



501 3rd Street, NW · 8th Floor
Washington, DC 20001
T 202.467.4900 · F 202.467.4949
www.childrenslawcenter.org

Testimony Before the District of Columbia Council
Committee on Housing
February 29, 2024

Public Hearing:
Performance Oversight Hearing
Department of Human Services

Makenna Osborn
Policy Attorney
Children's Law Center

Introduction

Good afternoon, 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 today about the performance of the Department of Human Services (DHS). Each year Children's Law Center works with hundreds of children and families who utilize economic security benefits and homeless and homelessness prevention services administered by DHS to meet their family's basic needs including food, health care, and housing.¹ As an initial matter, we thank DHS' Economic Security Administration (ESA) for holding regular meetings with advocates.² These meetings are productive opportunities for our staff to troubleshoot specific barriers our clients face to successfully accessing DHS benefits and services.

My testimony today will focus on two forms of housing assistance administered by DHS that pose persistent problems for our clients and one issue with access to the family homeless services. First, I will highlight the importance of permanent housing vouchers for low-income families and areas where DHS can continue to streamline the process for connecting eligible families with a voucher and stable housing. Second, I will discuss how the Rapid Re-Housing program is failing District families and changes DHS needs to make in its operation to improve outcomes for families. Lastly, I will outline why it is a problem that pregnant people in the District are not able to access the family homeless services system until they reach their third trimester and propose a legislative solution.

DHS Must Continue Improving its Voucher Administration Process to Connect Eligible District Families with Healthy and Stable Housing as Quickly as Possible

Evidence shows that permanent housing vouchers – which provide long-term, deep rental subsidies – are a particularly effective tool for alleviating housing insecurity.³ DHS operates two locally-funded permanent housing voucher programs, Targeted Affordable Housing (TAH) and Permanent Supportive Housing (PSH).⁴ With more than one in ten District residents (12% of the population) currently experiencing housing insecurity, including a disproportionate number of households with children, these TAH and PSH vouchers are an essential resource for ensuring that low-income families⁵ can achieve housing security in DC's unaffordable rental market.⁶

DHS works with the District of Columbia Housing Authority (DCHA) and contracted case management providers to connect families with stable housing through TAH and PSH vouchers. DHS is responsible for identifying families that may be eligible for a local voucher (a process called “matching”), connecting them with appropriate case management services, and overseeing case management providers.⁷ Before a family can officially receive their voucher and use it to secure a rental unit, DCHA must also approve their eligibility for the voucher based on an application prepared by their case management provider and submitted to DCHA by DHS. Once DCHA approves the family’s eligibility, they receive their voucher at a briefing with DCHA and can use the voucher to lease a private rental unit with the help of their case manager and approval from DHS and DCHA.⁸ The voucher utilization process ends when a voucher holder and DCHA officially execute a lease and payment contract with the private landlord – known as “lease up” – and the voucher holder moves into the unit.⁹

In recent years, the Council funded historic and much-needed increases in the number of TAH and PSH vouchers available for District residents – the local voucher program expanded by more than 100% in just two years.¹⁰ However, both DHS and DCHA struggled to adapt and streamline their administrative processes to accommodate the additional vouchers, resulting in unreasonable delays in the voucher utilization process for many families throughout FY21 and FY22.¹¹ While Children’s Law Center appreciates that, on average, families have been able to move through the utilization

process in a markedly shorter time in FY23 and FY24, we remain concerned by the lack of transparency in voucher eligibility determinations and the harm that persisting delays in voucher processing are causing to our clients.

DHS Does Not Assess Families for Voucher Eligibility in a Timely and Transparent Manner

To ensure that families eligible for a TAH or PSH voucher are connected with available vouchers and stable housing as quickly as possible, families are supposed to be assessed for voucher eligibility through the District's Coordinated Assessment and Housing Placement (CAHP) system when they first seek homeless services and periodically throughout their time in shelter and other housing assistance programs like Rapid Re-Housing.¹² However, in Children's Law Center's experience working with families in the District's homeless and homelessness prevention system, we do not believe DHS is ensuring that families receive these timely and regular voucher eligibility assessments. Many of the families we work with are not aware that they could be eligible for a locally funded permanent housing voucher or how to request assessment because they have not received transparent information about vouchers from DHS and its contractors. Our attorneys regularly need to contact a client's case manager to request they be assessed for a voucher or to move their voucher application forward in the process. It should not take intervention by an attorney for service providers to perform such an essential duty.

Additionally, in Children’s Law Center’s experience, when families are assessed for a PSH or TAH voucher, they typically do not receive any written information about the determination, even when they are found ineligible. District residents are entitled to appeal a “rental assistance decision or action” made by DHS or a DHS provider and DHS is supposed to notify residents of this right to appeal whenever they make such a decision or action.¹³ However, our clients are rarely aware of this right and it is difficult for our attorneys to help them make a successful appeal when we have no written notices or documentation about the eligibility determination. To Children’s Law Center’s knowledge, DHS does not have any standard operating procedures requiring DHS staff and service providers to take these steps or quality control measures in place to see if due process is being followed. DHS is not upholding the due process rights of residents receiving homeless services. The agency must establish clear procedures for all DHS staff and service providers to ensure that whenever a voucher eligibility determination is made, the assessed family receives written notice of the decision, with a description of the agency’s reasoning, and details about how they can appeal the decision.

