


Councilmember Robert C. White, Jr.

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare an emergency with respect to the need to amend the District of Columbia Housing Authority Act of 1999 to allow applicants for local rent supplement vouchers to self-certify eligibility factors; and to prohibit the Housing Authority from inquiring into an applicant's immigration status or prior criminal arrests, convictions, or pending criminal matters.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Eligibility Emergency Declaration Resolution of 2023".

Sec. 2. (a) The District of Columbia Housing Authority (DCHA) administers the Local Rent Supplement Program (LRSP), which uses local funds to provide lower-income residents of the District with various housing supports, including tenant-based vouchers, project-based subsidies, and sponsor-based subsidies.

(b) While the LRSP is modeled in part on the federal Housing Choice Voucher Program (HCVP), some HCVP eligibility criteria do not fully address the District's housing subsidy goals.

(c) Specifically, the HCVP's exclusion of individuals with certain criminal records or charges and individuals who are not citizens or lawful permanent residents of the United States overlooks the reality that these individuals and their families continue to need housing support, and that failure to provide such support can contribute to costly social problems for all residents of the District.

33 (d) Furthermore, the HCVP’s requirement of formal documentation of various eligibility
34 criteria poses a barrier to individuals who, for various reasons such as periods of homelessness,
35 lose track of vital records.

36 (e) The Local Rent Supplement Program Enhancement Amendment Act of 2021,
37 effective November 13, 2021 (D.C. Law 24-45) amended the District of Columbia Housing
38 Authority Act of 1999 to require DCHA to issue administrative rules allowing self-certification
39 of eligibility factors for LRSP assistance “when an applicant cannot easily obtain verification
40 documentation.” The same legislation prohibited DCHA from using “immigration status, prior
41 criminal convictions, or pending criminal matters” as eligibility criteria for LRSP assistance.

42 (f) In July 2022, in response to concerns that DCHA and its partner agencies had not fully
43 complied with the Local Rent Supplement Program Enhancement Amendment Act of 2021, the
44 Council passed the Local Rent Supplement Program Eligibility Emergency Amendment Act of
45 2022 and substantively identical temporary legislation. This legislation reinscribed the prior
46 legislation’s directives not to exclude would-be LRSP beneficiaries based on their citizenship;
47 immigration status; prior criminal arrests, convictions, or pending matters; or inability to access
48 vital records.

49 (g) Council Chairman Phil Mendelson introduced substantively identical permanent
50 legislation on January 19, 2023. The permanent bill is pending before the Committee on
51 Housing.

52 (h) The LRSP eligibility temporary legislation currently in effect is scheduled to expire
53 on July 26, 2023.

54 (i) Emergency action is needed to prevent a lapse in the existing temporary law’s
55 important protections.

56 Sec. 3. The Council of the District of Columbia determines that the circumstances
57 enumerated in section 2 constitute an emergency making it necessary that the Local Rent
58 Supplement Program Eligibility Emergency Amendment Act of 2023 be adopted after a single
59 reading.

60 Sec. 4. This resolution shall take effect immediately.