



Equal Rights Center’s Testimony Regarding the FY2025 Performance of the DC Housing Authority

Testimony Submitted Online on February 23, 2026 and Abridged Version Read at the Public Hearing on February 25, 2026

The Equal Rights Center (ERC) is a civil rights organization that identifies and seeks to eliminate unlawful and unfair discrimination in housing, employment, and public accommodations in its home community of Greater Washington, D.C. and nationwide. For many years, the ERC has received funding through the U.S. Department of Housing and Urban Development’s (HUD) Fair Housing Initiatives Program to conduct intakes with individuals in the District who believe they may have experienced housing discrimination, investigate individual claims and systemic forms of housing discrimination, pursue enforcement of the Fair Housing Act and DC Human Rights Act as needed, and conduct education and outreach about fair housing protections and requirements. The ERC appreciates the opportunity to submit testimony for the FY2025 performance oversight hearing of the District of Columbia Housing Authority (DCHA).

DC’s Affordable Housing Crisis Can’t be Fully Addressed Until DCHA Commits to Major, Long-Term Changes

The District is experiencing a dire affordable housing crisis that is steeped in systemic inequity. As the cost of housing has skyrocketed, it has become much more difficult for low-income households to afford living in the District. Low-income Black DC residents are facing the worst consequences of this housing crisis, and over 90% of the District’s housing voucher holders and public housing residents identify as Black.¹ Therefore, the District’s compliance with Affirmatively Furthering Fair Housing (AFFH) requirements under the Fair Housing Act depends on its ability to improve DCHA performance.

DCHA program participants and local advocates, including the ERC, have been ringing the alarm about a multitude of dire problems at the agency for years. These concerns were reinforced by HUD’s 2022 audit of DCHA. **We appreciate the renewed interest from DC councilmembers in providing more meaningful oversight of DCHA in the last few years, including through the hosting of this roundtable. We’ve been concerned that prior oversight has overly focused on short-term fixes to the agency’s reputation, and we encourage this hearing to focus on identifying the root causes of its underperformance along with long-term solutions.** To truly ensure that DCHA is meeting its charge, councilmembers and others responsible for oversight of the agency must deepen their understanding of both how the agency came to have such stark problems and the broad-based, long-term overhaul that it desperately needs.

¹ Metropolitan Washington Council of Governments, *Metropolitan Washington Regional Fair Housing Plan – District of Columbia*, Nov. 2023, 130, https://www.mwcog.org/assets/1/28/DC_final_withcover1.pdf.

As administrator of the District’s housing voucher programs, DCHA has an outsized role to play in combatting the affordable housing crisis, chipping away at ongoing housing segregation, and ensuring that the District is meeting its obligations to affirmatively further fair housing. As part of reform efforts, **we encourage Councilmembers to meaningfully collaborate with stakeholders, including advocates and DCHA program participants, who have spoken out about agency failures for years and who are in the best position to identify the broad-based and long-term solutions the agency needs to adopt.**

Various stakeholders will likely testify about a number of concerns regarding DCHA’s lease up process. Through our testimony, **the ERC encourages DCHA to do the following:**

- A) Overhaul the agency’s reasonable accommodations process to comply with federal and local civil rights laws;**
- B) Improve the rent reasonableness determination process and make it more transparent for program participants; and**
- C) Improve communication with program participants.**

DCHA Must Overhaul Its Reasonable Accommodations Process to Comply with Federal and Local Civil Rights Laws

DCHA must do more to ensure that people with disabilities have equal access to housing under its programs. **DCHA has obligations to equitably serve and house participants with disabilities under various federal and local civil rights laws, including the Fair Housing Act, Section 504 of the Rehabilitation Act, American with Disabilities Act, and DC Human Rights Act.** As part of these obligations, DCHA must make reasonable accommodations for program participants with disabilities.² Yet, DCHA consistently fails to meet this obligation.

