

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

Budget Oversight Hearing Regarding the District of Columbia Housing Authority

May 28, 2020

The Legal Aid Society of the District of Columbia¹ submits the following testimony to share two serious concerns regarding the Mayor’s proposed FY21 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 tenants off of DCHA’s decades-long waiting list. Second, while the Mayor has allocated \$25 million for public housing repairs and maintenance, it is not nearly enough money to address the deplorable condition of the District’s public housing portfolio. In addition to allocating additional money for public housing maintenance, repairs, and redevelopment, the DC Council should pass the Public Housing Preservation and Tenant Protection Amendment Act of 2020 (B23-0627) to ensure that DCHA replaces every single unit of public housing it demolishes and protects residents’ rights in the process.

As a member of the Fair Budget Coalition, Legal Aid recommends that the Committee address each of these concerns by doing the following:

- 1) Allocate \$10.43 million in tenant-based LRSP vouchers to pull 500 District residents off of the waiting list;
- 2) Allocate an additional \$35 million for public housing maintenance and repairs, and make that funding recurring.

¹ 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.” Legal Aid is the oldest general civil legal services program in the District of Columbia. Over the last 88 years, tens of thousands of the District’s neediest residents have been served by Legal Aid staff and volunteers. 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, and our blog, www.MakingJusticeReal.org.

We need the Committee to take the lead on correcting these unacceptable failures in the Mayor's budget.

The District Should Invest in the Local Rent Supplement Program

There are currently 39,587 families on DCHA's waiting list.² The waiting list has been closed since 2013.³ This means no new families can apply for DCHA's subsidized housing programs, and that families who are already on the waiting list are waiting decades for affordable housing, even homeless families. It also means that the need for affordable housing is far greater than even the 39,587 number suggests. Legal Aid has worked with families and individuals who were never able to get on the waiting list, either because they were minors the last time it was open or because they simply did not know it opened up for a short time in 2013. Even though they aren't on the list, they desperately need affordable housing. 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 to pull families off of this waiting list. To put it simply, this is unacceptable.

In comparison to this crisis, Legal Aid and the Fair Budget Coalition's ask is modest: \$10.43 million for tenant-based LRSP vouchers, which would allow DCHA to give vouchers to and stably house 500 families. Much more is needed, of course, but this would be a good start. Additionally, it is Legal Aid's understanding that the Council has not adjusted the tenant-based LRSP budget to account for inflation in many years.⁴ This means that the Council needs to increase funding for vouchers created in prior years,⁵ in addition to adding \$10.43 million, if we want DCHA to be able to house additional families.

The Council Should Commit to Substantial and Sustained Investments in Public Housing repairs

We are thankful that the Mayor included \$25 million for public housing repairs in the FY21 budget, but it simply is not enough. Public housing has been underfunded at both the federal and local level for decades. That means that public housing residents have lived in deplorable conditions across the District for years. It also means the District needs to make sustained and substantial investments in public housing going forward if it wants a chance at catching up and ensuring that families live in safe, clean and habitable housing.

² District of Columbia Housing Authority, 2020 Oversight and Performance Hearing, Responses to Pre-Hearing Question at p. 16.

³ District of Columbia Housing Authority, 2020 Oversight and Performance Hearing, Responses to Pre-Hearing Question at p. 17.

⁴ Tyrone Garrett, the executive Director of DCHA, shared this with advocates at a meeting on May 27, 2020.

⁵ Legal Aid does not know by exactly how much funding needs to increase to match inflation. We recommend that the Committee ask Mr. Garrett this question during his testimony.

Legal Aid’s understanding is that DCHA needs an additional \$35 million (for a total of \$60 million) to meet the true repair need and accomplish its redevelopment goals. The difference between \$25 million and \$60 million for public housing residents is stark: it the difference between tenants at Garfield Terrace getting much-needed replacement elevators they need or not; residents at Carroll Apartments getting the repaired bathrooms and kitchens that they need or not; DCHA being able to fund the development gap at Judiciary Square or not.

The Council must also fix another problem with the Mayor’s budget: it is not enough to give DCHA money in a haphazard and ad hoc way. The money must be recurring, so DCHA can rely on it, and leverage it, each year while it plans for its capital expenses and its redevelopment projects. The Mayor has taken a step in the right direction in this regard as well by proposing \$15 million to DCHA for repairs and maintenance in FY22. But DCHA, and more importantly the District’s public housing residents, need more of a commitment than that. We propose that District ensure that DCHA has a steady stream of funding – at least \$60 million per year – for a period of ten years. We understand that this is a significant commitment, but the severity of the condition of the District’s public housing stock demands it.⁶

Finally, because we know that DCHA has robust redevelopment plans, the Council must ensure that any local money the agency receives is used to protect and preserve every public housing unit and residents’ rights. This means the Council should move swiftly to pass the Public Housing Preservation and Tenant Protection Amendment Act of 2020 (B23-0627) in conjunction with the budget. This comprehensive legislation would ensure that DCHA has a plan in place to rebuild every unit of affordable housing before it gets authority to demolish any properties. It will require DCHA to put the most important public housing protections into regulations for residents at redeveloped properties and guarantee that tenants can enforce any violation of those rights. Finally, it would ensure that tenants and advocates can have their voices heard throughout the redevelopment process at the DC Council level.

The District has forgotten about public housing residents for too long, and now it’s time to start making it right by appropriately and reliably funding needed repair, maintenance and redevelopments costs.

Conclusion

Thank you for considering our recommendations for DCHA’s FY21 budget. We urge you to stand with DC’s lowest income families, and help move them into safe, stable, and affordable housing.

⁶ See also, Testimony of Amanda Korber, Legal Aid Society of the District of Columbia, FY20 Budget Oversight Hearing Testimony, <https://www.legalaiddc.org/wp-content/uploads/2019/04/Legal-Aid-FY20-DCHA-Budget-Testimony-FINAL.pdf>, and FY19 Budget Oversight Testimony, <https://dev.legalaiddc.org/wp-content/uploads/2018/04/Legal-Aid-FY19-Budget-Testimony-re-DCHA-FINAL.pdf>.