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**Testimony of Molly Catchen
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**Before the Committee on Human Services
Council of the District of Columbia**

Performance Oversight Hearing Regarding the Committee on Human Services.

February 26, 2026

Legal Aid DC¹ submits the following testimony regarding the Department of Human Services' (DHS) administration of the Emergency Rental Assistance Program (ERAP). ERAP is one of the most effective tools the District has to keep individuals and families who are faced with ever increasing costs of living in stable housing and prevent evictions. In our landlord-tenant practice, Legal Aid DC sees firsthand that ERAP funds are frequently the difference between housing stability and homelessness. Demand for ERAP remains high from year to year – so high, in fact, that each year, the need for ERAP far outstrips funding availability. Given the District's housing affordability crisis, this is not surprising.

The DC Office of Planning estimates that over 75,000 renter households are definitionally "cost burdened" in that they pay more than 30% of their income towards rent.² More than 56,000 rental households are "severely cost burdened" and pay more

¹ 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.

² Homeward DC 2.0 District of Columbia, https://ich.dc.gov/sites/default/files/dc/sites/ich/page_content/attachments/Homeward-DC-Report_FY2021-2025%5B1%5D.pdf, accessed on 2/23/2026.

than 50% of their income towards rent.³ The largest group of these severely cost burdened households, or 39,500 individuals and families, earn less than 30% of the area median family income.⁴ These families are at a greater risk of eviction because they have little or no financial cushion for unanticipated financial emergencies.

As long as our affordable housing crisis continues, there will be a significant demand for assistance for families who are a single emergency away from crisis. ERAP should be available and accessible when families need it. And yet, we have seen that for many families this is unfortunately not the case. ERAP was closed for a year and when it did reopen in November 2025, the demand was overwhelming. Due to changes in the application process, many tenants who had been waiting months were unable to get assistance.

The Council should focus on ways to improve ERAP and keep families housed. In October 2024, Legal Aid DC proposed a number of changes to the Emergency Rental Assistance Amendment Act of 2024.⁵ We encourage this Committee and the entire Council to adopt those recommendations. At performance oversight hearings last year, we suggested additional ways to improve the program. We continue to believe that these changes are necessary to make the program more efficient and effective. Our suggested improvements include:

- Improving the ERAP application process and ensuring it is accessible to all tenants.
- Making sure that there is consistency in the processing of ERAP applications.
- Setting timelines for ERAP application processing and payments and the use of improved technology to streamline the application review process.
- Changing ERAP payment standards so all tenants across the District are eligible for the same amount of assistance.

³ *Id.*

⁴ *Id.*

⁵ See Molly Catchen & Mel Zahnd, Legal Aid DC, Public Hearing Regarding B25-0994 the “Emergency Rental Assistance Reform Amendment Act of 2024” <https://www.legalaiddc.org/media/4080/download?inline>.

- Fully funding ERAP and investing in affordable and deeply affordable housing (40% AMI and under) across the District.

DHS Must Improve the ERAP Application Process and Ensure it is Accessible to All Tenants

The current ERAP system is structurally inaccessible to many tenants. This has been true for years but was unquestionably apparent during the November 2025 ERAP cycle. In 2025, instead of opening the Portal and allowing tenants to submit applications directly, DHS moved to a two-step process: tenants had to go in-person or call the ERAP hotline to get an appointment to then submit an application. As should have been expected, hundreds of District tenants showed up at the Virginia Williams Family Resource Center on the day ERAP opened. Many arrived very early in the morning to secure their spot in line – some with children in tow – and spent hours waiting outside in the cold.

Tenants who used the phone line fared much worse. The ERAP phone lines went down, and few tenants were able to get appointments due to the high call volume. Many of the tenants who used the phone line did so because they were unable to go in person due to physical disabilities or other limitations that prevented them from standing in line for hours. There were also tenants who called, instead of going in-person, because of confusion about whether there would be language interpreters on site. This is not the way a program aimed at assisting people in crisis should function. DHS must find a more equitable and efficient way to administer this crucial program and must be more transparent about its plans for opening ERAP in the future.

