

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to congressional review the Fiscal Year 2024 Budget Support Act of 2024, the Fiscal Year 2024 Revised Local Budget Act of 2024, and the Fiscal Year 2024 Budget Support Emergency Act of 2024 to amend the Homeless Services Reform Act of 2005 to establish grounds for an extension to the Family Re-Housing Stabilization Program, and, subject to available funding, to require the Department of Human Services or its designee, to thoroughly consider the totality of a participant's circumstances, including the participant's progress and eligibility for affordable housing.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Family Re-Housing Stabilization Program Protection Congressional Review Emergency Amendment Act of 2024".

Sec. 2. Section 5062(a) of the Rapid Re-Housing Program Amendment Act of 2024, effective September 18, 2024 (D.C. Law 25-217; 71 DCR 11542), is amended to read as follows:

"(a) Section 7(b)(4)(B) of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-753.01(b)(4)(B)), is amended as follows:

"(1) The existing text is designated as sub-subparagraph (i).

"(2) New sub-subparagraphs (ii), (iii), and (iv) are added to read as follows:

"(ii) Notwithstanding any other law; provided, that funding is available within the Family Re-Housing Stabilization Program ("FRSP") to implement this sub-subparagraph and sub-subparagraphs (iii) and (iv) of this subparagraph, the Department, or the Department's designee, shall consider requests for FRSP assistance extending past 12 months if:

"(I) The participant has requested an extension in writing;

"(II) The participant has made a good faith effort towards the achievement of goals set forth in an individualized plan with the aim of a targeted progression towards exit from the supports of FRSP, as observed by the service provider at consistent intervals, but cannot yet sustain housing stability independently of FRSP; and

"(III) The participant has not yet been approved for permanently affordable housing.

ENROLLED ORIGINAL

“(iii) When making a determination of whether to grant a participant in FRSP an extension beyond 12 months, the Department or the Department's designee shall:

“(I) Consider the totality of the circumstances; and

“(II) Grant extensions of time in increments not greater than 6 months, with regular formal reviews every 3 months to ensure that participants are given the support necessary to exit FRSP with stable housing.”

“(iv) If a requested extension of FRSP assistance by a participant is denied, the participant shall be given 30 days written notice prior to the final subsidy payment explicitly setting forth the reason for the denial of additional assistance and inform the participant that the participant has a right to:

“(I) Appeal the determination through a fair hearing and administrative review, including deadlines for requesting an appeal; and

“(II) The continuation of FRSP services pending the outcome of any fair hearing requested within 15 days of receipt of written notice of a termination.”.

Sec. 3. Section 11(a) of the Fiscal Year 2024 Revised Local Budget Adjustment Emergency Act of 2024, effective July 8, 2024 D.C. Act 25-499; 71 DCR 7957), is amended to read as follows:

“(a) Section 7(b)(4)(B) of the Homeless Services Reform Act, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-753.01(b)(4)(B)), is amended as follows:

“(1) The existing text is designated as sub-subparagraph (i).

“(2) New sub-subparagraphs (ii), (iii), and (iv) are added to read as follows:

“(ii) Notwithstanding any other law; provided, that funding is available within the Family Re-Housing Stabilization Program (“FRSP”) to implement this sub-subparagraph and sub-subparagraphs (iii) and (iv) of this subparagraph, the Department or the Department’s designee, shall consider requests for FRSP assistance extending past 12 months if:

“(I) The participant has requested an extension in writing;

“(II) The participant has made a good faith effort towards the achievement of goals set forth in an individualized plan with the aim of a targeted progression towards exit from the supports of FRSP, as observed by the service provider at consistent intervals, but cannot yet sustain housing stability independently of FRSP; and

“(III) The participant has not yet been approved for permanently affordable housing.

“(iii) When making a determination of whether to grant a participant in FRSP an extension beyond 12 months, the Department or the Department's designee shall:

“(I) Consider the totality of the circumstances; and

ENROLLED ORIGINAL

“(II) Grant extensions of time in increments not greater than 6 months, with regular formal reviews every 3 months to ensure that participants are given the support necessary to exit the program with stable housing.”

“(iv) If a requested extension of FRSP assistance by a participant is denied, the participant shall be given 30 days written notice prior to the final subsidy payment explicitly setting forth the reason for the denial of additional assistance and inform the participant that the participant has a right to:

“(I) Appeal the determination through a fair hearing and administrative review, including deadlines for requesting an appeal; and

“(II) The continuation of FRSP services pending the outcome of any fair hearing requested within 15 days of receipt of a written notice of a termination.”.

Sec. 4. Sec. 5062(a) of the Rapid Re-Housing Program Emergency Amendment Act of 2024, effective July 15, 2024 (D.C. Act 25-506; 71 DCR 8406), is amended to read as follows:

“(a) Section 7(b)(4)(B) of the Homeless Services Reform Act, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-753.01(b)(4)(B)), is amended as follows:

“(1) The existing text is designated as sub-subparagraph (i).

“(2) New sub-subparagraphs (ii), (iii), and (iv) are added to read as follows:

“(ii) Notwithstanding any other law; provided, that funding is available within the Family Re-Housing Stabilization Program (“FRSP”) to implement this sub-subparagraph and sub-subparagraphs (iii) and (iv) of this subparagraph, the Department, or the Department’s designee, shall consider requests for FRSP assistance extending past 12 months if:

“(I) The participant has requested an extension in writing;

“(II) The participant has made a good faith effort towards the achievement of goals set forth in an individualized plan with the aim of a targeted progression towards exit from the supports of FRSP, as observed by the service provider at consistent intervals, but cannot yet sustain housing stability independently of FRSP; and

“(III) The participant has not yet been approved for permanently affordable housing.

“(iii) When making a determination of whether to grant a participant in FRSP an extension beyond 12 months, the Department or Department's designee shall:

“(I) Consider the totality of the circumstances; and

“(II) Grant extensions of time in increments not greater than 6 months, with regular formal reviews every 3 months to ensure that participants are given the support necessary to exit FRSP with stable housing.”

“(iv) If a requested extension of FRSP assistance by a participant is denied, the participant shall be given 30 days written notice prior to the final subsidy payment

explicitly setting forth the reason for the denial of additional assistance and inform the participant that the participant has a right to:

“(I) Appeal the determination through a fair hearing and administrative review, including deadlines for requesting an appeal; and

“(II) The continuation of FRSP services pending the outcome of any fair hearing requested within 15 days of receipt of written notice of a termination.”.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia