



**Legal Aid Society**  
OF THE DISTRICT OF COLUMBIA

MAKING JUSTICE REAL

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

**Public Hearing Regarding:**

**B23-0121**

**“Housing Authority Board of Commissioners Qualification and Expansion Amendment  
Act of 2019”**

**&**

**B23-0319**

**“Public Housing Rehabilitation Oversight Task Force Act of 2019”**

**October 30, 2019**

The Legal Aid Society of the District of Columbia<sup>1</sup> submits the following testimony on Bills 23-0121 and 23-0319 – the Housing Authority Board of Commissioners Qualification and Expansion Amendment Act of 2019 and the Public Housing Rehabilitation Oversight Task Force Act of 2019. We appreciate the attention that the Committee on Housing and Neighborhood Revitalization is giving to the District’s public housing crisis and understand that the Taskforce bill is an attempt to ensure that the DC Housing Authority (DCHA) handles the current crisis appropriately and that the Board of Commissioners bill may be intended to prevent future crises from occurring.

While we have specific suggestions for how the Board of Commissioners bill may be improved, neither bill goes far enough to address the current public housing crisis, the potential loss of thousands of affordable units and the displacement of thousands of families. We believe the Task Force this bill proposes creating would neither sufficiently represent all the necessary viewpoints

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<sup>1</sup> The Legal Aid Society 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.” Over the last 87 years, tens of thousands of the District’s neediest residents have been served by Legal Aid staff and volunteers. Legal Aid currently works in the areas of housing, family law, public benefits, and consumer protection. 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](http://www.LegalAidDC.org), and our blog, [www.MakingJusticeReal.org](http://www.MakingJusticeReal.org).

nor be fully operational before DCHA's first demolition/disposition applications are submitted the US Department of Housing and Urban Development (HUD). We instead recommend that the Committee hold a series of public roundtables on DCHA's public housing redevelopment plans starting as soon as possible. Legal Aid and other advocates recently submitted detailed comments on DCHA's Transformation Plan, which can help form the basis for Council oversight on this critical issue.<sup>2</sup>

### **Housing Authority Board of Commissioners Qualification and Expansion Amendment Act of 2019**

We support this bill to the extent it seeks to have the Board of Commissioners represent more diverse perspectives. However, we recommend three ways for the Council to improve this bill.

First, at least one commissioner should be elected by voucher holders. Currently, public housing residents vote on and elect three Board members. Voucher holders should have the same opportunity to elect a Board representative. While there is currently an appointed voucher representative on the Board, there is no one that serves at the will of voucher holders and is directly accountable to them. Giving voucher holders an elected representative will ensure that they have at least some say in decisions that directly affect their housing assistance.

Second, while we agree that the current list of possible qualifications for Board members should be amended, this bill should further eliminate potential categories of "knowledge" and be more specific in describing others. For example, the category included in subsection (F), "real estate finance and investment," should be eliminated. Other subsections already qualify individuals with backgrounds in public housing development, other subsidized housing development, and general housing development. Individuals that fall into these categories will have more specific and useful knowledge about the financing of affordable housing projects, such that there is no need to permit someone to sit on the Board if they only possess a background in general real estate finance and investment. Additionally, the Council should define what a background in "philanthropy and social services" means. The bill should specify that (1) philanthropy means employment at a philanthropic grant-making organization as opposed to simply being a donor or philanthropist, and (2) that for both the philanthropy and social services background, specific experience with affordable housing is required.

Third, this bill should specify that lived-experience must be considered when determining whether a person has the appropriate level of knowledge and competence in one of the designated fields. This will ensure that Board positions are available to individuals who have lived through and been directly impacted by the District's affordable housing programs. For example, an individual who has lived in public housing for decades will have a lot of knowledge of, and a vital and not often heard perspective on, public housing operation and management.

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<sup>2</sup> These written comments are attached to this testimony.

## **Public Housing Rehabilitation Oversight Task Force Act of 2019**

While we appreciate that the Committee is seeking greater oversight of DCHA's redevelopment plans with this bill, we have concerns about the proposed Task Force's timeliness, make-up, and its ability to have an impact on a plan that could lead to the demolition of thousands of affordable housing units and the displacement and destabilization of thousands of District families. Instead of this Task Force, we propose that the Committee hold a series of roundtables – perhaps monthly or every two months – on DCHA's redevelopment plans. These roundtables would require DCHA to update the public and the Council on its plans, and would allow the public to make recommendations to the Council and DCHA directly.

We have two main concerns with the proposed Task Force. First, the proposed Task Force is comprised of fifteen members, of whom only three would be public housing residents. Public housing families need much more of a say in the future of their homes, communities, and lives. Additionally, there are no positions on the Task Force reserved for individuals who need public housing, but have been sitting on DCHA's waitlist for decades. These individuals very likely have slightly different, but nonetheless important, views on how the District should maintain and redevelop public housing to ensure that everyone who needs it has a safe and dignified place to live. For example, DCHA's proposed redevelopment plan would eliminate 355 affordable housing units. This is unacceptable at a time when the District is facing an affordable housing crisis, and current and future public housing residents should have a strong voice when discussing the impact of this proposed loss.

Second, DCHA likely will have submitted its first round of demolition/disposition applications before the Task Force can hold its first meeting. Even if DCHA submits its applications in January 2020, which is later than expected, the Task Force very likely will not be fully formed by that time, let alone have issued even one report. The Task Force would have sixty days from the date the bill passes to convene its first meeting, and then thirty more days to issue its first report. Even if this bill passed next week, at best the first report would come out at the end of January. DCHA is moving quickly, and this Task Force's recommendations will simply come too late. Additionally, any recommendations would be just that: recommendations. It is not clear how meaningful those recommendations can be given that there is no requirement that DCHA share any specific information with the Task Force, and any recommendations certainly will not be binding on DCHA.

There are other ways that the District and the Council can hold DCHA accountable. If the Council decides to hold roundtables, it could get regular updates from DCHA, as well as from tenants and advocates about what they need and what they have been asking DCHA for. The Council could then use that information to inform the actions it needs to take – which must include a regular funding stream for public housing – and find ways to ensure what is most important: that public housing residents are living in safe and healthy conditions; that the District does not lose any deeply affordable units at a time when it is actively trying to add 12,000 more units to its affordable housing stock; that all public housing residents have an unqualified right to return to their homes after redevelopment; that all future residents at redeveloped sites have the same rights as public housing residents; that DCHA replaces all units, including large bedroom size units; and that DCHA engages in build first redevelopment.

## **Conclusion**

The District's public housing, and all the families who live in it, are at risk. We urge the Committee and the Council to do everything it can to ensure that DCHA has the funding it needs to maintain and redevelop its properties, and to use all of its power to ensure that public housing residents are protected and that the District does not lose even one public housing unit.