While DHS Made Notable Improvements in Voucher Utilization Rates, Administrative Delays Still Prevent Families from Moving Into Permanent Housing

As DHS has repeatedly noted to the Council and housing advocates, it has taken the agency time to build up its capacity to successfully accommodate the additional vouchers funded in recent years. Thanks to DHS’ efforts to scale up the local voucher utilization process through initiatives like Operation Make Movement,¹⁴ the agency has

finally begun to make progress increasing utilization rates and decreasing the time between match and lease-up in the District over the past several months.¹⁵ Between FY21 and FY23, the average number of days from case management assignment to lease up decreased for every type of TAH and PSH voucher—markedly so for some.¹⁶ For example, the average time to lease up for PSH-F voucher recipients went from 437 days in FY21 to 122 days in FY23.¹⁷ DHS also successfully ensured that 97% of PSH vouchers funded through the federal Emergency Housing Voucher program (EHV) in FY23 were issued to recipients by a September 30, 2023 deadline.¹⁸ If DHS had not issued these vouchers in a timely manner, the District and its residents would have lost out on federal funding for those vouchers.

However, administrative delays in the local voucher utilization persist. At the start of FY24,¹⁹ 296 of 395 TAH-F vouchers (75%) and 370 of 570 PSH-F vouchers (65%) funded by the Council for FY23 had still not been matched to an eligible family.²⁰ Additionally, according to DHS's pre-hearing responses, as of February 2024, 327 TAH-F vouchers and 552 PSH-F vouchers have been matched to a family but remain unutilized because the family has not yet used the voucher to move into housing.²¹ Those are 879 District families that are currently without stable housing despite having a funded permanent housing subsidy assigned to them.

Every month that a family cannot move into a home using their voucher is a month that family is stressed by housing insecurity and likely living in unsafe and unhealthy

conditions. For example, Children’s Law Center is working with a family in Rapid Re-Housing who was seemingly not assessed for permanent voucher eligibility until over a year and a half into their participation in Rapid Re-Housing. Once matched to a PSH voucher, the family worked with their assigned PSH case manager to quickly complete their voucher application. The family was relieved that the PSH voucher would enable them to find a new unit and leave the poor conditions they had been dealing with – including mold contamination and poor ventilation, which exacerbated several of their young children’s asthma. It has now been well over a year since the PSH application was submitted to DCHA and the family has not received any meaningful communication from their case manager, DHS, or DCHA about what is happening. During that time, repeated inquiries from the family and Children’s Law Center to all parties involved, have been met with sporadic and brief responses from DHS and the case management provider that the PSH application is “pending” and someone at DHS is “monitoring” it. No one has provided any further details or indicated that they have taken any action to engage with DCHA on why the application is held up and what can be done to move the application forward. The vague and irregular nature of these updates has understandably been very frustrating for the family.

While the family has been stuck in limbo with a pending PSH application, they unfortunately experienced domestic violence from someone who did not live with them but visited their unit. This raised serious safety concerns for the family at their unit, so

they worked with their case manager to apply for an emergency transfer to a different unit within Rapid Re-Housing. Again, for almost a year neither Children's Law Center nor the family could get any updates on the transfer request from DHS or the case management provider beyond it is being processed until eventually someone at DHS reported that they in fact did not have any information about the request. While the family waited for permission and support to move, they remained at risk and eventually experienced further domestic violence. Unknown administrative hurdles and failures of communication between the case management provider, DHS, and DCHA kept this family in harm's way for months after they bravely reached out for help.

Recently, Children's Law Center worked with the family and DHS to submit a new emergency transfer request within the Rapid Re-Housing program, and it was granted so the family can finally secure housing in a different, safer location. However, there still has not been any movement or updates about the PSH voucher application so after all that they have been through, the family remains in the dark about their options for long-term housing stability.

While the degree of delay this family has experienced in being matched to and approved for an appropriate permanent housing voucher is more extreme than the voucher utilization delays Children's Law Center observe in most cases, it is emblematic of the initial voucher utilization arc for many of our clients and the urgent need to connect families with permanent housing vouchers as quickly as possible. We regularly work

with families who eagerly compile an application with their case manager as soon as they are matched to a voucher, hoping it will allow them to provide safer and healthier housing for their children, only to go months with no idea what is happening with that application.

To address this issue, Children’s Law Center urges the Committee to ask detailed questions of DHS about:

- How they support case management providers to compile voucher applications;
- Their processes for checking the completeness of applications before submission to DCHA;
- The systems currently in place for communicating with DCHA and case management providers about voucher applications and where that communication is breaking down;
- Any guidance or training that DHS provides to its staff and contractors on communicating with to voucher applicants during the submission and approval process; and
- The steps DHS plans to take over the next year to continue improving voucher utilization rates.

It is imperative that the entire District government work together to connect more families to long-term housing security through permanent housing vouchers.

The District’s Rapid Re-Housing Program is Failing Families

The District’s main tool for assisting families experiencing or at risk of homelessness is the Family Re-Stabilization Program (FRSP), more commonly known as Rapid Re-Housing (RRH), administered by DHS.²² The program’s goal is to help homeless families “move as quickly as possible into permanent housing and achieve

stability in that housing.”²³ DHS provides families in Rapid Re-Housing with temporary financial assistance to rent on the private market while the family works to grow their household income enough to independently afford market rent or DHS connects the family with an appropriate longer-term housing subsidy.²⁴ The idea is that families will be able to stay in the same housing they rent during the program after their Rapid Re-Housing subsidy ends and maintain their housing security over time.

