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**Testimony of Amanda Korber
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**Before the Committee on Housing
Council of the District of Columbia**

Budget Oversight Hearing Regarding the District of Columbia Housing Authority

April 10, 2023

Legal Aid of the District of Columbia¹ submits the following testimony regarding our concerns with the Mayor’s proposed FY24 budget for the District of Columbia Housing Authority (“DCHA”).

First, the Mayor has allocated no new money for Local Rent Supplement Program (“LRSP”) vouchers that would pull families off the decades-long voucher waiting list.

Second, while we appreciate that the Mayor has allocated \$54 million for public housing repairs and maintenance in FY24, we are concerned that DCHA has yet to share the amount of funding it needs to repair and maintain *all* of the District’s public housing units. We know the need is far greater than the Mayor has budgeted for. DCHA must provide information about the actual need so the Council can plan for the future and ensure DCHA’s residents are living in safe and healthy conditions.

¹ Legal Aid of the District of Columbia was formed in 1932 to “provide legal aid and counsel to indigent persons in civil law matters and to encourage measures by which the law may better protect and serve their needs.” Legal Aid is the oldest and largest general civil legal services program in the District of Columbia. Over the last 91 years, Legal Aid staff and volunteers have been making justice real – in individual and systemic ways – for tens of thousands of persons living in poverty in the District. The largest part of our work is comprised of individual representation in housing, domestic violence/family, public benefits, and consumer law. We also work on immigration law matters and help individuals with the collateral consequences of their involvement with the criminal justice system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation. More information about Legal Aid can be obtained from our website, www.LegalAidDC.org.

Finally, while not strictly budget related, we would be remiss if we did not add that the Council and this Committee must perform aggressive oversight over DCHA. DCHA is using the urgency of the political moment to push through programmatic changes that harm the District’s low- and no-income residents. Yet, it is showing no improvement in its day-to-day operations, is still plagued with scandal, and has shared little, if any, information about the steps it is taking to become a functioning agency.

The District Should Invest in the Local Rent Supplement Program

DCHA closed its voucher waiting list on April 12, 2013, just two days shy of ten years ago today.² Ten years later there are still 37,000 families on that list waiting for their chance at affordable housing.³ These are families that have waited at least a decade, but many far longer, for the District to make good on its oft-stated commitment to providing affordable and dignified housing for its residents. And the need for affordable housing is far greater than even the 37,000 number suggests. Legal Aid works with families and individuals who are not on that list, whether it is because they were minors the last time it was open or because they did not need affordable housing in 2013. Even though they are not on the list, they desperately need affordable housing too. For them, it is not a matter of waiting decades. They may be waiting for their whole lives.

Despite all of this, the Mayor has proposed no new funding for tenant-based LRSP vouchers. And, at the same time, DCHA is preparing to purge the waiting list by changing its rules. Currently, DCHA contacts families on the waiting list when it has a voucher for them. If a family does not respond, it is placed in “inactive” status. This means that if the family later contacts the agency, the family is restored to its prior place on the waiting list. This is the least DCHA can do given that these families have waited decades and given that DCHA is nonfunctioning to the point that it is nearly impossible for residents to reach anyone at the agency to update their contact information. Yet, DCHA has announced plans to change this policy. The agency plans to send letters to everyone on the waiting list asking them to update their information – **not** to offer them a voucher.⁴ If the family does not

² The Washington Post, D.C. public housing waiting list to close; no new applicants after April 12, available at https://www.washingtonpost.com/local/dc-politics/dc-public-housing-waiting-list-to-close-no-new-applicants-after-april-12/2013/04/03/9cf7abe4-9c96-11e2-a941-a19bce7af755_story.html

³ DCHA’s FY23 Performance Oversight Responses at p. 36, available at <https://dccouncil.gov/wp-content/uploads/2023/03/Pre-Hearing-Responses-DCHA-2.27.2023.pdf>

⁴ DCHA’s proposed Amended FY23 Moving to Work Plan at p. 23, available at https://www.dchousing.org/wordpress/wp-content/uploads/2023/02/DCHA-FY2023-Plan_Approved-FINAL_Proposed-Significant-Amendment-Redline_v...-1.pdf

respond within a certain number of days,⁵ it is forever removed from the waiting list. DCHA is sending a clear message with this policy change: it is more interested in clearing its waiting list than in housing people.

