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Testimony Before the District of Columbia Council
Committee on Housing
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District of Columbia Housing Authority

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Introduction

Good morning, Councilmember White, and members of the Committee. My name is Makenna Osborn. I am a Policy Attorney at Children’s Law Center and a resident of the District. Children’s Law Center believes every child should grow up with a strong foundation of family, health and education and live in a world free from poverty, trauma, racism and other forms of oppression. Our more than 100 staff – together with DC children and families, community partners and pro bono attorneys – use the law to solve children’s urgent problems today and improve the systems that will affect their lives tomorrow. Since our founding in 1996, we have reached more than 50,000 children and families directly and multiplied our impact by advocating for city-wide solutions that benefit hundreds of thousands more.

Thank you for the opportunity to testify regarding the performance of the District of Columbia Housing Authority (DCHA). DCHA’s core mission is to provide quality affordable housing for DC’s lowest income residents.¹ With 12% of DC residents currently experiencing housing insecurity – mostly due to unaffordability – there is a deep need for the housing options provided by DCHA.² Unfortunately, through Children’s Law Center’s experience working with hundreds of children and families each year who live in public housing operated by DCHA or receive housing vouchers administered by DCHA, we do not believe the agency is fulfilling its mission. There are many issues with the way DCHA operates and Children’s Law Center shares the

concerns raised by the public housing residents, voucher holders and other housing advocates here today including resident displacement due to stalled redevelopment projects and privatization and problems with DCHA's reasonable accommodations process for residents with disabilities. My testimony will focus on the following issues impacting our clients: 1) the harmful conditions in public housing that DCHA is failing to address, 2) the administrative delays in voucher utilization preventing District residents from securing stable housing, and 3) DCHA's chronic lack of responsiveness.

Conditions in DC's Public Housing are Harmful to Residents' Health and Well-Being

DCHA is Not Upholding its Responsibility to Maintain its Buildings in a Safe and Sanitary Condition

DCHA is statutorily responsible for "maintain[ing] [public housing] in a decent, safe and sanitary condition" by "[m]aking necessary repairs" and "[k]eeping buildings, facilities, and common areas . . . maintained in a sanitary and safe condition."³ DCHA is failing to uphold this responsibility. Our clients who live in public housing regularly experience unsafe and unhealthy conditions in their homes and the common areas of their buildings—often for extended periods of time—to the extreme detriment of the physical and mental health of their family.

For example, one family living in public housing that we recently began working with is living with a litany of dangerous and unsanitary conditions that are threatening the safety and health of everyone in the family – especially their young children with asthma. The family's unit has pest infestations of mice and roaches and there are rats

running in their building's walls and hallways; an unaddressed leak in a bathroom has led to mold and mildew in a bedroom; there is no working heat or air conditioning in the children's bedroom; and when the family uses their shower, it smells like sewage. Since moving into this unit, the young children have struggled with respiratory issues and multiple family members have experienced headaches and dizziness. One reason for these symptoms may be that there is construction going on throughout the property and poor ventilation in the family's unit. DCHA has not changed the filters in their HVAC for over a year and the family cannot open their main window for airflow because it has no lock or screen, so they had to create a permanent makeshift lock to prevent their toddler from opening it and falling out. The family's children have also repeatedly been scratched by nails sticking out of the unit's baseboards and they have observed sparks from exposed electrical wiring in the exit sign above the property's entrance.

This family reported the conditions to their property management office multiple times before reaching out to Children's Law Center for help because they are concerned about the welfare of their children. These conditions and DCHA's failure to promptly address them when notified are unacceptable, and unfortunately, they are common for our clients in public housing. DCHA is chronically failing to meet its basic responsibilities as a landlord to provide safe and habitable housing, and the more than 4,800 residents who rely on public housing to remain stably housed in the District are being harmed by those failures every day.⁴