However, that is not how Rapid Re-Housing functions in practice for Children’s Law Center’s clients and other District families. First, families in DC simply cannot grow their income enough in the 12-to-18-month time limit set by DHS to afford market rent and DHS does not reliably assess families in Rapid Re-Housing for permanent voucher eligibility. In our experience, when a family’s Rapid Re-Housing subsidy ends, they fall behind on rent, are sued for eviction and soon end up facing homelessness again. Second, landlords in DC know that Rapid Re-Housing participants will likely not be able to afford their rent after the program, so they have little incentive to maintain habitable, code-compliant properties. As a result, the conditions in rental units that families can rent with their Rapid Re-Housing subsidy are so poor that families do not – and often cannot for the health of their family – want to stay in the unit for an extended period.

Families in Rapid Re-Housing Do Not Increase Their Incomes During the Program and Cannot Independently Afford Rent at the End of DHS’s Arbitrary Time Limits

Like many service providers around the country, DHS initially launched its Rapid Re-Housing program in the wake of the 2008 financial crisis “as a means of helping a

limited range of people who were in need of only a small amount of [temporary] support” after a job loss.²⁵ Over time the Mayor and DHS have expanded Rapid Re-Housing and made it the District’s primary intervention for addressing family homelessness.²⁶ DC relies more heavily on our Rapid Re-Housing program than almost any other state despite the fact that most families in DC are homeless because of structural poverty and the District’s housing affordability crisis, not temporary income losses.²⁷ Housing prices in DC are too high and wages too low for most families in DC’s Continuum of Care to grow their income enough to support market rent over the 12 to 18 month period DHS has set for the Rapid Re-Housing program.²⁸

The problems with Rapid Re-Housing as a program are clear in the pre-hearing responses submitted by DHS. In FY23, families participating in Rapid Re-Housing had been in the program for an average of 21 months and still only had an average monthly income at exit of \$1,321, which is less than \$150 more than the average monthly income of families who entered the program in FY23 and nowhere near enough to afford market rent in DC.²⁹ The National Low Income Housing Coalition estimates that a household needs a monthly income of at least \$6,127 to afford a two-bedroom apartment in DC without becoming rent burdened.³⁰ In FY22, FY23, and FY24 to date, less than 1% of families exited from Rapid Re-Housing stopped receiving assistance because they reached their goals for being able to independently afford market rent moving forward.³¹

Meanwhile in FY22, 452 families – 58% of families exiting during that fiscal year – were exited solely because they reached DHS’ arbitrary “assistance cap.”³² In FY23, after pushback from housing advocates and several successful Office of Administrative Hearing challenges to terminations from RRH, DHS chose to temporarily pause the practice of exiting families for reaching the assistance cap. After DHS changed this policy, the percentage of families exited to another, more permanent housing assistance program, including TAH and PSH, increased from 38% in FY22 to 79% in FY23 and 86% in FY24 to date.³³ Instead of focusing on resuming the policy of exiting families for reaching a hard time limit, DHS should build on its success connecting more families with long-term rental assistance and housing stability.

Council Must Pass and Fund the Rapid Re-Housing Reform Amendment Act of 2023 to Make Rapid Re-Housing a Bridge to Permanent Housing Subsidies

The District’s Rapid Re-Housing program is broken; it does not work for the residents it is supposed to help and cannot succeed in connecting residents with long-term housing stability without large-scale reform. Despite years of participants, housing advocates, and the Council raising concerns about the structure and operation of Rapid Re-Housing to DHS, the agency has not taken steps to meaningfully improve outcomes for participants. Therefore, DC residents need the Council to legislatively reform Rapid Re-Housing to better meet their needs. To that end, Children’s Law Center was grateful to see the Rapid Re-Housing Reform Amendment Act of 2023 introduced last year and we thank Committee members McDuffie and Pinto for partnering with their colleagues

on that introduction.³⁴ Children’s Law Center has supported this legislation since its original introduction in 2022.³⁵ We believe the bill would make four key reforms to the program that would improve the experiences and outcomes of our clients in Rapid Re-Housing:

- 1) End arbitrary time limits so Rapid Re-Housing participants cannot be cut off from assistance until the program has successfully:
 - a) increased their household income enough to afford market rent; or
 - b) connected them to a long-term housing subsidy;
- 2) Ensure participants’ rent payments do not exceed 30% of their household income;
- 3) Make participation in case management services voluntary – which is more effective and cost-efficient; and
- 4) Require the timely and transparent assessment of Rapid Re-Housing participants for long-term housing subsidy eligibility.³⁶

Children’s Law Center thanks Councilmember Robert White for championing temporary legislation to protect families in Rapid Re-Housing while the bill remains under consideration.³⁷ We also urge Councilmember White, as Chair of the Committee, to hold markup on the reform bill as soon as possible so it can go to the full Council for a vote in time to be funded in the FY25 budget cycle. This timeline is important because without reforms the law would put in place – namely preventing DHS from exiting families solely because they have reached an arbitrary assistance limit – many of the over 3,000 families currently in RRH could lose their rental assistance in FY25 without being connected to a more permanent housing subsidy or being able to independently afford rent.³⁸ If Council does not step in to make long-needed changes to the Rapid Re-Housing

program, the District will continue cycling families through homelessness and housing insecurity rather than connecting them to genuine housing stability.

Families in Rapid Re-Housing Live in Unsafe, Health-Harming Housing Conditions

While the Rapid Re-Housing Reform Amendment Act of 2023 would improve the RRH program in many ways, it would not directly address a primary concern for Children’s Law Center’s clients in RRH – the substandard living conditions in rental units available to RRH participants. A core component of Children’s Law Center’s work is helping families secure repairs when poor rental housing conditions are harming their child’s health. Year after year, the worst conditions we see are in units rented by clients in the RRH program.

