



Testimony Before the District of Columbia Council
Special Committee on COVID-19 Pandemic Recovery Oversight Hearing
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An Equitable End to Safety Net Protections Put in Place During the COVID-19
Pandemic

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Good morning Chairpersons Allen and Gray and members of the Special Committee on COVID-19 Pandemic Recovery. My name is Elizabeth Oquendo. I am a Senior Policy Attorney at Children's Law Center.¹ I am testifying today on behalf of Children's Law Center, which fights so every DC child can grow up with a loving family, good health, and a quality education. With almost 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year.

The clients we represent are almost exclusively Black and Brown children and families who live below 300% of the poverty line. We reach these children and families through our medical legal partnerships, our work as *Guardian ad Litem* for children in foster care, and as attorneys for third party care givers seeking to give children permanent homes. Whether fighting to get a child in foster care appropriate devices to use for distance learning or advising a client in a squalid Rapid Rehousing property on how to request repairs by their landlord, our attorneys have seen first-hand the devastating impact the pandemic has had on the physical health, emotional health, and financial wellbeing of our client community. Throughout the pandemic, we have seen our clients' strength as they were disproportionately impacted by COVID-19, as they adapted to online education, as they navigated reduced or lost employment, and changes to public benefits. Today we urge the Council to focus on how ending these

programs will disproportionately negatively impact our clients, and on what supports we can put in place to help minimize those impacts.

Introduction

Children's Law Center appreciates the opportunity to provide testimony to the Special Committee on COVID-19 Recovery as we begin to think about how to equitably recover from the pandemic. Since last March, many key programs and initiatives have been rolled out which have helped to economically stabilize many of the children and families that we serve. Some of the programs have added a much-needed financial boost to families' budgets including Pandemic EBT (P-EBT), increases in TANF, increases in SNAP, and opportunities to access additional rental assistance through our locally funded Emergency Rental Assistance Program (ERAP) and programs that use federal funds like the DC COVID-19 Housing Assistance Program (CHAP). Other initiatives have made it easier for District residents to enroll in benefits and keep their eligibility active throughout the pandemic. As the public health emergency eventually ends, we must think about how to best support these District residents who have been buoyed by the programs and initiatives as they transition to our new normal.

The devastating economic impact our clients have experience will last far beyond the end of the public health emergency. Many of the clients we serve were already living on the edge of deep poverty even before the pandemic began. These families

were already unemployed or underemployed, some were already behind on rent payments or unable to afford ballooning rental payments in Rapid Rehousing properties and most were relying on the social safety net programs administered by the Department of Human Services (DHS). The pandemic made things dramatically worse.

Since March of 2020, our clients have lost jobs or had their hours substantially cut at their restaurant and other service industry jobs. Many were unable to continue to work or look for work because they needed to stay home and care for children engaged in virtual school or could not find or afford adequate childcare arrangements. For those clients in unsafe and unhealthy housing, the pandemic meant facing an even tighter rental market with fewer opportunities to move into healthier housing. Clients dealt and are still dealing with the physical effects of the pandemic after contracting COVID-19 or caring for a loved one who fell ill to virus. And some of our clients are still suffering with the emotional trauma of the pandemic after having lost a loved one to the virus and lost opportunities to gather, to learn, and to be with family and friends. The impact of now losing the monetary benefits they have relied on to get through these tough times or the flexibility in public benefits recertification or the extensions in rapid rehousing could be devastating for their family's stability.