DCHA Needs to Improve the Timeliness and Quality of its Repairs

One reason for the poor condition of the District’s public housing stock is DCHA’s consistent failure to make timely and quality repairs when residents notify them of a problem in their home or property. When Children’s Law Center attorneys first speak with a potential client whose housing conditions are harming the health of their family, we ask if they have notified their landlord about the problems. For public housing residents, whose landlord is DCHA, the answer is almost always yes—multiple times, through multiple channels but nothing has been done. DCHA states that it will address emergency work orders for public housing within 24 hours of receipt and routine work orders within 21 days.⁵ That has not been the experience of our clients, and according to DCHA’s data, the agency is far from meeting its own standards. As of October 2023, when DCHA last shared the data publicly,⁶ the average time to close a routine work order in public housing was 71 days and the average time to close an emergency work order was 13.⁷ Only 42% of emergency work orders were closed within 24 hours. That means over half of the families in public housing with a documented condition in their home that threatens their life or safety could be waiting over 24 hours for DCHA to complete the needed repair, which is unacceptable.

During DCHA’s Performance Oversight hearing in February 2023, the agency indicated that it planned to “hire additional maintenance staff, including carpenters, electricians, foremen, maintenance mechanics, laborers, [and] utility repairers in the next

three months to increase [internal maintenance] staffing capacity” to decrease its maintenance backlog and address work orders more quickly.⁸ It has now been over a year since DCHA made that commitment. Children’s Law Center thanks the Committee for specifically asking DCHA to provide an update on this effort ahead of today’s hearing. While DCHA’s response explained the industry-wide barriers to hiring maintenance staff that it faced over the past year, it did not provide any details on the number and specialty of additional maintenance staff that the agency *did* successfully hire in FY23 and how it has used any increased maintenance staff capacity.⁹ We hope the Committee will ask DCHA’s leadership for specific information on the maintenance positions it *has* filled in the past year, the positions that remain vacant, and whether the 215 full-time equivalent (FTE) maintenance personnel currently employed by DCHA are sufficient to meet the agency’s goals for improving conditions in its public housing portfolio.¹⁰ Additionally, the Committee should ask DCHA for detailed plans on how it will use its maintenance staff to improve the timeliness of its repairs in the rest of FY24 and FY25.

For the small number of clients who have succeeded in getting DCHA to respond to a repair or maintenance request, the repairs completed by DCHA or its contractors were superficial and poor quality, meaning the harmful conditions in the family’s home soon returned or worsened. Our clients in public housing regularly describe DCHA’s repairs as “patchwork” or “band-aid” fixes that fail to address the underlying issue. In its pre-hearing responses, DCHA provided a brief update on new quality control

measures implemented in January 2023 to improve the “workmanship” of maintenance and repairs conducted by DCHA staff and contractors.¹¹ DCHA stated that it conducted quality control inspections of 10% of the work orders completed in 2023 and reported the number of quality control inspections carried out in FY23 and FY24 to date but provided little detail about how the measures operate.¹² For example, it would be helpful for the Committee and stakeholders to understand *how* work orders are selected to receive a quality control inspection and what standards are used to conduct the quality control inspection. To that end, Children’s Law Center encourages the Committee to ask DCHA to provide it with any written materials about these protocols. The Committee should use this information to work with DCHA to understand where these new measures are working to improve the quality of maintenance and repair work in public housing, where they are not, and what further steps DCHA needs to take to regularly ensure workmanlike repairs.

Children’s Law Center and other housing advocates have testified for years about the poor conditions in DCHA properties, and the Mayor and Council, recognizing the scope of the problem, have made funding DCHA maintenance and repairs a priority—providing DCHA with at least \$50 million per year over the past four years.¹³ We urge the Committee to ask DCHA why, despite the attention and resources dedicated to the issue, DCHA has not made satisfactory progress toward improving the state of the District’s public housing. As DCHA’s new leadership team develops its strategy for

addressing the repair and maintenance needs across the District's public housing stock we sincerely hope that the agency will prioritize the rehabilitation of existing public housing units and not use repair and maintenance needs as an excuse to privatize more of its portfolio.