For example, Children’s Law Center is working with a mother who is understandably distressed because she recently had to bring her newborn and other young children to the emergency room for respiratory issues. Despite the family’s diligent cleaning, mold, dust, and pests are pervasive throughout the unit they rent through Rapid Re-Housing, exacerbating the children’s asthma. Most of the windows in the unit have damaged or missing screens and one window was not properly fitted in its frame and fell out onto a child’s bed. After reporting these issues to her landlord and the building’s property management company multiple times and receiving no response, our client asked her Rapid Re-Housing case manager for help transferring to a new apartment. However, it has been over four months and the family remains stuck in

housing with health-harming and dangerous conditions. While the family goes through the lengthy process of finding a new apartment that will accept their RRH subsidy,³⁹ Children's Law Center is suing the landlord for violations of the District's housing code because all other avenues to secure remediation have failed, and the family should not be forced to live in these unlawful conditions while they look for better accommodations.

Rapid Re-Housing is supposed to minimize a family's time in shelter and connect them to stable, permanent housing. Instead, this family has been through prolonged housing insecurity while in Rapid Re-Housing and exposed to hazardous living conditions that put their family's physical and mental health at risk. Unfortunately, this case is representative of the problems Children's Law Center regularly observes in housing rented using Rapid Re-Housing subsidies and the difficult process for participants to receive meaningful assistance from their case managers and DHS.

DHS Must Adopt Practices to Meaningfully Improve the Living Conditions of Families in Rapid Re-Housing

Children's Law Center has raised the systemic issue of unsafe and unhealthy conditions in units subsidized through Rapid Re-Housing to DHS and the Council for years.⁴⁰ We were hopeful when DHS changed its vendor for RRH inspections in the fall of 2022 that DHS would take steps toward requiring RRH landlords to maintain habitable and code-compliant housing.⁴¹ However, through FY23 and so far in FY24, we have seen no material improvement in the conditions our clients in RRH are living with.

Furthermore, from the agency's pre-hearing responses, it seems DHS has no plan for addressing this long-standing problem in the program.

We encourage the Committee to ask DHS 1) why families in RRH are consistently placed in units with such poor conditions and 2) to develop a written, actionable plan of steps the agency will take in the next year to ensure RRH participants move into safe, habitable rental housing. At a minimum, DHS should not authorize new Rapid Re-Housing leases with landlords who have a history of serious housing code violations until that record improves. DHS cannot continue providing steady income to landlords who flout DC laws and fail to provide safe and healthy housing to DC residents.

In addition to ensuring families entering RRH move into safe and healthy housing, DHS must do a better job of helping current participants move out of units with unaddressed housing code violations that are harming their family's health. After years of landlords getting away with housing RRH participants in neglected, substandard conditions, the number of RRH participants that request transfers during their time in the program due to poor conditions is understandably high. While DHS did not provide information on the number of transfers in this year's pre-hearing responses, in last year's responses DHS reported that in FY22 309 families – over 10% of the families in the program – requested a transfer due to poor conditions in their RRH unit.⁴² However, DHS does not have a reliable procedure for helping the many families in this situation. In Children's Law Center's experience, it is often an arduous process to get an RRH case

manager to submit a participant's transfer request to DHS, even after the intervention of one of our attorneys. We encourage the Committee to ask DHS how it could streamline RRH transfer requests now that the agency is transitioning to a voluntary case management model for RRH.⁴³ For example, DHS could accept transfer requests directly from tenants instead of using case managers as a go-between.

Once a transfer request is granted, few RRH participants are able to successfully utilize it to move into a new unit.⁴⁴ In Children's Law Center's experience, it becomes nearly impossible for RRH participants to secure a unit when a landlord is not guaranteed at least a year of DHS subsidized payments because a participant is transferring part-way through their allotted time in the program. Additionally, it is difficult for families to make progress toward growing their income capacity when they have to spend a significant amount of time addressing their children's health problems and fighting to get their landlord to complete needed repairs and maintenance. Therefore, while DHS continues to run RRH as a time-limited program, they should adopt the practice of restarting a participant's RRH "clock" – measuring their 12 or 18 months in the time-limited program – if they transfer units due to poor housing conditions.

For most participants, RRH currently functions as just another step in a cycle of housing insecurity rather than a bridge to permanent housing stability. DHS and the Council must prioritize reforming RRH into a program that accomplishes its stated mission and works for District residents in need of housing assistance.

Pregnant People in the District Face Harmful Consequences Because They Cannot Access the Family Homeless System Until Their Third Trimester

DHS operates two homeless and homelessness prevention systems, one for families and one for individuals (also referred to as singles or unaccompanied adults).⁴⁵

To determine eligibility for the family system, DHS applies the definition codified in DC law:

(A) A group of individuals with at least one minor or dependent child, regardless of blood relationship, age, or marriage, whose history and statements reasonably tend to demonstrate that they intend to remain together as a family unit; or

(B) A pregnant woman in her third trimester.⁴⁶

Under this definition, pregnant people in their first and second trimester who do not have other minor children have historically been directed to the individual rather than the family system.⁴⁷ However, the District's newly completed community-based family shelters – which have private rooms and amenities and supportive services tailored to families – are a much more appropriate space for pregnant people who enter the homeless services system than the crowded, low-barrier shelters currently available to individuals.⁴⁸