Finally, under the current system, applications are processed on a first come, first served basis. As a result, DHS and providers are not triaging applications and prioritizing applicants most at risk of eviction. For example, sometimes assistance was provided to people who had not been sued for eviction and therefore were not at imminent risk of losing their homes, while others with open court cases were unable to secure an appointment. Additionally, if ERAP only opens once a year, tenants with live writs of restitution and imminent evictions cannot access assistance when they need it. This contradicts the purpose of the ERAP program, which is to provide assistance to those facing *emergency* housing loss.

DHS Must Ensure Consistency in the Processing of ERAP Applications

The Emergency Rental Assistance Amendment Act of 2024 changed the documentation requirements for ERAP applications. Unfortunately, these changes have made it more

difficult for tenants to submit their applications because there is confusion about what is required. Tenants have received different information from processing agencies about what documents are sufficient to demonstrate a qualifying emergency or to prove a disability. Further, we have heard from partner organizations that the exception to the documentation requirement, which was explicitly carved out in the legislation, is not being utilized.

We are working with a tenant who submitted documentation from her medical provider to show that she has a disability and a qualifying emergency. She was told this documentation was not sufficient but has not received a clear explanation of why or what the ERAP processing agency will accept. This example is not an outlier. We have repeatedly heard from tenants that they are unclear about what is necessary to complete an ERAP application. This leads to delays in the process which hurts both tenants and landlords.

DHS must ensure that the processing agencies treat all applications the same, and there are no differences in the documentation requirements between agencies. Further, DHS must ensure that the law is being followed and that tenants are permitted to use the documentation requirement exception when appropriate. The failure to do so results in tenants who are otherwise eligible being closed out of the process and cut off from emergency assistance.

DHS Must Improve the Processing and Payment of ERAP Applications

Applications Should Be Processed Within a Set Timeline

We have testified multiple times about delays related to the processing and payment of ERAP applications. In our testimony last fall on the Emergency Rental Assistance Reform Amendment Act of 2024, and again during performance oversight last year, we proposed implementing timelines for the processing and payment of ERAP applications to reduce delays.⁶ Many of these delays, however, can also be eliminated if the ERAP process is more efficient. Specifically, we believe that all ERAP applications should be claimed by an ERAP processing agency within 45 days after submission and processed by that agency within 45 days. If approved, payment should be issued to the housing provider within 15 days. This will ensure that tenants receive a timely decision on their application, and that money is distributed to the housing provider more quickly. It will also reduce the burden on the civil and landlord-tenant courts by reducing the number of eviction cases on a court's docket.

⁶ See Molly Catchen & Mel Zahnd, Legal Aid DC, Public Hearing Regarding B25-0994 the "Emergency Rental Assistance Reform Amendment Act of 2024" <https://www.legalaiddc.org/media/4080/download?inline>.

Technology Improvements

Delays in the ERAP process can also be reduced or eliminated through improved technology. DHS has taken the first step with the creation of the landlord Portal. However, it is not clear whether this Portal is being fully utilized or that it has improved the process. As we previously testified, DHS should look to the technology used in Massachusetts. The Massachusetts Residential Assistance for Families in Transition ("RAFT") program can process rental assistance applications in about 30 days.⁷ One example of the way this system streamlines the process is to run the applicant's identifying information concurrently against public benefits such as SNAP, automatically checking income eligibility. Another feature allows landlords to store their information across multiple tenant applications. This reduces the need for landlords to resubmit their documentation for every ERAP application that is submitted (one of the points of bottleneaking we often see in the ERAP process). These technological improvements would reduce the burden on ERAP processing agencies and speed up the application process so that housing providers receive money more quickly and tenants are not stuck waiting to receive the assistance they need to stay in their homes.

DHS Must Change ERAP Payment Standards

DHS must change ERAP payment standards so that all tenants across the District receive equal amounts of assistance. Under the current program, the maximum amount a tenant can receive through ERAP depends on their zip code's fair market rent.⁸ This means a tenant can receive more ERAP dollars if they live in Ward 1 as opposed to Ward 7, regardless of their actual rent. This standard results in tenants in Wards 7 and 8 being eligible for fewer ERAP dollars to pay their back due rent when compared with tenants in better resourced and wealthier Wards. Former DHS Director Laura Zeilinger proposed returning to a system with standard payment amounts during testimony before the Council in October 2024. However, the amount of assistance she proposed is insufficient to address current rental costs in the District.