Delays in DCHA's Voucher Administration Processes are Preventing Families from Moving into Healthy and Stable Housing

Permanent housing voucher programs are an essential resource for ensuring that low-income residents struggling through the endless cycle of evictions and homelessness can afford to live in DC's costly housing market. DCHA administers two main categories of permanent housing vouchers¹⁴ – Housing Choice Vouchers (HCVs),¹⁵ which are funded by the federal government, and Local Rent Supplement Program (LRSP) vouchers, which are funded by the District government. There are multiple types of LRSP vouchers, intended for sets of residents depending on their circumstances and level of need. The most common types of LRSP vouchers are Permanent Supportive Housing (PSH)¹⁶ and Targeted Affordable Housing (TAH)¹⁷ – both of which have a certain number designated for use by individuals (PSH-I and TAH-I) and families (PSH-F and TAH-F). HCV, PSH, and TAH vouchers are tenant-based, meaning a voucher holder is free to choose any housing that meets the requirements and standards set by the Department of Human Services (DHS), DCHA and/or HUD and not limited to units in designated

subsidized housing projects.¹⁸ DCHA also administers project-based vouchers, which can only be used in specific privately-owned buildings.¹⁹

DHS and DCHA work together to connect eligible residents with stable housing through permanent housing vouchers. While DHS is responsible for identifying individuals and families that may be eligible for a locally funded permanent housing subsidy and “matching” them to a voucher, DCHA has responsibility for getting those individuals and families through the process of securing housing, which includes:

- Reviewing and making the official decision to approve or deny an individual or family’s application for a voucher;
- Issuing the voucher if approved;
- Receiving and processing Requests for Tenancy Approval packets (RFTA, also known as lease up packets) for a particular unit;²⁰
- Conducting a pre-tenancy inspection to ensure voucher holders are moving into safe and habitable housing; and
- Executing the contract and lease up process with a voucher holder and their landlord once a unit passes inspection.

Recently, the Council has made historic investments in permanent housing vouchers²¹ but it has taken years to connect low-income residents with much of this urgently needed financial assistance, because DHS and DCHA have both struggled to adapt and streamline their administrative processes for the additional vouchers.²²

DCHA Must Continue to Decrease the Time it Takes to Process Application Materials

DHS and DCHA have made notable progress increasing voucher utilization rates in the District over the past year and we applaud this improvement.²³ However,

administrative delays in local voucher utilization persist. According to the most recent data available on DHS' public-facing voucher utilization tracker, "A Path to Ending Chronic Homelessness in DC," in FY23 it took an average of 247 days – 8 months – between case manager assignment, the first step after being matched to a voucher, and lease up, the final step in the process.²⁴

Delays in DCHA's application approval process are particularly noteworthy because that step should happen quickly– DHS has already deemed the resident eligible and DCHA only finds otherwise if there has been a significant change in applicant circumstances or a red flag raised in their background check.²⁵ In FY23, residents waited an average of 60 days for DCHA to approve their application.²⁶ As a result, when the voucher utilization tracker was last updated in October 2023, 81 families matched to a PSH or TAH voucher – 54 matched to vouchers funded in FY22 and 27 families matched to vouchers funded in FY23 – could not move forward in the voucher utilization process until DCHA approves their application.²⁷

Every month that a family cannot move into a home using their voucher is a month that family is acutely grappling with housing insecurity and likely living in substandard conditions. For example, we are currently working with a family who have been living in terrible conditions in a project-based voucher property.²⁸ The family regularly see mice and roaches on their kitchen counters and appliances and on furniture in their living room and bedrooms, and the mice have chewed holes in their walls and baseboards. The

pest infestations are especially concerning because they are exacerbating their young child's asthma. Frustrated by the harmful conditions in their current building, the family was relieved to learn that they were found eligible for a locally funded permanent housing voucher, which they could use to move. The mother promptly worked with her assigned case manager to submit her new voucher application to DCHA. Unfortunately, neither the family nor their case manager have received any updates on the application for over three months. When Children's Law Center staff contacted DCHA for an update, we also didn't receive a response. In the meantime, this family has been left in limbo – desperate to get out of their current conditions but unable to afford a move without the voucher DHS already determined they are eligible for.