The impact of COVID-19 has fallen hardest on Black and Brown members of our community:²

<p>30,000</p> <p>Nearly 30,000 of DC's Black or Latinx residents have been infected with COVID-19 compared to just 10,000 white residents</p>	<p>5x</p> <p>Unemployment East of the River skyrocketed to five times the rate in neighborhoods in Wards 2 and 3</p>	<p>4+ months behind</p> <p>During the first six months of virtual school, at-risk students fell five months behind in math and four months behind in reading</p>
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The disparate impact of the pandemic must be recognized if there is to be an equitable recovery. Those who historically have received the fewest resources in our community because of their race should have the chance to meaningfully access programs and initiatives that help to correct the economic harms caused by COVID-19. Further, an equitable recovery requires that our District government recognize that the pandemic has exacerbated the deeply imbedded inequities these members of our community have long faced.³ That is why our testimony will focus on how the District government can best support our client community through the end of the public health emergency and beyond. We appreciate the Council taking this opportunity to solicit feedback from the community and from advocates as we envision a way forward that supports all District residents.

If We Are to Ensure The District Gets Critical Eviction Prevention Dollars To Residents Who Need Help The Most, We Must Fix Issues With STAY DC

The District has a deadline to commit \$100 million of its total \$350 million in Federal Funds through the STAY DC program before September.⁴ Like many of our

advocate allies, we are highly concerned that issues with the STAY DC platform as well as the STAY DC program rules will keep tenants from being able to meaningfully access these funds before the deadline.

We know that the Councils' strong eviction protections through the moratorium have provided housing stability, education continuity, and has saved lives by preventing further community spread.⁵ Now to continue to keep families safe and in their homes, the District must ensure that the STAY DC portal is low barrier and easy to use. If the program is easy to access and efficiently run, then both tenants and landlords will be able to use the funds. We categorically reject any assumptions that funds are not being accessed because tenants do not want to access these funds or cooperate with landlords.⁶ As of today, the STAY DC site is complicated to navigate and requires more documentation that is required under the latest US Treasury guidance.⁷ Children's Law Center is also concerned that this platform is not accessible to tenant families who do not speak English as their first language, are not computer literate, or do not have access to the internet – which is a significant percentage of those who most need the program.

STAY DC needs to be publicized to DC residents in multiple languages including Spanish, Amharic, French, Chinese, and others.⁸ We understand that the STAY DC site has a current Google translation option, but Google translate is far from perfect and not sufficient. We have previously raised issues with COVID-19 related DC Government

communications not being accessible in the most common languages spoken in the District. We are concerned that just like the lack of COVID-19 vaccine promotion in common languages, we will see a lack of promotion of STAY DC in DC's common languages. The tight deadline to spend down our ERA1 funds means that the District cannot afford to repeat those same mistakes again with our STAY DC site. If we are to ensure that ensure that families who do not speak English as a first language have access to critical pandemic recovery programs, then the City must consider continued investments in Language Access services. With this program specifically, up to 10% of the funds can be used for administrative costs, so there should be sufficient funds for translation available.

The STAY DC website also requires internet access, an email address, and computer literacy to apply. While many District residents can now access the STAY DC portal on their phones, we know that the many community members do not have reliable access to the internet or basic computer literacy skills to complete the multi-step application. According to one estimate, 25-30% of families of color in DC lack reliable high-speed internet at home, compared to 5% of white families.⁹ Efforts to enroll more eligible families into the Internet for All program have been slow.¹⁰ We urge the Council to push DHS to remove as many barriers to application as possible for all tenants in the District, including making a paper application available in English and DC's common languages for those who may need it.

STAY DC should also be promoted by outreach on the ground and not simply rely on mailers and internet resources to give information in the community. Residents will likely need one-on-one assistance to complete the complex online application. We ask that DHS employ national best practices which recommend robust tenant and landlord outreach in partnership with community-based organizations, churches, and grass roots campaigns that are already embedded in the community.¹¹ We also recommend that District government widely share the STAY DC application information and make sure that government agency partners are providing potential applicants with correct information about the program.¹²

The STAY DC portal should also be updated to include internet specifically as one of the housing related expenses that can be covered with the STAY DC funding.¹³ We noticed that covering the cost of internet service is missing from the utilities list. Many of our client families have relied on internet as their sole way to communicate with loved ones, connect to virtual school, engage in telehealth services, and more. Information about the OSSE programs for free internet could be provided through this portal to increase awareness and usage of that programs as well.