The “ongoing, persistent, and undue delay in the implementation of approved reasonable accommodations” has become so “egregious” and pervasive that the OAG is suing DCHA in an effort to address the agency’s systemic failure to adequately accommodate program participants with disabilities.³ A HUD investigation into DCHA’s obligations to serve people with disabilities under Section 504 of the Rehabilitation Act and Americans with Disabilities Act (ADA) came to a similar conclusion: “DCHA’s noncompliance is pervasive and fails to meet even the most basic rights of people with disabilities[.]”⁴ HUD’s investigation found that DCHA’s delays in reviewing reasonable accommodation requests “last[ed] months and sometimes years[.]”⁵

² A reasonable accommodation is a change, exemption, or adjustment to a rule, policy, practice, or service that may be necessary to provide equal opportunity to a person with a disability.

HUD and DOJ, “Joint Statement of The Department of Housing and Urban Development and The Department of Justice: Reasonable Accommodations Under the Fair Housing Act,” 17 May 2004, https://www.justice.gov/sites/default/files/crt/legacy/2010/12/14/joint_statement_ra.pdf.

³2022-CA-002667-B, *District of Columbia v. District of Columbia Housing Authority* complaint filed June 16, 2022, 3-4.

⁴ Thompson, Steve, “Unreleased HUD letter shows D.C. Housing Authority failing disabled tenants”, *Washington Post*, 6 Mar. 2025, <https://www.washingtonpost.com/dc-md-va/2025/03/06/disability-act-dc-housing-authority/>.

⁵ Thompson, Steve, “Unreleased HUD letter shows D.C. Housing Authority failing disabled tenants”, *Washington Post*, 6 Mar. 2025, <https://www.washingtonpost.com/dc-md-va/2025/03/06/disability-act-dc-housing-authority/>.

While DCHA made some improvements to the ADA/Section 504 Office last year, the agency is still not effectively serving people with disabilities. Some ERC clients received more timely approvals of their reasonable accommodations last year, but others have continued to wait for months for DCHA to consider their reasonable accommodations requests.

One ERC client submitted a reasonable accommodation request last November for assistance during her housing search in order to identify units that meet her household's disability-related needs, including step-free access and access to parking. DCHA has thus far not approved the request, claiming that it lacks the ability or resources to help a participant locate accessible housing.

Another client has been waiting more than a month for DCHA to consider her request for more time to search for housing. DCHA will not make a decision until a medical provider verifies the client's disability and need for the request despite both of these being obvious: the client uses a cane and needs additional time to locate housing with particular accessibility features. Guidance from HUD and the DOJ clearly states that when an individual's disability and need for the accommodation are both apparent or otherwise known to the housing provider, they should not request any additional information during their review of the request.⁶

Unfortunately, these cases do not seem to be outliers. DCHA reported that as of the submission of its pre-hearing written responses, there were 29 requests from FY2025 still pending review, which means the requesters have been waiting for four or more months for DCHA to make a decision.

It is critical that all DCHA staff who interact with program participants, not solely those in the ADA/Section 504 Office, are aware of the agency's obligations to equitably serve people with disabilities. DCHA reports it received only 299 reasonable accommodation requests from Housing Choice Voucher Program (HCVP) participants in FY2025.⁷ This seems extremely low given that about a quarter of District households in the Housing Choice Voucher Program include one or more people with disabilities, and could be a sign that DCHA is failing to properly handle reasonable accommodations requests.⁸ For example, last year a Housing Choice Voucher Program participant contacted the ERC after an inspector denied her request to reschedule her biannual home inspection due to a conflicting medical appointment related to her disability. The employee stated that her voucher could be terminated if no one was present for the scheduled inspection, causing her to fear she would have to cancel her medical treatment or risk becoming homeless. It was only after the ERC assisted the HCVP participant with resubmitting the request to the ADA/Section 504 Office that DCHA allowed her to reschedule the inspection.

⁶ HUD and DOJ, "Joint Statement of The Department of Housing and Urban Development and The Department of Justice: Reasonable Accommodations Under the Fair Housing Act," 17 May 2004, https://www.justice.gov/sites/default/files/crt/legacy/2010/12/14/joint_statement_ra.pdf.

⁷ DCHA, "FY2025 Performance Oversight Response Attachments to Pre-Hearing Questions," 2 March 2025, 625.

⁸ HUD, "Picture of Subsidized Households: DC Public Housing and Housing Choice Vouchers," 2024, <https://www.huduser.gov/portal/datasets/assthsg.html>.