Stable housing throughout an entire pregnancy is important for the well-being of pregnant people and their children. Pregnant people who are homeless during their first trimester are significantly less likely to receive prenatal care during their first trimester, which is crucial for healthy fetal development.⁴⁹ Pregnant people experiencing

homelessness are more likely to develop adverse pregnancy-related conditions and complications including high blood pressure, iron deficiency, and hemorrhage.⁵⁰ Additionally, when a pregnant person experiences stress their elevated stress hormones can be passed onto the fetus, disrupting healthy brain development and possibly causing lifelong reduced and impaired brain function for the infant.⁵¹ As a result, homelessness and poor living conditions at any point in a pregnancy are associated with a higher risk for adverse health outcomes, including preterm birth, birth complications, low birth weight, and neonatal intensive care unit (NICU) admissions.⁵² Pregnant District residents experiencing homelessness should be connected with a secure, stable, and calm living environment as early in their pregnancy as possible.

Children’s Law Center appreciates that in June 2022 DHS announced a new policy aimed at better supporting pregnant people experiencing homelessness in their first and second trimesters.⁵³ Under DHS’s new policy, prior to their third trimester, pregnant people will receive a guaranteed 24/7 placement in a low-barrier, individual shelter – instead of having to exit the shelter during the day and waiting to receive a bed under a first-come, first-served policy.⁵⁴ Additionally, pregnant people in their first and second trimester with a documented medical risk factor for a high-risk pregnancy may be granted access to the family homeless services system and placed in community-based family shelters (also known as short-term family housing STFH).⁵⁵ While this was an important step forward for the District, pregnant people without a high-risk diagnosis

still cannot access the more stable housing options of the family system before their third trimester. Therefore, Children’s Law Center, informed by the experiences of our clients and conversations with partners at Mamatoto Village, Washington Legal Clinic for the Homeless, Community of Hope, and My Sister’s Place, strongly encourages the Council to remove this harmful barrier by amending the definition of “family” in the DC Code so DHS is required to connect *all* pregnant people with services through the family system.

Conclusion

Thank you for the opportunity to testify. Children’s Law Center looks forward to working with the Committee and DHS over the coming year to improve how we meet the needs of families experiencing homelessness and housing insecurity in DC.

¹ Children’s Law Center’s innovative medical legal partnership, Healthy Together, places attorneys at primary care pediatric clinics throughout the city with Children’s National, Unity Health Care, and Mary’s Center to receive referrals from pediatric providers for assistance with non-medical barriers to a child’s health and well-being. See Children’s Law Center, *available at*:

<https://childrenslawcenter.org/ourimpact/health/>. Additionally, Children’s Law Center attorneys represent children who are the subject of abuse and neglect cases in DC’s Family Court. CLC attorneys fight to find safe homes and ensure that children receive the services they need to overcome the trauma that first brought them into the child welfare system. DC Children’s Law Center, *available at*: <https://www.childrenslawcenter.org/content/about-us>.

² “The Department of Human Services (DHS) is DC’s primary social service provider and includes an Economic Security Administration (ESA) and Family Services Administration (FSA). ESA determines eligibility for benefits for children, adults, and families for several public programs. FSA provides protection, intervention, and social services to meet the needs of vulnerable adults and families to help reduce risk and promote self sufficiency.” See Department of Human Services, *available at*: https://washington.dc.networkofcare.org/mh/services/agency.aspx?pid=DepartmentofHumanServices_2_1347_1; DC Department of Human Services, Open Referrals, *available at*: <https://dc.openreferral.org/organizations/1102284383103447>.

³ Solari, Claudia D., et. al., *Housing Insecurity in the District of Columbia*, Urban Institute, November 2023, p. 28, *available at*: https://www.urban.org/sites/default/files/2023-11/Housing%20Insecurity%20in%20the%20District%20of%20Columbia_0.pdf. See Solari, Claudia D., Douglas Walton, and Jill Khadduri. 2021. “How Well Do Housing Vouchers Work for Black Families Experiencing Homelessness? Evidence from the Family Options Study.” *The ANNALS of the American*

Academy of Political and Social Science, 693(1): 193-208; Gubits, Daniel, Marybeth Shinn, Michelle Wood, Stephen Bill, Samuel Dastrup, Claudia D. Solari, Scott R. Brown, Debi McInnis, Tom McCall, and Utsav Kattel. 2015. *Family Options Study: 3-Year Impacts of Housing and Services Interventions for Homeless Families*. Washington DC: US Department of Housing and Urban Development; Fischer, Will. October 2015. "Research Shows Housing Vouchers Reduce Hardship and Provide Platform for Long-Term Gains Among Children." Washington DC: Center on Budget and Policy Priorities; and Wood, Michelle, Jennifer Turnham, and Gregory Mills. 2008. "Housing Affordability and Family Wellbeing: Results from the Housing Voucher Evaluation." *Housing Policy Debate* 19 (2): 367–412.

⁴ Department of Human Services, *A Path to Ending Chronic Homelessness in DC: Voucher Process*, available at: <https://storymaps.arcgis.com/stories/993e532a43bd4af3a2bf1b69d54dc704>.

⁵ Please note, while TAH and PSH vouchers are available to both individuals (TAH-I and PSH-I) and families (TAH-F and PSH-F), Children’s Law Center will only speak to the family programs used by our clients.