Another major issue we have identified through the STAY DC portal is how difficult it is to complete the self-attestation form. To date, the form is cumbersome, requires the applicant to enter significant amounts of free text, needs to be uploaded as a separate step, and is much more complicated than the self-attestations that other

jurisdictions are deploying. Our neighboring jurisdiction, Baltimore, is using a simple check box format.¹⁴ Other jurisdictions are using simple fillable forms which require no downloading or uploading.¹⁵ We ask that DHS bring its STAY DC application into compliance with the latest guidance provided by the US Department of the Treasury stating that they strongly encourage grantees to avoid establishing documentation requirements that are likely to be barriers to participation for eligible households and that programs should reduce documentation burdens that could prevent some of the most vulnerable renters from completing applications and receiving assistance by using readily available information or proxies.¹⁶ Children's Law Center asks the Council to require that DHS simplify its self-attestation form, and the entire application, to ensure that tenants can easily access these critical funds with as few documentation barriers as possible.

The STAY DC process also keeps tenants in the dark about their application status after their applications have been submitted. Our advocacy partners are reporting that although many families have applied, almost none have received status updates much less funds yet.¹⁷ We appreciate that Councilmember Nadeau and the Committee on Human Services have used their oversight authority to request that DHS provide bi-weekly updates on STAY DC metrics.¹⁸ However, we respectfully request that the key metrics be displayed on a publicly available dashboard. If DHS would provide that information in a weekly, if not daily data update, then the District

government, advocates, and community partners could ensure that Wards where internet availability is the lowest, neighborhoods where large pockets of immigrant families reside, and multi-unit buildings in low-income areas could be identified as priority areas to ensure they are equitably receiving STAY DC funds. We would also like the Dashboard to note how many appeals have been filed by tenants and by landlords respectively, where in the process the appeal is, and the outcome.¹⁹

Many Families Are Likely To Become Homeless Once the Eviction Moratorium Is Lifted

Perhaps the most important safety net initiative that will be phased out as the public health emergency ends is the eviction moratorium. As you know, the eviction moratorium is set to expire at the end of the public health emergency, which currently lasts until June 10, 2021.²⁰ Although the District has received a federal infusion of \$352 in rental relief for DC residents who were affected by COVID-19,²¹ some of the families we serve have back rent due from before the pandemic even began or may not be eligible for other reasons. While there are other DC residents at risk of eviction for reasons other than non-payment, it is especially important to note that the STAY DC funds will not fully protect this particularly vulnerable group of families and individuals from eviction for non-payment of rent and so funds will need to be available for ERAP to keep them housed.²²

Even before the pandemic, the local dollars allocated to ERAP were not enough to help the thousands of families who needed help staying off eviction. We recommend that during this budget season the Council ensures local and federal money is put into ERAP so that we can prevent the eviction of more DC residents.

The District Continues to Fail Families by Using Rapid Rehousing As The Main Solution To Homelessness

Children's Law Center has come before the Council time and time again to testify that Rapid Rehousing is a temporary stop in many of our client families' journey through chronic homelessness. Many of the families we work with end up cycling through Rapid Rehousing, are evicted once their subsidy ends and they cannot pay the rent, and then often return to Virginia Williams to await a new Rapid Rehousing placement, end up doubled up with another family, or couch surf until they run out of couches to stay on. We also know that the District continues to spend our local and federal dollars with Rapid Rehousing landlords who keep properties in deplorable housing conditions. Even throughout the pandemic, some of our worst housing conditions referrals have continued to come from Rapid Rehousing properties.