Legal Aid DC recommends that DHS set a standard payment amount of at least \$10,750 maximum eligibility per ERAP application. This amount should be reviewed and adjusted each fiscal year in accordance with average rents across the District. Just as in the current system, additional funds for larger household sizes or households with members with disabilities should continue to be available. This recommended standard amount is

⁷ <https://www.mass.gov/how-to/apply-for-raft-emergency-help-for-housing-costs>.

⁸ DC Dep't of Human Services, Monthly Income Limits & Fair Market Rent <https://dhs.dc.gov/page/monthly-income-limits-fair-market-rent>, accessed 2/23/2026.

based on the reality that DC tenants pay about \$1,369 per month for a studio, \$2,150 for a one-bedroom apartment, and around \$2,770 for a two-bedroom apartment.⁹ Our recommendation accounts for the average cost of a one-bedroom unit in the District over five months. Moving to a standard payment amount will help reduce some existing inequities within our current ERAP system.

The Council Must Fully Fund ERAP and Invest in Long Term Affordable Housing Solutions for DC Residents

The need for ERAP will always depend on the investments the District, and this Council, are willing to make in deeply affordable permanent housing.¹⁰ In the District, this means meaningful investments in the approximately 54,788 tenant households, or 27% of all tenant households, who live below 30% of the area median income (AMI).¹¹ This also requires targeted investments in the 78,661 tenant households who live below 50% of the AMI, which is 39% of all tenant households in the District.¹² As long as deeply affordable rents remain out of reach for the majority of residents in the District,¹³ and as long DC continues to underinvest in deeply affordable housing, many residents will be unable to maintain their tenancies and the District will continue to require considerable investments in emergency support like ERAP. These investments can be balanced with market rate

⁹ [Rent.com https://www.rent.com/district-of-columbia/washington-apartments/rent-trends](https://www.rent.com/district-of-columbia/washington-apartments/rent-trends).

¹⁰ Legal Aid DC believes truly affordable housing means significant housing available, developed, and preserved for households with income equal to, or less than, 30% of the area median income, as well as for “very low income” households with income equal to between 31% and 50% of the area median income and for “low-income” residents meaning households with income equal to between 51% and 80% of the area median income.

¹¹ See National Low Income Housing Coalition, District of Columbia, <https://nlihc.org/oor/state/dc>, accessed on 2/25/2026.

¹² *Id.*

¹³ The District has a majority of tenants, with 59% of the population renting compared to 41% who own their homes. See National Low Income Housing Coalition, District of Columbia, <https://nlihc.org/oor/state/dc>.

housing for DC tenants who have the means to pay, but we urge this committee to keep in mind that DC's rent is 37% higher than the average rent across the country.¹⁴

A family that spends 60% or more of their income on rent will always be one emergency away from housing instability. Car maintenance issues or medical expenses quickly become emergencies that affect the ability to pay rent. In these situations, ERAP is a crucial tool to keep families housed. Tenants paying market rent, however, are not the only ones who experience emergencies. Tenants living in subsidized housing are just as likely to have an unexpected expense – childcare for a sick child who is unable to attend school, for example – that pushes them to the brink of housing instability. When District tenants apply for a resource they are eligible for, they are neither abusing the system nor applying for ERAP when they do not really need it. The reality is that the housing crisis in DC is dire, and tenants need help year after year because they simply cannot afford the rent as it is currently marketed.

Reforms to ERAP will not address the root causes of the District's housing crisis. We urge Council to focus on making investments in affordable and deeply affordable housing in the coming budget cycle. Some ways this can be accomplished are preserving existing affordable housing, funding more permanent vouchers, expanding and enforcing inclusionary zoning for new housing developments at 30% AMI, and funding the First Right to Purchase Program (FRPP) so tenant TOPA purchasers can keep their buildings affordable.

Conclusion

Low-income District tenants are in crisis. Everyday expenses, including rent, are going up faster than wages. As long as rents in the District remain out of reach for so many residents, and as long as the District continues to underinvest in affordable housing, our neighbors will be unable to maintain their tenancies and will continue to be displaced from their homes.

We know the Council cares deeply about preventing evictions, stemming displacement, and keeping the District's communities stable and intact. We appreciate the Council working with us to ensure that ERAP works for the growing number of District residents at risk of eviction.

¹⁴ Apartments.com, Rent Market Trends in Washington DC, <https://www.apartments.com/rent-market-trends/washington-dc/>, accessed on 2/26/2026.