⁶ Solari, Claudia D., et. al., *Housing Insecurity in the District of Columbia*, Urban Institute, November 2023, p. vi, 2, 18, available at: https://www.urban.org/sites/default/files/2023-11/Housing%20Insecurity%20in%20the%20District%20of%20Columbia_0.pdf. (While people in households with children make up 35% of the total DC population, they make up 52% of people experiencing housing insecurity in DC.).

⁷ Department of Human Services, *A Path to Ending Chronic Homelessness in DC: Voucher Process*, available at: <https://storymaps.arcgis.com/stories/993e532a43bd4af3a2bf1b69d54dc704>.

⁸ Department of Human Services, *A Path to Ending Chronic Homelessness in DC: Voucher Process*, *Housing Voucher Process diagram*, available at: <https://storymaps.arcgis.com/stories/993e532a43bd4af3a2bf1b69d54dc704>.

⁹ For a description of the “lease-up process,” see District of Columbia Housing Authority, Request for Tenancy Approval Packet, Revised September 26, 2023, <https://www.dchousing.org/wordpress/wp-content/uploads/2023/09/rfta.pdf>.

¹⁰ FY24 DHS Budget, District’s Approved Budget, Enhance, p. E-76; FY23 DHS Budget, District’s Approved Budget, Enhance, p. E-82 and E-83. See also Marlene Berlin, *From zero to 7,000+: One DC agency charts voucher renters in its programs since 2016*, *Forest Hills CONNECTIONS*, June 13, 2023, available at: <https://www.foresthillsconnection.com/home-front/from-0-to-7000-one-dc-agency-charts-voucher-renters-in-its-programs-since-2016/>; FY2022 Department of Human Services Performance Oversight Responses, response to Q80, available at: <https://dccouncil.gov/wp-content/uploads/2023/03/Pre-Hearing-Question-Responses-DHS-2.20.2023.pdf>.

¹¹ Department of Human Services, *A Path to Ending Chronic Homelessness in DC: Voucher Process*, *Average number of days between case management assignment and lease up*, available at: <https://storymaps.arcgis.com/stories/993e532a43bd4af3a2bf1b69d54dc704>; FY2022 Department of Human Services Performance Oversight Responses, response to Q80, available at: <https://dccouncil.gov/wp-content/uploads/2023/03/Pre-Hearing-Question-Responses-DHS-2.20.2023.pdf>; Meagan Flynn and Marissa J. Lang, *D.C. residents face long housing aid delays as 3,100 vouchers sit unused*, *The Washington Post*, October 8, 2023, available at: <https://www.washingtonpost.com/dc-md-va/2023/10/08/dc-housing-voucher-delays/>; Annemarie Cuccia, *D.C. Funded A Record Number Of Housing Vouchers, But Still Struggles to Efficiently Use Them*, *DCist*, August 30, 2023, available at: <https://dcist.com/story/23/08/30/dc-housing-voucher-authority-assistance-2023/>.

¹² FY2022 Department of Human Services Performance Oversight Responses, response to Q52, available at: <https://dccouncil.gov/wp-content/uploads/2023/03/Pre-Hearing-Question-Responses-DHS-2.20.2023.pdf>.

¹³ D.C. Code § 4–210.01. Right to hearing; notification of right.

¹⁴ Operation Make Movement is a new initiative implemented by DHS beginning in February 2023 to “create more capacity to support residents” through the voucher process. For the initiative, DHS “trained 30+ case managers . . . to complete the voucher application . . . [which] enabled residents to complete their voucher application earlier in the process . . . so that they could more quickly start their housing search.” DHS credits Operation Make Movement with playing a significant role in over 600 voucher applications submitted to DCHA between February 2023 and December 2023. FY2023 Department of Human Services Performance Oversight Pre-Hearing Responses, response to Q8, *available at*:

<https://lims.dccouncil.gov/Hearings/hearings/239>.

¹⁵ 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* FY2022 Department of Human Services 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>.

¹⁶ Department of Human Services, A Path to Ending Chronic Homelessness in DC: Voucher Process, Average number of days between case management assignment and lease up Graph, *available at*:

<https://storymaps.arcgis.com/stories/993e532a43bd4af3a2bf1b69d54dc704>.

¹⁷ *Id.*

¹⁸ Department of Human Services, A Path to Ending Chronic Homelessness in DC: Tracking Progress, *available at*: <https://storymaps.arcgis.com/stories/993e532a43bd4af3a2bf1b69d54dc704>.

¹⁹ Data reported on the DHS Voucher Utilization Tracker “A Path to Ending Chronic Homelessness in DC” as of October 1, 2023. The data on the website is supposed to be updated monthly but as of February 29, 2024, some numbers have not been updated since October 1, 2023.

²⁰ District of Columbia Department of Human Services, A Path to Ending Chronic Homelessness in DC: Tracking Progress, *available at*: <https://storymaps.arcgis.com/stories/993e532a43bd4af3a2bf1b69d54dc704>.

²¹ FY2023 Department of Human Services Performance Oversight Responses, response to Q86(c), *available at*: <https://lims.dccouncil.gov/Hearings/hearings/239>.

²² Department of Human Services, Family Re-Housing Stabilization Program, *available at*: <https://dhs.dc.gov/page/family-re-housing-stabilization-program%C2%A0%C2%A0>.

²³ D.C. Code § 4-751.01. Definitions.

²⁴ Cunningham, Mary, et. al., *Rapid Re-housing*, Urban Institute, June 2015, *available at*:

<https://www.urban.org/sites/default/files/publication/54201/2000265-Rapid-Re-housing-What-the-Research-Says.pdf>.