We remain highly concerned that over the past year, the number of families who are in the Rapid Rehousing program has ballooned. DHS has shared with us during the Family Rehousing and Stabilization Program Advisory Group meetings that the program is adding about 90-100 families per month to the program. We estimate the

number of families in the program to be close to at least 3500 and perhaps as high as 4000 at this point.²³ Rather than investing in long-term solutions to help families cycling through chronic homelessness, the District continues to pour money into an expensive, ineffective program that benefits some of the worst slumlords in our city.

To help those families who are most likely to cycle back into homelessness after the pandemic we recommend the following program modifications:

1. DHS should not terminate families using arbitrary time limits

The Council should require that DHS work with families on an individual basis to determine their length of stay in the Rapid Rehousing program. Prior to the public health emergency, most program participants were unable to raise their income substantially or afford to stay in their Rapid Rehousing property once the subsidy ended. In short, a time limited subsidy program is not the key to housing stability for many of the participants that Rapid Rehousing serves, and the pandemic has not changed that. DHS's own data bears this out and shows the average monthly income at program entrance was \$942 per month, and only 76 of approximately 2300 families increased income (with an average increase of \$50 per month) and 54% had a decrease in income during the last fiscal year.²⁴ DHS provides statistics claiming that a significant number of people are permanently housed at the end of the program, but DHS counts the permanently housed as still in the unit at the end of the program. The data provided by DHS also shows that the average rent is between \$1800-\$2100 per

month.²⁵ The math just does not work for a family to be able to stay in their units long term. In our experience, many families remain in their units unable to pay the rent until they are evicted because they have no other options. This is not, and should not be counted as, permanently housed. Those families may need either more time in the program or a permanent housing voucher in order to achieve housing stability.

Participants in Rapid Rehousing during the public health emergency had even less of an opportunity to increase their income given the employment rates in DC and the limitations of the pandemic. We recommend that DHS evaluate each program participant family on a case-by-case basis to determine if they have been able to fully access all program supports and opportunities as the public health emergency ends before making a termination decision. Families experiencing housing instability will recover from the pandemic at different rates. Some families may need additional time in the program while others may need less intensive case management or subsidy support. All families deserve a chance to fully engage with the program supports, including case management if they so choose, before being exited from the program.

2. DHS needs to clearly state their termination policy and share that information with clients as soon as possible

Our clients have shared with us the stress and frustration of not knowing when DHS will end their Rapid Rehousing subsidy. DHS has repeatedly stated that subsidies for many families will be terminated at the end of the Public Health Emergency, but no

clarity has been offered about how those families will be selected. Many of our clients know that they will never be able to afford the rent once the subsidy ends, and so program termination means they will have to again enter shelter in the hopes of qualifying for Rapid Rehousing yet again. For those families, the uncertainty of not knowing how long they have left to remain in their homes is extremely difficult to bear.

For all District residents, home has taken on a new meaning during the pandemic. We not only sleep at home, but we also learn, work, play, and live most of our day inside our homes to stay safe from the COVID-19 pandemic. Therefore, we ask that DHS share the criterion for who they will terminate at the end of the public health emergency to avoid a continuing month to month cycle of uncertainty for program participants. This will help our attorneys and other advocates advise clients the public health emergency begins to wind down. Creating and disseminating the criterion for terminating families from Rapid Rehousing after the public health emergency sooner rather than later will also allow more time for DHS to plan the influx of families into the homeless system.

3. DHS needs to consider issues of shelter capacity as terminations begin

This year's decline in family homelessness is largely attributable to the eviction moratorium preventing many families from losing their housing, and from the huge rise in Rapid Rehousing participants being classified as living in permanent housing.²⁶

We are concerned that many people terminated from Rapid Rehousing at the end of the public health emergency and many people who are evicted will end up in need of homelessness prevention services or emergency shelter services. While we hope STAY DC will prevent some of the evictions, there is still a potential tidal wave of evictions will create real shelter capacity issues. Since DHS terminated all the contracts with hotels and the shelters are currently already full, it is not clear where DHS plans to house these individuals or families. We urge the Council to ensure that DHS has plans and funds in place to house these residents.

