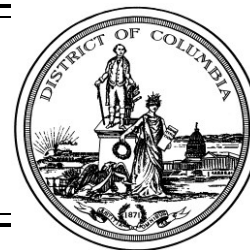

COMMITTEE ON HOUSING AND EXECUTIVE ADMINISTRATION

COUNCILMEMBER ANITA BONDS, CHAIRPERSON
FISCAL YEAR 2022 COMMITTEE BUDGET REPORT



To: Members of the Council of the District of Columbia

FROM: Councilmember Anita Bonds
Chairperson, Committee on Housing and Executive Administration

DATE: June 30, 2021

SUBJECT: Report and Recommendations of the Committee on Housing and Executive Administration on the Fiscal Year 2022 Budget for Agencies Under its Purview

The Committee on Housing and Executive Administration (“Committee”), having conducted hearings and received testimony on the Mayor’s proposed operating and capital budgets for Fiscal Year 2022 (“FY 2022”) for the agencies under its purview, reports its recommendations for review and consideration by the Committee of the Whole. The Committee also comments on sections in the Fiscal Year 2022 Budget Support Act of 2021, as proposed by the Mayor.

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I. SUMMARY

A. FISCAL YEAR 2022 AGENCY OPERATING BUDGET SUMMARY

Operating Budget Summary					
Fund Type	FY 2020 Actuals	FY 2021 Approved	Mayor's FY 2022 Proposed	Committee Variance	Committee's FY 2022 Recommendation
Department of Aging and Community Living					
LOCAL FUND	\$39,512,847	\$40,973,262	\$44,870,265	\$890,000	\$45,760,265
FEDERAL PAYMENTS	\$0	\$0	\$0	\$0	\$0
FEDERAL GRANT FUND	\$12,295,075	\$7,702,179	\$8,516,033	\$0	\$8,516,033
FEDERAL MEDICAID PAYMENTS	\$2,254,657	\$3,389,343	\$3,078,424	\$0	\$3,078,424
OPERATING INTRA-DISTRICT FUNDS	\$2,096,726	\$228,958	\$415,064	\$0	\$415,064
TOTAL GROSS FUNDS	\$56,159,305	\$52,293,742	\$56,879,786	\$890,000	\$57,769,786
Department of Housing and Community Development					
LOCAL FUND	\$29,053,345	\$19,287,364	\$26,323,132	\$0	\$26,323,132
FEDERAL PAYMENTS	\$0	\$0	\$48,157,624	\$0	\$48,157,624
FEDERAL GRANT FUND	\$40,011,917	\$38,045,465	\$47,526,845	\$0	\$47,526,845
SPECIAL PURPOSE REVENUE FUNDS ("O"TYPE)	\$2,184,396	\$4,590,022	\$6,100,000	\$0	\$6,100,000
OPERATING INTRA-DISTRICT FUNDS	\$16,554,411	\$22,387,433	\$15,000,000	\$0	\$15,000,000
TOTAL GROSS FUNDS	\$87,804,069	\$84,310,284	\$143,107,601	\$0	\$143,107,601
Executive Office of the Mayor					
LOCAL FUND	\$6,191,258	\$6,082,180	\$6,326,806	\$0	\$6,326,806
FEDERAL PAYMENTS	\$5,840,587	\$0	\$0	\$0	\$0
FEDERAL GRANT FUND	(\$228)	\$0	\$0	\$0	\$0
OPERATING INTRA-DISTRICT FUNDS	\$90,939	\$0	\$0	\$0	\$0
TOTAL GROSS FUNDS	\$12,122,555	\$6,082,180	\$6,326,806	\$0	\$6,326,806
Housing Authority Subsidy					
LOCAL FUND	\$146,302,522	\$158,453,363	\$161,331,843	\$1,318,056	\$162,649,899
OPERATING INTRA-DISTRICT FUNDS	\$0	\$0	\$0	\$0	\$0
TOTAL GROSS FUNDS	\$146,302,522	\$158,453,363	\$161,331,843	\$1,318,056	\$162,649,899
Housing Finance Agency					
ENTERPRISE AND OTHER FUNDS	\$0	\$14,280,596	\$15,009,504	\$0	\$15,009,504

TOTAL GROSS FUNDS	\$0	\$14,280,596	\$15,009,504	\$0	\$15,009,504
Housing Production Trust Fund					
FEDERAL PAYMENTS	\$0	\$0	\$166,684,448	\$0	\$166,684,448
ENTERPRISE AND OTHER FUNDS-DEDICATED TAX	\$126,041,579	\$73,462,167	\$73,315,556	\$0	\$73,315,556
ENTERPRISE AND OTHER FUNDS	\$17,830,855	\$26,537,833	\$10,000,000	\$0	\$10,000,000
TOTAL GROSS FUNDS	\$143,872,434	\$100,000,000	\$250,000,004	\$0	\$250,000,004
Housing Production Trust Fund Subsidy					
LOCAL FUND	\$38,645,048	\$17,537,832	\$0	\$0	\$0
FEDERAL PAYMENTS	\$0	\$0	\$166,684,448	\$0	\$166,684,448
TOTAL GROSS FUNDS	\$38,645,048	\$17,537,832	\$166,684,448	\$0	\$166,684,448
Mayor's Office of Legal Counsel					
LOCAL FUND	\$1,091,983	\$1,638,423	\$1,638,423	\$0	\$1,638,423
PRIVATE GRANT FUND	\$20,000	\$0	\$0	\$0	\$0
TOTAL GROSS FUNDS	\$1,111,983	\$1,638,423	\$1,638,423	\$0	\$1,638,423
Office of the City Administrator					
LOCAL FUND	\$8,080,566	\$8,493,895	\$10,414,352	\$400,000	\$10,814,352
PRIVATE GRANT FUND	\$317,112	\$0	\$0	\$0	\$0
PRIVATE DONATIONS	\$0	\$0	\$0	\$0	\$0
SPECIAL PURPOSE REVENUE FUNDS (O"TYPE)	\$0	\$0	\$0	\$0	\$0
OPERATING INTRA-DISTRICT FUNDS	\$50,000	\$0	\$0	\$0	\$0
TOTAL GROSS FUNDS	\$8,447,678	\$8,493,895	\$10,414,352	\$400,000	\$10,814,352
Office of the Secretary					
LOCAL FUND	\$3,540,949	\$3,706,056	\$3,435,032	\$0	\$3,435,032
SPECIAL PURPOSE REVENUE FUNDS (O"TYPE)	\$742,173	\$1,100,000	\$1,100,000	\$0	\$1,100,000
OPERATING INTRA-DISTRICT FUNDS	\$0	\$0	\$0	\$0	\$0
TOTAL GROSS FUNDS	\$4,283,122	\$4,806,056	\$4,535,032	\$0	\$4,535,032
Office of the Senior Advisor					
LOCAL FUND	\$3,139,028	\$3,343,809	\$3,409,318	\$0	\$3,409,318
TOTAL GROSS FUNDS	\$3,139,028	\$3,343,809	\$3,409,318	\$0	\$3,409,318
Office of the Tenant Advocate					
LOCAL FUND	\$2,941,328	\$3,467,119	\$3,258,266	\$0	\$3,258,266
FEDERAL PAYMENTS	\$0	\$0	\$335,610	\$0	\$335,610
SPECIAL PURPOSE REVENUE FUNDS (O"TYPE)	\$144,750	\$543,277	\$467,826	\$0	\$467,826
OPERATING INTRA-DISTRICT FUNDS	\$0	\$0	\$0	\$0	\$0
TOTAL GROSS FUNDS	\$3,086,079	\$4,010,396	\$4,061,702	\$0	\$4,061,702

Real Property Tax Appeals Commission					
LOCAL FUND	\$1,828,796	\$1,825,886	\$1,775,875	\$0	\$1,775,875
OPERATING INTRA-DISTRICT FUNDS	\$0	\$0	\$0	\$0	\$0
TOTAL GROSS FUNDS	\$1,828,796	\$1,825,886	\$1,775,875	\$0	\$1,775,875
Rental Housing Commission					
LOCAL FUND	\$1,258,237	\$1,327,889	\$1,359,911	\$0	\$1,359,911
TOTAL GROSS FUNDS	\$1,258,237	\$1,327,889	\$1,359,911	\$0	\$1,359,911
GRAND TOTAL	\$508,060,856	\$458,404,351	\$826,534,606	\$2,608,056	\$829,142,662

B. FISCAL YEAR 2022 AGENCY FULL-TIME EQUIVALENT

Agency Full-Time Equivalent Summary					
Fund Type	FY 2020 Actuals	FY 2021 Approved	Mayor's FY 2022 Proposed	Committee Variance	Committee's FY 2022 Recommendation
Department of Aging and Community Living					
LOCAL FUND	0.00	64.85	77.86	0.00	77.86
FEDERAL PAYMENTS	0.00	0.00	0.00	0.00	0.00
FEDERAL GRANT FUND	0.00	6.55	7.55	0.00	7.55
FEDERAL MEDICAID PAYMENTS	0.00	30.60	27.59	0.00	27.59
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	2.00	0.00	2.00
TOTAL FTE	0.00	102.00	115.00	0.00	115.00
Department of Housing and Community Development					
LOCAL FUND	0.00	63.89	55.38	0.00	55.38
FEDERAL PAYMENTS	0.00	0.00	0.00	0.00	0.00
FEDERAL GRANT FUND	0.00	31.23	33.98	0.00	33.98
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	0.00	0.00	0.00	0.00	0.00
OPERATING INTRA-DISTRICT FUNDS	0.00	73.88	79.62	0.00	79.62
TOTAL FTE	0.00	169.00	168.98	0.00	168.98
Executive Office of the Mayor					
LOCAL FUND	0.00	49.00	48.00	0.00	48.00
FEDERAL PAYMENTS	0.00	0.00	0.00	0.00	0.00
FEDERAL GRANT FUND	0.00	0.00	0.00	0.00	0.00
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	49.00	48.00	0.00	48.00
Housing Authority Subsidy					
LOCAL FUND	0.00	0.00	0.00	0.00	0.00
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	0.00	0.00	0.00	0.00

Housing Finance Agency					
ENTERPRISE AND OTHER FUNDS	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	0.00	0.00	0.00	0.00
Housing Production Trust Fund					
FEDERAL PAYMENTS	0.00	0.00	0.00	0.00	0.00
ENTERPRISE AND OTHER FUNDS- DEDICATED TAX	0.00	0.00	0.00	0.00	0.00
ENTERPRISE AND OTHER FUNDS	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	0.00	0.00	0.00	0.00
Housing Production Trust Fund Subsidy					
LOCAL FUND	0.00	0.00	0.00	0.00	0.00
FEDERAL PAYMENTS	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	0.00	0.00	0.00	0.00
Mayor's Office of Legal Counsel					
LOCAL FUND	0.00	10.00	9.00	0.00	9.00
PRIVATE GRANT FUND	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	10.00	9.00	0.00	9.00
Office of the City Administrator					
LOCAL FUND	0.00	56.00	65.00	0.00	65.00
PRIVATE GRANT FUND	0.00	0.00	0.00	0.00	0.00
PRIVATE DONATIONS	0.00	0.00	0.00	0.00	0.00
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	0.00	0.00	0.00	0.00	0.00
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	56.00	65.00	0.00	65.00
Office of the Secretary					
LOCAL FUND	0.00	21.00	21.00	0.00	21.00
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	0.00	6.00	6.00	0.00	6.00
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	27.00	27.00	0.00	27.00
Office of the Senior Advisor					
LOCAL FUND	0.00	20.00	20.00	0.00	20.00
TOTAL FTE	0.00	20.00	20.00	0.00	20.00
Office of the Tenant Advocate					
LOCAL FUND	0.00	20.65	20.65	0.00	20.65
FEDERAL PAYMENTS	0.00	0.00	4.00	0.00	4.00
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	0.00	3.35	3.35	0.00	3.35
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	24.00	28.00	0.00	28.00

Real Property Tax Appeals Commission					
LOCAL FUND	0.00	11.00	12.00	0.00	12.00
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	11.00	12.00	0.00	12.00
Rental Housing Commission					
LOCAL FUND	0.00	9.00	9.00	0.00	9.00
TOTAL FTE	0.00	9.00	9.00	0.00	9.00
GRAND TOTAL	0.00	477.00	501.98	0.00	501.98

C. FY 2022-2027 AGENCY CAPITAL BUDGET SUMMARY

Owner Agency	Project No	Project Title	Sum of Available Allotment as of 26 May 2021 (includes Pre-Encumbrances)	Sum of FY 2022 Planned Allotment	Sum of FY 2023 Planned Allotment	Sum of FY 2024 Planned Allotment	Sum of FY 2025 Planned Allotment	Sum of FY 2026 Planned Allotment	Sum of FY 2027 Planned Allotment	Sum of FY 2022-2027 Total Planned Allotment
HY0	DHA21C	DEVELOPMENT AND REHABILITATION - DCHA	\$650,049	0	0	0	0	0	0	0
Grand Total			\$650,049	0	0	0	0	0	0	0

D. TRANSFERS IN FROM OTHER COMMITTEES

Sending Committee	Amount	FTEs	Receiving Agency	Program	Purpose	Recurring or One-Time
Government Operations and Facilities	\$479,293	0	DCHA	Program 6000, Activity 6010	20 TAH vouchers for LGBTQ seniors identified by OLGBTQ	Recurring
Government Operations and Facilities	\$479,293	0	DCHA	Program 6000, Activity 6010	20 TAH vouchers for returning citizens identified by ORCA	Recurring
Government Operations and Facilities	\$359,470	0	DCHA	Program 6000, Activity 6010	15 TAH vouchers for seniors off the DCHA waiting list	Recurring

Judiciary and Public Safety	\$400,000	0	City Administrator	Program 1000, Activity 1090	Fund a contract for the development of a strategic District-wide gun violence prevention plan	One-Time
Government Operations and Facilities	\$2,713,000	0	OSA	Project AB102	Accelerate planning for the new DC Archives	One-Time
Transportation and the Environment	\$235,000	0	DACL	Program 9400, Activity 9475	Caregiver Support	One-Time
Transportation and the Environment	\$205,000	0	DACL	Program 9400, Activity 9475	Caregiver Support	Recurring
Transportation and the Environment	\$250,000	0	DACL	Program 9400, Activity 9430	Lead Agencies and Case Management	One-Time
Transportation and the Environment	\$200,000	0	DACL	Program 9400, Activity 9440	Senior Wellness Center/Fitness	One-Time

E. TRANSFERS OUT TO OTHER COMMITTEES

Receiving Committee	Amount	FTEs	Receiving Agency	Program	Purpose	Recurring or One-Time
X	X	X	X	X	X	X

F. REVENUE ADJUSTMENT

Agency	Fund Type	Amount	Use	BSA Subtitle
X	X	X	X	X

G. FUNDING OF BUDGET SUPPORT ACT SUBTITLES

Subtitle	Agency	Program	Amount	FTEs
The Coalition for Non-Profit Housing and Economic Development TOPA Study and Grant Act of 2021	DHCD	Program 2000, Activity 2025, Fund 0700	\$250,000	0

H. FUNDING OF PENDING BILLS OR LAWS SUBJECT TO APPROPRIATION

Bill or Law #	Status	Agency	Program	Amount	FTEs
X	X	X	X	X	X

I. SUMMARY OF COMMITTEE BUDGET RECOMMENDATIONS

DEPARTMENT OF AGING AND COMMUNITY LIVING (BY0)

Fiscal Year 2022 Operating Budget Recommendations:

The Committee recommends approval of the Mayor's FY 2022 operating budget for the Department of Aging and Community Living with the following changes:

1. Accepts:
 - a. A transfer in of \$235,000 in one-time funding from the Committee on Transportation and the Environment to CSG 50 – Program 9400, Activity 9475 for Caregiver Support to support interventions with adults 60 years and older with memory loss and other cognitive impairments, including services, support groups, and activities that provide relief from social isolation and stigma for people with early and mid-stage Alzheimer's disease and Related Dementias (ADRD) and their care partners.
 - b. A transfer in of \$205,000 in recurring funding, starting from FY 2022 for four fiscal years, from the Committee on Transportation and the Environment to CSG 50 – Program 9400, Activity 9475 for Caregiver Support to support care navigators for persons living with dementia, to assist with identifying, navigating, and applying for resources and services that are appropriate to the circumstances

of a caregiver or care recipient, independent of income.

- c. A transfer in of \$250,000 in one-time funding from Committee on Transportation and the Environment to CSG 50 – Program 9400, Activity 9430 for Lead Agencies and Case Management to support expanded programming and staffing for wellness programming for older adults in Wards 2 and 3 where no brick-and-mortar senior wellness centers exist. This funding would support a hybrid model of in-person and virtual wellness programming as the District continues to open up from the COVID-19 pandemic.
- d. A transfer in of \$200,000 in one-time funding from Committee on Transportation and the Environment to CSG 50 – Program 9400, Activity 9440 for Senior Wellness Center/Fitness to support programming at a senior center that provides comprehensive health and social services to senior adults living in isolation or within a family context, with a focus on serving seniors who speak a language other than English.

Fiscal Year 2022 Capital Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 capital budget in the Department of Aging and Community Living (DACL). DACL has no associated capital funds.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the Department on Aging and Community Living (DACL) implement the following:

1. The Committee encourages DACL to promptly develop and implement the proposed changes of transitioning to an in-house case management process for the purpose of ensuring that there is an active protocol between agency and participant. More specifically, the Committee recommends that DACL builds a strong relationship with its participants by focusing on a client-centered approach.
2. The Committee encourages DACL to promptly develop and implement the proposed changes to its nutrition program by addressing senior hunger and daily nutritional needs. Further, the Committee encourages DACL to offer nutritional programs that include a mixture of healthy foods, such as meats, fruits, vegetables, beverages, and fresh produce of adequate portions.
3. The Committee encourages DACL to gather and make effective use of data gathered to further improve programs and services for District seniors. The Committee's urging for improved data collection shall serve to better understand the needs of the District's senior population.
4. The Committee encourages DACL to make regular contact with its participants to ensure their overall physical, mental, and emotional well-being. In addition to DACL's regular

contacts with its participants that gather quality data on seniors, the Committee's recommendation also aims to address social isolation and loneliness.

5. The Committee supports DACL's efforts to improve equity across the District in its programmatic and service deliveries. However, the Committee urges DACL to ensure that changes in its agency operations lead to participants receiving improved services, and to take into account challenges that were encountered during the COVID-19 Public Health Emergency.
6. The Committee encourages DACL to make inquiries during the in-take process as to whether a senior is facing financial burdens or has needs for financial assistance, including but not limited to: housing, nutrition, socialization, transportation, and health.
7. The Committee urges DACL to increase outreach and referrals of the Rental Assistance for Unsubsidized Seniors program, also known as "Shallow Subsidy" program, to the District of Columbia Housing Authority (DCHA).
8. The Committee encourages DACL to implement a routine and frequent mailer program, in partnership with the Board of Elections, to the list of registered voters to inform the public of DACL programs and services. The Committee also urges DACL to facilitate and fulfill its goal of reaching isolated seniors through new and innovative methods to promote civic engagement.
9. The Committee encourages DACL to work with the community in planning for the future development of the State Plan, including developing a public emergency plan to ensure that seniors are equipped with adequate information to protect themselves and remain informed.
10. The Committee encourages DACL to ensure a streamlined process in the operation of the Adult Protective Services (APS) program, including more public awareness in combatting neglect, abuse, and financial exploitation of seniors. Additionally, the Committee urges DACL to put in place the necessary mechanisms that will ensure prompt protection and resolution for all individuals within the APS case load.
11. The Committee recommends that DACL conduct a comprehensive review of the Participants List to ensure that the list consists of only current participants residing in the District of Columbia. The Committee further encourages DACL to facilitate more outreach activities that translate to new participants.
12. The Committee recommends that DACL continue to closely monitor and diligently respond to requests made for the Safe at Home Program and promptly refer any interested seniors to the Single-Family Rehabilitation program conducted by the Department on Housing and Community Development (DHCD).
13. The Committee recommends that adequate, timely, and low-cost transportation services continue to be offered to District residents that meets their varying needs and destinations. The Committee encourages DACL to ensure that all District seniors who make efforts to be part of a community living environment will be afforded with adequate transportation

services.

14. The Committee urges DACL to remain informed of situations that arise in nursing homes and assisted living facilities by maintaining contact with the appropriate entities. The Committee further encourages DACL to continue outreach efforts to the caregiver community, including persons who care for close relatives and the home care aide providers that are a vital component to allowing many aging District residents to age-at-home without commercial confinement. Thought and effort should be devoted to engaging these persons on a regular basis around best practice communications models to enrich the lives of persons under their care.
15. The Committee recommends DACL to encourage social workers from lead agencies and grantees to apply for social worker positions at DACL, as this allows case management workload to be removed from lead agencies and grantees to be transitioned in-house at the agency.
16. The Committee recommends that DACL continue to work with the Committee in developing and delivering programs and services to improve seniors' quality of life and overall standard of living, including but not limited to employment programs, expansion of fitness and healthy living activities and virtual participation, assist in the growth and development of Senior Villages, expansion of healthy eating programs with the home delivery of fresh fruits and vegetables, and broad dissemination of information regarding the existence of DACL and its programs and services.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DB0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 operating budget for the Department of Housing and Community Development (DHCD) with the following changes:

1. Realign within DHCD:
 - a. \$200,000 from Portfolio and Asset Management Division CSG 41 – Program 4500, Activity 4510, Fund 0700 to Development Finance Division CSG 50 – Program 2000, Activity 2025, Fund 0700 to fund the study established by “The Coalition for Non-Profit Housing and Economic Development TOPA Study and Grant Act of 2021.”
 - b. \$199,000 cut Residential and Community Service Division CSG 50 – Program 3000, Activity 3030, Fund 100 to account for the projected revenue loss in the form of income tax and property tax over FY 2023, FY 2024, and FY 2025 indicated in the Fiscal Impact Statement issued for B23-878.
 - c. \$199,000 from the Development Finance Division CSG 50 – Program 2000, Activity 2010, Fund 1135 to Residential and Community Service Division CSG 50 – Program

3000, Activity 3030, Fund 100.

2. Redirect the following:

- a. \$199,000 from the Housing Production Trust Fund Administration CSG 41 – Program Administration, Activity 1500, Fund 150 to the Development Finance Division CSG 50 – Program 2000, Activity 2010, Fund 1135 to offset cuts to pay for offsetting of revenue loss according to the Fiscal Impact Statement issued for B23-878.

Fiscal Year 2022 Capital Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 capital budget in the Department of Housing and Community Development.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the Department of Housing and Community Development implement the following:

1. The Committee recommends that DHCD expeditiously fill its 20 vacancies to maintain service delivery to residents. Specifically, the Committee recommends prioritizing filling the vacancy for a Limited Equity Cooperative Specialist to be able to provide improved service to residents in Limited Equity Cooperatives and the Housing Provider Ombudsman so that housing providers, particularly small housing providers, have the dedicated resources they need as we prepare to exit the COVID Public Health Emergency.
2. The Committee recommends the agency release a Consolidated Request for Proposals (RFP) twice each fiscal year. In the recent past, the agency has shown attempts to release a Consolidated RFP twice in one calendar year but has yet to demonstrate the ability to release two Consolidated RFPs in each fiscal year.
3. The Committee urges DHCD to move swiftly to implement B24-168, the "District's Opportunity to Purchase Amendment Act of 2021" so that the District can benefit from the increase of Tenant Opportunity to Purchase Act (TOPA,) and thus District Opportunity to Purchase Act (DOPA) cases that will arise following the end of TOPA tolling following the conclusion of the public health emergency and to use Property Acquisition and Disposition Division (PADD) and Preservation Fund dollars when the opportunity presents itself to.
4. The Committee proposes that DHCD indicate within 10 days of the close of the application, the number of applications it receives per Request for Proposal (RFP) for the Housing Production Trust Fund, the total dollar amount of the applications it receives per RFP, and the total amount of 0-30% Area Median Income (AMI) units, 31-

60% AMI units, and 61-80% AMI units applied for per RFP.

5. The Committee recognizes that DHCD has worked through steps in the Single-Family Residential Rehabilitation Program to reduce the backlog and expedite the timeline. However, the Committee recommends that DHCD continue to work to expedite the timeline from the time of application submission to project completion.
6. The Committee recommends that DHCD review the requirements of the Housing Purchase Assistance Program (HPAP) application, most specifically the requirement that a Notice of Eligibility (NOE) be completed and consider how it may impact residents' ability to complete the process. The Committee looks forward to engaging DHCD and other stakeholders to streamline this process and remove redundancy.
7. The Committee urges DHCD to consult with the Office of the Attorney General on how best ensure that all housing providers are complying with applicable housing regulations with respect to affordable housing requirements and health and welfare of tenants.
8. The Committee proposes that DHCD look into prioritizing applicants to the Inclusionary Zoning program who have been on the waiting list for the longest amount of time and to prioritize long-standing residents who have lived in District of Columbia for 20 years or more. The Committee also suggests exploring any other alterations to the program that would benefit residents who are part of underserved populations.
9. The Committee urges DHCD to continue to investigate innovative and expansive ways to provide District residents with a path to homeownership, particularly focusing on improving homebuyer outcomes for populations that have been traditionally and historically underserved.
10. The Committee recommends that DHCD continue to work towards expanding the Small Buildings Grant Program to distressed condominiums, cooperatives, and homeowner associations.

DISTRICT OF COLUMBIA HOUSING AUTHORITY (HY0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 operating budget for the District of Columbia Housing Authority with the following changes:

1. Accept the following:
 - a. \$479,293 from the Committee on Government Operations and Facilities for 20 Targeted Affordable Housing (TAH) vouchers for LGBTQ seniors identified by OLGBTQ—Program 6000, Activity 6010;

- b. \$359,470 from the Committee on Government Operations and Facilities for 15 TAH vouchers for seniors off the DCHA waiting list—Program 6000, Activity 6010; and
- c. \$479,293 from the Committee on Government Operations and Facilities for 20 TAH vouchers for returning citizens identified by ORCA—Program 6000, Activity 6010.

Fiscal Year 2022 Capital Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 capital budget for the District of Columbia Housing Authority with the following changes:

- 1. Accept the following:
 - a. \$650,049 from the Committee on Government Operations and Facilities to the DHA21 – Development and Rehabilitation Project at DCHA for public housing repairs.
- 2. The Committee recommends that the Authority provide quarterly updates to the Committee on its progress in submitting contracts to the CFO and on its approved withdrawals from the capital fund.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the District of Columbia Housing Authority (DCHA) implement the following:

- 1. The Committee recommends that DCHA provide regular updated information to residents on properties undergoing renovation and extensive repairs.
- 2. The Committee recommends that the Authority work with the Department of Aging and Community living to institute rulemaking for the governance of the Shallow Subsidy for Seniors and thereby establish a mutual understanding of the program's administration so that all available funds may be allocated to eligible seniors by the end of FY 2022.
- 3. The Committee recommends that DCHA provide quarterly updates to the Committee on the expenditure of any funds as part of the Transformation Plan, towards repairs on properties identified in the Plan and funds used for planning and pre-development of projects identified in the Transformation Plan.
- 4. The Committee recommends that the Housing Authority and the Mayor revive its efforts to secure future funding to pull applicants from the DCHA voucher waitlist.
- 5. The Committee recommends that the Authority act with urgency to remediate environmental hazards such as mold and lead, present in public housing units.

6. The Committee recommends that the Authority allocate the vouchers allocated for members of special populations expeditiously and inform the Committee if the Authority encounters difficulty in directing or witnesses heightened demand for those vouchers.

DISTRICT OF COLUMBIA HOUSING FINANCE AGENCY (HF0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends approval of the FY 2022 budget for the District of Columbia Housing Finance Agency in the amount of \$15,009,504, as proposed by the Mayor.

Fiscal Year 2022 Capital Budget Recommendations

The District of Columbia Housing Finance Agency has no associated capital funds.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the District of Columbia Housing Finance Agency (DCHFA) implement the following:

1. The Committee recommends that DCHFA meet its proposed goal of deploying the State Low Income Housing Tax Credit which will infuse additional capital in the housing ecosystem.
2. The Committee recommends that the Council accepts the changes in the Budget Supplement Act to decouple the State Credit from the Federal to ensure that DCHFA can leverage those monies across more projects.
3. The Committee recommends that DCHFA publicize its Board meetings using available outlets including, but not limited to, social media platforms, listserv announcements, and external newsletters to encourage public attendance and participation.
4. The Committee recommends that DCHFA continue to collaborate with the Department of Housing and Community Development (DHCD) and the Greater Washington Urban League (GWUL) to administer a citywide training for all community-based organizations that serve as the intake entity for the Home Purchase Assistance Program to foster cohesiveness and efficiency amongst stakeholders.
5. The Committee recommends that DCHFA work with DHCD and GWUL to streamline the HPAP application process and evaluate the necessity of the Notice of Eligibility component.
6. The Committee recommends that DCHFA build upon the successful rollout of the Reverse Mortgage Foreclosure Prevention Pilot program (ReMIT) and Home Saver programs by continuing to provide financial assistance for qualified homeowners who are at risk of foreclosure for the payment of overdue property taxes and property

insurance bills.

7. The Committee recommends that DCHFA continue to explore innovative options for supporting the development of housing that targets residents at lower income levels, particularly those at or below 60% of the area median income (AMI).
8. The Committee recommends that DCHFA explore innovative options to support home ownership opportunities for District residents with low credit scores.
9. The Committee recommends that DCHFA explore innovative options to fully staff the Single-Family programs to enable the Agency to more efficiently serve residents and increase the capacity in this space.
10. The Committee recommends that DCHFA explore innovative ways for Advisory Neighborhood Commissions (ANCs) and members of the general public to communicate their positions and concerns regarding proposed developments in their neighborhoods that are under consideration by DCHFA.