²⁵ Max Tipping, *Set up to Fail Rapid Re-Housing in the District of Columbia*, Washington Legal Clinic for the Homeless, May 2017, *available at*: <https://www.legalclinic.org/wp-content/uploads/2018/03/Set-up-to-fail-2nd-edition.pdf>.

²⁶ *Id.* *See also* FY24 DHS Budget, Table JA0-4, p. E-69. (In FY24 the District budgeted \$73M for Rapid Rehousing – Families (RRH-F) and \$51M for Permanent Supportive Housing – Families).

²⁷ Kate Coventry, *Bringing it All Home: How DC Can Become the First Major City to End Chronic Homelessness and Provide Higher-Quality Services*, DC Fiscal Policy Institute, April 4, 2023, *available at*:

<https://www.dcfpi.org/all/bringing-it-all-home-how-dc-can-become-the-first-major-city-to-end-chronic-homelessness-and-provide-higher-quality-services/>; Solari, Claudia D., et. al., *Housing Insecurity in the District of Columbia*, Urban Institute, November 2023, p. 28, *available at*:

https://www.urban.org/sites/default/files/2023-11/Housing%20Insecurity%20in%20the%20District%20of%20Columbia_0.pdf.

²⁸ Morgan Baskin, *Growing Share of D.C. Renters Spend At Least Half of Their Income on Rent*, DCist, September 19, 2023, available at: <https://dcist.com/story/23/09/19/dc-residents-income-rent/>; Sydney Lake, *Million-dollar homes are swallowing D.C.'s housing market as a whopping 20% of listings are out of reach for most people*, Fortune, February 24, 2024, available at: <https://fortune.com/2024/02/24/washington-dc-unaffordable-housing-market/>. See also Cunningham, Mary, et. al., *Rapid Re-housing*, Urban Institute, June 2015, p. 4, available at: <https://www.urban.org/sites/default/files/publication/54201/2000265-Rapid-Re-housing-What-the-Research-Says.pdf>. (In 2020, almost a third of households were considered cost burdened, defined as households devoting more than 30 percent of their incomes toward housing.)

²⁹ FY2023 Department of Human Services Performance Oversight Responses, response to Q83(f)-(g), available at: <https://lims.dccouncil.gov/Hearings/hearings/239>.

³⁰ National Low Income Housing Coalition, *Out of Reach the High Cost of Housing*, 2023, available at: <https://nlihc.org/sites/default/files/2023-06/2023oor.pdf>.

³¹ FY2023 Department of Human Services Performance Oversight Responses, response to Q83(e), available at: <https://lims.dccouncil.gov/Hearings/hearings/239>.

³² FY2022 Department of Human Services Performance Oversight Responses, response to Q91, available at: <https://dccouncil.gov/wp-content/uploads/2023/03/Pre-Hearing-Question-Responses-DHS-2.20.2023.pdf>.

³³ Compare FY2022 Department of Human Services Performance Oversight Responses, response to Q91(e), available at: <https://dccouncil.gov/wp-content/uploads/2023/03/Pre-Hearing-Question-Responses-DHS-2.20.2023.pdf> with FY2023 Department of Human Services Performance Oversight Responses, response to Q83(e), available at: <https://lims.dccouncil.gov/Hearings/hearings/239>.

³⁴ B25-0047, *Rapid Re-Housing Reform Amendment Act of 2023*, available at: <https://lims.dccouncil.gov/Legislation/B25-0047>.

³⁵ See *Over 50 Organizations and Experts Demand That the DC Council Reform Rapid Re-Housing*, Washington Legal Clinic for the Homeless (April 7, 2022), <https://www.legalclinic.org/over-50-organizations-and-experts-demand-that-the-dc-council-reform-rapid-re-housing/>; Kathy Zeisel, Children's Law Center, Testimony Before the District of Columbia Council Committee on Human Services (October 20, 2022).

³⁶ B25-0047, *Rapid Re-Housing Reform Amendment Act of 2023*, available at: <https://lims.dccouncil.gov/Legislation/B25-0047>.

³⁷ See B25-0372, *Family Re-Housing Stabilization Protection Temporary Amendment Act of 2023*, available at: <https://lims.dccouncil.gov/Legislation/B25-0372>.

³⁸ FY2023 Department of Human Services Performance Oversight Responses, response to Q83(b), available at: <https://lims.dccouncil.gov/Hearings/hearings/239>.

³⁹ It is unlawful for housing providers in the District to discriminate against prospective tenants based on their source of income, including whether they will use a rental subsidy like Rapid Re-Housing to pay their rent. D.C. Code § 2-1402.21, *et seq.*; "Source of Income" Discrimination in Housing, DC Office of Human Rights, OHR Enforcement Guidance No. 23-03 (December 9, 2022), available at: https://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/OHR%20Updated%20SOI%20Housing%20Discrimination%20Guidance%20_0.pdf. However, Children's Law Center clients and other tenants with rental subsidies and vouchers regularly report that housing providers discourage or deny their rental applications.

⁴⁰ See, e.g., Kathy Zeisel, Children's Law Center, Testimony Before the District of Columbia Council Committee on Human Services and Committee on Housing & Neighborhood Revitalization (January 29, 2020); Kathy Zeisel, Children's Law Center, Testimony Before the District of Columbia Council Committee on Human Services (March 1, 2021).