Children's Law Center urges the Committee to work with DCHA to determine why application approvals are taking so long. If DCHA's process is being hindered by missing materials or errors in applications, DCHA staff must promptly communicate those problems to case managers and applicants so they can correct the problems. If DCHA does not have enough staff to promptly review all applications, they need to discuss that with the Mayor and Council so they can find funding for more employees.

DCHA is Chronically Unresponsive to the Tenants it Serves and Their Advocates

For many years staff at Children's Law Center have experienced delays in getting a response from DCHA to questions about a DCHA policy or a particular client's situation. One reason is the agency's high rate of personnel turnover, which means the

information residents and advocates have about which DCHA staff member to reach out to and their contact information may be out of date. Therefore, we appreciate that DCHA adopted the practice of periodically sharing updated contact lists with advocates to try to minimize this problem. Additionally, in the past when we did not receive a timely response from our initial points of contact at DCHA, we typically had success escalating our question or request to senior members of staff. However, over the past few months, DCHA's lack of responsiveness has been markedly worse across the board and cannot solely be attributed to staffing changes during the agency's leadership transition.

Over the past six months Children's Law Center attorneys and clients have regularly contacted DCHA multiple times to report the same issue or ask the same question without receiving a response. For example, in the case of one client with a Housing Choice Voucher, a DCHA staff member told Children's Law Center that our client needed to have a complaint inspection from DCHA's inspection team to resolve an issue in their unit. Our client and their Children's Law Center attorney contacted DCHA at least 13 times over four months trying to set up that inspection with no success. They received just two responses from DCHA during that time even acknowledging that the requests were being received. Unfortunately, both of those responses simply passed the inspection request along to another DCHA staff member who never followed up. We also tried scheduling virtual inspections using the online portal accessible to voucher holders

but no one from DCHA ever joined the inspection calls. Meanwhile, our client's family has been living in conditions that are harmful to their mental and physical health.

These problems are not unique to Children's Law Center. We regularly speak with other legal service providers struggling to get a response from DCHA to what should be a routine request. If these are the experiences of our attorneys and clients, imagine how difficult it is for unrepresented tenants to get timely and appropriate assistance. DCHA must do better for District residents.

Therefore, Children's Law Center strongly supports DCHA's decision to make "[i]mprov[ing] customer service systems [and] customer service with our residents" one of its top five priorities for FY24.²⁹ We hope that the Committee will use today's hearing to gain a better understanding of why residents currently encounter such poor customer service and what actions DCHA plans to take in FY24 to correct those problems. Specifically, we encourage the Committee to ask DCHA:

- what its current standards are for staff response times to resident inquiries;
- what, if any, policies are currently in place to ensure that urgent communications are reviewed and responded to when relevant staff members are on leave or no longer at DCHA; and
- the details of DCHA's plan to implement a new "Standard Operating Procedure on timely responses to phone calls and emails" reported in its pre-hearing responses.³⁰

We sincerely hope that our experiences in recent months are not a reflection of how DCHA's new leadership team intends for the agency to operate moving forward. If

DCHA's new leadership team is going to succeed at helping this long-troubled agency finally turn a corner, they must foster a culture of empathy and respect for tenants and regular and transparent communication with all stakeholders.

Conclusion

Thank you for the opportunity to testify. I welcome any questions the Committee may have and look forward to working with you to hold DCHA accountable to the many District residents relying on the agency for safe and healthy housing.

¹ DCHA, *FY23-24 Performance Oversight Pre-Hearing Questions*, response to Q1 (Feb. 19, 2024).

² Claudia Solari, Lydia Lo, Alavi Rashid, & Lynden Bond, *Housing Insecurity in the District of Columbia*, p. 2, Urban Institute (Nov. 29, 2023), available at: https://www.urban.org/sites/default/files/2023-11/Housing%20Insecurity%20in%20the%20District%20of%20Columbia_0.pdf.

