

**Testimony of Jen Jenkins
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**Before the Committee on Public Works and Operations
Council of the District of Columbia**

Budget Oversight Hearing Regarding Office of Administrative Hearings

April 20, 2026

Legal Aid DC¹ appreciates the opportunity to share its perspective on the funding needs of the Office of Administrative Hearings (OAH)² in light of the Mayor’s proposed FY27 budget reductions. A substantial portion of OAH’s caseload involves individuals from Legal Aid’s client community – District residents living at or below 200% of the federal poverty level who face significant systemic barriers and often lack access to critical resources.

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 The purpose of OAH is to “provide the District of Columbia’s citizens and government agencies with a fair, efficient, and effective forum to manage and resolve administrative disputes.” This means OAH decides cases involving unemployment compensation, Medicaid and other public benefits administered by the DC Department of Human Services (“DHS”), public space, rent control, professional and business licenses, building, health, and fire code violations, among others. OAH also receives payments of fines imposed by various agencies.

Legal Aid DC is particularly concerned about maintained vacancies in full-time equivalent (FTE) positions and related personnel cuts at OAH. As an adjudicative body, OAH is often the deciding factor in whether our clients receive essential public benefits, such as healthcare and food assistance, or whether landlords are held accountable for Notice of Infractions or Notice of Violations issued by the Department of Buildings. Maintaining vacancies act as cuts to FTEs that would disproportionately harm low-income residents, especially those who must navigate complex legal proceedings without representation.

Legal Aid DC deeply values the critical role OAH plays in advancing access to justice and urges the Council to ensure that the agency's budget reflects its essential function in protecting the rights and well-being of District residents.

Funding for OAH Full Time Equivalencies Must Be Restored to at Least FY26 Levels

OAH is facing an unprecedented number of administrative appeals. As of October 26, 2025, there were 30,478 open cases compared to Fall 2022, when there were 18,661 total open cases across all of the agencies within OAH's jurisdiction. OAH needs more, not less funding. Yet the budget proposes an 11% decrease in personnel funds overall. While restoration of the FY26 FTEs is still insufficient in light of increased case filings, it is an improvement over the proposed FY27 budget.

Because the number of new cases filed at OAH has outpaced staff's capacity to process and adjudicate them, OAH made the right decision to prioritize cases involving public health, benefits, and safety.³ However, prioritization of cases is a temporary fix, as with limited staff, closure rates continue to rise.⁴ Instead, OAH needs more funding for staff to address the increased number of cases. We are concerned that without an increase in staff – and with only a prioritization of cases-- this continued policy will strain the backlog and have an impact on all litigants' due process rights and OAH's ability to meet adjudication deadlines.⁵

³ Office of Administrative Hearings Performance Oversight FY2025-2026 Pre-Hearing Questions, Question 64.

⁴ See Office of Administrative Hearings Performance Oversight FY2025-2026 Pre-Hearing Questions, Question 49.

⁵ See Office of Administrative Hearings Performance Oversight FY2025-2026 Pre-Hearing Questions, Question 49.

Public Benefits

There are many changes in public benefits, both locally in the proposed FY27 budget to TANF, and in Medicaid and SNAP due to federal changes, and all of these changes are expected to result in an increase in OAH appeals. OAH also expects an increase in Medicaid and Alliance appeals stemming from a significant number of District residents losing Medicaid and Alliance⁶ coverage in 2025. Although Healthy DC has absorbed many individuals who lost Medicaid, the OAH continues to receive a high volume of appeals. This trend appears to be driven in large part by confusion and lack of understanding among beneficiaries regarding changes to their coverage.⁷ SNAP appeals also demand a significant amount of time from OAH staff and Administrative Law Judges, and this caseload will likely increase once work requirements go into effect in June.⁸ As a result of increased caseloads, OAH has implemented a special review process for cases involving challenges to broad, system-wide changes in the law, but such a review is less likely for a majority of public benefits cases due to inadequate staffing despite a great need.⁹

Housing

Appeals are increasing across multiple agencies. Most notably, the Department of Buildings (DOB) is experiencing an unprecedented volume of appeals.¹⁰ At the same time, DOB's own reporting indicates that approximately \$80,554,337 in fines have gone uncollected since FY19.¹¹ While DOB is responsible for collecting these fines, the OAH adjudicates contested cases and issues final decisions.

⁶ See DC Health Care Alliance Reform Amendment Act of 2025.

⁷ Office of Administrative Hearings Performance Oversight FY2025-2026 Pre-Hearing Questions, Question 32.

⁸ See Office of Administrative Hearings Performance Oversight FY2025-2026 Pre-Hearing Questions, Question 57; DC Dep't of Human Services, SNAP Work Requirements, <https://dhs.dc.gov/page/snap-work-requirements>.

⁹ See Office of Administrative Hearings Performance Oversight FY2025-2026 Pre-Hearing Questions, Question 32.

¹⁰ See Office of Administrative Hearings Performance Oversight FY2025-2026 Pre-Hearing Questions, Question 51, 52.

¹¹ Department of Buildings, Public Dashboard, <https://dataviz1.dc.gov/t/OCTO/views/DOBPublicDashboard/ViolationsAbatement>

When agencies fail to enforce or collect on those decisions, it undermines the effectiveness of OAH's adjudicatory function and results in a significant waste of administrative resources. To preserve the integrity of the process and avoid these inefficiencies, the Council must ensure that agencies within OAH's jurisdiction fully comply with and implement OAH decisions.

A Lack of Adequate Funding for OAH will Increase Barriers to Justice, Especially for *Pro Se* DC Residents

Legal Aid DC's concerns with OAH's ability to meet the needs of numerous *pro se* litigants have increased with the release of the Mayor's FY27 budget. Many DC residents, particularly in public benefits cases related to DHS benefits that are terminated, reduced, or not processed timely, are not aware of how they can file an administrative fair hearing request or struggle to do so. While the responsibility for education around the fair hearing processes and rights lies with DC agencies and not solely with OAH, OAH should receive the funding needed to make improvements to ensure that litigants are able to use their rights and are informed and receive adequate notices as they navigate the fair hearing process.

Conclusion

To effectively serve all District residents, OAH needs enough staff and resources to meet the needs of its rising caseload. The Council must do its part by restoring funding to ensure that OAH can effectively carry out its mandate.

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