DCHA has an obligation to ensure that any reasonable accommodation request from a program participant, whether or not directed to the ADA/Section 504 Office, is given proper consideration in order to comply with their obligations under the Fair Housing Act, Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and DC Human Rights Act. It is unconscionable that people with disabilities languish in an unnecessarily complicated and confusing reasonable accommodations process. **DCHA must ensure that program participants with disabilities are able to receive the reasonable accommodations they need for their safety and well-being in a timely manner.**

DCHA's Changes to Its Payment Standards and Rent Reasonableness Process is Restricting Housing Choice for Voucher Holders

In July 2023, DCHA eliminated the use of neighborhood-based payment standards and reimplemented rent reasonableness assessments. The reimplementations of rent reasonableness assessments was a major change for DCHA, which may have stopped conducting such assessments as far back as 2009.⁹ While the reimplementations of rent reasonableness was required under the HUD audit, the changes to the payment standards were not.

The ERC appreciates that DCHA has maintained higher payment standards than the annual standards set by HUD in order to promote housing choice among voucher program participants. However, the current approach to the payment standards and rent reasonableness determinations has made the housing search process even more confusing and opaque for both voucher holders and housing providers.

DCHA now maintains a single citywide payment standard based solely on bedroom size. The agency also issues an Affordability Notice to program participants that lists the payment standard and their portion of the rent should the gross rent be at or below the payment standard. The notice also lists the maximum gross rent DCHA will pay if a household were to pay the maximum 40% of their income towards rent. This is the only information a voucher holder has available to them when screening properties during their housing search and deciding where to apply. Similarly, a housing provider has no way to determine whether their unit might pass a rent reasonableness assessment at the time of screening a voucher holder's application.

Once a housing provider approves a voucher holder's application and submits a Request for Tenancy Approval (RFTA) package, DCHA reviews the package and conducts a rent reasonableness assessment through a tool provided by affordablehousing.com. Unlike other Public Housing Authorities (PHAs), where staff will individually determine a rent reasonableness range and verify whether the unit falls within that range, DCHA's tool automatically approves or rejects the unit based on whether it finds the exact rent to be reasonable. As very few entities outside of DCHA have access to the tool, it is generally impossible for a voucher holder or housing provider to verify whether the unit is likely to be deemed rent reasonable prior to the submission of a RFTA package. As DCHA has eliminated the use of neighborhood-based payment standards, voucher holders and housing providers lack

⁹ Thompson, Steve and Dalton Bennett, "D.C. overpays landlords millions to house the city's poorest," Washington Post, 16 Feb. 2023, www.washingtonpost.com/investigations/2023/02/15/dc-housing-authority-overpays-landlords/.

any point of reference for what may be considered reasonable rent in a given neighborhood and are simply left to guess.

This lack of transparency has created significant confusion. Voucher holders frequently believe that DCHA will approve any unit with rent that is within the citywide payment standard, only to discover later that DCHA has rejected a unit for not being rent reasonable. While DCHA unfortunately did not share any data about rent reasonableness assessments in this year's pre-hearing written responses, **DCHA deemed 55% of units in FY2024 to not be rent reasonable.**¹⁰ The ERC has heard from multiple voucher holders who have spent hundreds of dollars on application fees only to have unit after unit rejected by DCHA for not being rent reasonable. **This process results in voucher holders spending additional money on application fees that they can ill afford and puts households through an emotional roller coaster** as their initial excitement over being approved for tenancy is dashed when DCHA rejects the unit for rent reasonableness, leaving the voucher holder to restart their housing search from scratch. The process also causes significant confusion and frustration to local housing providers who may hold a vacant unit for weeks or months during the lease up process before learning their unit has been rejected for not being rent reasonable and they will need to restart the entire tenancy screening process from scratch.

In 2024 DCHA hired 3 Housing Locators who can run a limited number of rent reasonableness assessments for voucher holders as they conduct their housing searches. While this is a positive development, few voucher holders seem to be aware of the resource. Additionally, should more voucher holders request assistance from the Housing Locators, they would quickly reach capacity. DCHA reported in FY2024 that it ran 9,699 rent reasonableness assessments during RFTA package reviews.¹¹ If we assume an average household would inquire about three properties at a time before deciding where to apply, then each housing locator could be tasked with conducting about 37 rent reasonableness assessments a day, which does not seem sustainable long-term.¹² While Housing Locators bring increased transparency to the rent reasonableness process, they cannot be the primary solution to the broad-based challenges posed by DCHA's current approach to rent reasonableness.

