

**Department of Housing and Community Development  
FY20-FY21 YTD Pre-Hearing Responses**

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General Questions

- 1. Please provide a current organizational chart for the agency, including the number of vacant, frozen, and filled positions in each division or subdivision. Include the names and titles of all senior personnel and note the date that the information was collected on the chart.**

Response: See GQ Attachment 1.

- a) Please provide an explanation of the roles and responsibilities of each division and subdivision and how each role and/or responsibility contributes to the mission of the agency.

Response: The Department of Housing and Community Development operates through the following 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 contains the following 2 activities: 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. The majority of resources for this activity come from Intra-District funding from the Housing Production Trust Fund. 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 and coordination of Notice of Funding Availability and RFP documents with sister agencies including the Department of Behavioral Health, Department of Human Services, District of Columbia Housing Authority, and the Department of Energy and the Environment, 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; Community Facilities Project Financing – provides funding through a competitive RFP funding process for development financing and regulatory oversight to nonprofit and for-profit developers so that they can develop properties as neighborhood community/commercial facilities. Sources include federal funding like Community Development Block Grant (CDBG) funds. 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;

Preservation Officer – As head of the Preservation Unit, the Preservation Officer provides technical assistance, monitors housing market and at-risk properties, and administers the District Opportunity to Purchase Act (DOPA), Small Building Program and the Preservation Fund. Working with DFD and RCSD, gives guidance on allocation of funds toward preserving affordable housing units for residents with low-to-moderate income across the District. Many of these units were previously subsidized through federal housing programs, and as the subsidies expire, homeowners will be able to maintain affordability in their communities.

Residential and Community Services Division (RCSD) – provides funding for programs focused on household-level housing needs and neighborhood revitalization. RCSD works through neighborhood-based organizations providing comprehensive housing counseling, small business technical assistance, and facade improvement opportunities. RCSD administers the agency’s Affordable Housing Initiative through its Community and Residential Services activities, including the District’s Home Purchase Assistance Program and Employer Assisted Housing Program, which provide financial assistance for low and moderate-income households and District government employees for the purpose of first-time home purchase. The division also provides rehabilitation resources, including grants for lead hazard remediation to eligible units, and loans as well as grants to income-qualified owner-occupant District residences in order to preserve homeownership in the District. This division contains the following 6 activities:

- Community Services - Housing Counseling (Neighborhood Based Activities) – provides funding for counseling services to tenants, potential homeowners, and current homeowners; provides 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.
- Community Services - Small Business Technical Assistance – provides technical assistance to small businesses in support of various DHCD programs; Community Services - Commercial Revitalization – provides grants to neighborhood-based organizations for storefront facade improvements in commercial corridors;
- Residential Services - Home Purchase Assistance Program (HPAP) – provides down payment and closing cost assistance to low- and moderate-income District residents so that they can become first-time home-buyers in the District of Columbia;
- Residential Services - Employer Assisted Housing Program (EAHP) – provides down payment and closing cost assistance to qualified District of Columbia government employees;
- 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, heating systems, and roofs.

Property Acquisition and Disposition Division (PADD) – 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 rental and 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 rental and for-sale housing in District neighborhoods. Through its Vacant to Vibrant 5-point action plan, PADD continues to work to put its inventory back into productive use for the community through the creation of affordable housing and neighborhood community spaces.

Portfolio and Asset Management Division (PAMD) – provides portfolio management and oversight of outstanding loans 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 risk and relationship reviews of potential borrowers to protect the department’s assets.

Office of Program Monitoring Division (OPM) – 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 contains the following 2 activities:

- Contract Compliance – provides oversight and monitoring services of DHCD projects to ensure that the department's use of project funds fully complies with the Department of Housing and Urban Development (HUD) and District regulations; and
- Quality Assurance – provides program review and performance evaluation to DHCD and contractors so that they can operate in full compliance with regulations in the most effective and efficient 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 contains the following 4 activities:

- Rental Conversion and Sales Division – administers the District’s tenant opportunity to purchase program, regulates the conversion of property to condominiums and cooperatives, registers condominium and cooperative projects, and administers the structural defect warranty claim program;
- 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;
- 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; and
- Rental Accommodations Division (RAD) – administers the District’s rent stabilization program, including registering and licensing rental housing, administering rent adjustment procedures, processing landlord and tenant petitions, providing conciliation services, and acting as a repository for notices to vacate and all rental property records.

Agency Management – provides for 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 comprehensive and efficient financial management services to, and on behalf of, District agencies so that the financial integrity of the District of Columbia is maintained. This division is standard for all agencies using performance-based budgeting.

- b) Please provide a narrative explanation of any changes to the organizational chart made during the previous year.

Response: The Single Family Rehabilitation Program was realigned to report to the Preservation Officer.

- c) Please provide your most current strategic plan and identify each goal and strategy. Explain how each division and subdivision contributes to that plan.

Response: See General Question 25.