EXECUTIVE OFFICE OF THE MAYOR (AA0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 operating budget for the Executive Office of the Mayor.

Fiscal Year 2022 Capital Budget Recommendations

The Executive Office of the Mayor has no associated capital funds.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the Executive Office of the Mayor implement the following:

1. The Committee encourages the Executive Office of the Mayor to expeditiously fill the remaining vacancies of the 7 reported so that there is no gap in services to residents.
2. The Committee would like to see the Mayor's Office of Talent and Appointments work to nominate members to the Condominium Association Advisory Council, which has been a body that was legislatively established in 2017 and has been sitting empty for the last four years.
3. The Committee recommends that the EOM consistently report to the Committee the data resulting from vaccination outreach strategies. Results of these efforts should be recorded by keeping count of the number of DC residents touched by these efforts. The Committee is particularly interested in receiving this data at the Ward-level.

HOUSING PRODUCTION TRUST FUND (UZ0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 budget for the Housing Production Trust Fund (HPTF) with the following modifications:

1. Realign within the HPTF:
 - a. \$1,000,000 in Affordable Housing Project Financing from CSG 50 – Program Project, Activity 2100, Fund 150 to Property Acquisition CSG 41 – Program Project, Activity 4110, Fund 150 for FY 2022
 - b. \$2,000,000 in Affordable Housing Project Financing from CSG 50 – Program Project, Activity 2100, Fund 150 to Single Family Rehabilitation -Project CSG 50 – Program, Activity 3600, Fund 150 for FY 2022; and
 - c. \$20,000 in Affordable Housing Project Financing from CSG 50 – Program Project, Activity 2100, Fund 150 to Single Family Rehabilitation -Project CSG 50 – Program, Activity 3600, Fund 150 for FY 2022.
2. Redirect the following:
 - a. \$199,000 to the Department of Housing and Community Development's Development Finance Division CSG 50 – Program 2000, Activity 2010, Fund 1135 from Housing Production Trust Fund Administration CSG 41 – Program Administration, Activity 1500, Fund 150 to offset cuts to pay for offsetting of revenue loss projected by the Fiscal Impact Statement for B23-878.

Fiscal Year 2022 Capital Budget Recommendations

The Housing Production Trust Fund has no associated capital funds.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the Housing Production Trust Fund implement the following:

1. The Committee recommends that the Department of Housing and Community Development closely monitor the administrative expenses in the interest of operating in the most efficient manner possible and identifying ways to ensure that administrative costs do not reach the 15% allotted limit each time new money is invested in or removed from the fund.

2. The Committee urges the Department of Housing and Community Development to select projects that will work towards meeting the statutory requirement of using 50% of funds for units for residents making between 0-30% AMI.

MAYOR'S OFFICE OF LEGAL COUNSEL (AH0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 budget for the Mayor's Office of Legal Counsel.

Fiscal Year 2022 Capital Budget Recommendations

The Mayor's Office of Legal Counsel has no associated capital funds.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the Mayor's Office of Legal Counsel implement the following:

1. The Committee appreciates the open channel of communication with the MOLC and recommends the continuation of this communication. The Committee has already taken advantage of the Office of the Counsel for insight into housing policy and other policy initiatives and looks forward to continuing this positive relationship.
2. The Committee is looking forward to the input of the MOLC as we strengthen the regulatory systems and structures around our district housing laws.

OFFICE OF THE CITY ADMINISTRATOR (AE0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 budget for the Office of the City Administrator with the following modifications:

1. Accept the following:
 - a. \$400,000 from the Committee on the Judiciary and Public Safety to fund a contract for the development of a strategic District-wide gun violence prevention plan—Program 1000, Activity 1090.

Fiscal Year 2022 Capital Budget Recommendations

The Office of the City Administrator does not have a capital budget in FY 2022.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the Office of the City Administrator (OCA) implement the following:

1. The Committee recommends that OCA provide quarterly updated information to the Committee on quantitative measures of the Chief Equity Officer's efficacy in reducing racial inequality in the District.
2. The Committee recommends OCA provide regular quarterly updated information to the Committee on the implementation of the goals, objectives, and outcomes of the Gun Violence Prevention initiative. Specifically, the Committee recommends that the information include the following:
 - a. Each partner agency's spending over the past quarter;
 - b. The number of constituents/residents reached through Building Blocks DC programming;
 - c. Estimated number of lives saved, if such an estimate is possible;
 - d. The number of individual and organizational grants awarded and the average amount of funding awarded to the two types of awardees;
 - e. The metrics used to understand program efficacy in each neighborhood in which program resources are available;
 - f. An update on a Strategic Plan; and
 - g. Any assessment indicating additional needs not covered by current program scope and funding and an estimate of any additional costs associated with the additional needs.

OFFICE OF THE SECRETARY (BA0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends the adoption of the Mayor's proposed FY 2022 budget for the Office of the Secretary.

Fiscal Year 2022 Capital Budget Recommendations

The Committee recommends the adoption of the Mayor's proposed FY 2022 budget for the Office of the Secretary with the following modifications:

1. Accepts:
 - a. A transfer in of \$2,713,000 in FY 2023 from the Committee on Government Operations and Facilities to Project AB102 to accelerate planning for the new DC Archives.
 - b. A transfer out of \$2,713,000 from Project AB102 in FY 2026 to the Committee on Government Operations and Facilities for Project PL901 to invest in energy efficiency for District government buildings.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the Office of the Secretary (OS) implement the following:

1. The Committee recommends that OS continue to work to ensure that the existing DC Archives facility adequately serves District residents leading up to the opening of a new facility, and that the new facility honors and acknowledges the significant history of the District of Columbia for our city's residents and visitors.
2. The Committee recommends that OS develop a comprehensive plan for the relocation of the DC Archives by soliciting public comments.
3. The Committee recommends that OS implement Remote Online Notarization (RON) service on a permanent basis.
4. The Committee recommends that OS explore innovative methods for engaging foreign government officials virtually and in-person.
5. The Committee recommends that OS explore innovative methods for engaging the public virtually and in-person.

OFFICE OF THE SENIOR ADVISOR (AI0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 budget for the Office of the Senior Advisor with the following modifications:

Fiscal Year 2022 Capital Budget Recommendations

The Office of the Senior Advisor has no associated capital funds.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the Office of the Senior Advisor implement the following:

1. The Committee recommends for the Office of the Senior Advisor to continue its partnership with advocacy organizations and outside contractors to unite all residents who want to get involved with the quest for District statehood and increase the already high level of momentum for DC statehood. This momentum is particularly critical now due to the April 22, 2021, passage by the House of Representatives of H.R. 51, The Washington, D.C. Admissions Act, which would admit the State of Washington, Douglas Commonwealth, into the Union.
2. The Committee recommends for OSA to keep the Council apprised of its engagement with federal stakeholders, including Congress, on a regular basis through individual Member meetings and/or briefings that are opened up to all Councilmembers.
3. The Committee recommends for OSA to continue to lobby Congress for the District to continue receiving designation as a State, rather than a U.S. Territory, in any possible future tranches of federal relief. The District was deprived of \$700 Million under the CARES Act in 2020, but OSA has performed crucial work in subsequent relief packages to ensure comity with regards to relief levels of states.

OFFICE OF THE TENANT ADVOCATE (CQ0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 operating budget for the Office of the Tenant Advocate.

Fiscal Year 2022 Capital Budget Recommendations

The Office of the Tenant Advocate has no associated capital funds.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the Office of the Tenant Advocate (OTA) implement the following:

1. The Committee urges OTA to complete the Rent Control Housing Clearinghouse by the statutory deadline and successfully transfer the database to the Rental Accommodations Division within the Department of Housing and Community Development.
2. The Committee recommends OTA to complete the Rent Control Housing Clearinghouse without any further enhancements at this time.
3. The Committee recommends that as the Public Health Emergency (PHE) ends, OTA expand and place more emphasis on outreach and education services to make tenants

aware of the financial and legal resources available to them.

4. The Committee recommends that OTA continue to pursue the implementation of the proposed “Vanguard Legal Services” plan which would support tenants’ rights by rapidly creating comprehensive, cost-effective, and efficient legal services and providing necessary outreach and education services.
5. The Committee recommends that OTA continue its important outreach and engagement activities promoting STAY DC, ERAP and programs that can benefit tenants in covering their housing expenses associated with COVID-19 pandemic.
6. The Committee supports the OTA’s continued engagement with government agencies such as DCRA, HSEMA, DHS, DC Council, and the Office of the Mayor on tenant matters.

REAL PROPERTY TAX APPEALS COMMISSION (DA0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends approval of the Mayor’s FY 2022 operating budget for the Real Property Tax Appeals Commission.

Fiscal Year 2022 Capital Budget Recommendations

The Real Property Tax Appeals Commission has no associated proposed capital funds.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the Real Property Tax Appeals Commission (RPTAC) implement the following:

1. The Committee recommends that RPTAC expand outreach efforts to continue to ensure that the public is aware of the services the agency provides, particularly given the distressed COVID economic circumstances.
2. The Committee recommends that RPTAC continuously assess the need for additional FTEs in FY 2023 and beyond to provide additional personnel for appraisal, legal, and administrative assistance with the agency’s increasing caseload.
3. The Committee recommends that RPTAC continue to engage in regular dialogue with the Committee on the agency’s caseload and trends in assessments as the Council evaluates means for providing real property tax relief for certain populations.
4. The Committee recommends that RPTAC continue to engage in regular dialogue with the Committee on the agency’s efforts to improve operational efficiencies with its newly proposed full-time temporary hearing examiners for a term of 6-months each.

RENTAL HOUSING COMMISSION (DR0)

Fiscal Year 2022 Operating Budget Recommendations

The Committee recommends approval of the Mayor's FY 2022 operating budget for the Rental Housing Commission.

Fiscal Year 2022 Capital Budget Recommendations

The Rental Housing Commission has no associated proposed capital funds.

Fiscal Year 2022 Policy Recommendations

The Committee recommends that the Rental Housing Commission (RHC) implement the following:

1. The Committee recommends that the RHC continue to fight to preserve DC's rental housing stock for low- and moderate- income Washingtonians.
2. The Committee recommends that the RHC prioritize case resolution through adjudication and mediation to meet its statutory responsibilities.
3. The Committee recommends that the RHC complete the publication of approximately 203 pages of final regulations by September 30, 2021.
4. The Committee recommends that the RHC follow through with their plan to conduct easy to understand, technical sessions for all stakeholders by the first quarter of the next fiscal year.
5. The Committee recommends that the RHC continue to host virtual hearings so parties can continue to join by phone or video.

II. AGENCY FISCAL YEAR 2022 BUDGET RECOMMENDATIONS

A. INTRODUCTION

The Committee on Housing and Executive Administration, having conducted hearings and received testimony on the Mayor's proposed operating and capital budgets for Fiscal Year 2022 (FY 2022) for the agencies under its purview, reports its recommendations for review and consideration by the Committee of the Whole. The Committee also comments on several sections in the Fiscal Year 2021 Budget Support Act of 2022, as proposed by the Mayor.

The District agencies, boards, and commissions that come under the Committee’s purview are as follows:

- Age-Friendly DC Task Force
- Board of Real Estate Appraisers
- Commission on Aging
- Condominium Association Advisory Council
- Department of Aging and Community Living
- Department of Housing and Community Development
- District of Columbia Housing Authority
- District of Columbia Housing Finance Agency
- Financial Literacy Council
- Housing Production Trust Fund
- Housing Production Trust Fund Subsidy
- Mayor’s Office of Legal Counsel
- New Communities (jointly with the Committee on Business and Economic Development)
- Office of the City Administrator
- Office of the Secretary
- Office of the Senior Advisor
- Office of the Tenant Advocate
- Real Estate Commission
- Real Property Tax Appeals Commission for the District of Columbia
- Rental Housing Commission.

The Committee is chaired by At-large Councilmember Anita Bonds. The other members of the Committee are At-Large Councilmembers Elissa Silverman and Robert C. White, Jr. and Ward 2 Councilmember Brooke Pinto and Ward 5 Councilmember Kenyan McDuffie.

The Committee held performance and budget oversight hearings on the following dates:

Performance Oversight Hearings	
February 26, 2021	Department of Aging and Community Living (public witnesses only) Commission on Aging Age-Friendly DC Task Force Office of the City Administrator Office of the Secretary

March 5, 2021	Office of the Tenant Advocate Financial Literacy Council Real Property Tax Appeals Commission District of Columbia Housing Authority (public witnesses only)
March 9, 2021	Department of Housing and Community Development (public witnesses only) Housing Production Trust Fund (public witnesses only) District of Columbia Housing Finance Agency Rental Housing Commission
March 15, 2021	Government Witness Only: Department of Aging and Community Living Department of Housing and Community Development Housing Production Trust Fund
March 17, 2021	Government Witnesses Only: District of Columbia Housing Authority
March 17, 2021	Joint Oversight Hearing with the Committee on Human Services Regarding Voucher Programs Jointly Managed by DCHA and DHS

Budget Oversight Hearings	
June 4, 2021	Public Witnesses Only: Department of Housing and Community Development Housing Production Trust Fund Housing Finance Agency Rental Housing Commission Office of the Tenant Advocate
June 16, 2021	District of Columbia Housing Authority (public witnesses only) Real Property Tax Appeals Commission Office of the Senior Advisor Office of the Secretary
June 18, 2021	Government Testimony Only: Department of Housing and Community Development Housing Production Trust Fund

	Housing Finance Agency Rental Housing Commission Office of the Tenant Advocate
June 22, 2021	Department of Aging and Community Living Office of the City Administrator
June 24, 2021	Government Testimony Only: Executive Office of the Mayor District of Columbia Housing Authority

The Committee received important comments from members of the public during these hearings. Copies of witness testimony are included in this report as attachments. A video recording of the hearings can be obtained through the Office of Cable Television or at oct.dc.gov. The Committee continues to welcome public input on the agencies and activities within its purview.

B. DEPARTMENT ON AGING AND COMMUNITY LIVING (BY0)

1. AGENCY MISSION AND OVERVIEW

The District of Columbia Department on Aging and Community Living (DACL) was established as the D.C. Office on Aging by the Government Reorganization Procedures Act of 1975, effective October 29, 1975, and expanded into a department by the District of Columbia Department on Aging and Community Living Amendment Act of 2018, effective March 29, 2019. The mission of DACL consists of the following: (1) to advocate, plan, implement, and monitor programs in health, education, and social services for the elderly; (2) to promote longevity, independence, dignity, and choice for aged District residents, District residents with disabilities regardless of age, and caregivers; (3) to ensure the rights of older adults and their families, and prevent their abuse, neglect, and exploitation; (4) to uphold the core values of service excellence, respect, compassion, integrity, and accountability; and, (5) to lead efforts to strengthen service delivery and capacity by engaging community stakeholders and partners to leverage resources.

DACL provides a single administrative unit within the District government to execute the provisions of the Older Americans Act (P.L. 89-73, as amended), and such other programs as delegated to it by the Mayor or the Council of the District of Columbia. The Department also provides consumer information, assistance, and outreach for its constituents and their caregivers so they can be better informed about aging issues, improve their quality of life, and maintain their independence. In addition, the Department provides elder rights assistance, health and wellness promotion, counseling, case management services, legal, transportation and recreational services, and finally, caregiver services to assist aging in place.

The expansion of the Office on Aging into the Department on Aging and Community Living did not affect the organizational structure of the Department. According to FY21 to date's Performance Oversight Pre-hearing response #1, DACL remains organized as follows:

Office of the Director (OD): The OD provides the vision, planning, and leadership for DACL, including executive management, policy, legal, strategic and financial planning, communications, and resource management. OD also manages, leads, and directs all programs and services of DACL. Additionally, OD controls and disseminates work assignments and coordinates agency operations to ensure the attainment of the agency's mission statement and achievement of the goals and objectives of DACL's State Plan.

General Services: The General Services team is responsible for building support services, risk management, human resource services, information technology, and overall administrative support for DACL. The team also works to improve the efficiencies of basic services and provide the most cost-effective management and maintenance resources.

Social Services Division (SSD): SSD is the direct service arm of DACL. This division includes DACL's social work teams and the Aging and Disability Resource Center, which houses Information & Referral/Assistance, Medicaid Enrollment, and State Health Insurance assistance Program (SHIP) teams. SSD engages and supports older adults (60 years and older), adults with disabilities (18 years and older), and their caregivers.

Social Work/Nursing Home Transition Teams: This program consists of Adult Protective Services, community social work, and nursing home transition. In addition, a housing coordinator provides information and support to assist with the transition of nursing home residents as they return to the community.

Aging and Disability Resource Center (ADRC): ADRC provides information and referral services, by phone and in person, for individuals seeking information about long term services and supports for seniors and adults with disabilities. ADRC includes the following teams:

Information and Referral/Assistance: This team staffs the call center and provides information on programs and services available in the District and makes referrals as appropriate.

Medicaid Enrollment: This team provides information about eligibility and enrollment in the Elderly and Persons with Physical Disabilities (EPD) Waiver. The EPD Waiver provides home- and community-based long-term care services, as an alternative to institutionalized care. This team provides assistance with application, submission, and linkage to EPD Waiver case management. ADRC has one staff member dedicated to the State Plan Medicaid Adult Day Health Program (ADHP) enrollment. ADHP enrollment consists of receiving and processing ADHP referrals from Delmarva Foundation (DHCF provider) and completing a home visit and Person-Centered Plan for each interested ADHP applicant.

State Health Insurance counseling Project (SHIP): SHIP provides free health insurance information, education, and counseling services to Medicare beneficiaries. In addition to assistance with health insurance issues, SHIP also assists seniors with resolving unpaid medical bills and resolving pharmacy issues.

External Affairs and Communications (EAC): The External Affairs and Communication (EAC) team is charged with providing information about the events and activities of DACL to residents of the District of Columbia through a variety of channels, paid and earned media, community outreach, special events, campaigns, and social media engagement. Additional responsibilities include: developing and articulating the vision for the agency to key administration stakeholders and the community; developing, championing, and implementing a comprehensive integrated strategic communications plan. This includes developing, directing, coordinating, and administering policies relating to all of the agency's internal and external communications. The team manages all press inquiries and oversees the informational content provided on the agency's website and social media sites.

Budget and Performance Management: The Budget and Performance Management team develops, maintains, and monitors the agency's fiscal and performance plans to achieve the agency goals, while conforming to the policies and procedures established by the District and the federal government. Fiscal responsibility and transparency are achieved through the review of procurement transactions, expenditures, and projections.

Programs: The Programs team oversees the programmatic and fiscal efficiency of senior services provided through DACL grants and contracts. This includes the effective planning, developing, coordinating, and implementation of programs and services to ensure a continuum of services are available for District seniors, adults with disabilities, and caregivers. This team monitors DACL's Senior Service Network (SSN) composed of 20 community-based, non-profit, and private

organizations that operate 40 programs in all eight wards to the District's older adult residents. These programs support a broad range of legal, nutrition, social, and health services for older adults as well as support programs for caregivers.

Adult Protective Services (APS): In FY20, DACL assumed the operations of APS. DACL has integrated the functions of APS within DACL's services delivery continuum. The integration into the senior service system allows for more efficient connection of clients to services.

DACL executes its mission through four programs:

Agency Management Services: This program provides for administrative support and the required tools to achieve operational and programmatic results. This program is standard for all agencies using performance-based budgeting.

Consumer Information, Assistance and Outreach: This program provides information, assistance, and outreach for a variety of long-term care needs to older adults, people with disabilities, and caregivers regarding long-term care services and supports offered in the District. This program contains the following 3 activities: 1) Community Outreach and Special Events – provides socialization, information, and recognition services for District residents age 60 or older, adults with disabilities, and caregivers in order to combat social isolation, increase awareness of services provided, and project a positive image of aging; 2) Advocacy and Elder Rights – provides legal support and advocacy for elder rights for District residents, age 60 or older, who need assistance with relevant state laws, long-term planning, or complaint resolution between residents/families and nursing homes or other community residential facilities for seniors; and 3) Assistance and Referral Services – provides information on, connection to, and assistance with accessing home and community-based services, long-term care options, and public benefits for District residents age 60 or older, adults with disabilities, and caregivers.

Home and Community Based Support Program: This program provides services for District residents who are 60 years of age or older so that they can live as independently as possible in the community. Services include health promotion, case management, nutrition, homemaker assistance, wellness, counseling, transportation, and recreation activities. This program contains the following 8 activities: (1) In-Home Services, which provides home health and homemaker services for District residents, 60 years of age and older, to help manage activities of daily living; (2) Lead Agencies outreach to District residents age 60 or older, adults with disabilities, and caregivers; (3) Senior Wellness Centers/Fitness, which provides socialization, physical fitness, and programs that promote healthy behavior and awareness for District residents age 60 years or older; (4) Senior Villages, which provides support and technical assistance to the grassroots volunteer model of neighbors helping neighbors age in place; (5) Supportive Residential Services, which provides emergency shelter, supportive housing, and aging-in-place programs; (6) Caregivers Support, providing caregiver education and training, respite, stipends, and transportation services to eligible caregivers; (7) Transportation, providing transportation to medical appointments, group social, and recreational activities for District residents age 60 years or older; and, (8) Day Programs, providing programs through adult day health and senior centers, which allow District residents age 60 years or older to have socialization and access to core services.

Nutrition Services: This program provides meals, food, and nutrition assistance to District residents age 60 years or older, to maintain or improve their health and remain independent in the community. This program contains the following 4 activities: (1) Community Dining, which provides meals in group settings such as senior wellness centers, senior housing buildings, and recreation centers for District residents age 60 years or older; (2) Home-Delivered Meals, which provides District residents age 60 years or older who are frail, home-bound, or otherwise isolated, with meals delivered directly to their home; (3) Nutrition Supplements, which provides nutrition supplements each month for District residents age 60 years or older who are unable to obtain adequate nutrition from food alone; and, (4) Commodities and Farmers Market, which provides a monthly bag of healthy, shelf-stable foods to low-income District residents, as well as vouchers to purchase fresh produce at local farmers markets.

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

Proposed Operating Budget Summary

The Mayor's FY 2022 budget proposal for the DACL is \$56,879,786, an increase of 4,586,043 or 8.8% from the current fiscal year. The proposed budget supports 115 FTEs, an increase of 13 FTEs, or 12.7% increase, from the FY 2021 approved level.

Local Funds: The Mayor's proposed budget is \$44,870, an increase of \$3,897,000, or 9.51% increase from FY 2021 approved budget. This funding supports 77.9 FTEs, an increase of 13.1 FTEs, or a 20.2% increase from the FY 2021 approved level.

Federal Grant Funds: The Mayor's proposed budget is \$8,516,000, an increase of \$814,000, or 10.55%, from FY 2021 approved budget. This funding supports 7.6 FTEs, an increase of 15%, from the FY 2021 approved level.

Federal Medicaid Payments: The Mayor's proposed budget is \$3,078,000, a decrease of \$311,000, or 9.12%, from FY 2021 approved budget. This funding supports 27.6 FTEs, a decrease of 9.5% from the FY 2020 approved level.

Intra-district Funds: The Mayor's proposed budget is \$415,000, an increase of \$186,000, or 81%, from FY 2021 approved budget. This funding supports 2 FTEs, an increase of 2 FTEs, or - 200%, from FY 2021 approved level.

Committee Analysis and Comments

Adult Protective Services (APS): Adult Protective Services (APS) program receives and investigates reports of alleged cases of abuse, neglect, and exploitation and self-neglect of vulnerable adults 18 years of age or older. The integration of APS allows clients who come into contact with APS to be better connected to services from initial crisis, to stabilization, and continuing support in the community.

Call & Talk Program: The Call & Talk program is a call line that provides District residents, aged 60 and over, or adults with disabilities, age 18 and over, with an open line to connect with DACL staff. DACL staff answers this phone line to provide a friendly voice or willing ear to those in need of connection by conversing about various areas of interests, such as hobbies, sports, or any issues.

Safe at Home: The Safe at Home (SAH) program serves District residents, aged 60 and over, or adults with disabilities, age 18 and over, who are homeowners or renters of a property used as a primary residence. Safe at Home provides in-home preventative adaptations to reduce the risk of falls. Examples include handrails, grab bars, bathtub cuts, shower seats, furniture risers, and chair lifts for stairs. To be eligible for the Safe at Home program benefits, an applicant must meet the following requirements:

- Must be a District resident;
- Must be age 60 or over or an adult with a disability; and
- Must have a household income at or below 80% Area Median Income (AMI), including benefits, pensions, annuities, and salary.

According to FY21 to date's Performance Oversight Pre-hearing response #95, more than 1,782 security cameras have been installed on the exterior of homes where seniors live since its inception. This program is intended to deter crime and assist law enforcement with investigations. The Safe at Home program does not currently offer security cameras, but DACL is working closely with OVSJG, referring seniors to the Private Security Camera Rebate Program.

Senior Villages: Senior Villages (herein referred to as "Villages") are neighborhood based, independent, non-profit volunteer organizations that assist older adults to remain in their own homes and communities. Currently, there are 13 Villages within the District that receive partial funding from DACL.²³ Members of Villages can age in place and avoid social isolation while simultaneously receiving services from volunteers, at no cost to the District government. Services provided by Senior Villages include transportation, education and wellness education, medical assistance, and snow shoveling during snow storms. The Committee recognizes the importance of grassroots organizations like Villages in addressing the needs of the District's growing aging population and making D.C. age-friendly. Each Village received an equitable amount of \$23,500 by DACL for FY 2021 to provide transportation, friendly home visits, help with shopping, help running errands, household maintenance and cleaning, fitness activities, social outings, and assistance during a doctor visit. In the proposed FY 2022 budget, the budget is increased by \$500,000 to 13 senior villages throughout the District.

Senior Wellness Centers: The Department operates Senior Wellness Centers in Ward 1, Ward 4, Ward 5, Ward 6, Ward 7, Ward 8, and Satellite Wellness Centers for Wards 2 and 3 that is operated by Around Town DC. Senior Wellness Centers are designed to help seniors continue living boldly by taking charge of your health, wellness, and social life.²⁵ Activities conducted through the Senior Wellness Centers are important to keeping seniors engaged and active throughout the District.

The Senior Wellness Centers are consistently one of the most popular topics of conversation at Department hearings. Since the onset of the COVID-19 pandemic, all senior wellness centers have been closed to participants. As the District reopens, DACL's Director testimony at the FY 2022 Budget Oversight Hearing, shared that senior wellness centers have already begun to open and welcome participants to return to those sites for socializations and activities. Throughout the past 16 months of the pandemic, seniors have been anxious to return to some kind of normalcy, including in-person activities, in which DACL understands and supports.

In FY 2018, the Mayor announced an \$11.4 million investment for a new senior wellness center in Ward 8. The project was originally set to be completed in FY 2023, with an estimated allocation for FY 2022 of \$2.5 million and for FY 2023 of \$8.9 million. The Mayor accelerated this project by two years, with an expected completion date in FY 2021. According to DACL's Performance Oversight Pre-Hearing Response #10, the wellness center will be located at 1700 Q St. SE, behind Kramer Middle School and DGS has received A/E proposals; it is currently in the Technical Evaluation Panel review phase.

In FY 2019, the Department of General Services (DGS) received \$1.5 million in capital funding for the expansion of Model Cities Wellness Center (Ward 5) and Congress Heights Senior Wellness Center (Ward 8). Together, DGS and DACL have worked with participants at both senior wellness centers on the scope of the expansions and have decided on the final designs for both sites. Prior to the COVID-19 Public Health Emergency, the work was expected to be submitted for solicitations for construction and DGS was planning the construction to start in the Summer of 2020, with a projected completion in the middle of fiscal year FY21. As such, timeline is being re-evaluated.

Meal Services Expenditures					
Type of Meal Service			FY19	FY20	FY21 YTD*
Congregate Meals			\$4,044,950.50	\$1,389,709.62	\$3,896,651.67
Home Delivered Meals			\$4,125,120.13	\$7,250,149.34	\$3,195,714.27
Weekend Congregate			\$58,735.00	\$38,102.41	\$0.00

Meal Program (Ward 7)					
Mary's Center Senior Nutrition Program			\$0.00	\$101,802.89	\$120,450.54
SHARE					
Foods/Gleaning			\$8,250.00	\$16,950.40	\$0.00
Hungry Harvest			\$21,180.00	\$27,302.00	\$37,249.00
COVID-19 Public Health Emergency Home Delivered Meals			\$0.00	\$4,821,498.50	\$3,706,667.00

Nutrition: The meal program at DACL was designed to feed D.C.'s seniors. During COVID-19, more participants enrolled in the Department's home-delivery meal program because of DC Health's guidance for vulnerable and aging population to stay home as much as possible to avoid the coronavirus. The home-delivered meals meet federal nutrition guidelines. Each home-delivered meal consists of prepared frozen meals that meet 1/3 RDA, including lean protein, whole grains, fruit, vegetable, and dairy or dairy alternatives. The Committee is concerned with the increase in senior hunger and recommends DACL to ensure that District seniors receive adequate daily nutrition. The following table indicates the amount of meal expenditures from FY 2019 through FY 2021 to date.

**As of June 14, 2021 FY21 Budget Oversight Pre-hearing response.*

Transportation Services: The Department on Aging and Community Living provides various transportation services to seniors throughout the District. One of the transportation options is Senior MedExpress, which provides District seniors with the transportation needed to obtain non-emergency, life-sustaining medical transportation services for qualified seniors. However, in FY 2020, DACL transferred Senior MedExpress program to the Department of For-Hire Vehicles through a Memorandum of Understanding (MOU) to streamline and coordinate transportation options for seniors, with a permanent transfer in FY 2021. The following table demonstrates the various types of transportation services available through DACL and the levels of expenditures for each type in FY 2018, FY 2019, FY 2020, and FY 2021 to date.