4. The District should invest more local dollars into permanent housing vouchers.

Finding permanent, safe, and healthy housing for our client families is always the goal at Children's Law Center. We know that securing a housing voucher for families dealing with homelessness is usually the only way to ensure housing stability. The Council knows that even before the pandemic, there were few permanent housing supports available to families. As District families begin to recover from months of unemployment and underemployment as well as the devastating health and personal effects of COVID-19, we know that housing stability will be the key to recovery.

For many families in Rapid Rehousing, housing stability in the form of voucher subsidies will likely be the only way to prevent them from ending up homeless again.

Although we are unsure of how the federal dollars coming to the District from the American Rescue Plan will supplement the voucher programs, we believe that vouchers are the only path to permanent, safe, and healthy housing for many of the client families we serve. We urge the Council to find out how many housing vouchers have been used this year and how many and what type of vouchers DC plans to issue after receiving funds from the federal government.

District Families Will Lose Income Support When Pandemic EBT (P-EBT) ends ,
Increased Supplemental Nutrition Assistance Program (SNAP) Allotments Run Out,
and Economic Security Administration Program Flexibilities End

Many of our client families have been able to access public benefits and stay on them throughout the duration of the pandemic due to the roll out of the ESA online application and app and flexibilities in the recertification process. Other key nutrition services and income supports were also supplemented during the pandemic and are now likely to return to pre-pandemic levels. We are concerned that once these supplemental flexibilities end, families will have less income coming into the household which will lead to tough decisions about whether to pay rent, purchase food, or keep the lights on. These additional income supports have been an important part of keeping families stably housed, children engaged in distance learning and fed even when schools were closed.

We know that at the onset of the pandemic, food insecurity in the District almost doubled from February to May of 2020. Many families have been relying on their increased SNAP benefit amounts and programs like P-EBT to help them through this period of unemployment and underemployment. For other individuals and families, especially those East of the River, the relaxed purchasing guidelines allowing families to use SNAP benefits for grocery delivery and online purchasing have helped to ameliorate the effects of the food desert in Wards 7 and 8.

As we imagine the eventual phase out these critical additional food assistance programs, we are concerned that there will be a disproportionate impact in Black families specifically. At the onset of the pandemic, Black families were 13.5 times more likely to report that they sometimes did not having enough to eat when compared to white households.²⁷ As schools closed due to the pandemic, families lost the opportunity for their students to access nutritious meals during the school day. P-EBT was intended to supplement a family's food budget while their children engaged in virtual learning.

We applaud the collaboration between OSSE, DHS ESA, and USDA to get waiver approval so that families could access this benefit for School Year 2019-2020.²⁸ We note that the second installment of P-EBT has been delayed, and families have yet to receive it for the 2020-21 school year.²⁹ We acknowledge that although this school years benefit has yet to reach children and families, the lump sum they expect will help to bolster

their monthly food budget through the summer months. Now those families with school aged children face the loss of these additional P-EBT supports as children are scheduled to return to in-person learning and the final allotment is distributed. The Council should keep in mind that when the last scheduled P-EBT issuance is received in June of 2021 students who remain virtual will miss out on the opportunity to take school meals and families will not have the P-EBT subsidy to rely on.³⁰ As we learn more about what the fall will look like for DC Children, we urge the Council to ask questions about how children who continue virtual schooling from home will receive nutrition support. We are concerned that if students stay virtual, then without the P-EBT program, families will not be able to access the nutrition programs offered at their brick and mortar schools.

Our client families will also likely lose money for food due to reductions in SNAP allotments once the pandemic is over. Family SNAP budgets have been supplemented during the pandemic so that eligible households are receiving the maximum benefit through the end of the public health emergency. Families also got a 15% bump in their SNAP allotment good through June of 2021.³¹ We are concerned that once that drop in Food Assistance happens, families who are still struggling to recover from the economic affects of the pandemic will face difficult choices as they lose this stabilizing benefit.