2. **Please provide a current Schedule A for the agency which identifies each position by program and activity, with the employee's title/position, salary, fringe benefits, and length of time with the agency. Please note the date that the information was collected. The Schedule A should also indicate if the position is continuing/term/temporary/contract or if it is vacant or frozen. Please separate salary and fringe and indicate whether the position must be filled to comply with federal or local law.**

Response: See GQ Attachment 2.

3. **Please list all employees detailed to or from your agency. For each employee identified, please provide the name of the agency the employee is detailed to or from, the reason for the detail, the date of the detail, and the employee's projected date of return.**

Response: There are no employees currently detailed to or from the agency.

4. **Please provide the Committee with:**

- a) **A list of all employees who received or retained cellphones, personal digital assistants, notebooks, laptops, iPads or similar communications devices at agency expense during any part of FY20 and FY21, to date; and the annual cost to the agency for each device;**

Response: See Attachment GQ Attachment 4a

- b) **A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned, as well as a description of all vehicle accidents involving the agency's vehicles in FY20 and FY21, to date;**

Response: See Attachment GQ Attachment 4b

- c) **A list of travel expenses and reimbursements, arranged by employee for FY20 and FY21, to date, including the justification for travel; and**

Response: See GQ Attachment 4c. There has been no travel in 2021.

- d) **A list of the total workers' compensation payments paid in FY20 and FY21, to date, including the number of employees who received workers' compensation payments, in what amounts, and for what reasons.**

Response: See GQ Attachment 4d

5. For FY20 and FY21, to date, what was the total cost for mobile communications and devices, including equipment and service plans?

Response: Cost for FY20 - \$66,620.37

Cost for FY21 - \$17,699.27

6. For FY20 and FY21, to date, please detail all intra-District transfers to or from the agency.

Response: See GQ Attachment 6

7. For FY20 and FY21, to date, please identify any special purpose revenue funds maintained by, used by, or available for use by the agency. For each fund identified, provide:

a) The revenue source name and code;

Response:

Agency Fund	Agency Fund Title	DC CODE
0602	HPAP - REPAY	§§ 42-2601 - 42-2605
0610	DHCD	§ 42-2857.01
	UNIFIED	§ 42-3402.05a
	FUND	§ 42-1904.03

b) The source of funding;

c) A description of the program that generates the funds;

d) The amount of funds generated by each source or program;

e) Expenditures of funds, including the purpose of each expenditure; and

f) The current fund balance.

Response for b-f: See GS Attachments 7A and 7B

8. For FY20 and FY21, to date, please list any purchase card spending by the agency, the employee making each expenditure, and the general purpose for each expenditure.

Response: See GQ Attachment 8

9. Please list all memoranda of understanding (“MOU”) entered into by your agency during FY20 and FY21, to date, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date.

Response: See GQ Attachment 9

10. Please list the ways, other than MOU, in which the agency collaborated with analogous agencies in other jurisdictions, with federal agencies, or with non-governmental organizations in FY20 and FY21, to date.

Response: In FY2020, the District formalized its partnership with the Metropolitan Council of Governments (MWCOG) and entered into an Intergovernmental Agreement to complete a regional Analysis of Impediments (AI) with surrounding jurisdictions in Virginia and Maryland to coincide with the deadline for submitting the Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD). The AI provides information to the community regarding the obstacles citizens face with equal housing opportunity and fair housing choice within the District of Columbia. This document will provide an extensive review of the region's activities, address previous impediment findings, an in-depth analysis of current market changes and demographic shifts which have created additional impediments to equal access to housing.

**11. Please provide a table showing your agency's Council-approved original budget, revised budget (after reprogrammings, etc.), and actual spending, by program and activity, for FY19, FY20, and the first quarter of FY21.**

- a) For each program and activity, please include total budget and break down the budget by funding source (federal, local, special purpose revenue, or intra-district funds).

Response: See GS Attachment 11a and 11b.

- b) Include any over- or under-spending. Explain any variances between fiscal year appropriations and actual expenditures for FY20 and FY21 for each program and activity code.

Response: See GS Attachment 11a and 11b.

- c) Attach the cost allocation plans for FY20 and FY21.

Response: See GS Attachment 11c

- d) In FY20 or FY21, did the agency have any federal funds that lapsed? If so, please provide a full accounting, including amounts, fund sources (e.g. grant name), and reason the funds were not fully expended.

Response: In FY20 and FY21, DHCD has had no federal grant funds that have lapsed due to underspending or any other reason.

**12. Please provide as an attachment a chart showing the agency's federal funding and expenditures by program for FY19, FY20 and FY21, to date.**

Response: See GQ Attachment 12.