Transportation Services Expenditures				
	FY18	FY19	FY20	FY21 YTD (Oct 1 – Mar 31)
Service Type				
Daycare, Wellness, & Group Trips	N/A	\$4,280,871.30	\$2,852,761.38	N/A
Senior MedExpress	N/A	\$1,799,084.00	\$1,453,088.00	\$796,488.00

Connector Card	\$355,818.00	\$370,569.00	\$374,914.28	\$276,236.57
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***As of June 14, 2021 Budget Oversight Pre-hearing response. The lower expenditure in FY20 was due to the Public Health Emergency. When the PHE was first announced in FY20, trips were temporarily suspended.*

Senior Strategic Plan: On January 24, 2019, Mayor Muriel Bowser signed into law the Senior Strategic Plan Amendment Act of 2018, which mandates the Department of Aging and Community Living to conduct an assessment and establish a long-term blueprint for the District government to implement so that we may better serve our senior residents. As signed, this bill requires the Department on Aging to (1) provide an assessment of the District's current measures of delivery of services for seniors, (2) evaluate national best practices and analysis with respect to services for the aged population, (3) consult with local stakeholders to gather data and recommendations for a long-term plan, and (4) publish the report to the public by no later than December 31, 2019.

According to the Fiscal Impact Statement for this Act, to implement this Plan would require a minimum of \$220,000 to implement in its first fiscal year, with an additional \$1,245,056 over the four-year budget and financial plan. This Plan calls for three new FTEs for the Department, as outlined in the Fiscal Impact Statement: one (1) Lead Data Management Analyst, one (1) Data Management Analyst, and one (1) performance evaluator. However, according to FY21 to date's Performance Oversight Pre-hearing response #15, no changes have been made since the FY 2021 Budget Support Act that delays its implementation. As such, the Department has delayed the development of the Senior Strategic Plan until funding is available.

3. FY 2022-2027 CAPITAL BUDGET

DACL's capital budget for FY 2022-2027 includes \$11.4 million investment for a new senior wellness center in Ward 8. In FY18, the Mayor announced an \$11.4 million investment for a new senior wellness center in Ward 8. In FY19, this project was moved up in the capital schedule. It is projected to be completed in FY23 (FY22: \$2.5M, FY23: \$8.9M). The wellness center will be located at 1700 Q St. SE, behind Kramer Middle School. DGS has received A/E proposals; it is currently in the Technical Evaluation Panel review phase.

Ward 5 Senior Wellness Center Expansion: In DACL's FY19 capital budget, the Mayor funded an additional \$1.5 million for the expansion of Model Cities Wellness Center (Ward 5) and Congress Heights Senior Wellness Center (Ward 8). DGS and DACL have worked with participant task forces at both senior wellness centers on the scope of the expansions and have come up with final designs for both sites. DGS plans to begin construction in summer 2021.

C. DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT (DB0)

1. AGENCY MISSION AND OVERVIEW

The Department of Housing and Community Development was established by the Reorganization Plan No. 3 of 1975, effective July 3, 1975 (21 DCR 2793). The agency's mission is to "create and preserve opportunities for affordable housing and economic development and to revitalize underserved communities."¹ DHCD focuses on three strategic objectives:²

1. Preserving and increasing the supply of quality affordable housing;
2. Increasing homeownership opportunities; and
3. Revitalizing neighborhoods, promoting community development, and providing economic opportunities.

DHCD is led by a Director, who is appointed by the Mayor with the advice and consent of the Council. The agency operates through the following nine divisions:

Development Finance Division (DFD): Provides funding for the development of rental, homeownership, and community facility developments that serve District of Columbia neighborhoods. As both the creation and preservation of affordable housing units are important to DHCD, DFD plays a prominent role in helping the agency achieve its annual multifamily housing production goals. This division consists of the following 4 activities:

1. **Affordable Housing Project Financing** – Provides funding through a competitive Request for Proposal (RFP) funding process that targets communities and types of development needed to revitalize neighborhoods. This activity also provides development financing and regulatory oversight to nonprofit and for-profit developers so that they can develop properties as affordable ownership and rental units. This activity includes the preparation of Notice of Funding Availability and RFP documents, management of the application and selection process, project management meetings, construction overviews, underwriting, architectural reviews, monitoring reports, funding request presentations, loan closings, and project monitoring services.
2. **Preservation Project Financing** – Allocates funds toward preserving affordable housing units for residents with low-to-moderate income across the District. These units were previously subsidized through federal housing programs, and as the subsidies expire, homeowners will be able to maintain affordability in their communities.
3. **Real Estate Acquisition and Development** – Provides funding for required debt service payments to the U.S. Department of Housing and Urban Development (HUD)

¹ Department of Housing and Community Development (hereinafter "DHCD"), Mission and Vision: <http://dhcd.dc.gov/page/mission-and-vision-0>.

² *Ibid.*

for development loans taken out under the Section 108 program. The District borrows funds under this program, which are then loaned again to developers of affordable housing for specific projects. The District is obligated to budget these debt service payments separately in order to secure the HUD loan, but will ultimately recover the funds in the form of loan repayments from project developers.

Accessory Dwelling Units – Provides incentives to homeowners in targeted areas to convert a portion of their existing property or build a stand-alone accessory dwelling unit, such as a garage or basement apartment, to increase the total number of affordable housing units available in these areas.

Residential and Community Services Division (RCSD): Works through neighborhood-based organizations to provide comprehensive housing counseling, small business technical assistance, and façade improvement opportunities; administers various down payment assistance programs such as the District’s Home Purchase Assistance Program and the Employer Assisted Housing Program (EAHP); and provides rehabilitation resources in the form of grants and loans to income eligible owner-occupant and rental units that address health, safety, and building code violations, through programs including the Single Family Rehabilitation Program. This division consists of the following 6 activities:

1. **Community Services: Housing Counseling (Neighborhood Based Activities)** – Provides funding for housing counseling services to tenants, potential homeowners, and current homeowners.
2. **Community Services: Small Business Technical Assistance** – Provides technical assistance to small businesses in support of various DHCD programs.
3. **Community Services: Commercial Revitalization** – Provides grants to neighborhood-based organizations for storefront façade improvements in commercial corridors.
4. **Residential Services: Home Purchase Assistance Program** – Provides down payment and closing cost assistance to low to moderate income District residents so that they can become first-time homebuyers in the District of Columbia.
5. **Residential Services: Employer Assisted Housing Program (EAHP)** – Provides down payment and closing cost assistance to qualified District of Columbia government employees.
6. **Residential Services: Single Family Rehabilitation** – Helps households finance up to \$75,000 in loans for home repairs that will address District housing code violations, such as repairing walls and floors, replacing windows, and repairing plumbing, electrical, and heating systems.

Property Acquisition and Disposition Division: Stabilizes neighborhoods by decreasing the number of vacant and abandoned residential properties in the District and transforming vacant, blighted and/or abandoned residential properties into homeownership opportunities for District of

Columbia residents at all income levels. PADD has three main functions: (1) encourage property owners to rehabilitate and/or occupy their vacant and abandoned residential property; (2) acquire vacant, blighted, abandoned and deteriorated properties through negotiated friendly sale, eminent domain, donation, or tax sale foreclosure; and (3) dispose of properties in the PADD inventory by selling the properties to individuals or developers to be rehabilitated into high quality affordable and market-rate single-family and/or multifamily for-sale housing in District neighborhoods. The division contains the following activity:

1. **Property Acquisition and Disposition** – Acquires vacant, abandoned, and deteriorated properties through negotiated friendly sale, eminent domain, donation, or tax sale foreclosure when owners are unwilling or unable to maintain their properties.

Portfolio and Asset Management Division (PAMD): Provides portfolio management and oversight of outstanding loans to DHCD and manages the allocation of Low-Income Housing Tax Credits (LIHTC). Established in FY 2008, the division monitors the status of existing loans to ensure compliance with loan covenants and collections of loans that are due and conducts the reviews of the risks and relationships of potential borrowers to protect the department's assets.

Program Monitoring Division (PMD): Conducts oversight and reviews of DHCD projects and funding recipients. Its core functions include the following types of oversight: (1) contract compliance – completing various federally required compliance reviews as part of the underwriting and project development process; (2) quality assurance – monitoring the compliance of DHCD funded sub-recipients with federal HOME Investments Partnership Program (HOME) and Community Development Block Grant Program (CDBG) funding requirements; and (3) compliance monitoring – ensuring projects developed by DHCD through the Housing Production Trust Fund (HPTF), CDBG, HOME and Low Income Housing Tax Credit (LIHTC) programs remain in compliance with federal and local program requirements throughout the duration of the project's period of affordability. This division consists of the following 2 activities:

1. **Contract Compliance** – Provides oversight and monitoring services for all DHCD projects to ensure that the Department's use of project funds fully complies with HUD and District regulations.
2. **Quality Assurance** – Provides program review and performance evaluation to DHCD and contractors so that they operate in full compliance with regulations in the most effective manner possible.

Housing Regulation Administration (HRA): Administers residential housing regulations relating to condominium and cooperative conversions, rent adjustment procedures, licensing, and other related matters. It includes the Rental Accommodation Division and the Rental Conversion and Sales Division and manages the DHCD Housing Resource Center. This division consists of the following 4 activities:

1. **Rental Conversion and Sales Division (CASD)** – Administers the District's Tenant Opportunity to Purchase (TOPA) Program, regulates the conversion of property to condominiums and cooperatives, registers condominium and cooperative projects, and

administers the structural defect warranty claim program.

2. **Housing Resource Center (HRC)** – Provides rental housing services to landlords and tenants as well as information to the public on all of the department’s services for first-time homebuyers, developers of affordable housing projects, and low-income homeowners. The Housing Resource Center also includes access to the Affordable Housing Locator and an office of University Legal Services for on-site housing counseling.
3. **Inclusionary Zoning & Affordable Dwelling Units (IZ/ADU)** – Provides subject matter focus in the administration of the District’s Inclusionary Zoning and Affordable Dwelling Unit programs.
4. **Rental Accommodations Division (RAD)** – Administers the District’s rent stabilization program, including registering and licensing rental housing, administering rent adjustment procedures, processing housing provider and tenant petitions, providing conciliation services, and acting as a repository for notices to vacate and all rental property records.

Agency Management: Provides administrative support and the required tools to achieve operational and programmatic results. This division is standard for all agencies using performance-based budgeting.

Agency Financial Operations: Provides financial management services to, and on behalf of, District agencies to maintain financial integrity of the District of Columbia. This division is standard for all agencies using performance-based budgeting.

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

Committee Analysis and Comments

The Mayor’s proposed FY 2022 gross funds operating budget for DHCD is \$143,107,601, which represents a 69.7% increase from its FY 2021 approved gross budget of \$84,310,284. (Footnote) The FTE level of 169.0 in the proposed FY 2022 budget remains the same from the FY 2021 approved level of FTEs.³

³ Mayor’s FY 2022 Proposed Budget and Financial Plan, Volume 2, Department of Housing and Community Development (DB0), B-11. Table DB0-1.

Local Funds⁴: The Mayor's proposed local funds budget is \$26,323,000, an increase of \$7,036,000, or 36.5%, from the FY 2021 approved budget of \$19,287,000. This funding level supports 55.4 FTEs, a decrease of 8.5 FTEs, or 13.3%, compared to the FY 2021 approved level.⁵

Special Purpose Revenue Funds⁶: The Mayor's proposed special purpose revenue funds budget is \$6,100,000, an increase of \$1,510,000, or 32.9%, from the FY 2021 approved budget of \$4,590,000. This funding supports 0.0 FTEs.

Federal Resources: The Mayor's proposed federal resources budget is \$48,158,000. This is a new funding source representing funding from federal COVID-19 relief legislation and was not included in any of the previous 3 fiscal years. This funding supports 0.0 FTEs.

Federal Funds⁷: The Mayor's proposed federal funds budget is \$47,527,000, an increase of \$9,481,000, or 24.9%, compared to the FY 2021 approved level. This funding supports 34.0 FTEs, an increase of 2.8 FTEs, or 8.8%, compared to the FY 2021 approved level.

Intra-District Funds⁸: As of Fiscal Year 2020, the Mayor's proposed intra-district funds budget no longer reflects the transfer from the Housing Production Trust Fund (HPTF), as the funds for HPTF will now remain housed in its own budget chapter under the code UZ0. The budget chapter UZ0 now reflects a total of \$250,000,000 that is comprised of the Mayor's allocation of \$73,316,000, the deed recordation and transfer tax revenue of \$10,000,000, and \$166,684,000 from federal COVID-19 relief resources.

Due to this accounting change as of Fiscal Year 2020, the Department of Housing and Community Development (DB0) chapter continues to reflect a significant decrease in the intra-District budget line item from the actual Fiscal Year 2019 amount. Therefore, the proposed intra-district funds budget for FY22 is \$15,000,000, a decrease of \$7,387,000 or approximately 33% from the approved budget of FY 2021.

Staffing: DHCD was approved 169.0 FTEs for FY 2021 and the Mayor's proposed budget for FY 2022 maintains these staffing levels at 169.0 FTEs. The Agency Fiscal Officer reported to the Committee that there were 20 vacancies at the agency.⁹ The following chart reflects the current vacancies at DHCD:

⁴ Mayor's FY 2022 Proposed Budget and Financial Plan, Volume 2, Department of Housing and Community Development (DB0), B-12. Table DB0-2.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.*

⁹ DHCD Responses to Questions in Advance of the Budget Oversight Public Hearing on Fiscal Years 2020/2021, June 7, 2020, at question #4.

	Posn Nbr	Title	Vac Stat	Grade	Step	Salary	Index	Department Name
1	00076843	Accounts Payable Technician	V	8	0	\$ 50,207.00	19HOM	Economic Devel & Reg STAFF
2	00016083	Program Support Specialist	V	9	0	\$ 55,230.00	19HOM	Development Finance Div
3	00045711	Program Specialist	V	11	0	\$ 66,542.00	AGENF	Rental Conversions and Sales D
4	00042355	Construction Analyst	V	11	0	\$ 66,542.00	20HPT	Residential & Community Servs
5	00011400	ECONOMIC DEV PGM SPEC	V	12	1	\$ 82,326.00	9CDBG	Residential & Community Servs
7	00023178	HOME PURCHASE ASST PGM SPEC	V	12	1	\$ 82,326.00	19HOM	Residential & Community Servs
8	00020534	Housing & Development Program	V	12	0	\$ 82,326.00	19HOM	Development Finance Div
9	00037508	Program Analyst	V	13	0	\$ 87,703.00	19HOM	Office of the Director
10	00042058	Economic Development Program S	V	13	0	\$ 94,858.00	9CDBG	Residential & Community Servs
11	00003270	PROJECT MGR	V	13	1	\$ 94,858.00	19HOM	Development Finance Div
12	00045709	Supvy. Construction Analyst	V	13	0	\$ 112,531.00	20HPT	Residential & Community Servs
13	00007319	Housing and Development Projec	V	13	0	\$ 94,858.00	19HOM	Development Finance Div
15	00008958	Program Analyst	V	14	0	\$ 103,657.00	19HOM	Office of the Director
16	00094087	Supvy Housing Financial Anal.	V	14	0	\$ 129,411.00	19HOM	The Portfolio Management Divis
17	00074851	Residential Rehab. Programs Ma	V	14	0	\$ 129,411.00	20HPT	Residential & Community Servs
18	00039034	ATTORNEY ADVISOR	V	14	2	\$ 122,265.00	20HPT	Office of the Director
19	00025545	Supervisory Housing & Developm	V	15	0	\$ 143,646.00	19HOM	Development Finance Div

The Committee urges DHCD to continue to work expeditiously to promote and fill the remaining number of vacancies that are outstanding within the Department with capable experts. The Committee will continue to monitor the vacancy levels to ensure that all the essential positions are filled.

COVID-19 Emergency Federal Funds: The FY 2022 budget for DHCD includes substantial support from federal COVID-19 relief funds. Of DHCDs \$143,108,000 total budget, over \$48,000,000 comes from these federal COVID-19 relief funds¹⁰. This funding is made up of \$48,157,624 from the American Recovery Plan Act, with \$31,000,000 going towards Property Acquisition and \$17,157,624 going to the Housing Preservation Fund. An additional \$249,507.92 in Federal COVID-19 Grant money is going towards the Housing Preservation Fund. At the Committee's Budget Oversight Hearing on June 22, 2021, Director Donaldson of DHCD stated that this reliance on federal payments will not prevent sustained investments in the department, as the District will receive federal COVID-19 relief funds through FY 2025. The Committee welcomes these new federal funds that will allow DHCD to expand multiple housing preservation and creation activities and looks forward to working with DHCD to ensure that these investments are continued, sustained, and expanded in the coming years.

Preservation Financing: The Mayor's FY 2022 proposed budget for DHCD allocates \$17,652,000 for the Preservation Financing activity under the Development Finance Division, which will be used to fund the Preservation Fund.¹¹ This money is made up of \$494,205 in local and federal funding that supports 4 FTEs and \$17,157,624 from the federal American Recovery Plan Act.¹²

The goal of the Preservation Fund is to create a flexible and nimble source of capital to preserve existing affordable housing with affordability covenants shorter than 40 years and provide greater affordability to limit the displacement of current residents living in existing affordable housing. The fund's goal is to preserve affordability for all federally and city-assisted rental homes in

¹⁰ DHCD Responses to Questions in Advance of the Budget Oversight Public Hearing on Fiscal Years 2020/2021, June 7, 2020, at question #12.

¹¹ Mayor's FY 2022 Proposed Budget and Financial Plan, Volume 2, Department of Housing and Community Development (DB0), B-13-15. Table DB0-4.

¹² *Ibid*

the District by leveraging local funds at a 3-to-1 ratio to facilitate early investment in preservation deals and leverage greater amounts of private capital.¹³ The loans have a variable interest rate and the timeline for payback is 4 years maximum.¹⁴

In FY 2020, DHCD was able to preserve a total of 263 affordable units across 6 projects with the \$10,659,000 allocated to the Preservation fund.¹⁵ In FY 2021, DHCD has not yet closed on any projects, largely due to tolling of all Tenant Opportunity to Purchase Act (TOPA) deadlines and the public health emergency. DHCD estimates that it will be able to preserve approximately 1,500 units with the \$17,157,624 allocated for in the Preservation Fund in FY 2022 and the 3-to-1 federal match.¹⁶ The Committee supports this increased investment and support was voiced from several public witnesses at the Committee's Budget Oversight Hearing on June 4, 2021. The Committee did have questions as to DHCD's ability to maintain the level of investment in the Housing Preservation, however in a letter to the Council on June 24, 2021, Mayor Bowser requested that the Council correct the Financial Plan to indicate that \$17,875,000 be dedicated to the Housing Preservation Fund in both FY 2023 and FY 2024.

Small Buildings Grant Program: The Small Buildings Grant Program was first launched in FY 2019 as a \$200,000 pilot program.¹⁷ The Small Buildings Grant Program uses money out of the Preservation Financing activity to provide funds for limited systems replacement and other key repairs to eligible property owners of multi-family sub-standard housing conditions, including safety and environment hazards in the District as required by the Department of Consumer and Regulatory Affairs (DCRA) and the Department of Energy and Environment (DOEE).¹⁸

The proposed funding level for the program in FY 2022 is approximately \$3 million, down from \$4,535,319 in FY 2021. Although there appears to be a decrease, funds are carried over into the following fiscal year if unused, which has happened in each year of the programs existence, so it is likely to occur once again at the end of FY 2021.¹⁹ In FY 2020 and FY 2021, to date, DHCD received 12 and 4 applications, respectively.²⁰ In FY 2020 the program made one award of \$197,880 and thus far in FY 2021 2 awards have been made for an average of \$169,871.²¹

Property Acquisition and Disposition Division (PADD): The Property Acquisition and Disposition Division (PADD) seeks to stabilize neighborhoods by decreasing the number of vacant and abandoned residential properties in the District and transforming them into homeownership opportunities for residents at all income levels. PADD has three main functions:

1. Encourage property owners to rehabilitate and/or occupy their vacant and abandoned

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ DHCD Responses to Questions in Advance of the Budget Oversight Public Hearing on Fiscal Years 2020/2021, June 7, 2020, at question #52.

¹⁶ DHCD Responses to Questions in Advance of the Budget Oversight Public Hearing on Fiscal Years 2020/2021, June 7, 2020, at question #54.

¹⁷ DHCD Responses to Questions in Advance of the Budget Oversight Public Hearing on Fiscal Years 2020/2021, June 7, 2020, at question #46.

¹⁸ Small Buildings Grant Program Application, Department of Housing and Community Development, dhcd.dc.gov/page/small-buildings-grant-program-application.

¹⁹ DHCD Responses to Questions in Advance of the Budget Oversight Public Hearing on Fiscal Years 2020/2021, June 7, 2020, at question #46.

²⁰ *Ibid.*

²¹ *Ibid.*

- residential property;
2. Acquire vacant, blighted, abandoned, and deteriorated properties through negotiated friendly sale, eminent domain, donation, or tax sale foreclosure; and
3. Dispose of properties in the inventory by selling the properties to individuals or developers for rehabilitation into high quality affordable and market-rate single-family and/or multifamily for-sale housing.²²

DHCD disposes of PADD properties via negotiated sale, competitive solicitation, transfer to another District agency, or adjacent property sale.²³ The following chart depicts how many PADD properties were disposed of in FY 2020:²⁴

FY20 Dispositions / Sales							
#	WARD	SSL	Property Address	Disposition Method	Date	Sales Proceeds	Developer
1		4513 0920 4513 0922	740-742 19th St NE	V2V Auction	9/27/2019	\$ 140,857.20	57th Street Mews, Inc
2	8		560-562 Foxhall Pl SE	V2V Auction	Water Escrow Refund*	\$ 500.00	WC Properties, LLC
3	5	3121 0057	160 Adams St NW	V2V Auction	5/14/2020	\$380,000.00	North Star Properties, LLC
4	8	5779 1013; 5766 1013	1528 W St SE & 1928 15th St SE	Solicitation	1/15/2020	\$100.00	Mi Casa, Inc
5	4	2993 0063	809-813 Kennedy St NW	Solicitation	2/14/2020	\$53,000.00	Kennedy Street Community Partners, LLC
Total						\$ 574,457.20	

In the pre-budget hearing question responses the Committee received from DHCD, the agency indicated that the \$31,000,000 allocated for the new activity, *property acquisition* (4120), will be combined with \$19,000,000 in additional HUD/HOME grant dollars to create a \$50,000,000 acquisition fund to support the purchase of “hotel or other large-scale properties to be redeveloped as affordable transitional housing for qualified residents.”²⁵ The \$7,076,000 in the other PADD activity, *property acquisition and disposition* (4110), will be broken up as follows: \$976,893 for personal services to support 8 FTEs, \$1,075,833 in Unified funds to support regular activities of the division, and \$5 million to support the Building Blocks DC initiative.²⁶

With the Council’s passage of B24-168, the “District’s Opportunity to Purchase Amendment Act of 2021,” on June 15, 2021 and the Department’s commitment to implement the legislation, the Committee strongly encourages DHCD to look to use funds from both the \$50,000,000 acquisition fund, as well as the Housing Preservation Fund to act on DOPA projects that may come up during FY 2022.²⁷ B24-168, introduced by Councilmember Anita Bonds, makes changes to the District’s Opportunity to Purchase Act, which allows the Mayor, or the Mayor’s assignee, to purchase housing accommodations. The changes made would make program participation more enticing to housing providers, while also explicitly protecting both tenants of an accommodation and the affordability of

²² DHCD, Transforming Vacant and Blighted Properties, <https://dhcd.dc.gov/service/transforming-vacant-and-blighted-properties>

²³ DHCD Responses to Questions in Advance of the Performance Oversight Public Hearing on Fiscal Years 2020/2021, March 6, 2021, at question #93.

²⁴ DHCD Responses to Questions in Advance of the Performance Oversight Public Hearing on Fiscal Years 2020/2021, March 6, 2021, at attachment #90.

²⁵ DHCD Responses to Questions in Advance of the Budget Oversight Public Hearing on Fiscal Years 2022, June 7, 2020, at question #40.

²⁶ *Ibid.*

²⁷ B24-168 – District’s Opportunity to Purchase Amendment Act of 2021, <https://lims.dccouncil.us/Legislation/B24-0168>.

an accommodation.²⁸ An effective DOPA program would provide the District with a valuable preservation tool to accompany other housing preservation and creation tools.

Tenant Opportunity to Purchase Act (TOPA): TOPA requires owners of housing accommodations to give tenants an opportunity to buy their homes before selling, razing, or discontinuing the housing use of the building. TOPA applies to rental housing of at least 2 units. TOPA allows tenants to exercise their rights in different ways, such as preserving or creating affordable rental housing, or long-term affordable homeownership through limited equity cooperatives or condominiums with resale restrictions. Still, others sponsor market-rate condominium conversions that often offer discounted prices to existing residents. Finally, some tenants elect to receive payments that can partially offset the costs of their displacement and that can be used to acquire a home or to rent elsewhere. The program was established with the passage of Law 3-86, the “Rental Housing Conversion and Sale act of 1980 and has been amended on several occasions since.

The Committee is interested in looking at the outcomes of TOPA and is thus funding a study to be done by the Coalition for Non-Profit Housing and Economic Development (CNHED) in FY 2022 that will do just this. This study will delve into the history of TOPA, a TOPA database, and an analysis that will include recommendations on potential improvements to the TOPA process. The Committee realigned \$200,000 from the from within DHCDs budget in coordination with the agency to support this funding. The Committee looks forward to the completion of this study as it will serve as valuable guidance in looking at TOPA and the state of the program,

On March 17, 2020 the Council passed B23-718, the “COVID-19 Response Emergency Amendment Act of 2020” to address the outbreak of the Coronavirus disease.²⁹ Among many other provisions, this emergency legislation implemented tolling of all TOPA deadlines. Section 312 extends all deadlines for tenants and tenant organization to exercise rights under TOPA to the duration of the public health emergency, plus 30 days following the end of the public health emergency.³⁰ This tolling allows tenants significantly more time to review sales of their housing accommodations and ensures that they will not miss out on the opportunity to exercise their TOPA rights as a result of the public health emergency and any adverse impacts that it has imposed on tenants. As a result of the tolling many housing accommodation transfers have stalled and thus following the conclusion of the public health emergency and 30 days thereafter, there could be an influx of TOPA cases. To mitigate this possibility, the Office of the Tenant Advocate has been allocated funding for an additional 4 FTEs³¹ that will work towards providing additional resources for tenants and \$7,345,000 is in the DHCD budget for Neighborhood-Based Activities (3010)³². The

²⁸ *Ibid.*

²⁹ B23-718 – COVID-19 Response Emergency Amendment Act of 2020, <https://lims.dccouncil.us/Legislation/B23-0718>.

³⁰ *Ibid*, Section 312. *Tenant Rights*.

³¹ Mayor’s FY 2022 Proposed Budget and Financial Plan, Volume 2, Office of the Tenant Advocate (CQ0), B-93-94. Table CQ0-4.

³² Mayor’s FY 2022 Proposed Budget and Financial Plan, Volume 2, Department of Housing and Community Development

latter does not include a \$1,000,000 enhancement by DHCD at the urging of the Committee in which DHCD will utilize CDBG money from the CARES Act that will roll over from FY 2021. The Committee plans on continuing to monitor the TOPA tolling and its eventual end to ensure that tenants continue to be protected and have access to resources they need to guide them through the TOPA process.

Neighborhood-Based Activities: As mentioned in the previous section, the Mayor’s proposed FY 2022 budget included \$7,345,000 for Neighborhood-Based Activities within the Residential and Community Services Division.³³ The Committee worked with DHCD to add money to this figure for FY 2022 and DHCD will include a \$1,000,000 enhancement to the Neighborhood-Based Activities activity by utilizing CDBG money from the federal CARES Act that will roll over from FY 2021, although not currently reflected. These funds will be used to provide counseling services to tenants, potential homeowners, and current homeowners and provide free, specialized organizational and development services for tenant groups who are pursuing the purchase of their apartment buildings with the intention to convert them to cooperatives or condominiums.

With the end of the public health emergency and thus the emergency and temporary legislation granting additional rights to tenants and homeowners alike, these funds will be of heightened importance. B23-718, the “COVID-19 Response Emergency Amendment Act of 2020” and subsequent COVID-19 response legislation provided several protections to tenants and homeowners for the duration of the public health emergency as well as a brief time period following its conclusion. These protections include a moratorium on evictions and the filing of evictions, a moratorium on foreclosures³⁴, and tolling of all TOPA deadlines.³⁵ These policies have undoubtedly helped thousands of District residents stay safe during the unprecedented public health emergency caused by the coronavirus. Various rent relief and mortgage relief funds have been and remain available to the thousands of District residents who need assistance. The Community-Based Organizations that receive funding through this activity have and will continue to play a pivotal role in ensuring District residents are aware of and utilize the available assistance funds that are available to them.

Voluntary Agreement Moratorium: Prior to the public health emergency and in the early stages the public health emergency, several pieces of legislation proposing specific and sweeping reforms to the District’s Rent Stabilization program were introduced. The Committee held several public hearings in which hundreds of District residents voiced their opinion on the matter of rent stabilization. One issue that the Committee heard repeatedly from those in the hearing was the problems with voluntary agreements.

(DB0), B-13-15. Table DB0-4.

³³ *Ibid.*

³⁴ B23-0757 - Coronavirus Support Emergency Amendment Act of 2020, Title IV, Section 408, <https://lims.dccouncil.us/Legislation/B23-0757>.

³⁵ B23-718 – COVID-19 Response Emergency Amendment Act of 2020, Title III, Section 308, 312 <https://lims.dccouncil.us/Legislation/B23-0718>.

