



## **Equal Rights Center’s Testimony Regarding the FY2025 Performance of the DC Office of Human Rights**

*Abridged Version Read at the Public Hearing on February 18, 2026 and Testimony Submitted Online on March 2, 2026*

The Equal Rights Center (ERC) appreciates the opportunity to testify for the DC Council performance oversight hearing of the Office of Human Rights (OHR).

The 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 conducted intakes with individuals alleging housing discrimination in DC, investigated individual claims and systemic forms of housing discrimination, pursued enforcement of the Fair Housing Act (FHA), the DC Human Rights Act (HRA), and other local anti-discrimination laws as needed, and conducted education and outreach about fair housing protections and requirements. The ERC, as a complainant or non-attorney representative for individual complainants, has filed more than 50 housing discrimination complaints with OHR in the last three years.

OHR’s administrative complaint process provides DC residents with an opportunity to report and challenge housing discrimination. In theory the administrative complaint process is relatively straightforward—after a complaint is filed, OHR conducts an intake interview and then docket the Charge of Discrimination. It then holds a mediation session between all parties. If mediation fails, the complaint moves into investigation. At the conclusion of the investigation, OHR issues a Letter of Determination stating whether there is probable cause or no probable cause that discrimination occurred. If OHR finds probable cause, one further attempt at conciliation is made before the case is forwarded to the Human Rights Commission unless a party elects to move the case to DC Superior Court.

### *ERC Applauds OHR’s Use of Director’s Inquiries to Confront Systemic Discrimination*

Over the last few years, the ERC has testified to encourage OHR to file Director’s Inquiries, which are a valuable tool to proactively address housing discrimination and reduce the burden on victims of discrimination. Blatant housing discrimination occurs in the District with frequency, especially towards low-income residents with housing vouchers. As a community, we cannot expect residents to shoulder the burden of addressing discrimination on their own and we cannot address a systemic problem through individual complaints. Director’s Inquiries can thus play a critical role in the fight for fair housing.

**Recognizing OHR’s limited resources, testing serves a critical and immediate opportunity to open Director’s Inquiries.** This approach aligns with the Washington Regional Fair Housing Plan, which the District and seven other jurisdictions worked together to release in 2023: the

Plan repeatedly recommends additional testing to achieve the region’s housing equity goals.<sup>1</sup> The FY2021 budget included a \$200,000 enhancement for fair housing testing. Over the last five years the ERC has conducted fair housing testing on an annual basis for OHR and provided OHR with the results of all testing under these contracts. **We were thrilled to learn recently that OHR has filed 15 Director’s Inquiries as a result of ERC’s testing.**<sup>2</sup> We look forward to learning the results of these Inquiries once the complaints have been fully resolved.

*The ERC is Troubled by Prolonged Delays in the Complaint Process*

**Delays in the administrative complaint process appear to have worsened during the last two years, especially at the mediation and investigation stages.** As mentioned above, the ERC files complaints as a Complainant and assists individuals with filing complaints, serving as the Complainant’s Non-Attorney Representative. Eighteen of the ERC’s and its clients’ complaints were forwarded to the Alternate Dispute Resolution (ADR) Unit in FY2025. On average, it took more than five months to schedule mediation for the complaints, with the two longest still pending mediations despite having been docketed in October 2024. Meanwhile, twenty ERC clients have been in the investigation stage for at least two years. A half dozen ERC clients initially filed their complaints in 2022.

**These delays have real consequences for victims of discrimination.** Many ERC clients have shared **they relive the trauma of housing discrimination** when asked to share their story over and over throughout the multi-year complaint process. Even worse, **the delays can ultimately result in denied justice.** One ERC client was shocked and distressed to learn last October that OHR had elected to dismiss her complaint on the basis of administrative convenience. The client initially filed her complaint in May 2021 and her complaint had been pending investigation since the fall of 2022. She was aghast to discover after complying with every request made of her and patiently waiting all these years that the Office would outright dismiss her complaint. OHR’s basis for its decision was that the DC Office of Attorney General (OAG) had brought litigation against the Respondents named in her complaint, which included claims related to her allegations. However, the administrative dismissal notice failed to acknowledge *Complainant was not a party to the litigation and had no means to obtain any relief from the OAG’s lawsuit.* In other words: due to the dismissal for administrative convenience, our client is unable to receive any compensation for the harm she experienced from Respondents’ alleged discrimination. The ERC filed a Request to Reopen her case in November 2025 and is waiting for OHR to reach a decision. The ERC’s client shared, **“I could not imagine when I filed this complaint that I would find myself in such a hopeless position so many years later. I hope OHR will correct this wrong and allow me an opportunity to obtain justice.”**