Signs also suggest that DCHA's rent reasonableness tool may be riddled with erroneous data, which could result in the assessments inaccurately rejecting a unit. Very few entities have access to DCHA's rent reasonableness tool hosted by affordablehousing.com, making it difficult to assess its reliability. However, various PSH providers, who do have access to the tool, have testified about the tool's troubling level of inaccurate data and the arbitrariness of its calculations – in one case identical units in a building receiving different approved rent amounts.¹³ DCHA has previously stated that it does not track data regarding the number of

¹⁰ DCHA, "FY2025 Performance Oversight Response to Pre-Hearing Questions", 2 March 2025, 43, available at <https://lims.dccouncil.gov/Hearings/hearings/675>.

¹¹ DCHA, "FY2025 Performance Oversight Response to Pre-Hearing Questions", 2 March 2025, 43, available at <https://lims.dccouncil.gov/Hearings/hearings/675>.

¹² This estimate assumes that there are 260 business days in a year.

¹³ Gabrielle Johns of Community of Hope, February 22, 2024 DCHA performance oversight hearing testimony, available at <https://lims.dccouncil.gov/Hearings/hearings/238>.

Andy Wassenich of Miriam's Kitchen, March 6, 2025 DCHA performance oversight hearing testimony, available at <https://www.youtube.com/watch?v=DLkyUq1xNSg>.

appeals received and percentage of units approved upon appeal. Nevertheless, in a small sample size of 30 rent reasonableness rejections DCHA issued in late 2024, all 30 were appealed and 23 of those appeals were successful.¹⁴ If this trend holds more broadly, it seems to suggest that a lack of data and/or inaccurate data is resulting in many units being improperly rejected for rent reasonableness. In addition, the process places the burden on individual housing providers to appeal and contest the information in the assessments, but the appeals process creates undue, potentially multi-month delays to the start of a voucher holder's tenancy. It also means that housing providers who may not have wanted to rent to voucher holders in the first place can simply choose to not appeal a rent reasonableness denial as a way to skirt the District's robust source of income protections in housing.

DCHA must work to make it possible to better identify whether a unit is likely to be deemed rent reasonable so voucher holders can make more informed decisions about which units to apply to. As an immediate step, the agency should also publish rent ranges by neighborhood and bedroom size regarding what rent rates are likely to be found to be rent reasonable. Additionally, DCHA should review the assessments conducted thus far for any patterns regarding whether units in certain neighborhoods are more likely to be rejected as not rent reasonable, as that may be reflective of poor quality data or inaccurate calculations regarding what rent is reasonable in a given neighborhood. These steps are critical to avoid unduly and unfairly restricting the fair housing choice of voucher holders and to maintain the agency's duty to Affirmatively Further Fair Housing (AFFH).

DCHA Must Be More Communicative with Program Participants

Finally, DCHA must improve communication and its relationship with program participants. The ERC has received numerous calls over the last few years from DCHA program participants who express frustration and confusion with the agency. Common complaints from callers have included an inability to reach DCHA despite repeated contact attempts and a fear of losing out on a housing opportunity due to delays by the agency in completing the lease-up process. This poor customer service is not only time-consuming and emotionally discouraging, but it can also cause devastating and long-lasting negative outcomes for participants, up to and including a loss of housing.

Conclusion

DCHA must also overhaul its reasonable accommodation process in order to equitably serve people with disabilities. Additionally, while the ERC applauds DCHA's continued use of increased payment standards as a critical tool to promote fair housing choice among voucher holders and contribute to neighborhood desegregation, we are highly concerned with the 2023 policy changes to payment standards and rent reasonableness assessments. The ERC urges DCHA to review and revise its rent reasonableness process to improve transparency and outcomes for program participants. Finally, DCHA must make a concerted effort to improve its customer service so that program participants are able to fully benefit from the agency's programs.

¹⁴ DCHA shared this information at a meeting with advocates on October 24, 2024.

Thank you for this opportunity to testify. The ERC welcomes any opportunity to work in collaboration with DCHA and DC Council to improve housing outcomes for District residents with housing vouchers.