Voluntary agreements allow owners of housing accommodations covered under the District's Rent Stabilization program to enter into agreements with seventy percent or more of a buildings tenants to increase rent to compensate for capital improvements, absent of a government presence.³⁶ They are one of several petitions available to rent stabilized housing providers that allow the housing provider to realize a profit or increase their profit. Councilmember Anita Bonds introduced B23-878, the "Voluntary Agreement Moratorium Amendment Act of 2020" on July 31, 2020, which proposed a 2-year moratorium on all voluntary agreements.

At the public hearing on B23-878 on September 24, 2020, the Committee heard overwhelming support for altering, replacing, or getting rid of voluntary agreements.³⁷ The Committee heard several testimonies describing abuse of voluntary agreements and loopholes in the mechanism that results in loss of affordability of units, particularly vacant units. DHCD Director Donaldson also voiced her support for placing a two-year moratorium on voluntary agreements at the hearing.³⁸ The bill was unanimously marked-up out of the Committee on November 20, 2020 and was passed by the full Council unanimously on December 15, 2020.³⁹ The Chief Financial Officer submitted a Fiscal Impact Statement on B23-878 on November 20, 2020 stating that the bill had a cost of \$191,000 (later revised to \$199,000) over the course of the 4-year Financial Plan for FY21-FY24 with a cost of \$5,000 in FY 2022, \$50,000 in FY 2023, and \$136,000 in FY 2024.⁴⁰ A revised Fiscal Impact Statement identified the loss coming from a revenue loss of property tax and income tax over FY 2023, FY 2024, and FY2025.

The Committee views this legislation as a critical piece towards reforming the District's Rent Stabilization program and strengthening tenant protections and has thus redirected and cut funding within DHCD and replenished these cuts with a cut from the Housing Production Trust Fund Administration division, in coordination with DHCD.

Accessory Dwelling Units: In 2016, the District of Columbia Office of Zoning changed zoning regulations to allow single family homeowners to build an Accessory Dwelling Unit (ADU) on their lot.⁴¹ A new activity under the Development Finance Division (DFD), Accessory Dwelling Units (2035), is listed for the first time to encourage qualifying residents to build such accommodations.⁴² DHCD is allocating \$1.5 million for a pilot program to incentivize the construction of accessory dwelling units on properties owned by low-and moderate-income

³⁶ Report on B23-878, the "Voluntary Agreement Moratorium Amendment Act of 2020," Page 2.

³⁷ Report on B23-878, the "Voluntary Agreement Moratorium Amendment Act of 2020," Attachment E.

³⁸ Report on B23-878, the "Voluntary Agreement Moratorium Amendment Act of 2020," Attachment E.

³⁹ B23-0878 - Voluntary Agreement Moratorium Amendment Act of 2020. Legislative History.
<https://lims.dccouncil.us/Legislation/B23-0878>.

⁴⁰ Report on B23-878, the "Voluntary Agreement Moratorium Amendment Act of 2020," Attachment F.

⁴¹ 63 DCR 2447, 3338 (March 4, 2016 – Part 2),
<https://dcregs.dc.gov/Common/DCMR/SectionList.aspx?SectionId=47075>.

⁴² Mayor's FY 2022 Proposed Budget and Financial Plan, Volume 2, Department of Housing and Community Development (DB0), B-13-15. Table DB0-4.

homeowners. These units would be produced by converting a portion of the existing property or building a stand-alone accessory dwelling unit, such as a garage or basement apartment.⁴³

Accessory dwelling units can serve as an extra income source for residents while adding to the housing stock in an efficient manner. This program looks to make it easier for lower income residents to build ADUs on their property, who may not otherwise be able to provide such units. At the Committee's budget oversight hearing on June 22, 2021, DHCD Director Polly Donaldson estimated that the pilot program would be able to fund 300 ADUs in FY 2022. The Committee looks forward to monitoring the success and production of this pilot.

Home Purchase Assistance Program (HPAP): HPAP is administered by the Community Services Division and provides interest-free loans for down payment and closing cost assistance to low-and-moderate income District residents to facilitate becoming first-time homebuyers in the District.⁴⁴ The loan amount is based on a combination of factors including income, household size, and the amount of assets that each applicant commits towards a property purchase.⁴⁵ The loan is subordinate to a private first trust mortgage. Moderate income borrowers earning between 80% and 110% of the area median income (AMI) will have the 0% interest loan deferred for the first 5 years and a 40-year principal-only repayment period.⁴⁶ Borrowers with incomes below 80% of the AMI will have the 0% interest loan deferred until the property is sold, refinanced to take out equity, or is no longer their primary residence.⁴⁷ The current breakdown of the assistance based on income is as follows:

Maximum Assistance	Household Size							
	1	2	3	4	5	6	7	8
Per household income less than or equal to:								
Up to 50% Median Family Income (MFI) Households								
\$80,000	\$44,100	\$50,400	\$56,700	\$63,000	\$68,050	\$73,100	\$78,100	\$83,150
51% - 80% Median Family Income (MFI) Households								
\$64,000	\$56,500	\$64,600	\$72,700	\$80,750	\$85,800	\$90,850	\$95,900	\$100,950
\$56,000	\$60,600	\$69,250	\$77,900	\$86,550	\$91,950	\$97,350	\$102,800	\$108,200
\$40,000	\$70,550	\$80,650	\$90,700	\$100,800	\$107,100	\$113,400	\$119,700	\$126,000
81% - 110% Median Family Income (MFI) Households								
\$32,000	\$86,400	\$98,750	\$111,100	\$123,450	\$131,150	\$131,150	\$131,150	\$131,150
\$16,000	\$97,000	\$110,900	\$124,750	\$138,600	\$147,250	\$147,250	\$147,250	\$147,250

Despite the devastating impacts that the COVID-19 public health emergency has had on so

⁴³ Mayor's FY 2022 Proposed Budget and Financial Plan, Volume 2, Department of Housing and Community Development (DB0), B-16. Table.

⁴⁴ DHCD Home Purchase Assistance Program website: <http://dhcd.dc.gov/service/home-purchase-assistance-program-hpap>

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

many facets of life, the housing market has *seen quite the opposite*. Since June 2020, house prices have been soaring all over the country and the District of Columbia was no exception.⁴⁸ In July of 2020 the median cost of rowhouses in the District exceeded \$800,000 for the first time on record and in October 2020 the median price of single-family detached houses in the District exceeded \$1 million for the first time.⁴⁹ This surge has continued into 2021. In January of 2021, listing in D.C. spent an average of 11 days on the market, compared to an average of 26 days in January 2020.⁵⁰

With the booming housing market, HPAP has become an even more valuable tool in the path to homeownership. In FY 2020, HPAP served 364 residents and in FY 2021 the program is on a similar path with 133 residents served as of June 7, 2021.⁵¹ Data provided by DHCD indicated that the overwhelming majority of HPAP recipients were Black District residents.⁵² Out of 310 HPAP loan recipients from FY20, 242 (78%) of recipients were Black District residents.⁵³ These numbers indicate that HPAP is contributing to creating a more equitable District of Columbia. As of 2018, the Black-White homeownership gap was 30.5%, the highest level in 50 years.⁵⁴

The Mayor's proposed FY 2022 for HPAP is \$18,835,000, a decrease of \$500,000 in FY 2021. While the Committee is concerned with the decrease, especially in the midst of high demand, the robust enhancements to the Employer-Assisted Housing Program (EAHP) are reassuring. HPAP and EAHP, both homeownership assistance programs, have significant overlap with many participants utilizing both programs. In data provided to the Committee on March, out of the 310 HPAP recipients in FY20, 111 residents also received EAHP assistance.⁵⁵

Employer-Assisted Housing Program (EAHP): This program is administered by the Community Services Division and it seeks to help District of Columbia government employees to become homeowners in the District. The down payment assistance is a loan for the purchase of a principal residence in the District. The borrowers sign a promissory note secured with a subordinate deed of trust recorded against the property. The loan has zero interest, and no payments are required until the property is: (1) sold or transferred; (2) no longer occupied as principal residence; or (3) refinanced with cash out.⁵⁶ There is no income cap for EAHP applicants, nor is there a cash contribution requirement. The maximum purchase price of a property under EAHP is \$765,600,

⁴⁸ Inside DC's Pandemic-Fueled Real Estate Boom, Kashino, Marisa, Washingtonian, 29 March 2021, <https://www.washingtonian.com/2021/03/29/inside-dcs-pandemic-fueled-real-estate-boom/>.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ DHCD Responses to Questions in Advance of the Budget Oversight Public Hearing on Fiscal Years 2020/2021, June 7, 2020, at question #61.

⁵² DHCD Responses to Questions in Advance of the Performance Oversight Public Hearing on Fiscal Years 2020/2021, March 6, 2021, at attachment #35.

⁵³ *Ibid.*

⁵⁴ The Benefits of Homeownership Often Elude Black Americans. DS News. 24 November 2020. dsnews.com.

⁵⁵ DHCD Responses to Questions in Advance of the Performance Oversight Public Hearing on Fiscal Years 2020/2021, March 6, 2021, at attachment #35.

⁵⁶ DHCD, Employer Assisted Housing Program (EAHP), <https://dhcd.dc.gov/service/employer-assisted-housing-program-cahp>

based on the Fannie Mae and Freddie Maz maximum conventional loan limit for the District of Columbia.⁵⁷

In FY 2020, 51 residents were served by solely EAHP, bringing the total to 361 residents served in some fashion by EAHP when adding in the recipients that also benefitted from HPAP. IN FY 2021, 41 residents have utilized both EAHP and HPAP⁵⁸ and another 44 residents have received solely EAHP assistance.⁵⁹ In the performance oversight pre-hearing responses, DHCD reported that demand from the program is continuing to increase due to low interest rates and the booming housing market.

The Mayor's proposed FY 2022 budget for EAHP is \$5 million, up \$4 million (500%) from the \$1 million allocated to the program in FY 2021.⁶⁰ DHCD estimates that they will be able to fund an additional 160 EAHP applicants with the added \$4 million.⁶¹ As is the case with HPAP, EAHP also significantly serves Black residents. In FY 2021, 21 out of a recorded 30 EAHP recipients were Black District government employees.⁶² The Committee approves of the substantial enhancement towards this program and fully supports expanding homeownership programs such as HPAP and EAHP.

Single Family Residential Rehabilitation Program (SFRRP): SFRRP is administered by the Residential and Community Services Division to provide financial assistance to low-income homeowners for home repairs, to alleviate D.C. building code violations and assist homeowners in repairing physical threats to health and safety and modify or eliminate barriers to accessibility for persons with mobility or other physical impairments. This program seeks to allow District's senior population to age in place.

Program Title	Program Description
Roof Repair Program	Provides a grant for seniors of up to \$15,000 to replace and/or repair the roof. This grant pays for exterior roofing and gutter work only.

⁵⁷ *Ibid.*

⁵⁸ DHCD Responses to Questions in Advance of the Performance Oversight Public Hearing on Fiscal Years 2020/2021, March 6, 2021, at attachment #37.

⁵⁹ DHCD Responses to Questions in Advance of the Budget Oversight Public Hearing on Fiscal Years 2020/2021, June 7, 2020, at question #62.

⁶⁰ Mayor's FY 2022 Proposed Budget and Financial Plan, Volume 2, Department of Housing and Community Development (DB0), B-13-15. Table DB0-4.

⁶¹ DHCD Responses to Questions in Advance of the Budget Oversight Public Hearing on Fiscal Years 2020/2021, June 7, 2020, at question #63.

⁶² DHCD Responses to Questions in Advance of the Performance Oversight Public Hearing on Fiscal Years 2020/2021, March 6, 2021, at attachment #49.

Handicapped Accessibility Improvement Program (HAIP)	Provides a grant of up to \$30,000 for accessibility modifications needed to adjust most physical barriers within a home for persons with mobility or other physical impairments.
Permanent Deferred Loans for Seniors	This benefit allows households where the head of household is over 62 years of age to have the first \$10,000 of their loan, provided as a permanently deferred loan. Deferral of additional amounts is considered on a case-by-case basis.

The Mayor's proposed FY 2022 budget for SFRRP is \$994,000, which is a \$361,000 decrease from FY 2021.⁶³ SFRRP received 75 applications in FY 2020 and 40 applications in FY 2021 as of the end of Quarter 2. Historically, the average time from SFRRP application to project completion is between 3.5 and 4 years.⁶⁴ To shorten the process of the program, DHCD reported that they had made several changes to the program to streamline the process. These changes are detailed below:⁶⁵

1. Roof and Accessibility - SFRRP shifted to roof repair and accessibility modifications only, addressing the most urgent needs for the most applicants, and eliminating rehabilitation loans. Projects with previously approved scopes or contracts containing rehabilitation were honored.
2. Contractors - A new solicitation process was created to bundle contracts together, making solicitations more appealing to larger, more qualified contractors, with the goal of improving the quality and speed of construction.
3. Scope Writing - A third-party scope writer was selected to perform home inspections and write scopes of work, accelerating the timeline in which projects can be completed.
4. Supervisory Construction Analyst - A Supervisory Construction Analyst position was created and filled to supervise Construction Analysts and eliminate project construction problems.
5. Priority Projects - Historically, SFRRP projects were completed in the order in which the homeowner applied, regardless of the severity of need. A prioritization process was developed to identify and address critical projects needing immediate assistance.

⁶³ Mayor's FY 2022 Proposed Budget and Financial Plan, Volume 2, Department of Housing and Community Development (DB0), B-13-15. Table DB0-4.

⁶⁴ DHCD Responses to Questions in Advance of the Performance Oversight Public Hearing on Fiscal Years 2020/2021, March 6, 2021, at attachment #60.

⁶⁵ DHCD Responses to Questions in Advance of the Performance Oversight Public Hearing on Fiscal Years 2020/2021, March 6, 2021, at attachment #62.

6. Minor Repairs - A contractor was selected to perform repairs to remediate or solve urgent needs, such as a roof patch for active water infiltration, for homeowners waiting for full SFRRP assistance, such as a complete roof replacement.
7. QuickBase - SFRRP databases were migrated from multiple and fragmented sources into one streamlined QuickBase database.
8. Application - The SFRRP application was fully revised and rewritten, providing more clarity for interested applicants, and an online submission process was implemented, eliminating the cumbersome process of submitting a paper application.
9. Documents - SFRRP settlement documentation, including grant agreements, were fully revised to reflect program changes and to streamline the settlement process. - All paper files were scanned and digitized for ease-of-access and recordkeeping.
10. Communication - A communications and outreach plan was created and implemented to proactively update homeowners about important project updates and to more effectively respond to homeowner inquiries.

While the Committee understands the complexity of cases that the agency comes across, it is necessary for the agency to continue to work towards reducing the backlog of cases and shortening the timeline for applicants of the program. The Committee does applaud the changes DHCD has made to the program to work towards making the process as efficient and effective as possible.

Local Rent Supplement Program (LRSP): The Budget Support Act of 2021 makes substantial changes that are detailed and summarized elsewhere in this report. In short, this change will streamline the LRSP process by pairing money directly with the Housing Production Trust Fund.⁶⁶ While LRSP dollars are not currently in the DHCD budget, the financial plan now allocates \$8,075,814 for FY 2023, \$16,151,628 in FY 2024, and \$36,760,286 in FY 2025 in LRSP funds⁶⁷. Mayor Bowser announced that the bulk of this, \$42,000,000, will be used for project-sponsor based vouchers to pair with the production of deeply affordable (0-30% AMI) units.⁶⁸ These funds will be used in conjunction with the Housing Production Trust Fund to allow more of HPTF dollars to go towards deeply affordable housing and to aide DHCD in meeting the statute of using 50% of HPTF for units for residents making 0-30% AMI.⁶⁹ DHCD indicated that they will be able to produce 1,100 deeply affordable units with trust fund money as a result of this change in the allocation of LRSP money.⁷⁰

⁶⁶ Fiscal Year 2022 Department of Housing and Community Development and Housing Production Trust Fund Budget Oversight Hearing Testimony. Polly Donaldson.

⁶⁷ Mayor's FY 2022 Proposed Budget and Financial Plan, Volume 1, Financial Plan, 2-7-2-13. Table 2-1, 2-2.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

a. FY 2022-2027 CAPITAL BUDGET

DHCD has a capital budget authority of \$3,996,330.94 in the DHCD DDOT Capital Federal Grant Project with an allotment balance of \$2,701,057.26.

D. DISTRICT OF COLUMBIA HOUSING AUTHORITY (HY0)

1. AGENCY MISSION AND OVERVIEW

The mission of the District of Columbia Housing Authority (“DCHA”) is to provide quality affordable housing to low-income households, foster sustainable communities, and cultivate opportunities for residents to improve their lives. The agency maintains five goals:

1. Create opportunities, through collaboration and partnerships, to improve the quality of life for DCHA residents;
2. Increase access to quality affordable housing;
3. Provide livable housing to support healthy and sustainable communities;
4. Foster a collaborative work environment that is outcome-driven and meets the highest expectations of the affordable housing industry; and
5. Effectively communicate DCHA’s accomplishments and advocate for its mission.

DCHA was established by the District of Columbia Housing Authority Act of 1999.⁷¹ The Executive Director leads the agency and is appointed by the 11-member DCHA Board of Commissioners. The Executive Director is supported by several agency divisions, including the ADA/504/Language Access Department, the Office of Administrative Services, the Client Placement Division, the Office of Resident Services, the Office of Capital Programs, the Office of Audit and Compliance, the Office of Fair Hearings, the Office of Financial Management, and the Office of General Counsel, as well as in-house Human Resources, Information Technology, Operations Support, Public Affairs, and Public Safety offices, and the D.C. Housing Authority Police Department.

Local funding for DCHA is accounted for in three categories: Local Rent Supplement Program (subdivided into Project- and Sponsor-Based and Tenant-Based categories), the Rental Assistance Support, and the Office of Public Safety. Twenty percent of DCHA’s funding for housing programs comes from the District of Columbia and the remaining 80% is allocated by the federal government via the Department of Housing and Urban Development (“HUD”).⁷²

Most of DCHA’s District subsidy, which is housed in the HY0 budget chapter, comprises the Local Rent Supplement Program (“LRSP”), a continuous stream of subsidies that maintain the deep affordability of rental housing units by allocating funds to housing providers, nonprofit partners, or directly to low-income households. One portion of this funding is allocated annually for tenant-based vouchers, which directly subsidize the monthly rent of low-income households (30% of Area Median Income (“AMI”) and below). Along with its federally funded tenant-based vouchers (for which households at 50% AMI and below are eligible), DCHA administers these locally funded tenant-based housing vouchers under HUD’s Housing Choice Voucher Program (“HCVP”). The rest of LRSP funding is allocated for project- and sponsor-based vouchers, which are awarded to housing providers and nonprofit partners who use them to provide subsidized affordable units for low-income households. Altogether, more than 39,000 people participate in DCHA housing

⁷¹ D.C. Law 13-105, effective May 9, 2000.

⁷² Testimony of Executive Director Tyrone Garrett at the 2021 Performance Oversight Hearing, March 17, 2021.

voucher subsidy programs. Over 2,600 families are housed through the local voucher programs, and more than 36,000 people benefit from the federal voucher programs administered by DCHA.⁷³

The Fiscal Year 2022 Budget Support Act of 2021 proposes a number of changes to the LRSP program administration. DCHA has received a budget allocation for tenant-based and project-based LRSP vouchers since the program's inception. DCHA has and currently assigns those funds based on recommendations from DC's Department of Housing and Community Development (DHCD) (project-based) and Department of Human Services (DHS) (tenant-based). The proposed amendment will allow DHCD and DHS to directly manage funds for project- and tenant-based vouchers, respectively, while DCHA will continue to receive administrative funding to manage the assignment of vouchers. Funds for the vouchers and associated administration costs will be sent to DCHA when the funds are needed to advance the project.

DCHA's Rental Assistance Support Program provides continued rental assistance to low-income District of Columbia households that are currently housed. This program contains two activities: the DC Local Rental Assistance program ("DC Local") and the Shallow Subsidy for Seniors. At any given time, most rental subsidies administered by DCHA are committed, because once a subsidy is awarded it is continually applied to housing costs month after month.

DCHA also serves as the landlord for the more than 12,000 residents of the more than 8,500 federally-owned traditional public housing units in the District.⁷⁴ Public housing is funded by the federal government and provides affordable rental homes to low-income households.

DCHA also maintains its Office of Public Safety, funded by local and federal funds. DCHA employs on-site police and special police officers. Special police officers must be commissioned by the MPD Security Officer's Management Branch after completing the required six-week academic and two-week firearms training. A police officer is required to earn 60 hours of college credits prior to hire, must pass the police officer's post exam, and must successfully complete the Metropolitan Police Academy. Police officers have law enforcement authority throughout the District of Columbia, while DCHA special police officers have law enforcement authority on DCHA properties and while involved in a "hot pursuit" of a suspect that has committed an offense while on a DCHA property.⁷⁵

In addition to providing and subsidizing low-income housing, DCHA also closely collaborates with other District agencies and organizations to help public housing residents lead independent lives. This is accomplished through on-site programs that improve job skills, provide continuing education, promote public safety, and encourage youth summer employment, education, and recreation.

DCHA is also a member of the D.C. Interagency Council on Homelessness, a District-wide Council comprising District government agencies, nonprofit providers of housing and social services, advocates, and residents from the community who have lived experience of homelessness. DCHA-issued vouchers support the affordability of Permanent Supportive Housing (PSH) and

⁷³ DCHA FY 2022 Pre-Budget Oversight Hearing Question Responses

⁷⁴ Testimony of DCHA Interim Director Brenda Donald at the Fiscal Year 2022 Budget Oversight Hearing, June 24, 2021.

⁷⁵ DCHA FY 2022 Pre-Budget Oversight Hearing Question Responses

Targeted Affordable Housing (TAH) units, which are the most intensive interventions for District households experiencing homelessness. PSH is a long-term affordable housing subsidy for formerly homeless residents that is accompanied by case management and supportive services in the areas of behavioral health, substance abuse, employment services and financial literacy. TAH provides long-term affordable housing subsidy for formerly homeless residents who do not require intensive supportive services in the same manner as PSH participants.

DCHA issues tenant-based vouchers to homeless households referred to the agency through Department of Human Services (DHS), and in many cases project- and sponsor-based subsidies support units that are dedicated to PSH households by the housing providers and sponsors who are recipients of a LRSP long term subsidy contract (LTSC) and from FY 2018 through FY 2022 the Mayor's proposed enhancements to LRSP to create new affordable units were dedicated to PSH and TAH to support the District's plan (Homeward DC) to end chronic homelessness by 2022.

PSH and TAH in the District are administered according to established best practices that the U.S. Congress codified in the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act; these programs represent the District's commitment to the "housing first" model for ending homelessness. This model entails providing housing and supportive services to homeless clients to the extent of their need and without burdensome conditions on the client, affording homeless residents the stability necessary to attain self-sufficiency more quickly and with the least expense to themselves and the public.

Project-Based and Sponsor-Based LRSP: Project-Based and Sponsor-Based Local Rent Supplement Program vouchers are an important tool for easing rent burdens on low-income families. DCHA uses project-based and sponsor-based LRSP funds to provide operating subsidies for affordable units created through the Department of Housing and Community Development's (DHCD) Notice of Funding Availability (NOFA) solicitation process, which allocates Housing Production Trust Fund (HPTF) funding packages that include project-based and sponsor-based LRSP funds.

Project- and sponsor-based LRSP funds are awarded to bidders who agree to maintain LRSP-backed affordable units that meet standards outlined in their agreements with DCHA. Units subsidized by sponsor-based LRSP funding must include on-site supportive services. Units subsidized by project-based LRSP are not required to maintain such on-site supportive services.

Project- and sponsor-based LRSP funding is an important tool by which the District pursues the legal mandate that that 40% of HPTF funding be used to create units affordable for residents at 30% of AMI or below. This funding also supports the production of new PSH and TAH units, which support the implementation of the Homeward DC Plan, and which must comprise 5% of all new rental properties funded by DHCD.

Tenant-Based LRSP: Tenant-based vouchers are issued to households who meet income and eligibility criteria. Locally funded LRSP tenant-based vouchers are issued to households at 30% of AMI and below. Federally-funded HCVP vouchers, which are not supported by the local government, are issued to households at 50% of AMI and below.

Rental Assistance Program: The Rental Assistance Support Program (DC Local) provides rental assistance to low-income households. Its annual allocation of slightly over \$7 million local

dollars is intended to provide ongoing tenant-based housing assistance payments to 450 families. This allotment of funding is administered according to federal HCVP rules, and is dedicated primarily to stabilizing homeless households. The DC Local budget allocation has not changed in 10 years, and as a result, the number of families currently served is 428. The actual cost of the housing assistance payments for the 428 households was \$9,387,524 in Fiscal Year 2021.⁷⁶ OCFO allows DCHA to use unused project-based LRSP funding to pay the \$2,247,524 difference.

Public Housing: DCHA is also the direct provider of housing for nearly 12,000 residents at the more than 8,500 units of publicly-owned housing in the District.⁷⁷ DCHA is responsible for the upkeep of these properties, including repairs and preventative maintenance to units and common areas. During the FY 2017 budget oversight process the Committee recommended, and the Council adopted, legislation creating a Public Housing Rehabilitation and Maintenance Fund (R&M Fund), through which all unspent LRSP at the end of each fiscal year is made available to the agency for much-needed repairs, maintenance, and major capital improvement projects at DCHA properties. The Rehabilitation and Maintenance Fund was unfunded in FY21 and in FY22 and was replaced by the capital program HY0-DHA21, created in the FY22 Local Budget Act of 2021.

D.C. Housing Authority Police Department: The DCHAPD a police force under DCHA's Office of Public Safety that employs sworn officers whose jurisdiction is concurrent with that of an officer of the Metropolitan Police Department. DCHAPD also employs special police officers, who possess arresting power on District public housing properties, as well as security officers, who screen visitors to public housing, and public safety administrative personnel. The Public Safety budget line item of \$4.2M covers less than 50% of DCHA's police officers' cost. Interim Director Brenda Donald testified that the funds that cover the remaining 50% of the Authority's public safety costs are sourced from its HUD-provided public safety budget.⁷⁸ Interim Director Donald shared that she intends to undertake an assessment of the public safety department's needs.⁷⁹

New Communities Initiative: DCHA partners with the Office of the Deputy Mayor for Planning and Economic Development (DMPED) in implementing the New Communities Initiative (NCI). NCI is intended to improve the quality of life for families and individuals living in the following four neighborhoods in the District of Columbia: Northwest One (Ward 6); Barry Farm (Ward 8); Lincoln Heights/Richardson Dwellings (Ward 7); and Park Morton (Ward 1). These designated New Communities sites are characterized by high rates of poverty and dilapidated housing stock. NCI seeks to revitalize such distressed public housing sites by building mixed-income and vibrant communities. NCI operates under four guiding principles: (1) one-for-one replacement of units, (2) the opportunity for public housing residents to stay or return following redevelopment, (3) the redevelopment of mixed-income housing, and (4) the policy of building first prior to demolition where feasible in order to minimize temporary displacement. The DMPED budget contains funds allocated for NCI properties.

The Housing Authority Board of Commissioners: The Housing Authority Board of Commissioners (the Board), holds broad authority to regulate and determine the activities of DCHA

⁷⁶ Testimony of DCHA Director Tyrone Garrett at the Fiscal Year 2021 Budget Oversight Hearing, June 8, 2020.

⁷⁷ *Id.*

⁷⁸ Testimony of Interim Director Brenda Donald at the Fiscal Year 2022 Budget Oversight Hearing, June 24, 2021.

⁷⁹ *Id.*

under D.C. Official Code § 6-211. The Board promulgates rules and regulations both for the activities of DCHA and for Board elections. The Board is also empowered to evaluate the Executive Director of DCHA, and any DCHA contract valued greater than \$250,000.

The Board comprises 11 Commissioners: 5 are nominated by the Mayor with the advice and consent of the Council, and one of these five must be a Housing Choice Voucher Program recipient; 3 public housing resident Commissioners are elected to the Board by their fellow public housing residents; 1 Commissioner is named by the Central Labor Council; 1 Commissioner is named by the D.C. Consortium of Legal Service Providers; and lastly, the Deputy Mayor for Planning and Economic Development serves as an ex-officio member of the Board.⁸⁰

Commissioners on the Board receive annual stipends, with the Chairman receiving a stipend of \$6,000 and the other members receiving a stipend of \$4,000.⁸¹

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

Housing Authority Subsidy					
Fund	FY20 Actuals	FY21 Approved	FY22 Proposed	Committee Adjustment	Committee Approved
LOCAL FUND	\$146,302,522	\$158,453,359	\$161,331,841	\$	\$
CAPITAL BUDGET	\$0	\$50,000,000	\$22,000,000	\$	\$
TOTAL	\$146,302,522	\$208,453,359	\$183,331,841	\$	\$

Committee Analysis and Comments

The Mayor's proposed FY 2022 gross funds budget for the Housing Authority Subsidy is \$183,331,841, reflecting a decrease of 25,121,518, or -12%, compared to FY 2021. The agency does not fund any FTEs with local funding.

⁸⁰ D.C. Law 13-105; D.C. Official Code § 6-211.

⁸¹ 2021 DCHA Performance Oversight Hearing Responses.

Local Funds: The Mayor's proposed FY 2022 local funds budget for the Housing Authority Subsidy is \$161,331,841, reflecting an increase of \$2,878,000, or 0.1% compared to FY 2021. The agency does not fund any FTEs with local funding.

Special Purpose Revenue Funds: The Mayor's proposed budget does not include any special purpose revenue funds.

Federal Funds: The Mayor's proposed budget does not include any federal funds for the Housing Authority Subsidy.

Intra-District Funds: The Mayor's proposed budget does not include any intra-district funds.

Increase to Project- and Sponsor-Based LRSP: The Mayor's proposed budget increased Project-and Sponsor-Based LRSP program funding in FY 2022 by \$2,878,000.