**13. With respect to capital projects, please provide:**

- a) A list of all capital projects in the financial plan.  
b) For FY19, FY20, and FY21, an update on all capital projects under the agency's purview, including a status report on each project, the timeframe for project completion, the amount budgeted, actual dollars spent, and any remaining balances, to date.  
c) An update on all capital projects planned for FY21, FY22, FY23, FY24, and FY25.  
d) A description of whether the capital projects begun, in progress, or concluded in FY19, FY20, or FY21, to date, had an impact on the operating budget of the agency. If so, please provide an accounting of such impact.

Response: DHCD does not have any active capital projects.

14. Please provide a list of all budget enhancement requests (including capital improvement needs) for FY20 and FY21, to date. For each, include a description of the need and the amount of funding requested.

Response: See tables below.

FY 2020

Agency Code	Agency Name	Categories	Description	Amount	Agency Fund	Comp Object	Org Code	Program Code	One-Time
DB0	Department of Housing and Community Development	Enhance	P3 for "Preserving the affordability of 100% of its existing federally and city-assisted affordable rental homes."	11,800,000	0101	0524	0300	2025	YES

FY 2021

Agency Code	Agency Name	Categories	Description	Amount	Agency Fund	Comp Object	Org Code	Program Code	One-Time
DB0	Department of Housing and Community Development	Enhance	Preservation Fund- Transfer \$1m of EAHP to Preservation Fund to support leveraged fund	1,000,000	0101	0506	0300	2025	Yes

15. Please list, in chronological order, each reprogramming request and each reprogramming in FY20 and FY21, to date, that impacted the agency, including those that moved funds into the agency, out of the agency, and within the agency. Include the revised, final budget for your agency after the reprogrammings for FY20 and FY21, to date. For each reprogramming, list the date, amount, rationale, and reprogramming number.

Response: See GQ Attachment 15.

16. Please list each grant or sub-grant received by your agency in FY20 and FY21, to date. List the date, amount, source, purpose of the grant or sub-grant received, and amount expended.

a) How many FTEs are dependent on grant funding? What are the terms of this funding? If it is set to expire, what plans, if any, are in place to continue funding the FTEs.

Response: See GQ Attachment 16. Grants are entitlements, and so FTE funding is not at risk.

17. Please list each contract, procurement, and lease, entered into, extended, and option years exercised by your agency during FY20 and FY21, to date. For each contract, please provide the following information, where applicable:

- a) The name of the contracting party;
- b) The names of the individual principals constituting that contracting party;
- c) The nature of the contract, including the end product or service;
- d) The dollar amount of the contract, including amount budgeted and amount actually spent;
- e) The term of the contract;
- f) Whether the contract was competitively bid and/or the explanation for it being non-competitive or sole source;
- g) The name of the agency's contract monitor and the results of any monitoring activity; and
- h) The funding source.

Response: See GQ Attachment 17

18. Please list all pending lawsuits that name the agency as a party. Identify which cases on the list are lawsuits that potentially expose the District to significant financial liability or will result in a change in agency practices, and describe the current status of the litigation. Please provide the extent of each claim, regardless of its likelihood of success. For those identified, please include an explanation about the issues involved in each case.

Response:

<u>Case Name/Case Number</u>	<u>Case Description</u>	<u>Status</u>
<u>Shari Acosta v. DC</u> <u>1:20-CV-1189</u>	<u>Wrongful Termination and workplace retaliation in violation of the DC Human Rights Act</u>	<u>Pending. 2/13/21 District filed a motion to dismiss, or alternately a motion for summary judgment.</u>
<u>LaDonna May et al. v. Stanton View Dev., LLC, et al.</u> <u>2021 CA 000266 B</u>	<u>Breach of Contract and Breach of Warranty – DHCD provided HPTF funds to finance development of 46 homeownership units and provided HPAP/EAHP assistance to individual homebuyers.</u>	<u>Pending. Complaint filed on 2/1/21. OAG will file 12b(6) Motion to Dismiss. Scheduling Conference 4/30/21.</u>
<u>Jacqueline Robinson v. DC and Eden Teklebrhane</u> <u>2017 CA 003593 B</u>	<u>Wrongful Termination under the DCFMLA; DC Human Rights counts dismissed.</u>	<u>Pending. Pretrial held on 11/30/20. Trial scheduled on 4/18/22.</u>
<u>Tonya Butler-Trusedale v. DCHR and DHCD</u> <u>2020 CA 000450</u>	<u>Petition for Review of Agency Decision (Appeal of position classification)</u>	<u>Pending. 9/24/20 DCS Ct affirmed DCHR position classification decision. Plaintiff filed notice of appeal w/ DC Court of Appeals 9/30/20.</u>
<u>U.S. Bank, NA v. Sabrina Miller-Ford</u> <u>2019 CA 000152 R(RP)</u>	<u>Foreclosure action – DHCD has an affordable housing covenant on property</u>	<u>Pending.</u> <u>Status conference 4/1/21.</u>

<u>2750 14<sup>th</sup> St., NW</u>	<u>that is being foreclosed on by senior lender. OAG is litigating to preserve the covenant.</u>	
<u>Avedon USA LLC v. DC., et al.</u>  <u>2017 CA 005152 R(RP)</u>	<u>Mechanic's lien/fraud/breach of contract case involving the property located at 56<sup>th</sup> Place NE. DHCD has a second deed of trust on the property.</u>	<u>Pending.</u>  <u>Discovery ongoing. Pretrial 5/17/21.</u>

19. Please list all settlements entered into by the agency or by the District on behalf of the agency in FY20 or FY21, to date, and provide the parties' names, the amount of the settlement, and if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.)