³ DCHA, *Dwelling Lease Agreement*, p. 17, available at: <https://www.dchousing.org/wordpress/wp-content/uploads/2022/05/Sample-Lease-English.pdf>. See also D.C. Code § 6-202(b.) ("The Authority . . . shall be responsible for providing decent, safe, and sanitary dwellings, and related facilities, for persons and families of low-and moderate-income in the District.") available at: <https://code.dccouncil.gov/us/dc/council/code/titles/6/chapters/2>

⁴ DCHA, *FY23-24 Performance Oversight Pre-Hearing Questions*, response to Q43(d) (Feb. 19, 2024). See also DCHA, *FY23-24 Performance Oversight Pre-Hearing Questions*, Attachment 47b_Transfers (In FY23, 73% of transfers to another unit approved by DCHA were for "Environmental/Health and Safety reasons.).

⁵ DCHA, *FY22-23 Performance Oversight Pre-Hearing Questions*, response to Q41(e), (Feb. 24, 2023) available at: <https://dccouncil.gov/wp-content/uploads/2023/03/Pre-Hearing-Responses-DCHA-2.27.2023.pdf>.

⁶ While DCHA's pre-hearing responses indicate that this data may be reported in Attachment 43n_Completed Work Orders and Attachment 43o_Open Work Orders, the attachments were not publicly available at the time of this hearing. See DCHA, *FY23-24 Performance Oversight Pre-Hearing Questions*, response to Q43(n)-(o) (Feb. 19, 2024).

⁷ District of Columbia Housing Authority, The District of Columbia Housing Stabilization and Reform Board Meeting, p. 26, (October 11, 2023), available at: https://www.dchousing.org/api/files/board/k22g5i8a_145qbgzz461vlq54k1g461.pdf.

⁸ DCHA FY22 & FY23 Performance Oversight Pre-Hearing Questions, response to Q41(h), available at: <https://dccouncil.gov/wp-content/uploads/2023/03/Pre-Hearing-Responses-DCHA-2.27.2023.pdf>.

⁹ DCHA, *FY23-24 Performance Oversight Pre-Hearing Questions*, response to Q39(c) (Feb. 19, 2024).

¹⁰ DCHA, *FY23-24 Performance Oversight Pre-Hearing Questions*, response to Q43(s) (Feb. 19, 2024).

¹¹ DCHA, *FY23-24 Performance Oversight Pre-Hearing Questions*, response to Q39(b) (Feb. 19, 2024).

¹² *Id.*

¹³ Office of the Mayor, District of Columbia, *FY2024 Budget Plan: Presentation to D.C. Council*, (Mar. 22, 2023), available

at:https://mayor.dc.gov/sites/default/files/dc/sites/mayoromb/page_content/attachments/FY2024%20BUDGET%20PLAN_Presentation%20to%20Council_a.pdf; D.C. Housing Auth., (HY0) *Housing Authority Subsidy*, (2024), available at:

https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/hy_dcha_capital_2024m.pdf.

¹⁴ Permanent housing vouchers provide residents with rental assistance, and possibly associated supportive services, for an unrestricted period of time—the voucher holder will receive the rental subsidy as long as they are financially eligible.

¹⁵ The Housing Choice Voucher Program (HCVP), formerly referred to as Section 8, is the nation’s largest source of rental assistance for low-income households. The program is federally funded and operated by HUD, which distributes vouchers to local public housing authorities (PHAs) to administer HCVs in their locality. Center on Budget and Policy Priorities, *Policy Basics: The Housing Choice Voucher Program*, available at: <https://www.cbpp.org/research/housing/the-housing-choice-voucher-program>.

¹⁶ Permanent Supportive Housing vouchers are designated for individuals and families who have experienced, are currently experiencing or are at risk for chronic homelessness due to a disabling condition and need intensive support services to remain stably housed. Department of Human Services, *Homeless Services: Permanent Supportive Housing*, available at: <https://dhs.dc.gov/page/permanent-supportive-housing-individuals-and-families-project-based-tenant-based-local-veterans>.

¹⁷ Targeted Affordable Housing vouchers are designated for individuals and families who do not require intensive supportive services to remain stably housed but need long-term financial support to prevent homelessness. Department of Human Services, *Homeless Services: Targeted Affordable Housing*, available at: <https://dhs.dc.gov/page/targeted-affordable-housing-individuals-and-families>.