DHS ESA Should Continue To Provide Services Online And Through Their Digital Platforms.

DHS ESA's online application for benefits and their app was a huge step forward modernized DHS's ability to receive applications, reach more individuals in the community, and facilitate applications for many of our clients.³² We ask that ESA continue to use their digital resources to receive initial applications and process recertifications for clients even after the pandemic ends. This will ensure that clients have timely access to their benefits and can avoid missing days of work in to attend appointments at the Service Centers. We also would like to highlight DHS's mobile app's user guide "How To PDFs" that shows clients step by step how to complete the most common tasks (uploading documents, submitting initial applications, reporting changes of address, etc.).³³ The PDFs are simple, clean, and easy to read.

Unfortunately, this very useful PDFs is currently only available in English. We recommend the PDFs be translated into DC's primary languages, including Spanish and Amharic, to ensure they are reaching all users. The PDFs should also be readily available through social media channels like Facebook, Twitter, Instagram, and other District government sites where residents might turn for additional information.

Conclusion

Children's Law Center appreciates the opportunity to provide this testimony on what would it take for us to ensure an equitable recovery in DC. We believe an

equitable recovery is one where each District resident's race no longer predicts opportunities, outcomes, or the distribution of resources for residents. An equitable recovery would ensure that those who historically have received the fewest resources in our community because of their race would have the chance to access programs and initiatives that would not only correct the economic imbalance caused by COVID-19 and would also recognize the years of resource imbalances and structural racism experienced by those communities before the pandemic occurred. We appreciate that the Council is now consciously analyzing and prioritizing the goals of Race Equity into its work. It is our sincere hope that the Council and District government maintains its focus on pandemic recovery through this lens of Racial Equity as we move forward in the coming months and years. I thank you for the opportunity to testify and welcome any questions the Special Committee may have.

¹ Children's Law Center fights so every child in DC can grow up with a loving family, good health, and a quality education. Judges, pediatricians, and families turn to us to advocate for children who are abused or neglected, who are not learning in school, or who have health problems that can't be solved by medicine alone. With almost 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. And we multiply this impact by advocating for city-wide solutions that benefit all children.

² See Children's Law Center Annual Report – 2020 at 4, *available at* <https://www.childrenslawcenter.org/sites/default/files/Final.childrens.law.annual.report.2020..pdf> . See also Letter from Mayor Bowser to Honorable Phil Mendelson, at 1 (May 18, 2020), *available at* <https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/DC-GOVT-FY-2021-PROPOSED-BUDGET-VOLUME-1.pdf> (page 21) (recognizing the “distressing health disparities that exist across our nation and within our community”); Perry Stein, “Low Attendance and Covid Have Ravaged D.C.’s Poorest Schools – Fall Will Be About Reconnecting,” *Washington Post* (May 10, 2020), *available at* <https://www.washingtonpost.com/local/education/in-dc-schools-spring-was-ravaged-by-covid-and->

[disconnection-fall-will-be-about-catching-up/2020/05/10/60ad1774-8b3f-11ea-8ac1-bfb250876b7a_story.html](https://www.nytimes.com/2020/05/10/60ad1774-8b3f-11ea-8ac1-bfb250876b7a_story.html) .

³ See President Obama’s commencement speech historically Black colleges and universities (May 16, 2020) (recognizing “the disproportionate impact of COVID-19 on our communities” and stating that “a disease like this just spotlights the underlying inequities and extra burdens that black communities have historically had to deal with in this country”), available at <https://www.nytimes.com/2020/05/16/us/obama-hbcu-speech-transcript.html?action=click&module=RelatedLinks&pgtype=Article> .