Response:

<u>Parties' Names</u>	<u>Settlement Amount/Date</u>	<u>Case Name</u>	<u>Case Description</u>	<u>Settlement Justification</u>
<u>Pamela Johnson</u>	<u>\$75,000 (OAG Settlement and Judgment Fund)</u>  <u>May, 2020</u>	<u>Pamela Johnson v. District of Columbia</u>  <u>1:18-CV-00399</u>	<u>Age Discrimination lawsuit. Plaintiff alleged she was not selected for position because of her age.</u>	<u>OAG recommended settlement after the District's motion for summary judgment was denied.</u>

The agency has not entered into any settlements to date in FY 21.

20. Please list the administrative complaints or grievances that the agency received in FY20 and FY21, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances received. For any complaints or grievances that were resolved in FY20 or FY21, to date, describe the resolution.

Response: No administrative complaints or grievances were received in FY20 or FY21 to date.

21. Please describe the agency's procedures for investigating allegations of sexual harassment or misconduct committed by or against its employees. List and describe any allegations received by the agency in FY20 and FY21, to date, whether or not those allegations were resolved.

Response: DHCD follows the prescribed process contained in Mayor's Order 2017-313. In FY20 and FY21 to date the agency has not received any allegations of sexual harassment or misconduct committed by or against its employees.

**22. Please list and describe any ongoing investigations, audits, or reports on the agency or any employee of the agency, or any investigations, studies, audits, or reports on the agency or any employee of the agency that were completed during FY20 and FY21, to date.**

Response:

- HUD – FY19 HUD Monitoring Review and Report
  - DHCD received the final report in October of 2019; HUD deemed DHCD in compliance with all applicable HOME and CDBG program requirements after it conducted onsite monitoring
- OIG – Audit of District of Columbia's Affordable Housing Programs
  - Planned audit is currently ongoing and focused mainly on agency funding of housing units through HP'IF
- OCFO - FY20 Single Audit of Federal Awards Program
  - Annual citywide audit of federal funds-ongoing

**23. Please describe any spending pressures or any reimbursements pursuant to contract or other obligations where remitting reimbursement exceeded thirty (30) days the agency experienced in FY20 and any anticipated spending pressures for the remainder of FY21. Include a description of the pressure and the estimated amount. If the spending pressure was in FY20, describe how it was resolved, and if the spending pressure is in FY21, describe any proposed solutions.**

Response:

DHCD does not have any anticipated spending pressures in FY21, and did not experience any pressures in FY20.

In FY20, DHCD had 24 payments outside of the 30 day QPA timeframe, none of which were QPA eligible. There has been 1 payment in FY21 outside of the 30 day QPA timeframe, which was also not QPA eligible.

# PAYMENT OVER 30 DAYS REPORT

## DB0-DEPT. OF HOUSING AND COMM. DEVELOPMENT

Report Prompts

Fiscal Year: 2020  
 Beginning Date: Oct 1, 2019  
 End Date: Sep 30, 2020

### Payment Register

Payment Date	Payment Number	Vendor No	Vendor Name	Trans Amt
10/2/2019	001308821	1411951655103	AMERINATIONAL COMMUNITY SVC.	247,041.52
10/22/2019	006300254	1521587542200	DATAWATCH SYSTEMS	343.00
11/4/2019	006303540	1521152624001	UDC CASHIER'S OFFICE	94,834.44
11/18/2019	001314255	1521934645103	DC HOUSING AUTHORITY	99,999.76
11/29/2019	001315515	1264261549103	TAX CREDIT ASSET MANAGEMENT	219,615.58
12/2/2019	006309655	1952051630000	ARAMARK EDUCATIONAL SERV, LLC	7,727.75
12/6/2019	001316197	1530208981103	GREATER WASH. URBAN LEAGUE	13,501.23
12/6/2019	001316200	1300871816103	GLENN ARMS PRESERVATION	167,290.00
12/6/2019	006310442	1471636167000	BEACON CENTER HOUSING LLC	281,576.31
12/9/2019	001316266	1264261549103	TAX CREDIT ASSET MANAGEMENT	192,758.19
12/16/2019	001316876	1411951655103	AMERINATIONAL COMMUNITY SVC.	146,262.24
01/6/2020	001318842	1134236631103	SUPRETECH, INC.	8,033.63
01/8/2020	001319001	1521645512103	MIDTOWN PERSONNEL, INC.	4,156.55
01/10/2020	006316629	1475163544000	NORTH ARROW INC	2,108.47
01/14/2020	006317578	1371719803000	BLUEBAY OFFICE INC	277.11
01/22/2020	006319208	1473838493000	SB WORKS	12.55
02/28/2020	001324902	1521645512103	MIDTOWN PERSONNEL, INC.	2,172.80
03/2/2020	006327916	1521587542200	DATAWATCH SYSTEMS	343.00
04/7/2020	001329428	1530208981103	GREATER WASH. URBAN LEAGUE	90,471.73
06/3/2020	LO017369	1800292271103	LEONE TECH, LLC	63,833.00
09/8/2020	001344730	1411951655103	AMERINATIONAL COMMUNITY SVC.	164,847.46
<b>Total :</b>	<b>21</b>			<b>1,807,206.32</b>