-
- ⁴¹ See *New Developments to the DC Family Rehousing and Stabilization Program (FRSP)*, DC Department of Human Services, available at: https://dhs.dc.gov/sites/default/files/dc/sites/dhs/page_content/attachments/FRSP%20Changes%20Website.pdf.
- ⁴² FY2022 Department of Human Services Performance Oversight Responses, response to Q86(e), available at: <https://dccouncil.gov/wp-content/uploads/2023/03/Pre-Hearing-Question-Responses-DHS-2.20.2023.pdf>.
- ⁴³ FY2022 Department of Human Services Performance Oversight Responses, response to Q92(d), available at: <https://dccouncil.gov/wp-content/uploads/2023/03/Pre-Hearing-Question-Responses-DHS-2.20.2023.pdf>.
- ⁴⁴ For example, of the 222 families approved to transfer due to poor conditions in FY22, DHS reported that only 87 families – less than 40% – successfully moved to a new unit. FY2022 Department of Human Services Performance Oversight Responses, response to Q86(f) and (h), available at: <https://dccouncil.gov/wp-content/uploads/2023/03/Pre-Hearing-Question-Responses-DHS-2.20.2023.pdf>.
- ⁴⁵ DC Department of Human Services, Homeless and Homelessness Prevention Services, <https://dhs.dc.gov/page/homeless-and-homelessness-prevention-services>.
- ⁴⁶ D.C. Code § 4–751.019(16) Services for Homeless Individuals and Families: Definitions.
- ⁴⁷ See Leah Potter, *With Barriers to Finding Shelter, Pregnant Women and Mothers Turn to Small-scale Operations for Housing, Shelter in DC*, Street Sense Media (September 5, 2019), <https://streetsensemedia.org/article/dc-homeless-pregnant-expecting-mother/>; Candace Y.A. Montague, *Pregnant Women with No Children Are Shut Out of Family Shelter Spaces Until Their Third Trimester*, Street Sense Media (April 7, 2021), <https://streetsensemedia.org/article/dc-homeless-shelter-maternal-health/#:~:text=They%20cannot%20access%20a%20private%20space%20in%20a,or%20%E2%80%9Ca%20pregnant%20woman%20in%20her%20third%20trimester.%E2%80%9D>.
- ⁴⁸ See Jenny Gathright, *DC Completes Ward 1 Family Homeless Shelter, Capping Years-Long Effort*, WAMU (February 4, 2021), <https://www.npr.org/local/305/2021/02/04/964014402/d-c-completes-ward-1-family-homeless-shelter-capping-years-long-effort> (describing newly constructed family shelters); Candace Y.A. Montague, *Pregnant Women with No Children Are Shut Out of Family Shelter Spaces Until Their Third Trimester*, Street Sense Media (April 7, 2021), <https://streetsensemedia.org/article/dc-homeless-shelter-maternal-health/#:~:text=They%20cannot%20access%20a%20private%20space%20in%20a,or%20%E2%80%9Ca%20pregnant%20woman%20in%20her%20third%20trimester.%E2%80%9D> (describing conditions at the Harriet Tubman Women’s Shelter, the primary shelter for individual women in the District).
- ⁴⁹ *Homelessness in Year Before Delivery Linked to Reduced Levels of Prenatal and Postnatal Care*, Guttmacher Institute, Digest Vol. 43 (December 2011), <https://www.guttmacher.org/journals/psrh/2011/12/homelessness-year-delivery-linked-reduced-levels-prenatal-and-postnatal-care>.
- ⁵⁰ *Homelessness Hurts Moms and Babies*, National Partnership for Women and Families (May 2021), <https://nationalpartnership.org/report/homelessness-hurts-moms-and-babies/>.
- ⁵¹ *The In Utero Experience: Trauma Before Birth*, ACT Government Community Services (2019), available at: https://www.act.gov.au/_data/assets/pdf_file/0004/2380459/The-in-utero-experience-web.pdf; Poggi Davis, Elysia, et al., *Prenatal Maternal Stress Programs Infant Stress Regulation*, *Journal of Child Psychiatry* (February 2011), available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3010449/pdf/nihms-227503.pdf>.
- ⁵² See St. Martin, Brad S. et al., *Homelessness in Pregnancy: Perinatal Outcomes*, *Journal of Perinatology* (December 2021), available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9507167/>; Leifheit, Kathryn

M., et al., Severe Housing Insecurity During Pregnancy: Association with Adverse Birth and Infant Outcomes, *International Journal of Environmental Research on Public Health* (November 2020), *available at*: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7700461/pdf/ijerph-17-08659.pdf>; Rhee, Jonegun et al., Effects of Maternal Homelessness, Supplemental Nutrition Programs, and Prenatal PM_{2.5} on Birthweight, *International Journal of Environmental Research and Public Health* (September 2019), *available at*: <https://www.mdpi.com/1660-4601/16/21/4154>.

⁵³ Department of Human Services, Virginia Williams Family Resource Center Pregnancy Policy (June 28, 2022), *available at*:

https://ich.dc.gov/sites/default/files/dc/sites/ich/event_content/attachments/Strategic%20Planning%20_H_NDT%20_2022%2006%2028%20MTG%20_VWFRC%20Pregnancy%20Policy_One%20Pager%20FAQ%5B12%5D.pdf; *See also*, Interagency Council on Homelessness, Strategic Planning Committee, Slides from meeting on June 28, 2022, *available at*:

https://ich.dc.gov/sites/default/files/dc/sites/ich/event_content/attachments/Strategic%20Planning%20_PP_T%20_2022%2006%2028%20MTG%20w%20NTS.pdf.

⁵⁴ *Id.*

⁵⁵ *Id.*