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**Testimony of Ashlei Schulz  
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**Before the Committee on Housing  
Council of the District of Columbia**

**Performance Oversight Hearing Regarding the  
District of Columbia Housing Authority  
February 25, 2026**

Legal Aid DC<sup>1</sup> submits the following testimony regarding the District of Columbia Housing Authority (DCHA). DCHA public housing and voucher holding residents continue to suffer harm from DCHA's inability to provide safe and habitable housing and perform the basic day-to-day functions of a public housing authority. Since last year's performance oversight, DCHA has *reported* tremendous progress in its improvement of internal systems. However, the critical inquiry should be whether DCHA's participants are leasing any faster, staying housed securely, and experiencing fewer wrongful terminations. Legal Aid DC urges this Committee to measure DCHA improvement by its impact on tenants. Doing so reveals that DCHA continues to fall short of its mission to provide safe and affordable housing to DC's lowest income residents.

Our testimony will focus on the following areas:

- **Persistent Barriers to the Lease-Up and Transfer Process.** Extended lease-up times cause families to lose options and sometimes housing

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<sup>1</sup> Legal Aid DC is the oldest and largest general civil legal services program in the District of Columbia. 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 legal system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation. For more information, visit [www.LegalAidDC.org](http://www.LegalAidDC.org).

altogether. DCHA fails to provide tenants with straightforward or transparent rent reasonableness determinations.

- **Harmful Proposed Rules.** Recently DCHA received extensive feedback from advocates on its recent proposed Administrative Plan and ACOP and still failed to incorporate many meaningful changes. The proposed plans fail to perform their basic function: to clearly inform agency staff and tenants of DCHA’s voucher and public housing rules to ensure access to affordable housing, and to comply with District law.
- **Unfair Termination of Subsidies.** Increased terminations result in unfair and racialized impacts. DCHA creates barriers to recertifying on one hand and then terminates subsidies for failure to recertify on the other. Terminations and findings of ineligibility based on criminal background have a disproportionate racial impact.
- **Failure to Provide Reliable and Accessible Case Management.** Legal Aid’s clients continue to face significant obstacles to conducting regular day-to-day business with DCHA.

DCHA’s poor performance is made worse by its lack of transparency and low communication. DCHA continues to hold Stabilization and Reform (STAR) Board Meetings and other public hearings virtually only, with no in-person option for residents to engage more directly with the Board. Inadequate notice continues to be a barrier to accountability and resident involvement in DCHA processes meant for public input. Since May 2023, DCHA has regulated its programs through a series of “emergency” resolutions which are implemented without notice and comment. This last year, DCHA embarked on comment periods for “final” regulations of the Admissions and Continued Occupancy Plan for Public Housing, and its Administrative Plan for the Housing Choice Voucher program. DCHA published its updated proposed Administrative Plan, a document more than 400 pages long, just 6 days before holding a public hearing on the document. This impossible timeline is not a meaningful opportunity for robust comment and community involvement. Program participants and applicants are not adequately informed of imminent rule changes.

### **DCHA Erects Persistent Barriers to the Lease-Up and Transfer Process**

DCHA reports that their average lease up times increased from 62 days in FY 2024 to 74 days in FY 2025. This fact alone understates the harm to tenants. For families in dire

need of subsidized housing, prolonged wait times mean exposure to unsafe conditions or homelessness. Disappointingly, DCHA references the DC housing market and landlords' lack of understanding of the requirements to pass inspection as the reasons behind the delay in the lease up process. DCHA refuses to take any accountability for the agency's own failures. Tenants often complain of receiving no information, returned calls, or updates from DCHA; calls go unanswered for weeks at a time. Landlords and tenants who hope to work together to lease-up find themselves frustrated by DCHA's unresponsiveness. DCHA must first acknowledge that its lack of communication is the primary cause for delays, then improve the communication and process – not simply make excuses.

Similarly, rent reasonableness determinations continue to be point of frustration and wasted time and money for tenants hoping to lease-up with a voucher. DCHA references its meet-and-lease events and its housing navigators in response to inquiries about a tenant-facing rent reasonableness determinator. They do not go so far as to explain how these events and navigators have helped anyone lease-up. The most reliable way to determine whether a prospective unit is rent reasonable is still for a tenant to submit an RFTA packet – meaning the tenant incurs the time and expense of preparing the packet before knowing if the effort is worthwhile. DCHA's response that program participants can contact someone at DCHA who will tell them about rent reasonableness is unrealistic given DCHA's consistent lack of agency responsiveness. This reply is no more than a continuation of DCHA gatekeeping information during the lease-up process.

Giving tenants access to rent reasonableness information would allow voucher-holders to shop for units in neighborhoods that meet their needs. It would also counter landlord discrimination and unconscious bias against voucher holders by letting tenants gather information about a unit before needing to disclose that they are using a voucher. We ask that tenants who use vouchers be treated like any other tenant seeking housing on the rental market. DCHA's gatekeeping of rent reasonableness makes equal treatment elusive and, sadly, makes illegal source of income discrimination more likely.