<b>PAYMENT OVER 30 DAYS REPORT</b>				
<b>UZ0-HOUSING PRODUCTION TRUST FUND</b>				
			Report Prompts	
			Fiscal Year:	2020
			Beginning Date:	Oct 1, 2019
			End Date:	Sep 30, 2020
<b>Payment Register</b>				
Payment Date	Payment Number	Vendor No	Vendor Name	Trans Amt
11/29/2019	001315516	1811516764103	STANTON HOUSING LLC	9,338.70
12/10/2019	001316407	1412254617103	VETERANS CONTRACTOR ASSISTANCE	3,596.40
02/3/2020	006321761	1521544548000	CLARKSON SYSTEMS AND ANALYSES	800.00
<b>Total :</b>	<b>3</b>			<b>13,735.10</b>

<b>PAYMENT OVER 30 DAYS REPORT</b>				
<b>UZ0-HOUSING PRODUCTION TRUST FUND</b>				
			Report Prompts	
			Fiscal Year:	2021
			Beginning Date:	Oct 1, 2020
			End Date:	Dec 31, 2020
<b>Payment Register</b>				
Payment Date	Payment Number	Vendor No	Vendor Name	Trans Amt
10/19/2020	001350079	1821698583103	CAPITOL VISTA COMMUNITY P	1,966,134.71
<b>Total :</b>	<b>1</b>			<b>1,966,134.71</b>

24. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or contracted for during FY20 and FY21, to date. Please state the status and purpose of each. Please submit a hard copy to the Committee if the study, research paper, report, or analysis is complete.

Response: See GQ Attachments 24 (electronic)

25. Provide a list of all publications, brochures and pamphlets prepared by or for the agency during FY20 and FY21 to date.

Response: See GQ Attachments 25 (electronic)

26. Please provide a copy of the agency's FY20 performance plan. Please explain which performance plan objectives were completed in FY20 and whether they were completed on time and within budget. If they were not, please provide an explanation.

Response: See GQ Attachment 26.

**27. Please provide a copy of your agency's Strategic Plan for FY20 and FY21.**

Response: See GQ Attachments 26 & 29. DHCD does not have a separate Strategic Plan other than the required Performance Accountability Plan and Report (Plan and PAR) annually submitted to the Office of the City Administrator.

**28. Please provide the number of FOIA requests for FY20 and FY21, to date, that were submitted to your agency. Include the number granted, partially granted, denied, and pending. In addition, please provide the average response time, the estimated number of FTEs required to process requests, the estimated number of hours spent responding to these requests, and the cost of compliance.**

Response:

FOIA Requests for FY20

- Submitted – 125
- Granted in whole – 4
- Partially Granted – 48
- Denied – 1
- Request pending as of Start of Fiscal Year – 8
- Average response time – 36.9 days to process
- FTEs – 3
- Estimated number of hours – 45
- Cost of compliance - \$1, 675.00

FOIA Requests for FY21 to date

- Submitted – 68
- Granted in whole – 4
- Partially Granted – 27
- Denied – 3
- Request pending as of Start of Fiscal Year– 26
- Average response time – 5.5 days to process
- FTEs – 3
- Estimated number of hours –19
- Cost of compliance - \$726

**29. Please provide a copy of your agency's FY21 performance plan as submitted to the Office of the City Administrator and any accomplishments pursuant to that plan.**

Response: See GQ Attachment 29.

**30. Please separately list each employee whose salary was \$100,000 or more in FY20 and FY21, to date. Provide the name, position number, position title, program, activity, salary, and fringe. In addition, state the amount of any overtime or bonus pay received by each employee on the list.**

Response: See GQ Attachment 30

**31. Please list in descending order the top 25 overtime earners in your agency in FY20 and FY21, to date. For each, state the employee's name, position number, position title, program, activity, salary, fringe, and the aggregate amount of overtime pay earned.**

Response: See GQ Attachment 31

**32. For FY20 and FY21, to date, please provide a list of employee bonuses or special pay granted that identifies the employee receiving the bonus or special pay, the amount received, and the reason for the bonus or special pay.**

Response: One award in the category was made during the time period. Washi Wali retired from the agency after 33 years of services and was granted a retirement award in December of 2019 in the amount of \$25,000.