Extreme Need for Repairs to Public Housing: The Committee shares the deep concerns of DCHA, residents, and advocates with respect to the extreme level of need for repairs at District public housing properties. The Executive Director of DCHA, Tyrone Garrett, testified at the agency's FY 2020 budget oversight hearing that the agency's best estimate of the true need in dollars to fully rehabilitate and stabilize District public housing is \$2.2 billion.⁸² This estimate factors in soft costs such as design, planning, and legal expenses, as well as the escalation of costs over an estimated 17-year timeline for completing all required work. The Director testified further during FY 2020 budget hearings that DCHA's lowest-cost scenario to address the full need would require \$785-850 million in cash, which would be leveraged to raise the full \$2.2 billion. This plan would require a dedicated stream of \$45-50 million per year for 17 years.⁸³

DCHA also presented a concept that would first call for \$12.5 million per year over two years to get started on two of the most urgent properties and use \$10 million in annually recurring funds over 10 years to get started on repairs at up to 850 units in the most urgent conditions. The agency would leverage this amount to obtain up to \$115 million in funding immediately available for rehabilitating public housing.⁸⁴

The Committee was hesitant to commit substantial streams of annual funding without enhanced planning and oversight. After learning of these scenarios, Chairperson Bonds asked the Chief Financial Officer (CFO) to undertake a comprehensive analysis of DCHA's budget and finances, and to work with the agency on putting together a long-term plan that is fiscally responsible for the District, and would not impinge upon the District's debt cap, as a dedicated stream might entail.

In January 2020, the Committee held a public roundtable at which Director Garrett provided updates on the Transformation Plan. Director Garrett outlined that the agency would use HUD financing tools that leverage public and private dollars, namely Rental Assistance Demonstration (RAD) and Section 18-Demolition/Disposition (Section 18). RAD converts the Section 9 public

⁸² Testimony of Director Tyrone Garrett at the Fiscal Year 2020 Budget Oversight Hearing, April 11, 2019.

⁸³ *Id.*

⁸⁴ *Id.*

housing subsidy to a more stable Section 8 project-based voucher subsidy platform and is more often used for minor rehabilitation projects with minimal relocation requirements.⁸⁵ Section 18 is used for projects with severe rehabilitation needs and releases the public housing property from the Federal Declaration of Trust (DoT), unlocking varied investment opportunities.⁸⁶ Section 18 provides Tenant Protection Vouchers (TPV) that allow families to move and rent a temporary home at an affordable rate while their building is being redeveloped, and unused TPVs can be used to finance redevelopment.

Director Garrett reported during the public roundtable that careful analysis over the past year per Chairperson Bonds' recommendation led to the development of a model which anticipates a 17-year, \$2.2-\$2.5 billion financing-backed approach that fully leverages HUD tools by deploying public and private tools. The modeling showed that an annualized-average investment of \$45-50 million over a period of 17 years would allow DCHA to bring all 41 public housing sites into good repair.⁸⁷ This approach can reposition the 15 extremely-urgent sites and stabilize the full housing portfolio, providing modern, safe, energy-efficient, affordable housing for all residents.

DCHA private equity options, federal options, and local resources to fund the Transformation Plan.⁸⁸ The federal sources could be derived from among the following: Choice Neighborhoods Initiative, Replacement Housing Factor Funds, Rental Assistance Demonstration Program (RAD), HOME Investment Partnership Program, Community Development Block Grant, Low Income Housing Tax Credit Program, Historic Tax Credits, and Tax-Exempt Bond Financing.⁸⁹ Local Resources used to fund the repairs and renovations for the 14 properties include DC Capital Allocations, the Housing Production Trust Fund, and DC Local Rent Supplement Program allocations.⁹⁰ DCHA anticipates that 4% Low Income Housing Tax Credits (LIHTC) will be used as a primary source of private equity. This source typically provides between 30-40% of total project financing for a typical project.⁹¹ An additional likely source is private mortgage debt. DCHA reports that these two sources can be used after the property has been either converted to a project-based voucher subsidy through RAD or once the property's DoT has been released in the Section 18 process. Both LIHTC and private debt would require that DCHA demonstrate a stable source of ongoing rent subsidy through either ACC (public housing) rent subsidy or HCVP. Federal vouchers provide more stable year-to-year funding and more flexibility than ACC, and would therefore be preferred over ACC in most cases. Other secondary sources of private funding could include Federal Home-Loan Bank (FHLB) grants, grants and loans offered to affordable housing developers, and any additional funding provided by the Mayor and Council. DCHA stated that without long-term capital investment from the District, the Transformation Plan cannot take place.⁹²

During oversight hearings and public roundtables, members of the community articulated concerns that they will be unable to return to their communities after redevelopment is complete. DCHA contracts with development partners for all redevelopment properties contain a clause guaranteeing current residents' right to return to an appropriately sized unit, regardless of whether it

⁸⁵ Testimony of Director Tyrone Garrett at Public Roundtable on DCHA's Transformation Plan, January 31, 2020.

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ Testimony of Interim Director Brenda Donald at the Fiscal Year 2022 Budget Oversight Hearing, June 24, 2021.

⁸⁹ FY22 DCHA Pre-Budget Oversight Hearing Question Responses.

⁹⁰ *Id.*

⁹¹ FY21 DCHA Pre-Budget Oversight Hearing Question Responses.

⁹² *Id.*

is a RAD or Section 18 conversion.⁹³ HUD guarantees that residents on properties undergoing a RAD conversion will have an unqualified right to return as well. Additionally, DCHA intends to enter into a variety of lease and ownership structures depending on the context of the public housing property. In all cases, DCHA will maintain a ground lease ownership of the land with various ownership structures for the building asset depending on DCHA role in building management for all its partnership arrangements with private developers for Transformation Plan projects. Maintaining ground leases will protect the Authority's ability to provide affordable housing and protect residents. However, ownership models for all properties have not been finalized.

The Transformation Plan sets goals in phases. Phase 1 of the Transformation Plan stabilizes 15 of its most distressed public housing communities. The 14 originally identified communities, plus the senior and 700 buildings of Potomac Gardens, have been labeled extremely urgent, with circumstances that could soon present physical and environmental hazards to units if not addressed with urgency. These 15 properties have been divided into two categories: 1) properties that can reach 15-20-year viability through immediate repairs; and 2) properties that require long-term repositioning through resident relocation, followed by comprehensive modernization and/or redevelopment to achieve 15-20-year viability.

The agency is currently meeting the goals outlined in the Transformation Plan, and its progress has been made possible in part by District investments in the R&M Fund and capital repairs funds available to the Authority in the past few Fiscal Years. DCHA reported during the FY 2022 Budget Oversight process that contracts have been finalized for renovation activities at four Transformation Plan sites: Judiciary House, LeDroit Senior, Kelly Miller Townhomes, and Langston Additions.⁹⁴

The Public Housing Rehabilitation and Maintenance Fund: At the end of each fiscal year, some LRSP funding typically remains unspent due to some committed subsidies being not required until the following fiscal year when projects are online. Prior to Fiscal Year 2017, these funds had reverted to the general fund at the end of the fiscal year. Housing providers relying on the future availability of such funds are assured that the commitment would again be reflected in the following fiscal year's budget and, when the housing is online and LRSP operating subsidies are needed, DCHA fulfills that commitment from its then-current fiscal year budget allocation.

Since FY 2017, this recurring unspent LRSP funding has been deposited in the R&M Fund,⁹⁵ which the Committee proposed, and the Council adopted in the Fiscal Year 2017 Budget Support Act of 2016, to address numerous short- and long-term maintenance and other capital needs faced by DCHA properties.

No funds were added to the R&M Fund in FY21, and unspent LRSP funds were reallocated to fund PSH and TAH vouchers in FY21. The Mayor's proposed budget for FY 2022 allocated no new dollars to the R&M Fund. However, the Authority anticipates that \$8.7M will be added to the R&M fund in FY22 due to LRSP underspending in FY21. The Authority reported that it plans to address issues at Greenleaf Gardens, Kentucky Courts, James Creek, Regency House, Syphax

⁹³ DCHA FY 2022 Pre-Budget Oversight Hearing Question Responses

⁹⁴ FY22 DCHA Pre-Budget Oversight Hearing Question Responses.

⁹⁵ L21-0160

Gardens, Richardson Dwellings, and Benning Terrace during FY 2022 with these funds.⁹⁶

Rental Assistance for Unsubsidized Seniors: In the FY 2019 Budget Support Act of 2018, the Committee recommended, and the Council adopted, the “Rental Assistance for Unassisted Seniors Amendment Act of 2018.” This subtitle created a new shallow subsidy, the Rental Assistance for Unsubsidized Seniors Program, to provide partial rental assistance to senior-headed households making up to 60% of AMI and paying more than 30% of their income toward rent. As of June 24, 2021, 30 seniors had benefitted from the shallow subsidy.⁹⁷ The small number of participants is due to the agency’s interpretation of the statute that created the program and agency partners’ difficulty in recruiting participants that meet program requirements.⁹⁸ Interim Director Donald agreed to investigate the program and work with agency partners to increase uptake at the Authority’s FY 2022 budget oversight hearing.⁹⁹

Public Housing Credit Building Pilot Program: The Public Housing Credit Building Pilot Program Amendment Act of 2018¹⁰⁰ passed the Council unanimously on June 5, 2018. The program was unfunded during FY 2019 and was funded during FY 2020. The program was unfunded for FY 2021. The pilot program allowed 50 public housing residents to voluntarily have their rent payments reported to credit bureaus in order increase their credit scores. Rent reporting is a good means for otherwise credit-invisible individuals to build a credit score and increase their possibilities for economic opportunity. Because this service is critical to residents’ ability to build economic security, the Committee aspires to fund this program in a future Fiscal Year, and in the meantime partner with agencies and government bodies such as the Department of Insurance, Securities, and Banking and the Financial Literacy Council to bring these resources to residents in need of financial counseling.

3. FY 2022-2027 CAPITAL BUDGET

The District of Columbia Housing Authority’s local budget includes capital funding in the six-year plan under program HY0-DHA21. \$22M is allocated for FY22, \$20M is allocated for FY23, and \$15M is allocated for FY24. This funding will be the sole source of District Financing for the Development and rehabilitation of DCHA’s real estate portfolio. In accordance with language passed in the FY21 Budget Support Act, the capital fund will be administered by the Office of the Chief Financial Officer, with available project allotments advanced to the Authority on a quarterly basis for the encumbrances and expenditures planned for that quarter provided that the Authority meets statutory requirements.¹⁰¹

This capital fund was utilized by the Authority in FY21 to undertake a variety of projects at many public housing programs, including making ready more than 350 vacant public housing units, abating lead-based paint at three public housing sites, elevator modernizations at eight public housing sites, sidewalk repairs, replacing automatic doors and security card readers, and replacing rooftop exhaust fans. As of June 11, 2021, the Authority had obligated \$30.44M of the \$50M in

⁹⁶ Testimony of Director Brenda Donald at the Fiscal Year 2022 Budget Oversight Hearing, June 24, 2021.

⁹⁷ *Id.*

⁹⁸ *Id.*

⁹⁹ *Id.*

¹⁰⁰ L22-0154

¹⁰¹ D.C. Official Code § 6-271

capital funding for contracts to undertake the aforementioned renovations and improvements.¹⁰² Interim Director Donald stated at the June 24, 2021 Budget Oversight Hearing that the Authority expected to fully obligate the remaining funding by September 30, 2021.¹⁰³

Although it was originally stated by the Mayor that the \$57 million for public housing repairs was to be allocated to the Claridge Towers public housing property only, DCHA engaged in conversations with the Executive that resulted in a different capital repairs plan that the Authority believes will make the best use of the funding. DCHA will use the capital funds available in Fiscal Year 2022 for capital projects at three properties, as opposed to the repair and maintenance projects at various properties that the capital fund supported during Fiscal Year 2021. DCHA plans to allocate the \$57M capital dollars available in Fiscal Years 2022 through 2024 in the following amounts at these properties: \$10.724 million to Highland Additions, \$3.37 million to Woodland Terrace, and \$7.906 million to Langston Terrace projects.¹⁰⁴

¹⁰² DCHA FY 2022 Pre-Budget Oversight Hearing Question Responses

¹⁰³ Testimony of DCHA Interim Director Brenda Donald at the Fiscal Year 2022 Budget Oversight Hearing, June 24, 2021.

¹⁰⁴ Id.

E. DISTRICT OF COLUMBIA HOUSING FINANCE AGENCY (HF0)

1. AGENCY MISSION AND OVERVIEW

The District of Columbia Housing Finance Agency (DCHFA) was established in 1979 to support and expand homeownership and rental housing opportunities for low- to moderate- income residents of the District. In its mission to advance the District of Columbia's housing priorities, the agency invests in affordable housing and neighborhood development, which provides pathways for DC residents to transform their lives. DCHFA achieves this goal by delivering the most efficient and effective sources of capital available in the market to finance rental housing and to create homeownership opportunities.¹⁰⁵ DCHFA accomplishes this by issuing mortgage revenue bonds, which lower homebuyers' expenses of purchasing homes, and developers' costs of developing rental units. DCHFA's multifamily financing program involves the financing of affordable housing through the issuance of tax-exempt bonds, taxable bonds, 4% Low Income Housing Tax Credits, and McKinney Act Savings Funds.

DCHFA is a corporate instrumentality with a legal existence separate from the District government.¹⁰⁶ By statute, the agency's budget is independent of the D.C. Government's Executive Branch. The agency has its own financial reporting system and is not tied to the financial reporting system of the District. The agency is governed by a Board of Directors and does not utilize District full time equivalents (FTEs). DCHFA's Board of Directors approves the agency's budget for the upcoming fiscal year in the fourth quarter of the current fiscal year.

DCHFA receives no dedicated taxes or special purpose funding. All revenues that support the agency are generated by the agency through fees and other revenues associated with its programs. The agency is entirely self-supporting, and none of its proposed budget funds are derived from District Government revenues. To support its operations and lending programs, the agency utilizes a variety of revenue sources, including the issuance of tax-exempt mortgage revenue bonds, earned income, fees and grants. Nevertheless, the agency's budget is subject to the Council of the District of Columbia's review and is included in the annual Budget Book.

Table 1: DCHFA Board of Directors¹⁰⁷

Name	Position	Date of Confirmation	Expiration of Term
Buwa Binitie Chair	Member with experience in finance	Jan 7, 2020	June 28, 2022
Stephen M. Green Vice Chair	Member with experience in finance	Dec. 15, 2020	June 28, 2022

¹⁰⁵ Mission Statement. (2021, June 07). Retrieved June 28, 2021, from <https://www.dchfa.org/about/>

¹⁰⁶ D.C. Official Code § 42-2702.01.

¹⁰⁷ DC legislation information management system. (n.d.). Retrieved June 28, 2021, from <https://lims.dccouncil.us/>

Bryan “Scottie” Irving	Member with experience in planning	Nov 5, 2019	June 28, 2021
Stanley Jackson	Member representing community interests	June 29, 2019	June 28, 2021
Heather Howard	Member with experience in home building	Nov 5, 2019	June 28, 2021

DCHFA administers the following programs:

Multifamily Programs

Agency’s Multifamily Lending and Neighborhood Investments: In FY 2021, DCHFA spurred the development of 686 units of housing across the city year to date. Those transactions represent \$135.1 million in Multifamily Mortgage Revenue Bonds and multifamily fees generated were approximately \$4.6 million as of the second quarter of FY 2021. Despite the coronavirus pandemic, DCHFA remains on track to exceeding their target of financing 1,200 units in the current fiscal year.

Multifamily Mortgage Revenue Bond Program (MMRB): Under the MMRB Program, nonprofit, for-profit, and 501(c)(3) developers can access tax exempt, taxable, and 501(c)(3) bonds for the following eligible uses: acquisition, construction and permanent loans; fixed and variable rate loans; rated and un-rated tax exempt and taxable bond financing; and credit enhanced or un-enhanced financing, including financing under Federal Housing Administration Multifamily Insurance Programs, DCHFA-HUD Risk Sharing Program, Fannie Mae, Freddie Mac, Delegated Underwriting and Servicing lending, and Letter of Credit.¹⁰⁸

The MMRB financing product can be used to rehabilitate or construct the following: rental housing (affordable, mixed income, and market rate), cooperatives (Limited Equity), elderly housing, assisted-living facilities, and transitional housing.¹⁰⁹ Federal regulations require that developers/sponsors who utilize MMRB financing set aside at least 20% of their units for individuals or families earning at or below 50% of the AMI or at least 40% of their units for individuals or families earning at or below 60% of AMI.¹¹⁰ Projects approved for MMRB financing that will be financed through the sale of tax exempt private activity bonds are then eligible to receive 4% low income housing tax credits.¹¹¹

4% Low Income Housing Tax Credit Program (LIHTC): The 4% LIHTC Program was created by the Tax Reform Act of 1986 (P.L. 99-154). Its purpose is to incentivize development and rehabilitation of affordable rental housing. The Department of Housing and Community

¹⁰⁸ Mortgage Revenue Bonds. (2021, March 16). Retrieved June 28, 2021, from <https://www.dchfa.org/developers/available-programs/mmrbs/>

¹⁰⁹ Ibid

¹¹⁰ Ibid

¹¹¹ Ibid

Development is the District's authorized allocating agency for 4% LIHTCs. Pursuant to a Memorandum of Understanding between DHCD and DCHFA, DCHFA underwrites and administers the District's allocation of 4% LIHTCs.

LIHTC is a companion financing tool for MMRB financing, and is funded through the sale of tax-exempt private activity bonds.¹¹² Developers apply to allocating agencies for tax credit allocations, then seek equity from third-party investors in exchange for the tax credits.¹¹³ This infusion of equity effectively reduces the cost of projects, thereby increasing the likelihood that they will be financed.¹¹⁴ In order to realize LIHTC benefits, developers must comply with the same "20-50 test" or "40-60 test" as the MMRB. LIHTCs can be used to generate part of the required equity a borrower must contribute to the financing, or they can be utilized to offset the borrower's tax payments.¹¹⁵

McKinney Act Loan Program: McKinney Act Loans are short term predevelopment "bridge" loans that can be used to finance the acquisition, predevelopment, and rehabilitation costs associated with housing development, and are available to both nonprofit and for-profit developers.¹¹⁶ The funds may be used for one or the more of the following purposes: pre-development and development soft costs; acquisition, construction or rehabilitation; down payment closing cost assistance; mortgage interest rate buy down; credit enhancement or loan guarantee; ancillary or functionally related recreational, health, educational or social services facilities that are integral to housing occupied by very low income persons and families; and equity bridge loans.¹¹⁷

Single Family Programs

DC Open Doors: DC Open Doors provides home purchase loans and down payment assistance to first-time and repeat homebuyers. The program offers both Federal Housing Administration (FHA) and Fannie Mae/Freddie Mac mortgage loan products that provide up to 3.5% down payment assistance to borrowers earning at or below 120% of AMI. The program created a deferred repayable down payment assistance component of up to 3.5% on FHA or 3% on conventional loans. In FY 2020, DC Open Doors had the highest production since its inception -- closing 245 loans. As of May 15, 2021, DC Open Doors closed 199 loans in FY 2021. The program is on track to close the most loans in its history by the end of FY 2021. DCHFA administers DC Open Doors via a network of national and local lenders. DC Open Doors is compatible with a variety of other home purchase programs and products.¹¹⁸ Working with participating lenders and real estate agent partners, the program has quickly grown in popularity.

Mortgage Credit Certificate (MCC): Launched in 2016, the Mortgage Credit Certificate provides borrowers with a tax credit of up to 20% of the interest annually paid. The program is open to any first-time homebuyer that meets the income, sales price, and loan amount limits. This

¹¹² Low Income Housing Tax Credit Program (LIHTC). (2021, March 16). Retrieved June 28, 2021, from <https://www.dchfa.org/developers/available-programs/mmr/>

¹¹³ Ibid

¹¹⁴ Ibid

¹¹⁵ Ibid

¹¹⁶ Developers. (2018, June 21). Retrieved June 28, 2021, from <https://www.dchfa.org/developers/available-programs/mckinney-act/>

¹¹⁷ Ibid

¹¹⁸ 2021 Performance Oversight Pre-Hearing Questions Response, 2, 10 (2021) (testimony of DCHFA).

product may be used in conjunction with DC Open Doors Loans and Home Purchase Assistance Program (HPAP). MCCs may be purchased in conjunction with any of our DC Open Doors' loan programs or it may be purchased as a "stand-alone" product in conjunction with other first trust mortgage loans.

Housing Investment Platform (HIP) and DCHFA's Single Family Housing

Investment Fund: In FY 2021, HIP has continued to support the creation of affordable workforce housing to District residents, grow local developers, and provide development opportunities to local entrepreneurs in the construction field. HIP invests with emerging developers in projects that produce homeownership opportunities for District residents with an emphasis on middle-income households.

Home Purchase Assistance Program: DCHFA continues to act as a co-administrator of HPAP in conjunction with the Greater Washington Urban League (GWUL), allowing for faster loan closings.¹¹⁹ HPAP had a FY 2021 budget of \$8,700,000, disbursing \$5,707,109 as of May 31, 2021. The Committee has received inquiries about the application process and urges the agency to work with DHCD and GWUL to streamline the process and evaluate the necessity of the Notice of Eligibility component.

Reverse Mortgage Insurance and Tax Program (ReMIT): In October 2018, ReMIT was initiated as an 18-month pilot program to provide assistance in the form a subsidy payment for reverse mortgage borrowers who are in the process of losing their homes to foreclosure from unpaid property taxes and insurance. Qualified homeowners can receive up to \$25,000. In March 2021, the program was extended for 6 months to allow for the continued disbursement of remaining funds and expanded to allow for condominium and homeowner association fees to be included. As of June 2021, ReMIT had received indication that it would receive an additional \$500,000 in federal funds and had closed loans of \$69,967 year to date in 2021.

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

Committee Analysis and Comments

The Mayor's proposed FY 2022 operating budget for DCHFA is \$15,009,504, which represents an increase of 5.1% from the FY 2021 approved budget of \$14,280,596. DCHFA's budget is comprised entirely of Enterprise and Other funds, which makes it easier for the Office of the Chief

¹¹⁹ Department of Housing and Community Development (DB0) (Publication). (n.d.). Retrieved from <https://app.box.com/s/6n8p0lxwd4yzppdpxpgynbsu8trmy3qm>.

Financial Officer to avoid double-counting monies that appear in certain transfer paper agencies and Enterprise agencies. DCHFA receives no dedicated taxes or special purpose funding.¹²⁰

Notable Budget Changes:

DCHFA's FY 2022 proposed budget includes an increase of \$564,911 in personal services to cover projected salary and fringe benefit costs for current personnel. Also, nonpersonal services costs contain an increase of \$163,998, primarily in Contractual Services and estimated Fixed Costs.

3. FY 2022-2027 CAPITAL BUDGET

DCHFA has no associated proposed capital funds in the Mayor's proposed FY 2022 budget.

¹²⁰ All revenues that support the agency are generated by the agency through fees and other revenues associated with its programs. Any administrative costs the agency incurs related to its role as a co-administrator of HPAP are reimbursed by DHCD through federal CDBG funds.

F. EXECUTIVE OFFICE OF THE MAYOR (AA0)

1. AGENCY MISSION AND OVERVIEW

The mission of the Executive Office of the Mayor (EOM) is to serve the public by supporting the Mayor in governing, including constituent engagement and media relations. The EOM provides District agencies with vision and policy direction and provides agencies with the leadership, support, and oversight to implement specific policy goals and objectives, including building pathways to the middle class, through an improved education system, clean and safe neighborhoods, better job opportunities, and long-term investments in the city's infrastructure.

The EOM operates through the following 5 programs:

Office of the Mayor: The Office of the Mayor provides staff support to the Mayor in leading the government and community. This program supports 8 different activities comprised of the following: Office of the Mayor, Scheduling Unit, Office of Communications, Office of Support Services, Mayor's Correspondence Unit, Office of the General Counsel, Emancipation Day, and the Mayor's Office of Public Policy.

Mayor's Office of Talent and Appointments (MOTA): The Mayor's Office of Talent and Acquisition provides assistance to the Mayor by making recommendations for outstanding community leaders to serve as appointed leadership staff or members to boards and commissions. The MOTA team recruits energetic, committed, and forward-thinking individuals that are committed to helping move the District of Columbia forward.

Office of Community Affairs: This office provides coordinated leadership and administrative support that is made up of 10 different activities. These activities include the Office of Community Relations and Services, Office of African-American Affairs, Office of African Affairs, Office of Women's Policy and Initiatives, Office of Lesbian, Gay, Bisexual, Transgender and Questioning (LGBTQ) Affairs, Office of Religious Affairs, Office of Community Affairs, Office of Nightlife and Culture, Office of Caribbean Affairs, and the Mayor's Office of the Clean City.

The affinity offices under the Mayor's Office of Community Affairs have been divided for the purposes of oversight between the Committee on Government Operations and Facilities and the Committee on Recreation, Libraries and Youth Affairs and are not under the jurisdiction of this Committee.

The Mayor's Office of the Clean City is the newest activity transferred into this program which seeks to bridge the work of agencies and community partners to achieve a clean, safe, and healthy District of Columbia. This activity was transferred from the Department of Public Works as well as the staffing to handle the affairs of the Clean City Initiative. This office serves as the central point of contact and goal champion within the Mayor's administration for preventing and reducing litter and trash pollution in the District of Columbia.

Serve DC – Office of Volunteerism and Partnerships: This office serves as the District of Columbia's Commission on National and Community Service. The mission of the organization is to strengthen and promote the spirit of service through partnerships, national service, and

volunteerism by coordinating regular and episodic volunteer opportunities, as well as serving as the nexus for all volunteer partnerships and related councils, coalitions, and commissions. This mission is achieved through the following 5 activities: Administration, AmeriCorps, Training, Outreach and the Partnership and Grant Services. While Serve DC is housed at the Executive Office of the Mayor, the oversight jurisdiction is also under the Committee on Recreation, Libraries and Youth Affairs.

Agency Management: This office provides for administrative support and the required tools to achieve operational and programmatic results. This program is standard for all agencies using performance-based budgeting.

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

Committee Analysis and Comments

The Mayor's FY 2022 budget proposal for the EOM is \$17,916,243, a decrease of \$158,996, or a 0.9% decrease from FY 2021. The proposed budget supports 117 FTEs, an increase of 2 FTEs, or 1.7% increase, from the FY 2021 approved level.

Local Funds: The Mayor's proposed budget is \$12,890,000, an increase of \$1,023,000, or 8.6% increase from FY 2020 approved budget. This funding supports 106.8 FTEs, an increase of 2.2 FTEs, or a 2.1% increase from the FY 2021 approved level.

Federal Grant Funds: The Mayor's proposed budget is \$4,123,000, a decrease of \$1,273,000, or 23.6%, from FY 2020 approved budget. This funding supports 2.6 FTEs, a decrease of 14.8%, from the FY 2021 approved level.

Intra-district Funds: The Mayor's proposed budget is \$903,000, an increase of \$92,000, or 11.3%, from FY 2021 approved budget. This funding supports 7.6 FTEs, an increase of 0.3 FTEs, or 4.1%, from FY 2021 approved level.

Vacancies: According to Schedule A documents received by the Committee, EOM personnel levels reflect 7 current vacancies. The Chief of Staff to the Mayor testified at the budget oversight hearing as well as the Director of the Mayor's Office of Talent and Appointments that the hiring process for all 7 positions were underway. They also noted that of the 7 positions, 3 of the positions were filled and individuals were onboarding on June 28, 2021. The Committee will continue to monitor the hiring process for the remaining positions and expects the agency to fill these positions expeditiously.

COVID-19 Response and Vaccine Administration: Chief of Staff to the Mayor, John Falcicchio testified at the Committee's budget oversight hearing as of June 24, 2021, more than 70% of all adult DC residents have received at least one dose of the free COVID-19 vaccine and the city is open and on track to recovery. Falcicchio also noted that the EOM was hyper focused on vaccine outreach this year utilizing an equitable approach to achieve the goal of getting as many residents vaccinated as quick as possible.

The Executive Office of the Mayor has led the community outreach efforts to increase vaccination rates in the city by establishing programs and initiatives for various constituency groups. Two of the programs that were mentioned during the testimony were the Senior Vaccine Buddies program and the Faith in Vaccine program, which helped vaccinate over 4,000 DC residents. The Senior Vaccine Buddies program went door to door in Wards 7 and 8 to vaccinate seniors, and the Faith in Vaccine program was a partnership with houses of worship to vaccinate their congregations.

The EOM also created a program called the DC COVID-19 Community Corps, where over 2000 volunteers knocked on thousands of doors throughout the city to talk to neighbors and assist make plans to get vaccinated. Additionally, a program called the COVID-19 Community Corps Ambassador program was also launched by partnering with 7 community organizations to extend outreach efforts by sharing information with residents to alleviate vaccine hesitancy. The Committee looks forward to continue working with the EOM to ensure that DC remains on track for a full recovery and all vaccination efforts resulting in all DC residents being vaccinated.

3. FY 2022-2027 CAPITAL BUDGET

EOM has no associated proposed capital funds in the Mayor's proposed FY 2022 budget.

G. HOUSING PRODUCTION TRUST FUND (UZ0)

1. AGENCY MISSION AND OVERVIEW

The Housing Production Trust Fund’s (“HPTF” or the “Fund”) mission is to provide financial assistance to a variety of affordable housing programs and opportunities across the District of Columbia. The HPTF funds initiatives to build affordable rental housing, preserve expiring federally assisted housing, and help provide affordable homeownership opportunities for low-income families. The HPTF is the District’s primary tool for funding affordable housing projects. Since 2001, HPTF funds have contributed to the production or preservation of over 9,500 units of affordable housing across every ward of the District.¹²¹ Through grants and loans to both for- and non-profit developers, the HPTF can be used for either rental or homeownership housing opportunities. HPTF is also seen as an effective financing tool, as it often serves as “gap financing” for projects that have substantial amounts of private financing, and only require a partial contribution from the District.