⁴ *Id.*

⁵ Children’s Law Center provided testimony at the Eviction Moratorium roundtable that went further into detail about the benefits of the eviction moratorium. See <https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/Zeisel%20Testimony%20for%20Roundtable%20on%20Eviction%20Moratorium.pdf>.

⁶ Aoba’s initial statement on the Coronavirus Public Health Extension Emergency Amendment Act of 2020 said that their “members report that approximately 30% of their tenants refuse to engage or cooperate in the application process despite months of outreach”. We find this statement problematic because it does not line up with our own clients’ experiences. We address issues with community outreach and accessibility in other sections of this testimony.

⁷ We note that the Biden-Harris administration significantly loosened the restrictions on the use of ERA2 funds as compared to ERA1. See <https://home.treasury.gov/system/files/136/ERA2FAQs%205-6-21.pdf> .

⁸ For more information about the most common languages in DC, see <https://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/Language%20Access%20in%20Washington%20DC%200408%20final.pdf> at p13.

⁹ See <https://futureready.org/homework-gap/#map>.

¹⁰ Swaak, T. *What if Washington, D.C. Launched a Free Internet Program for Students But Almost No One Signed Up? 7 Months Later, Initiative’s Reach at 36 Percent of Capacity.* The 74 Million. (April 22, 2021), Available at

<https://www.the74million.org/article/what-if-d-c-schools-launched-a-free-internet-program-but-almost-no-one-signed-up-7-months-later-initiative-serving-only-36-percent-of-families/> .

¹¹ For more national best practices in emergency rental assistance program administration including state level examples, please see <https://nlihc.org/sites/default/files/Prioritization-in-Emergency-Rental-Assistance-Programs.pdf> .

¹² We have heard from advocacy partners that Rapid Rehousing participants were told by case workers at some point that they were not eligible for STAY DC funds. This information was not correct, and its dissemination may prevent some of the most at-risk DC residents from applying for funds.

¹³ The treasury guidance issued on May 7, 2021 specifically approves internet service provider costs as a related housing expense. “Internet service provided to a residence is related to housing and is in many cases a vital service that allows renters to engage in distance learning, telework, and telemedicine and obtain government services.” If internet service can only be covered with ERA2 funds, then we recommend that the city consider allowing for dual spenddown of ERA2 and ERA1 funds. By allowing ERA2 funds to be spent down in conjunction with ERA1, we may be able to get more tenants and individuals interested in applying for STAY DC. There are many more spending flexibilities allowed by the ERA2 guidance that could be useful for our clients including: hotel stays as transitional housing from homelessness, security deposits, furniture rent, and more see <https://home.treasury.gov/system/files/136/ERA2FAQs%205-6-21.pdf> .

¹⁴ See Baltimore City Community Action Partnership, *Eviction Prevention Application*, available at <https://static1.squarespace.com/static/5f2823f04941a22b9876e21d/t/6078421a2b3546320bb56762/1618493978201/EvictionPrevention-041521.pdf> .

¹⁵ See Cumberland County Housing and redevelopment Authorities, *Emergency Rental Assistance Program Unemployment Self Declaration Fillable Form*, available at https://cchra.com/upload/Unemployment_Self-declaration_Fillable_Form1.pdf. Also see Louisville Kentucky's Rental Assistance Application (March 25, 2021), Available at <https://louisvilleky.gov/neighborhood-place/document/rent-assistance-application> .

¹⁶ U.S Department of the Treasury Emergency Rental Assistance Fact Sheet, (May 7, 2021), available at https://home.treasury.gov/system/files/136/FACT_SHEET-Emergency-Rental-Assistance-Program_May2021.pdf .

¹⁷ We agree with fellow advocates at the Legal Aid Society of DC that STAY DC's program and website have serious issues that will impact tenant's ability to access these critical funds if not addressed immediately. See: Mellen, B., *DC Council to Consider Restarting Eviction Process Before New SAY DC Rental Assistance Program is Effectively Serving Tenants*, www.makingjusticereal.org, (May 17, 2021), available at <https://www.makingjusticereal.org/stay-dc-program-needs-an-overhaul-to-live-up-to-its-promise-to-prevent-an-eviction-crisis> .