**33. Please provide each collective bargaining agreement that is currently in effect for agency employees. Please include the bargaining unit and the duration of each agreement. Please note if the agency is currently in bargaining and its anticipated completion.**

Response: Contracts are negotiated on behalf of DHCD by OLRCB. There are two AFGE locals that represent DHCD employees: AFGE Local 1403 and AFGE Local 2725.

The AFGE 1403 is current and in effect through 2020. AFGE 2725 is part of the AFGE master contract. The AFGE Master CBA rolls over each year and remains in full force and effect until a new contract is negotiated. Negotiations for the AFGE master contract are pending.

See GQ Attachments 33a and 33b

**34. If there are any boards or commissions associated with your agency, please provide a chart listing the names, confirmation dates, terms, wards of residence, and attendance of each member. Include any vacancies. Please also attach agendas and minutes of each board or commission meeting in FY20 or FY21, to date, if minutes were prepared, or the explanation why minutes were not prepared to not available. Please inform the Committee if the board or commission did not convene during any month.**

Response: See GQ Attachments 34 (electronic)

The Housing Production Trust Fund Board does not yet have minutes for meetings in January or February of 2021 because they have not been adopted by the Board. The Condominium Association Advisory Council has never met because it does not have an established quorum.

**35. Please list all reports or reporting currently required of the agency in the District of Columbia Code or Municipal Regulations. Provide a description of whether the agency is in compliance with each requirement, and if not, why not (e.g. the purpose behind the requirement is moot, etc.).**

Response:

1. Inclusionary Zoning Annual Report – The most recent report published is for FY19. The Annual Report for FY20 will be published in the second quarter of calendar year 2021.
2. Housing Production Trust Fund Annual Report – The most recent report published is for FY15. The completion of subsequent reports awaited the conclusion of current audits. The FY 16 audit is complete and final reporting will be made this spring. The FY17, FY18, FY19, and FY20 reports will be completed after the audits for each of those years is completed. DHCD expects the completed financial audits for FY17-19 in the next several weeks, and will then begin the process of soliciting an auditor to complete FY20. Long term, the agency is interested in exploring ways that we can include the annual audits as a part of the CAFR audit conducted by the Office of the Inspector General. The Mayor has introduced legislation entitled the Housing Production Trust Fund Income Targeting Accountability Act of 2019 to better align the reporting with accounting practices of the agency and reflect the goals and achievements of a current administration’s priorities.
3. Housing Production Trust Fund Quarterly Reports – The most recent report is from the fourth quarter of FY20. The first quarter report for FY21 will be published in the spring.
4. Unified Fund Report – The report for FY18, FY19 and FY20 will be submitted to the Council in the second quarter of calendar year 2021.

**36. Please provide a list of any training or continuing education opportunities made available to agency employees. For each additional training or continuing education program, please provide the subject of the training, the number of agency employees that were trained, the names of the trainers, and the total cost of each, if a procurement was made, the name of the contractor and the basis for the non-competitive award, if applicable.**

Response: See GQ Attachment 36

**37. Does the agency conduct annual performance evaluations of all its employees? Who conducts such evaluations? What steps are taken to ensure that all agency employees are meeting individual job requirements?**

Response: Yes, DHCD employees (excluding OCFO and attorney staff) are evaluated by their appropriate supervisor. Evaluations are then routed to Division Heads and relevant reporting Senior Staff. As a matter of course, the performance evaluation period for all covered employees begins at the start of each fiscal year (October 1st) to the end of the fiscal year (September 30th). Supervisors, the agency head, or agency head designees are responsible for reviewing and approving the annual performance evaluation completed by a rating official. An overall performance rating is a culmination of the ratings assigned to each performance expectation. The overall performance rating indicates the level of an employee’s actual performance of assigned competencies and S.M.A.R.T Goals during the performance management period.

The process for evaluating agency attorneys is set forth in Chapter 36 (Legal Service) of the District Personnel Manual (DPM) and includes coordination between each agency, the Mayor’s Office of Legal Counsel (MOLC) and the Department of Human Resources (DCHR). The agency General Counsel conducts the performance review for all agency staff attorneys beginning on September 1st of each year.