Recognizing the consequences Complainants face from delays in the process, the ERC is cautiously optimistic that delays at the investigation stage may finally be lessening. After a number of investigators departed the agency over the last few years, the enforcement unit has recently been able to fill these critical positions and begin assigning cases to new investigators.

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<sup>1</sup> Metropolitan Washington Council of Governments, *Metropolitan Washington Regional Fair Housing Plan: District of Columbia*, Nov. 2023, 180, [https://www.mwcog.org/assets/1/28/DC\\_final\\_withcover1.pdf](https://www.mwcog.org/assets/1/28/DC_final_withcover1.pdf).

<sup>2</sup> Office of Human Rights, “CY2025-2026 Performance Oversight Questions: Office of Human Rights,” Feb. 2026, 9 & 25, <https://lims.dccouncil.gov/Hearings/hearings/2145>.

As a result, we have seen several of our clients' complaints move forward in investigation after having been stalled for many months or even years. At the same time, we also recognize that **investigation delays are difficult to fully resolve without additional agency funding, given that the current number of investigators is insufficient to resolve the complaint backlog and timely investigate new cases.**

**While the ADR Unit would also benefit from additional staff, many delays at the mediation stage could likely be addressed with additional training and improved communication.** On a number of occasions, OHR staff have not included all parties when sending Letters of Notification, which notify the Complainant(s) and Respondent(s) that a complaint has been filed and is scheduled for mediation on a certain date. If OHR fails to serve any of the parties, then the mediation must be rescheduled so the parties can be properly notified. Additionally, OHR frequently fails to follow up with parties once a party requests the rescheduling of mediation, meaning that it can take months to reschedule the mediation. Once the parties have reached and signed a settlement agreement, it can take the Office several weeks to sign the agreement and issue Closure Letters.

The ERC also appreciates that leadership has been responsive when we have raised concerns and they have worked to move forward complaints that have stalled. As the ERC only assists a small percentage of Complainants filing complaints at OHR, we worry about the broader systemic impact of delays and challenges on Complainants who are navigating the process on their own. We want to thank OHR leadership for recently meeting with us to discuss concerns about the mediation unit and we are hopeful that ongoing collaboration will help streamline and improve the mediation process.

*The ERC Encourages Permanent Implementation of the Attorney-Drafted Charges Program*

**Given the need for broad scope improvements to the administrative complaint process delays, the ERC appreciates OHR's innovative Attorney-Drafted Charges Pilot Program.** Through the program, attorneys submit draft Charges for their clients and OHR then reviews and finalizes the Charge for the Complainant's signature. This can improve intake processing timelines because OHR staff do not need to conduct an Intake Interview of the Complainant or draft the Charge themselves. The ERC has heard positive feedback from attorneys who have submitted drafted Charges during the pilot's operation from July 2024 through March 2025. **The ERC is glad OHR plans to make the program permanent** and issue additional guidance during FY2026.<sup>3</sup>

Lastly, while we have raised several concerns about OHR's performance in today's testimony, we also want to stress the critical role OHR plays in enforcing the District's progressive civil rights laws. We understand that this is a tough budget year, but any budget cuts to OHR would be devastating. The agency has only been funded close to operational levels in the last few years, and would still benefit from additional enforcement staff to help address multi-year complaint backlogs. **Any budget cuts would significantly hinder the agency's mission and make it more difficult for DC residents to meaningfully report housing discrimination.**

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<sup>3</sup> Office of Human Rights, "CY2025-2026 Performance Oversight Questions: Office of Human Rights," Feb. 2026, 11, <https://lims.dccouncil.gov/Hearings/hearings/2145>.

Thank you for this opportunity to testify. The ERC welcomes any opportunity to work in collaboration with OHR and DC Council to ensure that victims of discrimination are able to seek relief for the harm they've experienced.