¹⁸ See Letter from the Human Services Committee to Director Laura Zeilinger, at p2 (May 17, 2021).

¹⁹ We are assuming that there will be an appeals process for denied STAY DC applications. We have not seen any mention of the appeals process or notices explaining the appeals process in District government communication.

²⁰ See DC Coronavirus website, available at https://coronavirus.dc.gov/sites/default/files/dc/sites/coronavirus/page_content/attachments/Mayor%E2%80%99s%20Order%202021-038%20%20Extension%20of%20the%20Public%20Emergency%20and%20Public%20Health%20Emergency%20and%20Modified%20Measures%20in%20Phase%20Two%20of%20Washington%2C%20DC%20Reopening%20%203-17-2021_0.pdf

²¹ Gomez, A.M., *Non English Speakers May Struggle to Navigate the Stay DC Application Process*, Washington City Paper, (April 14, 2021), available at <https://washingtoncitypaper.com/article/514415/non-english-speakers-may-struggle-to-navigate-the-stay-dc-application-process/> .

²² See <https://stay.dc.gov/#whatscovered> .

²³ During a November 2020 meeting of the FRSP Advisory Group, DHS reported that there were 2700 families in FSRP, meaning there were 200 families added to the program between November 2020-February 2021. This is consistent with the plan to add 90 families per month. DHS 2021 Oversight Responses, p92.

²⁴ DHS 2021 Oversight Answers, p89.

²⁵ DHS does not provide the average rental amount for a family. The average subsidy was \$1,327.77/mo, but that could range from a subsidy of 40-60% of the rent depending on the family, and there are no guidelines or regulations about how that will be determined. Id. at p84.

²⁶ If we take the low end of DHS's own estimate, 90 families per month, that means they increased last year's Rapid Rehousing participants by 1,350.

²⁷ See <https://dcfoodpolicycouncil.org.files.wordpress.com/2020/09/food-security-report-9-24-20.pdf>

²⁸ P-EBT was approved by the USDA Food and Nutrition Service (FNS) on March 19, 2020, See USDA Food and Nutrition Service, *District of Columbia: COVID-19 Waivers & Flexibilities*, available at <https://www.fns.usda.gov/disaster/pandemic/COVID-19/district-of-columbia> .

²⁹ The second P-EBT waiver was approved by USDA FNS for School Year 2020-2021 on March of 2021. As of the date of this testimony, we have not heard from our clients that this amount has been dispersed onto EBT cards yet.

³⁰ The last P-EBT disbursement is scheduled to be received by families no later than 6/15/21 for school children in SNAP households and 6/30/21 for school children in non-SNAP households. See District of

Columbia Government, *State Plan for Pandemic EBT: Children in School Year 2020-2021*, available at <https://fns-prod.azureedge.net/sites/default/files/resource-files/DC-P-EBT-Plan-IIIV19-FINAL-to-FNS-03-20-2021.pdf> .

³¹ For a summary of changes to the federal food programs in DC during the COVID-19 pandemic please see <https://www.dchunger.org/food-policies-and-guides/covid-19-policy-updates-and-program-guidance/> .

³² The District First app is a great new tool. We only hope that more District residents become aware of its existence and that the District provides easy to follow instructions on how to access the app, set it up, and use its functionalities. For example, we learned that there is an option to receive push notifications to remind clients that they have upcoming recertifications. We are fully in support of DHS continuing to explore these creative tech solutions to minimize dependence on paperwork and clients spending hours of their day waiting for appointments at ESA Service Centers.

³³ The helpful how-to PDFs can be found on DHS's website however they are only in English. See Department of Human Services, District First Mobile App, available at <https://dhsdc.gov/districtfirst> .