Racial Equity Questions

**1. In the context of your agency and its mission, what are three areas, programs, or initiatives where you see the most opportunity to address racial inequity?**

Response: Through a continued focus on implementing the affordable housing distribution in the District as recommended by the Housing Framework for Equity and Growth Initiative. DHCD and its sister housing agencies (lead by DMPED) continue to advance racial equity through our affordable housing work. Mayor Bowser's Department of Health 2018 Health Equity Report shows that where residents can afford to live affects their quality of life, life expectancy, and economic outcomes. The Housing Equity Report – and other recent analyses of the District's demographics documents how the District's predominately Black communities face housing inequities- like more significant housing cost burdens and lower homeownership rate. This report established production targets for every District planning area based on what is necessary to achieve an equitable distribution of affordable housing citywide. By pursuing these targets, we are working to eliminate the legacy of racially discriminatory housing policies and practices that led to affordable housing concentrations that exist today and ensure equitable access to all neighborhoods for residents of color. By growing the District's supply of affordable housing and housing overall (the objective of Mayor Bowser's 36,000 by 2025 goals), we will lower housing cost burdens, which fall most severely on people of color. Increasing BIPOC homeownership opportunities through programs like HPAP is a crucial tool in advancing racial equity and reducing the racial wealth gap. Also, offering and expanding access to quality free housing counseling options is key to helping communities of color gain awareness of and successfully access the full range of available, affordable housing options. In FY2020, the District formalized its partnership with the Metropolitan Council of Governments (MWCOG) and entered into an Intergovernmental Agreement to complete a regional Analysis of Impediments with surrounding jurisdictions in Virginia and Maryland to coincide with the deadline for submitting the Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD). The District will continue to meet its obligation and (1) complete a citywide analysis of impediments to Fair Housing Choice; (2) take appropriate actions to overcome the effect of any impediment found and (3) maintain records of the analysis and actions taken to remedy the impediments. Lastly, federal funding assistance is directed District-wide to areas that are 80 percent or below the AMI defined by the U.S. Department of Housing and Urban Development (HUD). The District targets neighborhood investments that affirmatively further fair housing choice across the City, including residential programming, thus increasing the integration of neighborhoods racially, ethnically, and economically.

**2. Do you think there are any areas/programs where your department has had some success in building racial equity over the past year? Which areas/programs?**

Response: The agency has stood up a number of programs providing financial support to tenants and property owners impacted by the COVID-Pandemic. This support has been vital to the District's low-income residents directly affected by unemployment rates due to the pandemic. Our emergency rental assistance programs created in response to the public health emergency have prioritized small landlords in two of the three executed programs. The creation of these programs was critical for our agency as many BIPOC residents live in small buildings that are often naturally occurring affordable housing. This includes the following programs:

- Tenant Based Rental Assistance (TBRA) program – targeted at buildings with 50 units or less
- Small Housing Provider Program (SHPP) – targeted building owners with 20 units or less.

- DC East of the River Small Business Economic Relief Microgrant Program for Wards 7 and 8-a a targeted COVID-19 relief program that provided up to \$800,000 for small businesses in Wards 7 and 8.
- DHCD continues to prioritize non-housing neighborhood investments in Racial/Ethnic Concentrated Areas of Poverty. DHCD strives to produce affordable-housing opportunities and targeted neighborhood investments that increase racial and ethnic diversity through the Development Finance Division (DFD) consolidated Notice of Funding Availability (NOFA).

**3. Consider the demographic data your department collects, tracks, and evaluates as (A) part of its operations and (B) as part of its performance plan:**

**a. Do you collect information on race and geographic area? If not, why not?**

Response: Yes, DCHD collects geographic and race data to the extent permitted by data privacy and personal information protection laws. While the law prohibits us from requiring persons to submit data pertaining to race, ethnicity, or gender, generally accepted data collection standards recommend that personal information is voluntarily provided and is depersonalized and anonymized to protect respondents' identity. Residents accessing all of our application-based programs are asked to submit this information. Other agency programs that work with developers, housing providers, and other business concerns all require geographic data collection.

**4. What legal barriers (if any) do you face as an agency to advancing racial equity or better understanding racial inequity?**

Response: The law prohibits us from requiring persons to submit data pertaining to race, ethnicity, or gender, although federal program requirements may require the agency to ask these questions. Most of DHCD's programs are funded with a mix of local and federal funding sources. In these cases, we are required to adhere to federal and local standards as we approach serving underserved communities. In most instances, program eligibility includes determining factors such as census tracts comprised of residents whose income is considered low and moderate, neighborhoods or areas designated as blighted, and other HUD-eligible activities.

**5. In your proposed FY22 budget, are there specific programs or allocations that are specifically designed to address racial or economic inequities faced by District residents? In detail, please describe how these efforts address those inequities.**

DHCD will deploy funding opportunities in FY22 with a focus on the implementation of the affordable housing distribution in the District as recommended by the Housing Framework for Equity and Growth Initiative. As noted above, this report set production targets for every planning area of the City based on what is necessary to achieve an equitable distribution citywide. By pursuing these targets, we are working to eliminate the legacy of racially discriminatory housing policies and practices that led to affordable housing concentrations that exist today and ensure equitable access to all neighborhoods for residents of color.

DHCD will also look to model the Equity RFP recently developed by DMPED; this will expand on the agency's current practice to set aside for CBE firms all of its "turn-key" housing rehabilitation and development of vacant and blighted properties within the PADD divisions.