### **Harmful DCHA Proposed Rules Put Residents at Risk**

DCHA continues to operate under repeated emergency regulations as it has done since May 2023. Extensive comments from tenant advocates about the regulations' inconsistencies with local law, the use of vague statements instead of clear policies, and overly-punitive rules that are inconsistent with DCHA's mission of providing stable

housing to low- and extremely low-income residents have largely been unincorporated in DCHA's proposed final regulations.<sup>2</sup>

The importance of these regulations cannot be overstated. They lay out what residents' obligations are to get into and stay in housing programs. They guide DCHA employees on how to perform core functions of their jobs like completing recertifications, calculating income and rent, processing transfer requests, reviewing reasonable accommodations, and issuing vouchers. These regulations also dictate how residents can challenge adverse actions by DCHA, including any decision to terminate them from the voucher program. They are the rules that allow DCHA residents and advocates to hold DCHA accountable to its obligations. Having clear rules and guidelines to ensure agency accountability has always been important, but it is so now more than ever, in the face of DCHA's documented failures. In short, if these regulations are not carefully crafted, clear, and thoughtful, they put residents at risk of losing their homes and all but ensure DCHA will continue to perform poorly.

Legal Aid also fears that program participants and applicants are not being adequately informed of imminent rule changes. We have asked DCHA whether it will hold more public meetings, particularly to engage with voucher holders, and they have not committed to doing anything other than meeting at public housing properties or holding a virtual public hearing on each set of regulations (which is the minimum requirement to satisfy HUD). We urge the Committee to work with DCHA to set up more opportunities to get resident input. There are too many concerns about the proposed changes to include each in this testimony, but we will highlight the following:

- In its proposed Administrative Plan, DCHA proposes a seven-year "look-back" period for arrests, convictions, and evictions—including evictions from the private rental market—far exceeding HUD's recommended three-year lookback. These regulations ignore and misapply local laws and impose burdens beyond federal guidance. Using arrest records to deny applications

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<sup>2</sup> Legal Aid disagrees with DCHA's statement that the main area of disagreement is that advocates request DCHA to repeat local law in the ACOP and Administrative Plan, and DCHA declines to do so. See DCHA Pre-Hearing Responses Q12a. Firstly, our main areas of disagreement are with the substance of the regulations, not the citations. Second, DCHA's own frontline staff have misstated and misunderstood the application of local law. Citation to local rules helps everyone involved understand and prioritize tenant rights.

violates due process and perpetuates race and class inequities that will deepen poverty and homelessness for D.C. residents.

- DCHA proposes to waive the requirement to offer a tenant-based voucher to a PBV family after 12 months. We are not aware of DCHA having requested a HUD waiver of the requirement to provide a PBV family with a tenant-based voucher after twelve months of occupancy. Any such policy change is subject to notice-and-comment rulemaking.
- Proposed changes to the ACOP in Section 6801.29 are particularly problematic and could make the ACOP worse. Both DC and federal law have limits on how criminal records can be used in the housing context. DCHA's proposal to give itself blanket authority to use these records however it wants carries the risk that agency staff will knowingly or unwittingly engage in discriminatory or other unlawful behavior when using these records.

Advocates provided extensive comments on the proposed ACOP in April 2025 and Administrative Plan in November 2025. Recently, DCHA informed the STAR Board that they would publish a chart with their responses to each of our comments. We have yet to receive that document as to the Administrative Plan. We hope the Committee will implore DCHA leadership to commit to exchanging redlines and edits to correct the serious flaws in these documents.

### **Unfair Termination of Subsidies for Failure to Recertify and Past Arrests Preclude Access to Affordable Housing**

In its responses to oversight questions, DCHA reports a significant recertification backlog. At the same time, families are terminated from DCHA programs for alleged failure to recertify. Families risk losing their subsidies and ultimately their housing all while DCHA inadequately tracks submissions that are made through email or in hard copy. Delays in recertification are often not the fault of the tenant. Families receive delayed or unclear follow-up about missing information, yet DCHA insists on holding a firm deadline for recertifications and terminations. Council oversight should require automatic grace periods when processing delays are attributable to DCHA. Clear tracking of submissions is also needed for emailed and hard copy submissions. We acknowledge the implementation of Rent Café for tech-savvy tenants, but tenants continue to be harmed by DCHA's current inability to keep track of the paperwork tenants submit.

DCHA also continues to terminate or deny assistance based on criminal history, even suggesting lengthening the look-back period to deny vouchers to applicants with criminal records. We understand that DCHA must follow HUD's requirements, but we do not agree with rules that are any harsher than what is federally required. Given well-documented racial disparities in the criminal legal system, overly broad criminal background screening perpetuates racial inequity in accessing affordable housing. This Committee has prioritized reentry and fairness in housing access in the past. We ask that the ACOP, Administrative Plan, and policies related to terminations reflect the Committee's priorities by limiting terminations and denials to findings that are evidence-based and narrowly applied.

