Unfortunately, the high demand for ERAP funds, confusing implementation of the portal and process, and inconsistent administration of funds has led to program inaccessibility for many residents. ERAP must be substantially funded to meet the current and future need. In the meantime, thousands of households are struggling to maintain their housing and facing eviction without other assistance.

**Our Recommendation:**

- Ensure residents can access sufficient funds to pay rental arrears to prevent massive displacement/eviction, trauma, and homelessness.
- Improve the ERAP application process to ensure it is fully accessible, low barrier, and legally compliant.

- Increase Council oversight and legislative efforts to require consistency in ERAP administration and distribution and regular agency reporting, including timelines, staffing, and delays of administering organizations.
- Pass permanent ERAP legislation that reverses the harm of the emergency legislation, expands access, and requires landlord accountability in regard to cooperation with the ERAP application process.

**Budget Impact:** A minimum of \$100 million

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Protecting and Expanding Deeply Affordable Housing

➤ ***Public Housing Preservation, Maintenance, & Oversight***

For decades, D.C. public housing residents have complained about the deplorable conditions and dilapidated buildings in which they have been forced to reside. Due to years of disinvestment and neglect, these properties are in extreme disrepair. DCHA is the largest landowner in the city and the source of the largest stock of large family units. Currently, ninety-five (95%) percent of the residents in DCHA properties are within the 0-30 percent Area Median Income (AMI) range, or extremely low income. Ninety-one (91%) percent of D.C.'s public housing residents are also Black. Public housing is the only true deeply affordable housing in D.C. A lack of investment in public housing will lead to further displacement of D.C.'s lowest-income and Black residents. D.C. Council and Mayor Bowser has prioritized public housing funding for the last few years. Funding for public housing repairs and maintenance must continue in order to improve the living conditions and health outcomes of public housing residents.

For several years now, the D.C. Housing Authority has been in the process of contemplating and executing a large-scale public housing transformation process that will demolish and/or renovate several public housing properties. While any redevelopment plan is certainly about building restoration, it must fundamentally center the residents whose homes are within those buildings, now and in the future. D.C. Council must utilize its oversight abilities to do everything within its power to protect D.C.'s lowest-income residents and their access to housing in D.C.

**Our Recommendation:**

- Commit to a recurring \$60 million that will address the substantial preservation, rehabilitation, and redevelopment needs of D.C.'s public housing properties.
- Require quarterly reporting on how funds are utilized and whether funds are actually providing relief and improvements for DC's public housing residents.
- Reintroduce the *Public Housing Preservation and Tenant Protection Amendment Act of 2020* and include its language in the Budget Support Act (BSA) to memorialize DCHA's stated commitment to its residents, ensuring that public housing residents can rightfully access the housing that is intended for them upon any property redevelopment or transformation.
- Support thoughtful legislation that creates a framework for an effective and more independent Board of Commissioners once the current Stabilization and Reform Board expires—one that is committed to DCHA's mission of creating and providing low and extremely low-income housing.

**Budget Impact:** \$60 million, recurring

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➤ ***Deeply Affordable Housing Creation (HPTF)***

D.C. has an affordable housing crisis. Deeply affordable housing (0-30% AMI) in D.C. continues to be the least available. National Low-Income Housing Coalition (NLIHC) data indicates that over 50,000 D.C. renters have extremely low incomes (0-30% AMI) and 75% of extremely low-income households are severely burdened with housing costs. D.C.'s stock of affordable housing for people with extremely low incomes (0-30% of Area Median Income (AMI)) continues to be the most neglected in affordable housing creation, despite the law requiring that half of the money in the Housing Production Trust Fund (HPTF) is to be used for 0-30% AMI housing. Consistently, 0-30% AMI housing is under-funded and existing funds are not used as intended. The most recent Inspector General report on the HPTF cited that \$82M of funding meant for 0-30% AMI housing in 2020 was not used for 0-30% AMI as intended.

According to the Department of Housing and Community Development (DHCD) reporting, only 19% of the HPTF was used for 0-30% AMI housing in 2022. Reporting indicates that forty-three percent (43%) of HPTF funds were used to support deeply affordable housing in 2023, a substantial improvement from previous years *and still* not where it should be. However, that progress is evidence of the impact of stronger legislative oversight and increased agency intent--additional HPTF reporting requirements were passed through the inclusion of the *Housing Production Trust Fund Accountability*

and Transparency Amendment Act in FY23's Budget Support Act. Continued compliance must be enforced and reporting requirements should go further. The HPTF needs increased oversight and legislative protections/enforcement to ensure that money intended for 0-30% AMI housing is used for 0-30% AMI housing.

The Local Rent Supplement Program (LRSP) is paired with HPTF money to operate and maintain affordable housing units. LRSP funds must appropriately match the investments in the HPTF so that new units can actually be operated.

**Our Recommendation:**

- Invest a minimum of \$100 million in the Housing Production Trust Fund (HPTF).
- Maintain sufficient LRSP matching operating funds so that the full amount of 0-30% AMI deeply affordable housing can be created.
- Increase and improve Council oversight: ensure that DHCD is compliant with all existing reporting requirements and expand requirements by incorporating additional provisions of the *Housing Production Trust Fund Transparency Amendment Act of 2021* that would further increase transparency and reporting requirements.
- Create additional legislative protections and enforcement to ensure that money meant for 0-30% AMI affordable housing creation (50% of HPTF) is used as intended, including consideration of separating out the half of the fund that is required for 0-30% AMI housing to achieve better transparency of fund distributions.

**Budget Impact:** Invest a minimum of \$100 million in the HPTF; Maintain sufficient LRSP operating/matching funding.

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Increasing and Safeguarding Access to Housing

➤ **Minimizing Tenant Barriers**

Too often, applicants searching for housing face unfair and unlawful barriers to housing. In 2022, Council passed the *Eviction Record Sealing and Fairness in Renting Amendment Act*, significant legislation that creates a process for eviction record sealing, strengthens eviction provisions, and defines

greater accountability, expectations, and rights within the tenant screening process. Unfortunately, some housing providers attempted to find loopholes to continue violating tenant and applicant rights. In summer of 2023, the *Fairness in Renting Clarification Amendment Act* was passed in an effort to further define and clarify the 2022 legislation. The *Second Chance Amendment Act* went into effect in March 2025, simplifying the process and increasing opportunities for criminal record sealing and expungement. While, together, the existing pieces of legislation are a monumental step towards achieving greater housing and economic access, there are still several barriers that must be further explored and addressed to increase access to housing, including use of credit scores, criminal records, lack of screening report accuracy standards and tenant screening company regulations, and other existing factors that contribute to a burdensome and discriminatory process for D.C.'s predominantly Black and marginalized communities.

**Our Recommendation:**

- Prioritize expanding access to housing by minimizing and/or eliminating existing tenant barriers.

**Budget Impact:** N/A