Although the HPTF was established in 1988, the fund did not receive regular funding until FY 2001, when the District made a one-time \$25 million contribution. The Housing Act of 2002 dedicated 15% of the District’s real property transfer taxes and deed recordation taxes each year to fund the HPTF.¹²² In FY 2007, a subsidy account for this entity was created to show the annual transfer of dedicated deed recordation and transfer taxes from the District’s General Fund to the HPTF. Beginning in FY 2013, these funds were deposited directly into the HPTF, as a result, there is no transfer of dedicated taxes through the General Fund. There was a transfer of local funds to the HPTF through this Agency in FY 2013, FY 2014, FY 2016, FY 2017, FY 2018, FY 2019, and FY 2020. A local funds transfer was also budgeted for FY 2021 and FY 2022.

The HPTF is administered by the Department of Housing and Community Development, which is also the largest recipient of HPTF resources. Funds are also distributed to other agencies, including the District of Columbia Housing Authority (DCHA) and the Department of Human Services (DHS), via intra-district transfers, as well as to developers.

To ensure the HPTF is used to create and preserve affordable housing for households whose income levels are below the area median income (AMI), accompanying legislation was passed that imposes several statutory spending requirements. The law requires 50% of HPTF expenditures to go toward housing affordable for households at or below 30% of AMI, 40% of expenditures to go toward housing affordable for households at 31- 50% of AMI, and 10% of expenditures to go toward housing affordable for households at 51-80% of the AMI.¹²³

¹²¹ *Affordable Housing Goals 3* (March 16, 2017)

¹²² Housing Act of 2002, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-2802(c)(16)).

¹²³ D.C. Official Code § 42-2802(b-1).

Table 1: HPTF Income Limits¹²⁴

HOUSEHOLD SIZE								
Income Limit	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
30% of MFI	\$26,450	\$30,250	\$34,000	\$37,800	\$41,600	\$45,350	\$49,150	\$52,900
50% of MFI	\$44,100	\$50,400	\$56,700	\$63,000	\$69,300	\$75,600	\$81,900	\$88,200
60% of MFI	\$52,900	\$60,500	\$68,050	\$75,600	\$83,150	\$90,700	\$98,300	\$105,850
80% of MFI	\$70,550	\$80,650	\$90,700	\$100,800	\$110,900	\$120,950	\$131,050	\$141,100

In addition, the statute requires half of the funds in the HPTF to be used for the purpose of assisting in the provision of rental housing.¹²⁵ The statute also restricts administrative costs of the Fund to no more than 15% per fiscal year of the funds deposited into the Fund.¹²⁶ The statute also ensures that the Fund supports long-term affordability by imposing affordability covenants of 5-40 years on projects receiving HPTF funds, depending on the type and location of the project.¹²⁷ The Mayor is required to file an annual report that reports on the actions and spending of the HPTF.¹²⁸

DHCD has established rent limits for residents who obtain a rental unit that has been funded with HPTF money. A recent study showed that 63% of the District's lowest-income residents devote 50% or more of their income to housing.¹²⁹ Such high housing costs may force families to forego necessities, move frequently, or endure unsafe or unhealthy living conditions. The HPTF rent limits help alleviate these pressures by ensuring that qualified individuals do not spend a majority of their income on rent.

¹²⁴ Department of Housing and Community Development (hereinafter "DHCD"), *Housing Production Trust Fund(HPTF) Program Limits*, <https://dhcd.dc.gov/sites/default/files/dc/sites/dhcd/publication/attachments/2020%20HPTF%20Program%20Limits%20final%20edits%20.pdf>, effective on July 31, 2020.

¹²⁵ D.C. Official Code § 42-2802(b-1).

¹²⁶ D.C. Official Code § 42-2802(b)(10).

¹²⁷ D.C. Official Code § 42-2802.02.

¹²⁸ *Ibid.*

¹²⁹ Claire Zippel, *Building the Foundation: A Blueprint for Creating Affordable Housing for DC's Lowest-Income Residents*, DC FISCAL POLICY INSTITUTE (April 4, 2018) (citing DCFPI's analysis of 2016 American Community Survey 5-year public Use Microdata Sample).

Table 2: HPTF Rent Limits¹³⁰

BEDROOM COUNT						
Rent Limit	Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
30%	\$660	\$760	\$850	\$1,040	\$1,230	\$1,320
50%	\$1,100	\$1,260	\$1,420	\$1,730	\$2,050	\$2,210
60%	\$1,320	\$1,510	\$1,700	\$2,080	\$2,460	\$2,650
80%	\$1,760	\$2,020	\$2,270	\$2,770	\$3,280	\$3,530

The HPTF has a 9-member Board, which is appointed by the Mayor with the advice and consent of the Council and serves to advise the Mayor on the development, financing, and operation of the Fund.¹³¹ The Housing Production Trust Fund Advisory Board (Board) was established by the Council of the District of Columbia under the Housing Production Trust Fund Act of 1988.¹³² The Board may review the uses of the HPTF for conformity with the purposes of the Act and the Board must have access to records related to the HPTF to perform this review.

Committee Analysis and Comments

The Mayor's proposed FY 2022 operating budget is \$250,000,000, which is an increase of \$150,000,000, or 150%, from the FY 2021 approved budget of \$100,000,000. The budget is comprised of Dedicated Taxes and Federal Sources, with no Local Funds this year. This budget does not support any full-time equivalents (FTEs) since the HPTF is a paper agency administered by DHCD.

Dedicated Taxes: The Mayor's proposed FY 2022 dedicated taxes budget for HPTF is \$73,316,00, a decrease of \$147,000 or 0.2%, from the FY 2021 approved budget of \$73,462,000.

Federal Payments: The Mayor's proposed FY 2022 federal payments budget for HPTF is \$166,684,000. This source has not been present in this year as these funds come from Coronavirus Relief funds from the American Rescue Plan Act.

Local Funds: The Mayor's proposed FY 2022 local funds budget is \$0, a decrease of 100% from the FY 2021 approved budget of \$17,538,000. These funds were zeroed out due to the influx of money from ARPA.

¹³⁰ Department of Housing and Community Development (hereinafter "DHCD"), *Housing Production Trust Fund(HPTF) Program Limits*, <https://dhcd.dc.gov/sites/default/files/dc/sites/dhcd/publication/attachments/2020%20HPTF%20Program%20Limits%20final%20edits%20.pdf>, effective on July 31, 2020.

¹³¹ D.C. Official Code § 42-2802.01.

¹³² D.C. Law 8-133; D.C. Official Code § 42-2802.01 (effective June 8, 1990).

Compliance with Statutory AMI Requirements: Over the past several years, DHCD has struggled to meet the HPTF's statutory AMI spending requirements, often spending a disproportionate amount on housing at the 31-50% AMI and 51-80% AMI level. In an effort to bring spending into compliance, beginning with the 2015 Consolidated Request for Proposals, the agency has placed greater emphasis on the lower AMI units by requiring that all funding for new units target the 0-50% AMI categories. DHCD has yet to gain compliance with this requirement, but has stated that they are hopeful that they can as a result of streamlining Local Rent Supplement Program money.

Table 4: HPTF Spending by Income Category¹³³

	0 - 30% AMI	31 - 50% AMI	51 - 80% AMI
Statutory Mandate	50%	40%	10%
FY 2019	13%	79%	8%
FY 2018	30%	59%	23%
FY 2021 (to date plus projected)	27%	63%	10%

Local Rent Supplement Program Pairing: On April 24, 2021, Mayor Bowser announced the pairing of LRSP vouchers with the Housing Production Trust Fund in an effort to increase the production of deeply affordable units. DHCD Director Polly Donaldson detailed the new process and its impact in her budget oversight testimony given before the Committee on June 22, 2021. Director Donaldson explained that by explicitly differentiating funding for existing project based LRSP contracts from past years, the agency will be able to more accurately account and plan the resources.¹³⁴ The new changes would put LRSP funds directly under DHCD to accomplish this. The Mayor's financial plan places \$8,075,814 for FY 2023, \$16,151,628 in FY 2024, and \$36,760,286 in FY 2025 in LRSP funds¹³⁵. These funds will be used in conjunction with the Housing Production Trust Fund to allow more of HPTF dollars to go towards deeply affordable housing and to aide DHCD in meeting the statute of using 50% of HPTF for units for residents making 0-30% AMI.¹³⁶ DHCD indicated that they will be able to produce 1,100 deeply affordable units with trust fund money as a result of this change in the allocation of LRSP money.¹³⁷ In DHCD's pre-budget oversight hearing questions, they sated that they are targeting 50% of fund to go towards 0-30% AMI for FY 2022.¹³⁸

¹³³ DHCD, *Response to FY20/FY21 Performance Oversight Pre-Hearing Questions*, Feb. 25, 2019 (Question #104).

¹³⁴ Fiscal Year 2022 Department of Housing and Community Development and Housing Production Trust Fund Budget Oversight Hearing Testimony. Polly Donaldson.

¹³⁵ Mayor's FY 2022 Proposed Budget and Financial Plan, Volume 1, Financial Plan, 2-7-2-13. Table 2-1, 2-2.

¹³⁶ *Ibid.*

¹³⁷ *Ibid.*

¹³⁸ DHCD Responses to Questions in Advance of the Budget Oversight Public Hearing on Fiscal Years 2022, June 7, 2021,

3. FY 2022-2027 CAPITAL BUDGET

The Housing Production Trust Fund has no associated proposed capital funds in the Mayor's proposed FY 2022 budget.

H. HOUSING PRODUCTION TRUST FUND SUBSIDY (UP0)

1. AGENCY MISSION AND OVERVIEW

Housing Production Trust Fund Subsidy is a paper agency with no operations, which represents the Mayor's local funds transfer to the Housing Production Trust Fund, apart from the dedicated deed recordation and transfer taxes that make up the balance of the Fund. The Mayor's allocation to the Housing Production Trust Fund in FY 2022 is \$166,684,444. The proposed FY 2022 HPTF gross budget is \$250,000,000. This represents an overall 150% decrease in HPTF, which was funded at \$100,000,000 in FY 2021. It is noteworthy to add that Housing Production Trust Fund Subsidy source of funding has changed. The \$17,537,833 allocated through the HPTF Subsidy in FY 2021 was made up entirely of local funds. The FY 2022 HPTF Subsidy budget of \$166,684,444 is made up entirely of federal payments from the American Recovery Plan Act – State Federal Payments, serving as local revenue replacement funds.

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

3. FY 2022-2027 CAPITAL BUDGET

The Housing Production Trust Fund Subsidy has no associated proposed capital funds in the Mayor's proposed FY 2022 budget.

I. MAYOR'S OFFICE OF LEGAL COUNSEL (AH0)

1. AGENCY MISSION AND OVERVIEW

The Mayor's Office of Legal Counsel (MOLC) is the legal arm of the executive branch of the District of Columbia government. Its primary responsibilities are to provide legal advice and support the Mayor, her senior staff, including Deputy Mayors, agency directors of the subordinate executive agencies, directly and through oversight of more than forty agency General Counsel offices.

These duties include but are not limited to:

1. Interfacing with the Office of the Attorney General on litigation matters and other issues that require coordination between the Executive Office of the Mayor, her subordinate agencies and the elected Attorney General.
2. Working closely with the Office of Risk Management to reduce avoidable operational, legal and financial exposure for the District of Columbia government;
3. Resolving interagency legal issues on behalf of the Mayor;
4. Overseeing the representation of agencies in investigative matters before the Executive Branch of the federal government, Congress, or the Council of the District of Columbia; and
5. Supervising outside counsel in matters where the Office of the Attorney General is recused from a matter or is otherwise not available.
6. Coordinating the hiring, compensation, and training of agency counsel and general counsel offices

The MOLC also adjudicates administrative appeals of Freedom of Information Act decisions made by District government agencies on behalf of the Mayor and tracks reported allegations of sexual harassment claims made by city employees. The Office also oversees the legal review of donations made to District government agencies.

The MOLC Staff includes:

1. Eugene Adams, Director
2. Vanessa Natale, Deputy Director
3. Julia Hudson, Chief of Staff
4. Giavanna White, Special Assistant
5. Dorothy Brown, Associate Director
6. Ben Moskowitz, Associate Director
7. Maia Ellis, Associate Director
8. Rachel Noteware, Associate Director
9. Malcolm Morse, Law Clerk

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

3. FY 2022-2027 CAPITAL BUDGET

MOLC has no associated proposed capital funds in the Mayor's proposed FY 2022 budget.

J. OFFICE OF THE CITY ADMINISTRATOR (AE0)

1. AGENCY MISSION AND OVERVIEW

The mission of the Office of the City Administrator (OCA) is to facilitate the effective and efficient implementation of the Mayor's vision and priorities by providing leadership, support, and oversight of District government agencies.

The Office of the City Administrator supports the day-to-day operations of the District government by managing the Performance Management program (CapStat) to track progress toward goals, reduce costs, improve government services, and increase government accountability; improving government services and responsiveness by creating efficiencies and advancing innovative solutions to public challenges; increasing public-private partnerships to expedite vital capital projects; providing direct leadership and support to the Government Operations Cluster, which reports directly to the OCA, in addition to the operations of each Deputy Mayor's office; and developing fiscally responsible performance-based budgets and continuously monitoring agency spending to ensure government services are delivered on time and on budget. In Fiscal Year 2021, the Office of the City Administrator expanded to include two new positions that lead critical initiatives for the District: the Chief Equity Officer, who leads the Office of Racial Equity, and the Director of Gun Violence Prevention, who leads the Building Blocks DC program.

The Office of the City Administrator is led by the City Administrator, who oversees the following departments:

Office of Budget and Performance Management: Responsible for assisting the Mayor and City Administrator in formulating the District government's annual operating and capital budgets; administering the District government's annual performance planning process; implementing the CapStat program and performance management activities; leading the District's strategic planning work and development and execution of monitoring and accountability tools; and—through The Lab @ DC—working to drive innovation by helping agencies apply rigorous, scientific methods to their service of District residents.

Office of the General Counsel: Provides guidance and advice on all legal matters pertaining to the Office of the City Administrator.

Internal Services: Under the direction of the Assistant City Administrator, provides direct management and in-depth oversight of agencies that provide services directly to other District government agencies. These agencies include the Department of General Services, the Office of the Chief Technology Officer, the District of Columbia Department of Human Resources, the Office of Contracting and Procurement, the Office of Risk Management, the Office of Disability Rights, and the Office of Labor Relations and Collective Bargaining.

Office of Communications and External Affairs: Manages communications and external affairs for the Office of the City Administrator.

Office of Racial Equity: Under the direction of the Chief Equity Officer, oversees the development and management of innovative strategies to achieve racial equity for District residents.

Director of Gun Violence Prevention: Oversees the development and implementation of a comprehensive, District-wide gun violence prevention strategy.

Operations: Provides administrative, financial, and logistical support to the City Administrator to ensure accountability for this office. Assists the City Administrator in the day-to-day administration of District operations and programs.

In FY22, the Office of Labor Relations and Collective Bargaining will transition from the Office of the City Administrator into a free-standing agency (Agency Code AK0).¹³⁹ Under the City Administrator, the Office of Labor Relations and Collective Bargaining represented the District as the principal management advocate in the administration of the District's comprehensive labor management program. The movement of the Office of Labor Relations and Collective Bargaining into its own budget code allows for greater administrative clarity and efficiency. OLRCB will continue to report to the City Administrator upon its transition to a separate new agency.

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

Committee Analysis and Comments

The Mayor's proposed FY 2022 gross funds operating budget for OCA is \$10,414,352, which represents a 4.4 percent decrease from its FY 2021 approved gross budget of \$10,896,589. The FTE level of 65 in the proposed FY 2022 budget represents a 11% decrease from the FTE level of 73 approved in FY 2021.

Local Funds: The Mayor's proposed FY 2022 local funds operating budget for OCA is \$10,414,352, which represents a 4.4 percent decrease from its FY 2021 approved local budget of \$10,896,589.

Staffing: The Local funds budget for the Office of the City Administrator reflects an increase of 9 FTEs within the City Administrator's division to support the District's oversight, accountability, and efficiency for the Launch, Evaluation, and Monitoring initiative. This increase in spending is supported by Coronavirus Relief funds from the American Rescue Plan Act. Another net increase 4 FTEs across multiple divisions includes an increase of 1 FTE transferred from the Department of Youth Rehabilitation Services, to support the District's gun violence prevention

¹³⁹ OCA FY 2022 Pre-Budget Oversight Hearing Question Responses

initiative, and an increase of 3 FTEs for various operational needs. The budget proposal contains a net reduction of 4 FTEs across multiple divisions to reflect the transfer of positions to several District agencies. Another net reduction of 17 FTEs from the former Labor Relations and Collective Bargaining division were transferred to the newly created Office of Labor Relations and Collective Bargaining agency.¹⁴⁰

Building Blocks: Mayor Muriel Bowser announced the launch of the Gun Violence Prevention Emergency Operations Center (EOC), as part of a new comprehensive gun violence prevention program, Building Blocks DC on February 17, 2021. Building Blocks and the EOC are based out of the Office of the City Administrator and are overseen by the Director of Gun Violence Prevention. The Building Blocks DC program was initially funded with an investment of \$15 million in February, and the FY 2022 budget raises the investment to a total of \$1.5 billion, which includes \$1.3 billion in FY22 local funding (including revenue replacement funding) for the entire Public Safety cluster as well as \$200 million in federal funding for gun violence prevention and other public safety initiatives, such as assistance to returning citizens and Alternative 911 response. Building Blocks DC is a collaborative endeavor that involves the following agency partners receiving the respective funding for FY 2021- FY2024: Department of Employment Services (\$11.4M), Department of Corrections(\$1.4M), Office of Victim Services and Justice Grants (\$17M), Office of the Deputy Mayor for Public Safety and Justice(\$700,000), University of the District of Columbia (\$1.5M), Office of the Deputy Mayor for Education (\$21.6M), Department of Parks and Recreation (\$7.7M), Department of Youth Rehabilitation Services (\$6.6M), District Department of Transportation (\$37.6M), Department of Energy and Environment (\$168,000), Department of Public Works (\$16.3M), Office of Neighborhood Safety and Engagement (\$51.5M), Department of For-Hire Vehicles (\$18.9M), and the Office of the Chief Technology Officer (\$1.1M).¹⁴¹ The Office of the City Administrator indicated that program progress and expenditure evaluation will be a coordinated effort conducted by the Office of the Chief Financial Officer and the finance team in the EOC.¹⁴² The Gun Violence Prevention Director will be involved in all spending plans related to funding allocated to gun violence prevention. As the incident commander of the EOC, the Gun Violence Prevention Director has developed a reporting structure and standard operating procedures for managing day-to-day operations. With the addition of the new initiatives funded with federal recovery funds, these reporting and coordination activities will be expanded to encompass all Building Blocks-related programs and activities and to ensure that they are meeting the objectives of the whole-of government approach to preventing gun violence.¹⁴³

Building Blocks DC will partner with the Department of Youth Rehabilitation Services to distribute \$1.5 million in grant funding to individuals and local organizations to implement skill-building programs, neighborhood beautification projects, and community engagement programs to reduce gun violence.

The Historic Anacostia, Kenilworth, and Mayfair communities are currently participating in Building Blocks DC. While Building Blocks DC has not decided which communities it will expand to next, the team is considering various factors to determine the communities on which it will

¹⁴⁰ Mayor Bowser's Proposed FY22 Budget

¹⁴¹ Mayor Muriel Bowser's FY 2021 – FY 2025 Federal Recovery Budget: Summary of Federal American Rescue Plan Act Fund Investment.

¹⁴² FY 2022 Pre-Budget Oversight Hearing Question Responses.

¹⁴³ *Id.*

focus.¹⁴⁴

Building Blocks features a grant program run by the Office of Gun Violence Prevention and the Department of Youth Rehabilitation Services and Progressive Life Center. There are two types of grants—\$5,000 mini grants available to individuals and \$50,000 grants awarded to entities or organizations—that are available for community members engaged in efforts aimed at reducing gun violence in those neighborhoods most affected to create and expand programming that meets the goals of Building Blocks DC.

3. FY 2022-2027 CAPITAL BUDGET

The Office of the City Administrator has no associated proposed capital funds in the Mayor's proposed FY 2022 budget.

¹⁴⁴ *Id.*

K. OFFICE OF THE SECRETARY (BA0)

1. AGENCY MISSION AND OVERVIEW

The Office of the Secretary (OS) of the District of Columbia is the official resource for protocol, legal records, history, and recognitions for the public, governments, and international community.

The Office of the Secretary of the District of Columbia consists of five divisions: the Office of Notary Commissions and Authentications (ONCA) commissions District of Columbia notaries and authenticates documents for domestic and foreign use; the Office of Documents and Administrative Issuances (ODAI) publishes the D.C. Register and the D.C. Municipal Regulations; the Office of Public Records (OPR) and Archives manages the District of Columbia Archives, Records Center, and the Library of Government Information; the Office of Protocol and International Affairs is the District government's primary liaison with the diplomatic and international community for both substantive and ceremonial matters; and the Ceremonial Services Unit is responsible for processing all requests for ceremonial documents.

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

Committee Analysis and Comments

The Mayor's proposed FY 2022 operating budget for OS is \$4,535,032.00 which represents a reduction of \$271,024 or 5.6% from the FY 2021 approved budget. OS' budget is comprised entirely of local funds.

The Committee commends OS on its continued services to the local and international community through virtual programming during the COVID-19 pandemic. Based on feedback to the Committee, there is room to improve, especially in facilitating the planning and development of a new DC Archives facility. OS maintains 27.0 FTEs since FY 2021. The Committee encourages the Mayor to act swiftly to plan and develop a new DC Archives, and provide public comment opportunities.

3. FY 2022-2027 CAPITAL BUDGET

The Committee on Housing and Executive Administration accepted a transfer in of \$2,713,000 in FY 2023 from the Committee on Government Operations and Facilities to Project AB102 to accelerate planning for the new DC Archives and transferred out \$2,713,000 from Project AB102 in FY 2026 to the Committee on Government Operations and Facilities PL901 to invest in

energy efficiency for District government buildings. The swap will allow the Office of the Secretary to accelerate the timeframe for opening the new archives. The Office of the Secretary will receive \$70.9 million total over the six-year plan for the DC Archives: \$11,870,000 in FY 2024, \$26,803,000 in FY 2025, 32,803,000 in FY 2026.

L. OFFICE OF THE SENIOR ADVISOR (AI0)

1. AGENCY MISSION AND OVERVIEW

The mission of the Office of the Senior Advisor (OSA) is to advise the Mayor on local, regional, and federal affairs by providing policy analysis and advancing the Mayor's legislative agenda.

The Office of the Senior Advisor (OSA) consists of three offices. The Office of Policy and Legislative Affairs (OPLA) performs policy analysis, develops policy initiatives, and implements the Mayor's legislative agenda. The Office of Federal and Regional Affairs (OFRA) serves as the liaison to federal agencies and advises the Mayor on key issues with regional partners and stakeholders on Capitol Hill. The Office of the Secretary serves as the District of Columbia's primary liaison with the diplomatic and international community and is the official resource for executive orders, historic records, and ceremonial documents. The Office of the Secretary also oversees notarization for the District.

In addition, OSA leads efforts to advance Statehood for the District through interaction with the public, contractors, Congress, and other federal stakeholders.

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

Committee Analysis and Comments

OSA's proposed FY 2022 Operating Budget provides for \$3,409,418, a 2% increase from FY 2021 approved levels. It would support 20.0 FTEs, identically to FY 2021 levels.

The FY 2022 proposed budget would include an increase of \$65,510 across multiple programs to support projected salary, step increases, and Fringe Benefits costs.

OSA's proposed FY 2022 budget includes no program structure changes.

The Committee recommends the adoption of the Mayor's proposed FY 2022 budget.

3. FY 2022-2027 CAPITAL BUDGET

The Office of the Secretary of the District of Columbia has no associated proposed capital funds in the Mayor's proposed FY 2022 budget.

M. OFFICE OF THE TENANT ADVOCATE (CQ0)

1. AGENCY MISSION AND OVERVIEW

The mission of the OTA is to provide technical advice and other legal services to tenants regarding disputes with landlords; to educate and inform the tenant community about tenant rights and rental housing matters; to advocate for the rights and interests of District renters in the legislative, regulatory, and judicial contexts; and to provide financial assistance to displaced tenants for certain emergency housing and tenant relocation expenses.

Summary of Services:

OTA provides a range of services to the tenant community to further each aspect of its mission. The agency:

1. Advises tenants on resolving disputes with landlords, identifies legal issues and the rights and responsibilities of tenants and landlords, and provides legal and technical assistance for further action such as filing tenant petitions;
2. Provides in-house representation for tenants in certain cases and refers other cases to pro bono or contracted legal service providers and attorneys;
3. Works with other governmental and non-governmental officials and entities to promote better tenant protection laws and policies in the District;
4. Conducts educational seminars in a variety of contexts to inform tenants about their rights and other rental housing concerns; and
5. Provides financial assistance for certain emergency housing and relocation expenses to tenants displaced by fires, floods, and governmental property closures.

The OTA operates through the following six programs:

Legal Representation: Implements the agency's statutory duty to represent tenants, at its discretion and as it determines to be in the public interest in federal, or District judicial and administrative proceedings. OTA provides in-house representation for tenants in certain cases and refers other cases to pro-bono or contracted legal service providers and attorneys. Additionally, the Legal Division assists tenants in completing and filing tenant petitions and drafting other court documents; and assists tenants in mediation and other alternate dispute resolution forums including direct negotiation with landlords.

The OTA's FY22 proposed budget includes a new initiative called the "Post-COVID Eviction Defense Unit". This new initiative requires \$335,610 and 4 Term FTEs to help provide timely responses to the anticipated wave of eviction filings and other rental disputes. This

enhancement expands the existing In-House Legal Representation (Activity 3015).

The Legal Division includes the following 3 activities:

1. *In-House Legal Representation* – provides agency clients with in-house legal representation in certain “high-impact” cases and refers others to pro bono, contracted legal service providers and attorneys, or helps them find other representation.
2. *Legal Hotline* – provides general advice regarding tenant rights in response to informal inquiries; provides a web-based “Ask the Director” forum and responds to Mayoral, Council, inter-agency, and community inquiries about tenant rights and rental housing law; and
3. *Legal Service Provider* – provides funding to contracted non-profit legal service providers and attorneys; who qualify through the agency’s RFQ process, to enhance their capacity to provide tenants with appropriate legal assistance.

Policy Advocacy: Implements the agency’s statutory duty to represent the interests of tenants and tenant organizations in legislative, executive, and judicial issues by advocating for changes in laws and rules. This division also tracks developments in rental housing legislation and regulations at both the local and federal levels, and keeps agency stakeholders apprised; develops legislative, rulemaking, and other policy recommendations, and coordinates policy discussions with governmental and community colleagues, including regular discussions with agency stakeholders; advises tenants, advocates, attorneys, governmental colleagues, and others regarding rental housing laws; serves as the agency’s in-house statutory and regulatory expert; and provides support to community-based programs that inform tenants regarding their legislative and regulatory legal protections.

OTA Educational Institute: Implements the agency’s statutory duty to provide education and outreach to tenants and the community about laws, rules, and other policy matters involving rental housing, including tenant rights under the petition process and formation of tenant organizations. This program also conducts informational presentations in various settings throughout the community; provides a formal series of educational and outreach forums; and develops educational material regarding rental housing laws, rules, and policies.

Emergency Housing: implements the agency’s statutory duty to provide emergency housing assistance to qualified tenants in certain situations by:

1. Providing short-term housing assistance (usually hotel stays) to temporarily house tenants displaced by fires, floods, and government closures, and in other appropriate circumstances;
2. Providing assistance to tenants regarding the packing, moving, and storing of personal possessions; and
3. Coordinating with other District agencies and community-based organizations to ensure that displaced tenants receive appropriate services.

Case Management Administration and Community Outreach: Implements in consultation with OTA attorney advisors, the agency’s statutory duty to advise tenants and tenant organizations on filing complaints and petitions, including petitions in response to disputes with landlords. This program contains the following two activities:

1. *Case Management Administration* – provides legal and technical assistance to tenants regarding rental housing disputes with landlords, including identifying legal issues and the tenant’s and the landlord’s respective rights and responsibilities, and assisting with follow-up action items, such as completing and filing tenant petitions and monitoring rental housing case hearings.
2. *Community Outreach* – provides outreach and educational programs regarding tenant rights and rental housing matters and sends “rapid response” letters to tenants affected by certain administrative actions to apprise them of their rights and of OTA’s availability to provide further assistance.

Administrative Services: Provides for administrative support and the required tools to achieve operational and programmatic results. This program is standard for all agencies using performance-based budgeting.

Rent Control Clearinghouse Database: The OTA has expended \$490,000 of the \$980,000 total project costs for the Rent Control Clearinghouse Database, representing a 50% spend-down. The OTA is on target to deliver the database to DHCD’s Rental Accommodations Division (RAD) by December 31, 2021.

Johanna Shreve, Chief Tenant Advocate of the OTA, testified that the development phase of the database project will require more resources to create a new Application Programming Interface or “APP” which will require between \$140,000 and \$216,000 and can be funded with the OTA’s existing budget. The development phase of this project also includes adding certain user improvements, such as a tenant portal for the electronic submission of tenant petitions, elderly or disability status registration forms, rent payment plan complaint forms, and other documents in addition to a portal for electronic submissions by landlords. To make the aforementioned improvements, the OTA estimates an additional \$246,590 will be required.