### **DCHA Fails to Provide Reliable, Competent, and Accessible Day-to-Day Case Management**

We hear a lot about the "systems" and strides that DCHA has put into place, but we also continue to hear from our clients about how challenging it is to communicate and make progress with DCHA. On a basic level, DCHA staff rarely answer phones; it is nearly impossible to get connected to the right person when you call; and walk-in opportunities are limited. This makes any task (from getting a transfer voucher, to recertifying, to making a reasonable accommodation request, to reporting a change in income) frustrating, and sometimes impossible. When residents cannot complete basic program obligations because of DCHA's inaccessibility, it puts the residents' homes and subsidies at risk.

Information must be accessible for people who attempt to get updates over the phone or in person. Our client's calls either go totally unanswered or are redirected again and again to no result. In its responses to oversight questions, DCHA reports a reduction in its caller wait times; however, that is no victory if callers are simply disconnected, redirected to dead ends, or directed to leave messages that go unanswered.

### **DCHA's Governing Board Needs a Resident-Elected Advocate**

This Council should revisit the mayor's control of DCHA's governing Board via the RENTAL Act. DCHA was set up as an independent agency, and the permanent governing Board plays a crucial function to safeguard and ensure that independence.

A 2022 OAG report noted that the Board grew to be “stacked with allies to the mayor who [were] willing to prioritize the mayor’s agenda over DCHA’s.”<sup>3</sup> It noted that “mayoral appointees tend[ed] to vote as a block, suggesting they [were] not individually considering proposals but instead voting in the mayor’s interest.”<sup>4</sup> The HUD report from late 2022<sup>5</sup> prompted the Council to create the temporary STAR Board, intended to last just two years.<sup>6</sup> The creation of the STAR Board eliminated three resident-elected positions (replacing them with two Mayor-appointed resident positions) and eliminated a position for a housing advocate representative. The drastic move did not solve DCHA’s dysfunction. There has been an absence of dissenting voices and contested votes at STAR Board meetings; resolutions are typically discussed only briefly and approved unanimously.

The composition of a permanent Board was included in the recently passed RENTAL Act.<sup>7</sup> Under the RENTAL Act, seven of the nine positions of the permanent Board are nominated by the Mayor, and two of the positions are resident-elected. At the time of this testimony, the two resident-elected positions still have not been filled despite the RENTAL Act’s instruction that one election must take place by December 31, 2025.<sup>8</sup> We

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<sup>3</sup> DC Office of the Attorney General, “Creating a Truly Independent DC Housing Authority: Increasing Political Insulation to Improve Outcomes at DCHA,” at 4 (December 2022), available at <https://oag.dc.gov/sites/default/files/2022-12/DCHA-Report-final-.pdf>.

<sup>4</sup> *Id.*

<sup>5</sup> See U.S. Department of Housing and Urban Development, District of Columbia Housing Authority Assessment, October 2022, available online at [https://oag.dc.gov/sites/default/files/2022-10/DCReview\\_Final%209302022%20%281%29.pdf](https://oag.dc.gov/sites/default/files/2022-10/DCReview_Final%209302022%20%281%29.pdf)

<sup>6</sup> See Martin Austermuhle, DCist (Archive), “D.C. Council Approves Emergency Bill to Replace Housing Authority Board” (Dec. 20, 2022), available at <https://dcist.com/story/22/12/20/dc-council-approves-emergency-legislation-replacing-dcha-board/>.

<sup>7</sup> See D.C. Law 26-80. Rebalancing Expectations for Neighbors, Tenants, and Landlords (RENTAL) Amendment Act of 2025.

<sup>8</sup> See RENTAL Act, D.C. Law 26-80; see *also* DCHA Resolution 26-04 To Adopt Procedures for the Election of Resident Commissioners to the the DCHA Board of Commissioners <https://www.dchousing.org/api/files/board/656.pdf>.

urge the Council to add a resident-elected advocate position to fully replace the positions that were eliminated in the creation of the STAR Board. This would ensure that the permanent Board more directly reflects the will and concerns of low- and extremely low-income residents and the tenant-advocate community.

### **Conclusion**

While much oversight and numerous adjustments are still needed, Legal Aid is encouraged by DCHA and this Committee's efforts. Namely, we applaud the codification of the rights regarding repositioning in DC Code § 6-233, and the ability for applicants who are terminated from the public housing waitlist to be reinstated if there are mitigating circumstances.<sup>9</sup>

DCHA consistently mentions its ongoing discussions with advocates; discussion alone is the first step and cannot be the sole criteria for success. Legal Aid looks forward to continuing to work with DCHA and this Committee in crafting solutions that will best serve DCHA's core constituency of low-and extremely low-income residents for years to come.

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<sup>9</sup> See DCHA Response to Question 11.