¹⁸ *E.g.*, 24 CFR § 982.305(b)

¹⁹ U.S. Dept. of Housing and Urban Development, *Project Based Vouchers*, available at: https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/project.

²⁰ The Request for Tenancy Approval (RFTA) is a required HUD form that a voucher holder provides to the landlord of a unit they would like to rent. The owner completes the RFTA with information about the unit regarding unit size, rent, address, and utility responsibilities, which provides DCHA with the information necessary for the calculation of rent portions and ultimately determine if the unit meets DCHA’s affordability and rent reasonableness standards. The RFTA is not a lease; however, it is required that a landlord complete the RFTA when they have determined they are willing to enter into an assisted lease with a voucher holder.

²¹ Washington Legal Clinic for the Homeless, *Historic Housing Investments Present Opportunity to Make Real Progress in Ending Homelessness* (August 13, 2021), available at: <https://www.legalclinic.org/historic-housing-investments-present-opportunity-to-make-real-progress-in-ending-homelessness/>; Annemarie Cuccia, *Council’s Initial Budget Vote Adds 400 Housing Vouchers, Expands EITC Program*, The DC Line (Published: May 20, 2022; Last updated: June 2, 2022), available at: <https://thedcline.org/2022/05/20/councils-initial-budget-vote-adds-400-housing-vouchers-expands-eitc-program/>.

²² For example, in February 2023, of the vouchers added in FY21 and FY22, 69.7% of TAH family vouchers and 59.9% of PSH family vouchers remained unutilized. For PSH-F, there were a total of 491 new vouchers in FY21 and FY22. 294 of those remained unused at the time DHS submitted its 2023 Performance Oversight responses. For TAH-F, there were a total of 366 new vouchers in FY21 and FY22. 255 of those remained unused. See DHS FY22 & FY23 Pre-Hearing Performance Oversight Responses, response to Q76, available at: [Dept. of Human Services Prehearing Responses 2-20-23 \(003\) \(2\).pdf](#)

²³ The average length of time it took recipients to lease up with almost all types of locally funded vouchers decreased markedly between FY22 and FY23. See Department of Human Services, *A Path to*

Ending Chronic Homelessness in DC: Voucher Process, available at:

<https://storymaps.arcgis.com/stories/993e532a43bd4af3a2bf1b69d54dc704>. Between February 2023 and October 2023, most FY22-funded vouchers went from unutilized to leased up. *Compare DHS FY22 & FY23 Pre-Hearing Performance Oversight Responses, response to Q76, available at: [Dept. of Human Services Prehearing Responses 2-20-23 \(003\) \(2\).pdf](#)* with Department of Human Services, *A Path to Ending Chronic Homelessness in DC: Tracking Progress, available at: <https://storymaps.arcgis.com/stories/993e532a43bd4af3a2bf1b69d54dc704>.*

²⁴ See Department of Human Services, *A Path to Ending Chronic Homelessness in DC: Voucher Process, available at: <https://storymaps.arcgis.com/stories/993e532a43bd4af3a2bf1b69d54dc704>.*

²⁵ See *id.*

²⁶ DCHA, *FY23-24 Performance Oversight Pre-Hearing Questions*, response to Q52(c) (Feb. 19, 2024); see also Department of Human Services, *A Path to Ending Chronic Homelessness in DC: Voucher Process, available at: <https://storymaps.arcgis.com/stories/993e532a43bd4af3a2bf1b69d54dc704> (When accessed on February 21, 2024, the voucher utilization tracker showed an average of 54 days for eligibility determination by DCHA after a voucher application was submitted in FY23.).*

²⁷ *Id.*

²⁸ Project-based vouchers are a component of the HCV program. Project-based vouchers are allocated to a specific privately-owned unit or building, rather than being allocated to the tenant. In DC, many project-based voucher buildings suffer from the same disrepair and poor conditions as public housing.

²⁹ DCHA, *FY23-24 Performance Oversight Pre-Hearing Questions*, response to Q6 (Feb. 19, 2024).

³⁰ *Id.*