OTA Operational Performance During and After the Public Health Emergency (PHE)

OTA Education and Outreach Services During and After the PHE

During the PHE, the Agency’s Education and Outreach branch took a giant leap forward in the delivery of services to District renters, connecting with an ever-increasing number of District residents in all parts of the City. The education and outreach team has presented to over 1,100 residents across all District wards and that number is expected to grow significantly. Additionally, the Agency teamed up with food distribution organizations to connect more District residents who experience food insecurity and related housing issues to the OTA and other resources.

As the PHE ends, many tenants will be at risk of being rushed into the eviction process

without knowledge of the available financial and legal resources that could help them to remain in their homes. For this reason, the OTA's education and outreach services will become ever more vital to the public welfare.

The OTA has started to implement multi-phased PHE transition outreach strategies.

Phase 1: involves more frequent Renters Rights 101 webinars (in English and Spanish); an expanded social media campaign; low-tech, high-visibility outreach methods such as A-frame signs at vaccination sites; and partnering with community organizations to target those facing the most extreme housing insecurity.

Phase 2: involves seeking ways to more visibly advertise tenant rights and OTA program services; creating an OTA app; creating a PHE Tenant Protections Timeline; signage on public transit vehicles and bus shelters; as well as TV and radio ads.

Phase 3: involves transitioning signs at vaccine sites to the Department of Parks and Recreation (DPR), and D.C. Public Library locations.

Phase 4: involves the production of tutorial videos on various aspects of District rental housing law.

Phase 5: involves technical advisory assistance to tenant associations facing the impending onslaught of more than 100 TOPA transactions.

OTA Legal Services after the PHE

The demand for legal services continues to grow and will grow even more dramatically as the PHE comes to an end. The Agency anticipates a barrage of new eviction-related cases once the moratoria on notices to vacate and filings end. Following the end of the PHEE protections, the OTA anticipates potentially 10,000 or more eviction cases for nonpayment of rent and 2,500 for other reasons. The OTA also expects a significant number of cases regarding rent increases brought by those housing providers who have not been able to increase their rents during the pandemic. Furthermore, the OTA expects landlords to file suits for possession without the right of redemption, rent increase cases focusing both on the timing and amount of these increases, and a rush of other "deadline-driven" matters where the tenants' deadline has been tolled. Finally, the OTA anticipates an increase in the filing of housing condition complaints.

Estimates suggest as many as 67,900 District households could be at risk of eviction as the PHE-related tenant protections are lifted. An expansion of the Legal Branch will be necessary to enable the Agency to meet both the full scope of the looming eviction crisis, and the general increase of demands for legal services.

The proposed budget includes \$1,000 on line item 3030 – Legal Service Provider account to cover filing fees and other court costs that the Agency incurs, however, the Agency argues that \$1,000 will not be sufficient to handle the expansion. The OTA therefore requests that the \$1,000 be moved to activity code 3015 legal in-house representation services and also requests to increase the funding to approximately \$150,000 to cover court fees and other litigation expenses.

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

Committee Analysis and Comments

The Mayor's total proposed FY22 operating budget for the OTA is \$4,061,702. Local funds account for \$3,258,266, or 80% of the total. Special Purpose Revenue (SPR) funds account for \$467,826, or 12%, and for the first time, federal funds account for the remaining \$335,610, or 8%; amounting to an increase of 1.3% in the agency's overall budget. In gross funds, the percent change from FY2021 is positive 1.3%.

Recurring Budget: The FY2022 budget for OTA includes a reduction of \$116,000 to account for the removal of one-time funding appropriated in FY2021 to support the Renal Control Clearinghouse database.

Local funds: OTA's FY2022 local funds budget proposal includes a net increase of \$55,421 across multiple programs to align the budget projected salary steps and Fringe Benefits costs. In local funds, the proposed budget reflects a reduction of \$148,274 across multiple programs to align resources with operational spending goals. The percent change from FY2021 is negative 6%.

Special Purpose Revenue funds: the OTA's FY2022 proposed budget for Special Purpose Revenue funds reflects a decrease of \$75,451 across multiple programs to align the budget with projected revenues. The percent change from FY2021 is negative 13.9%.

Federal Payment: OTA's FY2022 proposed Federal payment funds budget includes an increase of \$335,610 and 4.0 FTEs in Legal Representation program to support the agency's response to and anticipated increase in eviction cases. This increase in spending is supported by Coronavirus Relief funds from the American Rescue Plan Act.

The Office of the Tenant Advocate has six programmatic divisions: Legal Representation, Policy Advocacy, OTA Educational Institute, Emergency Housing, Case Management Administration and Community Outreach, and Administrative Services. The OTA has no program structure changes in the FY 2022 proposed budget.

Legal Representation: The proposed FY 2022 budget for this Division increased by \$141,000 to \$1,734,000. Additionally, the proposed FY 2022 FTEs for Legal Representation increased from 12 to 15.

Policy and Advocacy Program: The proposed FY 2022 for the policy advocacy office was increased by \$135,000 to \$405,000. Additionally, the proposed FY 2022 FTEs from Policy and Advocacy Program increased from 2 to 3.

OTA Educational Institute: The proposed FY 2022 budget for the OTA Educational Institute decreased by \$110,000 to \$191,000. Additionally, the proposed FY 2022 FTEs for the OTA Educational Institute decreased from 2 to 1.

Emergency Housing: The Mayor's proposed FY 2022 budget for emergency housing remains at \$550,000. Emergency housing implements the agency's statutory duty to provide emergency housing assistance to qualified tenants in certain situations.

Case Management Administration and Community Outreach: The proposed FY 2022 budget for Case Management Administration and Community Outreach increased by \$101,000 to \$310,000. Additionally, the proposed FY 2022 FTEs for Case Management Administration and Community Outreach increased from 2 to 3.

Administrative Services: The proposed FY 2022 budget for administrative services increased by \$92,000 to \$872,000.

*****Rent Control Housing Clearinghouse:** The proposed FY 2022 budget for the Clearinghouse decreased by \$308,000 to \$0.

Additional Changes in the Proposed Budget: the FY22 proposed budget includes the following changes:

Operational Expenditures:

1. The OTA will become responsible for providing a transfer of \$22,400 to DCHR for human resource activities.
2. The OTA and ABRA would each become responsible for covering 50% of staff costs in the amount of \$50,000 for a shared budget officer.

Furthermore, costs associated with the creation of the new rent control database will be decreased by \$157,733 due to the conclusion of the OTA's role in the ongoing development of the new database and its expected transfer to the Rental Accommodations Division of DHCD by the end of calendar year 2021. The proposed budget reflects an elimination of \$68,402 for the Mold Assessment Program.

IT Systems Upgrade:

In addition to the Agency's new operational expenditures, the Agency estimates it would need \$300,000 to fund a necessary IT Systems upgrade as the OTA's workload and responsibilities expand. For example, the Council has given the OTA responsibility for receiving filings under TOPA for single-family dwellings. In addition, the Council has charged the OTA with receiving copies of eviction notices under Act 24-67, the "Eviction Moratorium Public Safety Exception

Amendment Act of 2021”.

The IT Systems upgrade would help the OTA understand their clients better and improve their responsiveness across programmatic branches. The OTA testifies that IT System upgrade would promote functionality and efficiency in 3 ways. The IT Systems upgrade would:

1. Improve the way the OTA provides “brief services” assistance to thousands of tenants every year;
2. Improve the OTA’s methods of collecting data, generating reports, and tracking intake issues for problem areas in the law; and
3. Allow the OTA to create a cohesive emergency housing management system, thus improving communications with tenants, housing providers, and other government agencies.

Vanguard Legal Services: A Post-COVID-19 Plan for Eviction Diversion:

In anticipation of the onslaught of evictions due to the end of the eviction moratoria, the OTA’s FY22 budget proposal includes an additional expansion called the “Vanguard Legal Services”. “Vanguard” would include an Impact Litigation Team, Outreach and Education Team, and an Eviction Defense Team” dedicated to supporting tenants during the post-PHE phase. The goals and objectives of Vanguard include:

1. Minimizing the impending humanitarian crisis and supporting tenants’ rights by rapidly creating comprehensive, cost-effective and efficient legal services and providing necessary outreach and education services. The three teams associated with the Vanguard plan would be dedicated to preventative tenant displacement services, informing the District’s tenants of their rights, and the strategic litigation of “high-impact” cases intended to support the interests of the District’s tenants;
2. Coordinating and strategizing with key community-based organizations and stakeholders around the deployment of Vanguard; and
3. Hiring, training, and deploying legal and support staff in OTA within 60 days from approval of proposal.

The Eviction Defense Team will provide legal assistance and help tenants in litigating their eviction cases. Through streamlined procedures, this Team will ensure that its legal services are provided efficiently. The OTA proposes that the total funding needed for this Team is \$336,960 and 4 FTEs.

The Impact Litigation Team will provide agency clients with in-house legal representation in certain “high-impact” cases. The OTA proposes that the total funding needed for this Team is \$374,400.

The Outreach and Education Team will provide education and outreach to tenants and the community about tenants' rights post-PHE and develop education material regarding these rights and the resources that are available. The OTA proposes that the total funding needed for this Team is \$213,402.72.

*To support the Impact Litigation and Outreach and Education teams, the OTA proposes needing an additional allocation of 6 FTEs.

The Vanguard Plan also includes the following expanded legal services:

1. **Litigation and Paralegal Services:** providing urgently needed legal assistance and representation to tenants facing eviction;
2. **Small Claims and Landlord Tenant Court Assistance:** training tenants to perform in the virtual-court environment;
3. **Triage Coordination:** conducting an initial review of all cases and directing them to the staff member best able to resolve it;
4. **Case Management Services:** adding one new case management specialist who will greatly enhance OTA's ability to meet the needs of all tenants seeking assistance from the Agency;
5. **Landlord and Tenant Mediation & Upstream Eviction Diversion:** incorporating preventative measures prior to court filing to keep tenants from eviction and protect their rights; and
6. **Outreach and Education Services:** providing outreach and education services targeted specifically to ensure that tenants are aware of their rights with respect to evictions and any changes that may result post-PHE.

3. FY 2022-2027 CAPITAL BUDGET

OTA has no associated proposed capital funds in the Mayor's proposed FY 2022 budget.

N. REAL PROPERTY TAX APPEALS COMMISSION (DA0)

1. AGENCY MISSION AND OVERVIEW

The mission of the Real Property Tax Appeals Commission (RPTAC) is to conduct fair and impartial hearings to review disputed real property tax assessments ensuring that properties are assessed at 100% of market value, and to resolve claims of improper real property classifications, homestead, and senior eligibility issues. RPTAC provides a second-level administrative remedy for property owners to adjudicate property assessments prior to potential formal litigation in D.C. Superior Court. Property owners are entitled to a second-level appeal after completing the first-level assessment appeal. First-level appeals are conducted with Office of Tax and Revenue (OTR) Real Property Tax Assessors.

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*

Insert Chart

- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

Committee Analysis and Comments

The Mayor's proposed FY 2022 operating budget for RPTAC is \$1,775,875.00, which is a decrease of \$50,011.00 or 2.7% from the FY 2021 approved budget. RPTAC's budget is comprised entirely of local funds.

The Committee commends RPTAC on its ability to process their caseload during the COVID-19 pandemic and working remotely. Based on feedback to the Committee, there is room for improving the participation of part time commissioners. The Commission has maintained 11.0 FTEs since FY 2019, and due to the increasing case load over the past year, the Mayor proposed an enhancement of 1 FTE in the proposed FY 2022 budget. The Committee encourages the Mayor to act swiftly to fill the Executive Director vacancy and ensure RPTAC is not understaffed for the upcoming appeals season.

The Commission's outreach funding has increased steadily over the years. The Committee urges the Commission to expand its outreach to the public to avoid cases unnecessarily being brought to D.C. Superior Court before they have exhausted the options available at the Commission. The Committee will continue to work with RPTAC to examine ways to further assist them in meeting its goals.

3. FY 2022-2027 CAPITAL BUDGET

RPTAC has no associated proposed capital funds in the Mayor's proposed FY 2022 budget.

O. RENTAL HOUSING COMMISSION (DR0)

1. AGENCY MISSION AND OVERVIEW

The mission of the Rental Housing Commission (RHC) is to ensure the fair and effective implementation of the District of Columbia's rent stabilization and tenant rights laws by publishing clear legal guidelines and resolving appeals in disputed cases. The RHC is responsible for the interpretation and application of the Rental Housing Act of 1985, as amended (the Act). The RHC:

1. Certifies and publishes the annual, general allowable rent adjustment;
2. Issues, amends, and rescinds rules and procedures for the administration of the Act and for the resolution of disputes arising under the Act; and
3. In disputes under the Act, decides appeals from decisions of the Rent Administrator and the Office of Administrative Hearings. Disputes under the Act commonly include claims of illegal rent increases, requests for approval of special rent increases, repair of housing code violations, retaliation against tenants, and return of security deposits.

Strategic Agency Objectives for FY22:

1. The RHC will use these funds to meet its statutory responsibilities with an emphasis on case resolution through adjudication and mediation. No later than September 30, the RHC will publish approximately 203 pages of final regulations. These regulations will come at a time where housing providers, tenants, advocates, lawyers and judges could use clear guidance. The Commission will also conduct easy to understand, technical sessions for all stakeholders so they could get a better understanding of the regulations and what they mean. The Commission will also sustain its format of virtual hearings.
2. The RHC's FY22 strategic objectives are: (1) Resolve administrative appeals efficiently; (2) Issue, amend, and rescind rules and procedures for the administration of the Rental Housing Act (Act) and for the resolution of disputes arising under the Act; and (3) Determine allowable annual adjustments of rent charged.
3. The RHC will consider the following in the continued development of its performance measures:
 - a. Average number of business days to complete adjudication;
 - b. Average number of calendar days between filing of record to oral argument;
 - c. Average number of calendar days between notice of appeal and receipt of certified record;
 - d. Average number of calendar days between oral argument to disposition;

- e. Average number of calendar days between preliminary case review and staff assignment;
- f. Average number of days between hearing and opinion
- g. Average number of days between initial case filing to mediation scheduling;
- h. Average number of days between receipt of certified record and scheduled hearing date;
- i. Average number of calendar days to determine whether to issue, amend, and rescind rules and procedures, rescind regulations based on newly enacted legislation;
- j. Percent of cases awaiting decision that are more than 340 days old;
- k. Percent of cases mediated;
- l. Percent of decisions reversed;
- m. Percent of eligible cases resolved through mediation or mediator-involved settlement; and
- n. Percent of initial mediation held within 45 calendar days after notice of appeal being filed.

History and Updates on the Commission

Although independent as of October 1, 2019 in accordance with the Rental Housing Commission Independence Clarification Amendment Act of 2017, the RHC relied on relationships with partner entities such as DHCD and OAH to help develop its infrastructure as an agency. The RHC has built new relationships with other entities, including, but not limited to, the Office of the City Administrator, the Mayor's Office of Policy and Legislative Affairs, the Department of Human Resources, and the Office of Labor Relations and Collective Bargaining. The RHC also made several changes to the positions within the agency to better reflect roles and responsibilities:

- Chairman became Chairman and Chief Administrative Judge, per statute
- Commissioners became Administrative Judges, per statute
- Attorney Advisor promoted to General Counsel
- Rental Property Specialist position converted to Mediator

Additionally, the RHC ended its seven-year reliance on a staffing company to supplement its administrative staff. Instead, the RHC created a Program Support Assistant position and hired the former contractor as a D.C. Government employee, thereby retaining experienced staff while reducing overhead.

The Commission's current full staff is as follows:

- Michael T. Spencer, Chairman and Chief Administrative Judge, originally appointed: July 17, 2016, and whose current term expires on July 18, 2021;
- Lisa M. Gregory, Administrative Judge, appointed January 9, 2018, and whose term expires on July 18, 2023; and
- Rupa Puttagunta Administrative Judge, appointed December 18, 2018, and whose term expires on July 18, 2022
- Daniel Mayer, General Counsel

- Xavier Edwards, Attorney Advisor
- LaTonya Miles, Clerk of the Court
- Dorothy Grier, Mediator
- Alim Al-Musawwir, Program Support Assistant

For the first time in almost 35 years, the RHC will finalize a comprehensive rulemaking with a primary focus on ensuring that District residents and housing providers can follow clear legal requirements and can obtain efficient, consistent resolution to any disputes under the Act. The RHC states that the rulemaking will improve the well-being of tenants and housing providers and the families, businesses, and communities that depend on them under the current Act.

The rulemaking would amend all the implementing rules under the Act in Title 14 (Housing) of the District of Columbia Municipal Regulations (“DCMR”), Chapters 38 through 44. The RHC identified six core purposes for reissuing all the rules that implement the Act:

1. To implement statutory changes that determine the lawful rents for units covered by rent stabilization;
2. To implement and clarify the roles of the RAD and the OAH due to the transfer of the evidentiary hearing function;
3. To implement and conform to numerous other statutory changes enacted since the Commission’s last rulemaking;
4. To codify and conform the rules to legal standards that are articulated in decisions of the Commission and the District of Columbia Court of Appeals (DCCA);
5. To update and improve operations and procedures of the RHC and RAD; and
6. To clarify language and to increase specificity in the rules.

Proposed Legislation

The RHC is proposing legislation that would amend the Rental Housing Act of 1985 to reflect changes in jurisdiction over administrative hearings by increasing the time in which parties aggrieved by final decisions of the Rent Administrator of Office of Administrative Hearings (OAH) in contested cases may prepare and file an appeal to the Rental Housing Commission.

Parties would have 30 days to prepare and file an appeal to the RHC instead of the current 10 days, providing litigants with a reasonable amount of time to consider whether they want to appeal a matter and time to consult an attorney or other representative. Considering the additional 20 days, the Commission anticipates an increased number of appeals.

2. FISCAL YEAR 2022 OPERATING BUDGET

- *Fiscal Year 2022 Operating Budget, By Revenue Type*
Insert Chart
- *Fiscal Year 2022 Full-Time Equivalents, By Revenue Type*

Insert Chart

Committee Analysis and Comments

The Rental Housing Commission's (RHC) proposed FY 2022 gross budget is \$1,359,911, which represents a 2.4% increase from its FY 2021 approved gross budget of \$1,327,889. The budget is comprised entirely of Local funds. The Rental Housing Commission's budget reflects no change from the FY 2021 approved budget to the FY 2022 recurring budget

There is a 0% change between the RHC's proposed FY 2022 FTEs and the FTEs from FY 2021.

Mayor's Proposed Budget

The proposed budget includes a net Local funds increase of \$34,626 in personal services to align salaries and Fringe Benefits with projected costs. A proposed net decrease of \$2,604 will be made across nonpersonal services cost to align agency resources with operation spending averages.

3. FY 2022-2027 CAPITAL BUDGET

The Rental Housing Commission has no associated proposed capital funds in the Mayor's proposed FY 2022 budget.

A. TRANSFERS TO OTHER COMMITTEES

The Committee will not transfer funds to any other committee in FY 2022.

B. BUDGET SUPPORT ACT RECOMMENDATIONS

On Thursday, May 27, 2021, Chairman Mendelson introduced, on behalf of the Mayor, the “Fiscal Year 2022 Budget Support Act of 2021” (Bill 24-0285). The bill contains six subtitles for which the Committee has provided comments.

RECOMMENDATIONS ON THE MAYOR’S PROPOSED SUBTITLES

The Committee provides comments on the following subtitles of the “Fiscal Year 2021 Budget Support Act of 2022”:

1. **Title II. Subtitle D. Real Property Tax Appeals Commission Membership Amendment Act of 2021**
 - a. **Bill Summary** - This subtitle authorizes the Real Property Tax Appeals Commission (“the Commission”) to hire up to eight Hearing Examiners with a term not to exceed six months each year. Currently, this role is performed by contracted part-time Commissioners, which will be abolished. The subtitle also requires the Chairperson of the Commission to have at least three years’ experience as a certified District appraiser, or at least five years’ experience in commercial real estate property appraisal. Currently, a person cannot serve as Chairperson without five years of experience as a certified District appraiser. The subtitle also amends the Commission’s conflict of interest provisions. The BSA further allows RPTAC to appoint the temporary hearing examiners, instead of relying on the Mayor’s Office of Talent and Appointments to make the appointment. The measure will improve the efficiencies of the operations of the Commission.
 - b. **Committee Action** – The Committee recommends adoption of this subtitle with no changes.
 - c. **Fiscal Impact** - The subtitle has no impact on the budget and financial plan. Funding currently utilized for part-time Commissioners will be used to fund the hearing examiner positions.
2. **Title II. Subtitle E – Local Rent Supplement Program Enhancement Amendment Act of 2021**

a. **Bill Summary** - This BSA subtitle makes several changes to Local Rent Supplement Program's ("LRSP") administration. The DCHA has received a budget allocation for tenant-based and project-based LRSP vouchers since the program's inception. DCHA has and currently assigns those funds based on recommendations from DHCD (project-based) and DHS (tenant-based). The subtitle will redirect funds such that DHCD and DHS receive allocations for project-based vouchers and tenant-based vouchers, respectively. DHCD and DHS will directly manage funds for project- and tenant-based vouchers, respectively, while DCHA will continue to receive administrative funding to manage the assignment of vouchers. Funds for the vouchers and associated administration costs will be sent to DCHA when DHS and DHCD have found persons or projects to receive the funds through a voucher. The Committee finds that the proposed Subtitle will establish clear lines of accountability for the District's multi-faceted Local Rent Supplement Program across the various purposes for which the program has come to be applied – including sponsor-based voucher assistance and capital-based assistance; project-based voucher assistance; and tenant-based voucher assistance. It will accomplish this objective by assigning funds across the agencies responsible for their appropriate utilization – The Department of Housing and Community Development, the Department of Human Services, and, ultimately, in all case, the District of Columbia Housing Authority, where the final disposition for all vouchers will ultimately reside. This will allow for more reliability, better tracking of outcomes, greater responsiveness and flexibility in the utilization of vouchers as an important tool in the District's development, production, and preservation of affordable housing, including deeply affordable housing for persons making between 0-30% of the Area Median Income.

b. **Committee Action** – The Committee, in coordination with the Committee on Human Services, recommends three modifications to this subtitle:

1. Remove Section 2042(e)(4) from the subtitle.
2. Require all unspent local support service dollars connected to tenant-based vouchers to be placed in the DHS non-lapsing Rent Supplement Program Tenant-Based Allocation Fund at the end of each fiscal year.
3. Require DHS to submit a quarterly report to the Council about the administration of the Rent Supplement Program Tenant-Based Allocation Fund.

Change 1 Explanation: Section 2042(e)(4) of the Mayor's subtitle amends D.C. Official Code § 6-228(d) by striking the phrase "Families and individuals housed in the Rapid Rehousing Program" and inserting the phrase "Families and individuals participating in, or eligible for participation in, the Permanent Supportive Housing Program" in its place. While DHS intended for this to be a

clarifying change, the Committee is concerned that it may have the unintended consequence of limiting who is eligible to be referred to the Housing Authority for the Local Rent Supplement Program. More specifically, because the proposed language details that referrals can be made for families and individuals participating in, or eligible to participate in, the Permanent Supportive Housing Program, the implication is that individuals and families that are not eligible for PSH would not be eligible for a referral. In other words, the proposed language could have the effect of prohibiting referrals of individuals and families that are eligible for Targeted Affordable Housing or some other form of LRSP, but who do not meet the higher threshold for PSH.

Change 2 Explanation: The Mayor's subtitle establishes three non-lapsing funds, one of which, the Rent Supplement Program Tenant-Based Allocation Fund, is placed in the DHS budget. As proposed, the Rent Supplement Program Tenant-Based Allocation Fund includes all new tenant-based voucher assistance. In other words, it only includes revenue budgeted for housing assistance or vouchers, not any of the supportive services that are associated with the housing assistance or vouchers. Because underspending in housing assistance is inherently connected to underspending in supportive services, and the purpose of a non-lapsing fund is to ensure that investments made in a specific program stay with that program, the Committee recommends placing all unspent support service dollars associated with tenant-based vouchers in the Rent Supplement Program Tenant-Based Allocation Fund at the end of each fiscal year. This recommended change does not establish a non-lapsing fund for support services, but does the next best thing by reinvesting unspent dollars in more housing resources.

Change 3 Explanation: Administration of tenant-based vouchers, particularly those that come from DHS referrals (*e.g.* PSH and TAH), require close partnership between DHS and DCHA. While DHS has complete control of the voucher matching process, there is a complex dance that occurs between DHS, DCHA, and partner organizations to ensure that voucher recipients make it all the way through the lease up process. For example, after matching a recipient with a voucher, DHS continues to stay involved by providing various case management and other services. Furthermore, the Mayor's proposed subtitle gives DHS a new important role in the process, transferring new tenant-based voucher funds to DCHA as needed. Because the two agencies play an equally critical role in the administration of these vouchers, only receiving a quarterly report from DCHA would provide Council with an incomplete picture and thus limit its ability to perform oversight. To remedy this concern, the Committee recommends adapting some of the reporting requirements placed on DCHA in the subtitle and applying them to DHS.

- c. **Fiscal Impact** - There are no costs to the District to implementing the subtitle. The subtitle creates new non-lapsing funds in the District's General Fund, which will hold at the end of a fiscal year any unspent funds and maintain them for the Rent Supplement Program. Currently the program is funded with Local

Funds but operates from a fund outside of the District's General Fund.

d. Legislative Recommendation for Committee of the Whole –

**TITLE II. ECONOMIC DEVELOPMENT AND REGULATION.
SUBTITLE E. LOCAL RENT SUPPLEMENT PROGRAM**

Sec. 2041. Short title.

This subtitle may be cited as the “Local Rent Supplement Program Enhancement Amendment Act of 2021”.

Sec. 2042. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 6-201) is amended as follows:

(1) A new paragraph (7B) is added to read as follows:

“(7B) “Capital-based assistance” means capital gap financing for the construction or rehabilitation of housing units for which project-based voucher assistance or sponsor-based voucher assistance was previously awarded as an operating subsidy.”.

(2) A new paragraph (43C) is added to read as follows:

“(43C) “Tenant-based voucher assistance” means housing subsidy payments provided for households with extremely low incomes or histories of homelessness to pay all or a portion of the household’s rent in privately owned housing units in the District.”.

(b) Section 26a (D.C. Official Code § 6-226), is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a) The Rent Supplement Program is established to provide housing assistance to extremely low-income District residents, including those who are homeless and those in need of supportive services, such as elderly individuals or those with disabilities. The funding of this program is subject to appropriation. The assistance under this section, section 26b, and section 26c shall not constitute an entitlement.”

(2) Subsection (b) is amended to read as follows:

“(b)(1) The Authority shall award the funds appropriated for the program’s sponsor-based voucher assistance and capital-based assistance.”

“(2) The Department of Housing and Community Development shall award the funds appropriated for the program’s project-based voucher assistance.

“(3) The Authority shall award the funds appropriated for ongoing tenant-based voucher assistance.

“(4) The Authority shall award the funds appropriated for new tenant-based voucher assistance, as described in section 26a-1(c)(5), to the extent that such funds are transferred to the Housing Authority Rent Supplement Program Fund pursuant to section 26a-1(c)(4).

“(5) For the purposes of this subsection, the phrase “ongoing tenant-based voucher assistance” means tenant-based voucher assistance funded by money deposited into the Housing Authority Rent Supplement Program Fund pursuant to section 26a-1(a)(2)(C).”.

(3) Subsection (c) is amended to read as follows:

“(c)(1) The Authority shall promulgate rules for sponsor-based voucher assistance as required by section 26b, tenant-based voucher assistance, and capital-based assistance as required by section 26d, which shall govern the administration of funds for these types of assistance.

“(2) The Authority shall promulgate rules for project-based voucher assistance, which shall govern the administration of funds for this type of assistance; except, that the Department of Housing and Community Development shall promulgate rules governing the award of project-based voucher assistance, as provided in paragraph (3) of this subsection.

“(3) The Department of Housing and Community Development shall promulgate rules governing the award of project-based voucher assistance; provided, that the rules previously promulgated by the Authority that govern the award of funds for project-based voucher assistance shall remain in effect unless amended or repealed by the Department of Housing and Community Development.

“(4) The rules promulgated under this subsection shall provide for allocating project-based and sponsor-based funds to maintain or create new affordable housing units, including by combining funds under this program with other sources of funds for housing production and development and for allocating tenant-based funds to expand affordable housing choices for households through housing subsidies.”

(4) Subsections (d) and (e) are repealed.

(c) A new section 26a-1 is added to read as follows:

“Sec. 26a-1. Rent Supplement Program Funds.

“(a)(1) There is established as a special fund the Housing Authority Rent Supplement Program Fund, which shall be administered by the Authority in accordance with subsection (c) of this section.

“(2) There shall be deposited into the Housing Authority Rent Supplement Program Fund:

“(A) Money appropriated for sponsor-based voucher assistance;

“(B) Money appropriated for capital-based assistance;

“(C) Money appropriated to the Authority for the ongoing provision of tenant-based voucher assistance;

“(D) Money appropriated to the Authority for the ongoing provision of project-based voucher assistance previously awarded by the Department of Housing and Community Development;

“(E) Money for project-based voucher assistance transferred to the Housing Authority Rent Supplement Program Fund pursuant to subsection 26b(b-1)(3);

“(F) Money for tenant-based voucher assistance transferred to the Housing Authority Rent Supplement Program Fund pursuant to subsection (c)(4) of this section; and

“(G) Money remaining in the Rent Supplement Fund, established by section 26a(d)(1), at the end of Fiscal Year 2021.