In short, our ask is twofold: 1) the Council should fund LRSP tenant-based vouchers so that DCHA can move families off the voucher waitlist, and 2) DCHA should continue placing residents in “inactive” status if they do not respond to the agency’s correspondence.

DCHA Should Make Public the Amount of Money it Needs to Repair and Maintain All Public Housing Units

We are thankful that the Mayor included \$54 million for public housing in the FY24 budget, but we know that it is not enough. Everyone knows that public housing has been underfunded at the federal and local level for decades. Everyone also knows that public housing residents have been living in unsafe, unhealthy, and uninhabitable conditions. What we do not know is how much money DCHA actually needs today to repair and maintain its public housing stock. But DCHA should be able to provide this information easily. DCHA recently announced that it was inspecting every single public housing unit. It follows then that DCHA should know exactly how much work needs to be done, and how much money it needs, to repair and maintain all of its properties. The Council should require DCHA to share this information. Then, the Council can budget for the future and ensure it puts enough money in each year’s budget to meet the need.

The Council’s job does not end there. This Committee must also engage in rigorous oversight of the money it gives to DCHA. It is also incumbent on this Council to ensure that not one dollar of local money goes to displace public housing residents. To that end, the Council should: 1) make DCHA report regularly and in detail how it is spending local money; 2) ensure that DCHA replaces every public housing unit it demolishes; and 3) ensure that DCHA guarantees its residents an unequivocal right to return to their homes in a reasonable time period if relocation is necessary.

The Council Should Perform Aggressive Oversight Over DCHA’s Proposed Programmatic Changes and Ensure That the Agency is Taking Steps Towards Becoming a Functioning Agency

Advocates and residents have been hearing a lot from DCHA about changes it is making. Unfortunately, these changes focus on implementing more draconian program rules, not on changes that will make DCHA a functioning agency. This is consistent with the experiences of residents we

⁵ DCHA’s proposed plans state that the agency will give families a meager 15 days to respond to outreach. *Id.* At a recent meeting, DCHA indicated it would be extending that deadline to 30 days in response to comments from residents and advocates. We are happy that DCHA is increasing the time for residents to respond, but are still very concerned that DCHA will remove from the waiting list forever if they don’t respond to outreach.

hear from. DCHA has shown no progress in being able to complete core functions like processing recertification requests, transfer requests, or lease up packets; answering its phones and connecting residents with staff who can help them; and evaluating and approving reasonable accommodation requests. Yet, it has had the time to propose a complete overhaul to the rules for the Public Housing program and the Housing Choice Voucher Program (“HCVP”).

Unsurprisingly, DCHA’s proposed rules focus very little, if at all, on steps DCHA will take to improve itself. Instead, these program changes include things like imposing a minimum rent on public housing residents (i.e. making residents that have no money pay at least \$25 per month for the privilege in living in units we know are in deplorable condition) and requiring zero income voucher families to recertify every six months, instead of every two years. The proposed plans also include the changes to its waiting list procedures described above.

When asked why it is choosing to implement harsher rules on residents when it is not required to and when it is the agency – not residents – that is failing, DCHA rarely gives a satisfying answer. Leadership may vaguely cite the HUD report or regulations, but rarely, if ever, does that explain the change DCHA is implementing. It also does not explain how DCHA plans to handle the administrative burden that these stricter rules necessarily create given that the agency cannot handle the basic functions it is responsible for today. Legal Aid encourages this Committee to dig deeper and ask DCHA tough questions about the draconian path forward it is choosing.

Conclusion

Thank you for considering our recommendations for DCHA’s FY24 budget. We urge you to prioritize the District’s lowest and no-income residents and ensure that everyone has a safe and affordable home.