“(3) Money in the Housing Authority Rent Supplement Program Fund shall be used solely to:

“(A) Provide sponsor-based voucher assistance and capital-based assistance;

“(B) Provide project-based voucher assistance to projects awarded such assistance by the Authority before October 1, 2021;

“(C) Provide project-based voucher assistance to projects awarded such assistance by the Department of Housing and Community Development after September 30, 2021, including assistance from funds transferred to the Housing Authority Rent Supplement Program Fund from the Rent Supplement Program Project-Based Allocation Fund established by subsection (b) of this section;

“(D) Provide ongoing tenant-based voucher assistance; and

“(E) Provide new tenant-based voucher assistance from funds transferred from the Rent Supplement Program Tenant-Based Allocation Fund established by subsection (c) of this section.

“(4)(A) The money deposited into the Housing Authority Rent Supplement Program Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

“(B) Subject to authorization in an approved budget and financial plan, any funds in the Housing Authority Rent Supplement Program Fund shall be continually available without regard to fiscal year limitation.

“(5) For the purposes of this subsection, the term “ongoing tenant-based voucher assistance” means tenant-based voucher assistance paid for from funds appropriated to the Housing Authority Rent Supplement Program Fund pursuant to paragraph (2)(C) of this subsection.

“(b)(1) There is established as a special fund the Rent Supplement Program Project-Based Allocation Fund, which shall be administered by the Department of Housing and Community Development in accordance with paragraph (3) of this subsection.

“(2) Amounts appropriated for new project-based voucher assistance shall be deposited into the Rent Supplement Program Project-Based Allocation Fund.

“(3)(A) Money in the Rent Supplement Program Project-Based Allocation Fund shall be used to fund awards to applicants selected for project-based voucher assistance as defined in section 2(39A) and shall be transferred to the Housing Authority Rent Supplement Program Fund as described in section 26b(b-1)(3).

“(B) Money in the Rent Supplement Program Project-Based Allocation Fund may be used to increase the amount of project-based voucher assistance previously awarded to an applicant to account for a documented need to increase the proposed rent charged on a rental unit.

“(4)(A) The money deposited into the Rent Supplement Program Project-Based Allocation Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

“(B) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Rent Supplement Program Project-Based Allocation Fund shall be continually available without regard to fiscal year limitation.”

“(c)(1) There is established as a special fund the Rent Supplement Program Tenant-Based Allocation Fund, which shall be administered by the Department of Human Services in accordance with paragraph (3) of this subsection.

“(2) The following funds shall be deposited into the Rent Supplement Program Tenant-Based Allocation Fund:

“(A) Amounts appropriated for new tenant-based voucher assistance; and

“(B) Any unspent local dollars appropriated for supportive services, as that term is defined in section 2(39) of the Homeless Services Reform Act, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(39)), for the Targeted Affordable Housing Program or a permanent housing program, as that term is defined in section 2(27C) of the Homeless Services Reform Act, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(27C)), in the operating budget of the Department of Human Services at the end of each fiscal year.

“(3) Money in the Rent Supplement Program Tenant-Based Allocation Fund shall be used in a fiscal year to fund awards to applicants selected for tenant-based voucher assistance, to the extent that the dollar amount of all new or previously awarded tenant-based voucher assistance awarded to applicants in that fiscal year or a prior fiscal year, for which the Authority continues to be obligated to make payments, exceeds the amount of money deposited into the Housing Authority Rent Supplement Program Fund during the then-current fiscal year for the ongoing provision of tenant-based voucher assistance pursuant to subsection (a)(2)(C) of this section.

“(4) Money in the Rent Supplement Program Tenant-Based Allocation Fund shall, at the direction of the Director of the Department of Human Services, be transferred to the Housing Authority Rent Supplement Program Fund when such funding is necessary to fund the award of new tenant-based vouchers because the dollar amount of tenant-based vouchers for which the Authority would be obligated to make payments would otherwise exceed the amount of money deposited into the Housing Authority Rent Supplement Program Fund during the applicable fiscal year for the ongoing provision of tenant-based voucher assistance pursuant to subsection (a)(2)(C) of this section.

“(4)(A) The money deposited into the Rent Supplement Program Tenant-Based Allocation Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

“(B) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Rent Supplement Program Tenant-Based Allocation Fund shall be continually available without regard to fiscal year limitation.

“(5) For the purposes of this subsection, the phrase “new tenant-based voucher assistance” means, with respect to the amount of money to be deposited into the Rent Supplement Program Tenant-Based Allocation Fund, the amount of money appropriated to the Department of Human Services in a fiscal year for the provision of tenant-based voucher assistance”.

(d) Section 26b (D.C. Official Code § 6-227), is amended as follows:

(1) Subsection (a) is amended by striking the phrase “project-based and”.

(2) A new subsection (b-1) is added to read as follows:

“(b-1)(1) The funds allocated under the program for new project-based voucher assistance shall be awarded by the Department of Housing and Community Development for the construction of new housing, or rehabilitation or preservation of existing housing, for extremely low-income District residents.

“(2) The Department of Housing and Community Development shall promulgate rules to govern the awarding of project-based voucher assistance and the continuing eligibility for such assistance.

“(3) The funds awarded pursuant to paragraphs (1) and (2) of this subsection shall be held in the Rent Supplement Program Project-Based Allocation Fund, established by section 26a-1(b), until a certificate of occupancy is issued for the project for which the funds were awarded. After the certificate of occupancy is issued, the funds shall, at the direction of the Director of the Department of Housing and Community Development, be transferred to the Housing Authority Rent Supplement Program Fund established by section 26a-1(a).”

(3) Subsection (c) is amended to read as follows:

“(c) The Authority shall apply its existing Partnership Program and Housing Choice Voucher Program rules to govern eligibility, admission, and continuing occupancy by tenants in units receiving sponsor-based or project-based voucher assistance under this section, section 26a, and section 26d, except if the rules are inconsistent with this section, section

26a, or section 26d; provided, that the Authority may modify or waive such rules so as not to exclude households on the basis of immigration status or prior criminal convictions. The Authority shall promulgate such additional rules as are necessary to ensure that eligibility for tenancy in the units supported by grants under this section is limited to households with gross income at or below 30% of the area median income.”.

(4) Subsection (d) is amended to read as follows:

“(d) To maintain consistency for households receiving rental housing support, the Authority shall, to the extent possible, given funding resources available in the Rent Supplement Program, continue to fund project-based and sponsor-based grantees at the same level, adjusted for inflation on an annual basis, or on such other basis as may be agreed to with the grantee, unless the Authority determines that a grantee is not meeting the criteria set forth in the rules governing project-based or sponsor-based voucher assistance.”.

(5) Subsection (e) is repealed.

(e) Section 26c (D.C. Official Code § 6-228), is amended as follows:

(1) Subsection (a) is amended by striking the phrase “procedures for the Housing Choice Voucher Program.” and inserting the phrase “procedures for the Housing Choice Voucher Program; provided, that the Authority may waive or modify such rules, regulations, policies, and procedures so as not to exclude households on the basis of immigration status or prior criminal convictions.” in its place.

(2) Subsection (b) is amended as follows:

(A) The lead-in text is amended by striking the phrase “Eligible families shall be selected from the households” and inserting the phrase “Eligible households shall be selected from the individuals and families” in its place.

(B) Paragraph (1) is amended by striking the phrase “Eligible families” and inserting the phrase “Eligible households” in its place.

(3) Subsection (c) is amended by striking the phrase “Eligible families may be referred” and inserting the phrase “Individuals and families may be referred for eligibility determination” in its place.

(4) Subsection (g)(2) is amended by striking the phrase “eligible to participate in the Authority’s Housing Choice Voucher Program” and inserting the phrase “eligible for tenant-based voucher assistance” in its place.

(f) New sections 26d-1 and 26d-2 are added to read as follows:

“Sec. 26d-1. Housing Authority Rent Supplement Program quarterly reporting.

“(a) The Authority shall submit to the Mayor and the Council, within 30 days after the end of each fiscal quarter, a Rent Supplement Program report.

“(b) Each report shall include the following information with respect to the Housing Authority Rent Supplement Program Fund:

“(1) The total amount of money in the fund at the beginning and end of the reporting period;

“(2) The amount of money in the fund allocated to project-based voucher assistance at the beginning of the reporting period, the amount of money expended from the fund on project-based voucher assistance during the reporting period, and the amount of money in the fund allocated to project-based voucher assistance at the end of the reporting period;

“(3) The amount of money in the fund allocated to sponsor-based voucher assistance at the beginning of the reporting period, the amount of money expended from the fund on sponsor-based voucher assistance during the reporting period, and the amount of

money in the fund allocated to sponsor-based voucher assistance at the end of the reporting period;

“(4) The amount of money in the fund allocated to tenant-based voucher assistance at the beginning of the reporting period, the amount of money expended from the fund on tenant-based voucher assistance during the reporting period, and the amount of money in the fund allocated to tenant-based voucher assistance at the end of the reporting period;

“(5) The amount of money in the fund allocated to capital assistance at the beginning of the reporting period, the amount of money expended from the fund on capital assistance during the reporting period, and the amount of money in the fund allocated to capital assistance at the end of the reporting period; and

“(6) The amount of money expended from the fund during the reporting period on administrative costs, broken down by category of administrative cost.

“(c) Each report shall include the following information with respect to project-based voucher assistance:

“(1) For each project that has a contract with the Authority for project-based voucher assistance, the name of, address of, number of total housing units in, number of units subsidized by project-based voucher assistance (“project-based units”) in, and contract end date of the project;

“(2) For each project listed pursuant to paragraph (1) of this subsection:

“(A) The dollar amount of project-based voucher assistance received during the reporting quarter;

“(B) The occupancy status of each project-based unit;

“(C) The contract rent for each project-based unit, including both the tenant-paid portion of the rent and project-based subsidy amount associated with the unit; and

“(D) The income level at the most recent income certification of the household occupying the unit.

“(3) The name of, address of, number of project-based units in, and project-based voucher assistance contract end date of, each project that has a contract with the Authority for project-based voucher assistance that is scheduled to expire within 24 months after the last day of the reporting period;

“(4) The name of, address of, number of project-based units in, and contract end date of each project whose contract with the Authority for project-based voucher assistance expired during the reporting period;

“(5) The name of, address of, and number of project-based units to be located in each project that has been awarded project-based voucher assistance but for which a contract with the Authority for such assistance has not been entered into, along with the date by which the Authority expects to enter into such a contract.

“(d) Each report shall include the following information with respect to sponsor-based voucher assistance:

“(1) The name and address of each non-profit organization or landlord (“sponsor”) with sponsor-based vouchers, along with the number of vouchers issued to the sponsor;

“(2) For each sponsor listed pursuant to paragraph (1) of this subsection, the following information with respect to each sponsor-based unit of the sponsor:

“(A) The address of the sponsor-based unit;

“(B) The occupancy level of each sponsor-based unit, defined as the

number of days in the reporting quarter the unit was leased to a household eligible for Rent Supplement Program assistance;

“(C) The contract rent of the unit, including the tenant-paid portion of the rent and the sponsor-based subsidy amount allocated to the unit; and

“(D) The income level at last income certification of the household occupying the sponsor-based unit.

“(e) Each report shall include the following information with respect to tenant-based voucher assistance:

“(1) The number of households, categorized separately as individual households and family households, receiving tenant-based voucher assistance on the first day and last day of the reporting quarter, listed separately by the program in which the household is participating, including the Permanent Supportive Housing and Targeted Affordable Housing program;

“(2) The total dollar amount of rental payments made for tenant-based voucher recipients during the reporting quarter and fiscal year to date, listed separately by the program in which the household is participating, including the Permanent Supportive Housing and Targeted Affordable Housing program;

“(3) The average monthly rent of housing units leased by households receiving tenant-based voucher assistance, listed separately by the program in which the household is participating, including the Permanent Supportive Housing and Targeted Affordable Housing program;

“(4) The number of households receiving tenant-based vouchers at the beginning of the fiscal year that were no longer receiving tenant-based vouchers on the last day of the reporting quarter, listed separately by the program in which the household is participating, including the Permanent Supportive Housing and Targeted Affordable Housing program; and

“(5) Tenant-based voucher assistance funding spent on security deposits, administrative services, and any other non-rental expenses, by expenditure type, during the reporting quarter and fiscal year to date.

“(f) Each report shall include the following information with respect to capital-based assistance:

“(1) The name of, address of, and number of project-based and sponsor-based units in each project that received capital-based assistance during the reporting quarter; and

“(2) The dollar amount of capital assistance provided to each project listed pursuant to paragraph (1) of this subsection. “Sec. 26d-2. Rent Supplement Program Tenant-Based Allocation Fund quarterly reporting.

“(a) The Department of Human Services shall submit to the Council, within 30 days after the end of each fiscal quarter, a Rent Supplement Program Tenant-Based Allocation Fund report.

“(b) Each report shall include the following information with respect to the Rent Supplement Program Tenant-Based Allocation Fund:

“(1) The total amount of money in the fund at the beginning and end of the reporting period;

“(2) The amount of money in the fund transferred to the Authority for each tenant-based voucher assistance program during the reporting period, listed separately by the program in which the household is participating, including the Permanent Supportive Housing, Targeted Affordable Housing program, and the Rapid Rehousing program, and

categorized by individual households and family households;

“(4) The amount of money remaining in the fund at the end of the reporting period, listed separately by the program in which the household is participating, including the Permanent Supportive Housing, Targeted Affordable Housing program, and the Rapid Rehousing program, and categorized by individual households and family households;

“(5) The number of households, categorized separately as individual households and family households, matched with a tenant-based voucher assistance program during the reporting quarter, listed separately by the program in which the household is participating, including the Permanent Supportive Housing and Targeted Affordable Housing program; and

“(6) The amount of money expended from the fund during the reporting period on administrative costs, which shall contain an itemized breakdown of expenses.”.

3. Title II. Subtitle F – Housing Production Trust Fund Pipeline Advancement Amendment Act of 2021

- a. Bill Summary** - This BSA Subtitle repeals Section 3(f)(2) of the Housing Production Trust Fund Act of 1989. DC Code § 42-2802(f)(2) currently states: “The Department may not enter into any contractual agreements, obligations, or commitments to provide funding until the fiscal year in which the funds are available and appropriated.” The subtitle allows the Department of Housing and Community Development (DHCD) to enter into contracts for the Housing Production Trust Fund (HPTF) in the year prior to which funding is appropriated. Currently, DHCD can solicit proposals and rank recipients in the year prior to which funding is appropriated but it cannot enter into contracts. The purpose of the subtitle is to allow DHCD to send HPTF projects forward to the D.C. Council for approval prior to the start of a new fiscal year. Currently the projects must wait until the new fiscal year starts for approval, resulting in projects piling up and not closing until November or December of the new fiscal year. Under the subtitle, the projects would be sent to the D.C. Council for approval subject to appropriations. Each agreement has an anti-deficiency clause.
- b. Committee Action** – The Committee recommends adoption of this subtitle with no changes.
- c. Fiscal Impact** - The subtitle has no impact on the budget and financial plan. HPTF contracts sent to the D.C. Council prior to appropriation of funding will be approved subject to appropriations and include anti-deficiency clauses. Therefore, funding will still be limited annually by the HPTF budget.

4. Title II. Subtitle G. Property Tax Relief for Low Income Housing Harmonization Act of 2021.

- a. **Bill Summary** - An exemption from deed, recordation, real property tax, and payment-in-lieu-of-taxes (PILOT) is currently available to property financed with Low Income Housing Tax Credits if the owner is organized as a nonprofit entity or if the owner is controlled by a nonprofit member⁷. Such exemptions are available during the property's development, the LIHTC period, and any extended use period during which property covenants restrict the income of residents leasing the property's affordable housing units. The subtitle extends these exemptions to properties that are leased to a nonprofit entity or an entity controlled by a nonprofit, as long as the property owner certifies that the benefit of the exemption is passed through to the lessee. The subtitle further provides a deed, recordation, real property tax, and PILOT exemption to certain properties receiving, after the effective date of the subtitle, a grant or loan from the Housing Production Trust Fund (HPTF) or other District government low income housing assistance program designated by the Mayor to provide housing affordable to households earning not in excess of 80 percent of the median family income. Eligible properties would need to be owned by a nonprofit entity, a limited liability company controlled by a nonprofit entity⁸, or a limited equity cooperative, or the properties would need to be leased to a nonprofit entity or entity controlled by a nonprofit (with the proof of the benefits of the exemption flowing through to the lessee). The exemption is available during development and while property covenants restrict the income of residents leasing the property's affordable housing units. The subtitle also expands the Nonprofit Workforce Housing tax exemption⁹ to include new limited equity cooperatives as eligible properties. Under the subtitle, new limited equity cooperatives could claim the Nonprofit Workforce Housing real property and deed and recordation tax exemptions, provided they meet all of the exemption's requirements other than being owned or controlled by a nonprofit entity.
- b. **Committee Action** – The Committee recommends adoption of this subtitle with no changes.
- c. **Fiscal Impact** - The subtitle's proposed exemptions are expected to exempt limited equity cooperatives that are undergoing substantial rehabilitation with the assistance of the District's HPTF and reduce District revenue by \$50,000 in fiscal year 2022 and \$411,000 over the financial plan. Other types of projects assisted by the HPTF generally either meet the conditions to qualify for one of the nonprofit affordable housing exemptions available under current law or would not benefit from the subtitle because of they do not have a nonprofit owner or controlling nonprofit member. The subtitle's leased property provisions are not expected to change the status of any currently taxed properties. New limited equity cooperatives have an existing five-year tax exemption available¹⁰, so the impact of expanding the Nonprofit Workforce Housing tax exemption to new

LECs falls outside of the financial plan period.

5. Title II. Subtitle H. Section 108 Debt Reserve Account Establishment Act of 2021.

- a. Bill Summary** - The subtitle requires the Office of the Chief Financial Officer (OCFO) to create a fund or account, either within the District government or at an outside financial institution, to hold money in reserve in case of default on a Section 108 loan. The Section 108 Loan Guarantee Program, run by the U.S. Department of Housing and Urban Development (HUD), allows jurisdictions to leverage their Community Development Block Grants to secure low-interest loans from HUD to finance development projects that meet certain criteria. The Department of Housing and Community Development (DHCD) is working with HUD to secure Section 108 loans, which it will use for affordable housing acquisition and rehabilitation projects.
- b. Committee Action** – The Committee recommends adoption of this subtitle with no changes.
- c. Fiscal Impact** - The subtitle will not impact the budget and financial plan. DHCD will make debt service payments for the Section 108 loans from its Community Development Block Grants until it has program income from the loans it makes to projects. A portion of this money will be held in reserve in the new account in case of default. The OCFO estimates the amount needed in reserve to be approximately \$2.5 million, based on \$38.8 million of Section 108 loans. As of now, we do not expect any debt service payments to be due in fiscal year 2021, but the reserve account must be established in fiscal year 2021.

6. Title II. Subtitle I. DC Low Income Housing Tax Credit Amendment Act of 2021.

- a. Bill Summary** — The District of Columbia Low-Income Housing Tax Credit Clarification Amendment Act of 2020 allowed District investors in housing properties receiving federal Low Income Housing Tax Credits (LIHTC) (allocated after October 1, 2021) to also receive a credit against District franchise tax liability or insurance premium taxes, in the amount of 25 percent of the federal LIHTC allocation. The fiscal year 2021 through fiscal year 2024 budget and financial plan estimated that District taxpayers would claim \$1 million of tax credit in fiscal year 2023, \$6 million in fiscal year 2024, and that amounts in the following years would add \$5 million additional for each year beyond fiscal year 2024. Recently, the federal government made changes to LIHTC12 which will have the effect of increasing the federal credits available to developers and therefore the estimate of corresponding District credits that will be taken. The

federal changes are estimated to add approximately \$500,000 in District tax credits taken through the financial plan period. The subtitle makes the allocation of District credits subject to the Mayor’s approval of a project, based on a financial feasibility analysis of the project.

- b. **Committee Action** – The Committee recommends adoption of this subtitle with no changes.
- c. **Fiscal Impact** — The subtitle has no impact on the budget or financial plan. It is unlikely that the application requirement will deter eligible projects from applying for the District credits and the Department of Housing and Community Development is already underwriting many LIHTC projects for additional District subsidy. DHCD can absorb any new feasibility analysis required by the subtitle.

IV. RECOMMENDATIONS FOR NEW BUDGET SUPPORT ACT SUBTITLES

The Committee recommends that the following two new subtitles be included in the “Fiscal Year 2022 Budget Support Act of 2021”:

- 1. Title –. Subtitle –. District of Columbia Housing Authority Board of Commissioners Reform Amendment Act of 2021
 - 2. Title –. Subtitle –. The Coalition for Non-Profit Housing and Economic Development TOPA Study and Grant Act of 2021
1. **TITLE –. SUBTITLE –. DISTRICT OF COLUMBIA HOUSING AUTHORITY BOARD OF COMMISSIONERS REFORM AMENDMENT ACT OF 2021**
- a. **Bill Summary** — The purpose this subtitle is to amend the District of Columbia Housing Authority Act of 1999 to revise the qualifications for nominees to the Housing Authority Board of Commissioners to require experience and competence in public housing, subsidized or nonprofit housing, community-based redevelopment, social services provided to affordable housing tenants, or housing development and construction, and to add two Council-appointed members to the Housing Authority Board of Commissioners.
 - b. **Committee Action** — The Committee recommends adoption of this subtitle with no changes.
 - c. **Fiscal Impact** — The subtitle has no impact on the budget or financial plan.

Commissioners receive a stipend but the funds to pay for the stipends will not come from the Authority's local subsidy.

d. Legislative Recommendation for Committee of the Whole –

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

**SUBTITLE XX. DISTRICT OF COLUMBIA HOUSING AUTHORITY
BOARD OF COMMISSIONERS REFORM**

Sec. xxxx. Short Title.

This subtitle may be cited as the “District of Columbia Housing Authority Board of Commissioners Reform Amendment Act of 2021”.

Sec. xxxx. Section 12 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-211), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) The lead-in language is amended by striking the number “11” and inserting the number “13”.

(3) Paragraph (4) is amended by striking the word “and”.

(4) Paragraph (5) is amended by striking the period and inserting the phrase “; and” in its place.

(5) A new paragraph (6) is added to read as follows:

“(6) Two Commissioners, who shall not be employees of the Authority, appointed by the Council as follows:

“(A) Both Commissioners shall be representatives with professional experience designing and developing public and private multi-family housing”.

(b) Subsection (b) is amended as follows:

(1) The lead-in language is amended by striking the phrase “nominated by the Mayor pursuant to subsection (a)(1) of this section” and inserting the phrase “nominated by the Mayor pursuant to subsection (a)(1) of this section or appointed by the Council pursuant to subsection (a)(6) of this section” in its place.

(2) Paragraph (1) is amended by striking the word “individual’s” and inserting the word “Commissioner’s” in its place.

(3) Paragraph (2) is amended by striking the phrase “Each individual shall be selected by the Mayor from among District residents” and inserting the phrase “Each Commissioner shall be selected from among District residents” in its place.

(c) Subsection (c) is amended to read as follows:

“(c) (1) In addition to the requirements of subsections (b) and (d) of this section, each person nominated by the Mayor, recommended by the Executive Director, shall:

“(A) Have demonstrated professional competence in at least one of the following areas:

“(i) Public housing law and regulations;

“(ii) Public or affordable housing development, operation, and management;

“(iii) Subsidized or nonprofit housing production and development;

“(iv) Community-based redevelopment;
 “(v) Legal or counseling services provided to public or affordable housing tenants for the purposes of obtaining or maintaining housing; or
 “(vi) Multifamily residential housing construction; and
 “(B) Not be an officer or employee of the federal government or the District government; and
 “(C) Service as a member of the Board of Commissioners on the District of Columbia Housing Authority prior to the passage of this Act shall not be construed as satisfaction of the above requirements.

(2) The housing choice voucher program recipient Commissioner nominated under subsection (a)(2A) of this section shall not be required to fulfill the requirements of this subsection.”.

(d) Subsection (j) is amended to read as follows:

“(j)(1) The Commissioners shall serve 3-year terms, which shall be staggered.

“(2) On the initial Board, the 3 elected Commissioners shall each serve a term of 3 years, the Chairperson shall serve a term of 3 years, 2 of the appointed Commissioners shall each serve initial terms of 2 years, and the remaining Commissioners shall each serve a term of one year.

“(3) The 2 Commissioners appointed by the Council shall serve 3-year terms. Their initial terms may be less than 3 years and shall end in 2024.

2. TITLE –. SUBTITLE –. THE COALITION FOR NON-PROFIT HOUSING AND ECONOMIC DEVELOPMENT TOPA STUDY AND GRANT ACT OF 2021

a. **Bill Summary** — The Coalition for Nonprofit Housing and Economic Development (CNHED) will produce a study of the impacts of the District of Columbia’s Tenant Opportunity to Purchase Act (TOPA). The study will contain three main components. Component One: The study will include a legislative, regulatory, and policy history of TOPA and its antecedents 1975-2020. Component Two: The study will include the creation of a database of all 5+ unit properties for which TOPA notices were filed from 2006-2019 , and the following information related to each notice and subsequent sale of the property: (1) Tenant Organization registrations for TOPA rights, (2) whether a Tenant Organization received TOPA technical assistance from a District-funded Community Based Organization, (3) owner and purchaser, (4) whether the owner or purchaser filed a housing provider petition (Voluntary Agreement, Hardship Petition, Capital Improvement Petition, Substantial Rehabilitation Petition, or Services and Facilities Petition) in proximity to the TOPA notice, (5) whether the purchaser of the property received federal or local government funding to increase rent affordability at the property , and (5) whether a cooperative or condominium conversion occurred following the sale. Component Three: The study will include an analysis of the TOPA outcomes detailed in the database and recommendations for how the District can improve the ability of Tenant Organizations to successfully exercise their TOPA rights and achieve the TOPA-related goals of the Rental Conversion and Sales Act.

b. **Committee Action** — The Committee recommends adoption of this subtitle with no

changes.

c. **Fiscal Impact** — The costs associated with this subtitle amount to \$250,000.

d. **Legislative Recommendation for Committee of the Whole** —

SUBTITLE XX. THE COALITION FOR NON-PROFIT HOUSING AND ECONOMIC DEVELOPMENT TOPA STUDY AND GRANT ACT OF 2021

Sec. xxxx. Short Title.

This subtitle may be cited as the “The Coalition for Non-Profit Housing and Economic Development TOPA Study and Grant Act of 2021”.

Sec. xxxx. Tenant Opportunity to Purchase Act Outcomes Study.

3. (a) In Fiscal Year 2022, the Department of Housing and Community Development shall issue a grant in the amount of \$200,000 to the Coalition for Non-Profit Housing and Economic Development to conduct a study of Tenant Opportunity to Purchase Act outcomes. The study shall be completed and delivered to the Council by September 30, 2022.

C. COMMITTEE ACTION AND VOTE

On Wednesday, June 30, 2021, meeting virtually, the Committee met to consider and vote on the Mayor’s FY 2022 Budget Report for the agencies under its jurisdiction.

Chairperson Anita Bonds determined the presence of a quorum consisting of herself and XXX

Chairperson Bonds then moved the Committee’s Fiscal Year 2022 Budget recommendations for approval, with leave for staff to make technical and conforming changes to reflect the Committee’s actions.

The Members voted x-x in support of the proposed recommendations, with the members voting as follows:

Members in favor:	Councilmembers Anita Bonds, Elissa Silverman, Robert C. White Jr., Brooke Pinto, Kenyan McDuffie
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Members opposed:	N/A	Members voting present:	N/A	Members
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absent:	N/A
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Chairperson Bonds adjourned the meeting at X:XX p.m.

D. ATTACHMENTS

- A. Bill 24-0285, Fiscal Year 2022 Budget Support Act of 2021 Recommended Subtitles
- B. June 4, 2021, Fiscal Year 2022 Budget Oversight Hearing Witness List and Testimony.
- C. June 16, 2021, Fiscal Year 2022 Budget Oversight Hearing Witness List and Testimony.
- D. June 18, 2021, Fiscal Year 2022 Budget Oversight Hearing Witness List and Testimony.
- E. June 22, 2021, Fiscal Year 2022 Budget Oversight Hearing Witness List and Testimony.
- F. June 24, 2021, Fiscal Year 2022 Budget Oversight Hearing Witness List and Testimony.
- G. Legislative Language for the Committee's Recommended Budget Support Act Subtitles

TRANSFERS IN FROM OTHER COMMITTEES

Sending Committee	Amount	FTEs	Receiving Agency	Program	Purpose	Recurring or One-Time
Government Operations and Facilities	\$479,293	0	DCHA	Program 6000, Activity 6010	20 TAH vouchers for LGBTQ seniors identified by OLGBTQ	One-Time
Government Operations and Facilities	\$479,293	0	DCHA	Program 6000, Activity 6010	20 TAH vouchers for returning citizens identified by ORCA	One-Time
Government Operations and Facilities	\$359,470	0	DCHA	Program 6000, Activity 6010	15 TAH vouchers for seniors off the DCHA waiting list	One-Time
Judiciary and Public Safety	\$400,000	0	City Administrator	Program 1000, Activity 1090	Fund a contract for the development of a strategic District-wide gun violence prevention plan	One-Time
Government Operations and Facilities	\$2,713,000	0	OSA	Project AB102	Accelerate planning for the new DC Archives	One-Time
Transportation and the Environment	\$235,000	0	DACL	Program 9400, Activity 9475	Caregiver Support	One-Time
Transportation and the Environment	\$205,000	0	DACL	Program 9400, Activity 9475	Caregiver Support	Recurring
Transportation and the Environment	\$250,000	0	DACL	Program 9400, Activity 9430	Lead Agencies and Case Management	One-Time
Transportation and the Environment	\$200,000	0	DACL	Program 9400, Activity 9440	Senior Wellness Center/Fitness	One-Time

TRANSFERS OUT TO OTHER COMMITTEES

Receiving Committee	Amount	FTEs	Receiving Agency	Program	Purpose	Recurring or One-Time