6. **Consider one operational data point and one performance data point where you collect race information or could collect race information. How could your department use this data to inform future programmatic decisions?**

Response: By improving data collection through our CBO grantees, the agency will better understand the impact our programs are having on residents in specific demographic groups and would, in turn, impact how we make programmatic, policy, and funding decisions.

7. **What are two areas/programs where your department has significant potential to succeed in building racial equity? Please elaborate on why you chose those areas.**

Response: Please see the previous responses to questions 1 and 5 above.

8. **Consider what a racially equitable District of Columbia would look like, and please describe. What are ways your agency's operations would reflect this achievement?**

Implementation of the Housing Framework for Equity and Growth Initiative recommendations-with a particular focus on furthering the Mayor's vision towards building affordable housing west of Rock Creek Park and in the other planning areas that have not historically had an equitable amount of affordable units. DHCD agency already explicitly provides preferences for affordable housing projects in these planning areas; seeing these units delivered and having low and moderate residents access parts of the City they have been traditionally unable to live in would reflect this achievement.

9. **What are three metrics that your agency could use to measure progress toward racial equity? These could be metrics you currently track or new metrics. (Examples include: licenses or permits issued/denied, professional development or advancement opportunities granted/denied, fine or fee enforcement/forgiveness, etc.,-all by race and/or geographic areas).**

Response:

- The number of affordable housing units created and/or preserved.
- Homeownership rate increase.
- Targeted RFPs for BIPOC developers.

### Agency-Specific Questions

#### **Housing Development Pipeline**

1. **Please provide the following in an Excel spreadsheet:**
- **List of all DHCD projects that closed in FY20 and in FY21, to date; and**
  - **List of all DHCD funded projects that came online in FY19, FY20, and FY21 to date, the addresses of these projects by Ward, and the number of units in each of these projects by AMI level.**

Response: See ASQ Attachments 1a and 1b.

2. **On an Excel spreadsheet, please provide the following information regarding 9% LIHTC projects awarded for FY19, FY20, and FY21 to date:**
- Name of the awardee;
  - Name of all the legal entities comprising the awardee;
  - Name of each individual and/or principal of the entity;
  - Name and location of project;
  - Date of award;
  - Description of project; and
  - Project timeline.

Response: See ASQ Attachment 2.

3. **On an Excel spreadsheet, please provide the following information regarding 4% LIHTC projects awarded for FY19, FY20, and FY21 to date:**
- Name of the awardee;
  - Name of all the legal entities comprising the awardee;
  - Name of each individual and/or principal of the entity;
  - Name and location of project;
  - Date of award;
  - Description of project; and
  - Project timeline.

Response: See ASQ Attachment 3. Per DHCD's MOU with DCHFA, DCHFA is responsible for the selection and underwriting of 4% LIHTC/Tax-Exempt Bond-financed projects. Therefore, DHCD has only included 4% LIHTC projects that were awarded other competitive gap financing through DHCD's consolidated RFP process (e.g. HPTF).

#### **Federal Funding (CDBG/HOME/LIHTC/CARES Act)**

4. **What are the current fiscal year uses for Community Development Block Grant (CDBG) funds?**

Response: DHCD used its CDBG funding in FY 2020 for activities that revitalized neighborhoods, promoted economic development, housing opportunities, improved community facilities, and serviced low-moderate income communities as outlined in DHCD's FY 2020 Action Plan. CDBG funds are the District's most flexible federal resource and can be used for housing projects and non-housing community development activities. (Specific projects funded in FY 2020 included), down payment assistance through the Home Purchase Assistance Program (HPAP), housing counseling, small business technical assistance, storefront façade improvements through the Neighborhood Based Activities Program (NBAP), and CDBG funded COVID-19 small business relief program).

5. **Please describe how CDBG funds will be used in FY21, and what changes are being considered for the CDBG funds.**

Response: DHCD will use its current CDBG funding in FY2021 as stated in the District's annual FY2021 Action Plan as stated in the AP38 Project Summary (to view the Action Plan submitted to HUD, see FY 2021 Annual Action Plan). Some of the activities are described below:

- We provide housing counseling services, small business technical assistance, and façade improvements utilizing DHCD’s community-based partners.
- Home Purchase Assistance Program- Continued funding of the HPAP program using both HOME and CDBG utilizing two administrators to help individuals and families become homeowners in the District.

**6. What funds will be available from CDBG in the 2021 Notice of Funding Availability?**

Response: At this time, DHCD cannot estimate the amount of available funding because we have not prepared the Annual Action Plan for future Fiscal Years beyond FY21. CDBG appropriations have remained consistent for the last three years, and DHCD’s uses are consistent.

**7. Please list the FY20 CDBG recipients and any FY21 CDBG recipients, to date, if applicable.**

Response: See ASQ Attachment 7.

**8. How much of the \$2 million from the U.S. Department of Housing and Urban Development’s (HUD) Community Development Block Grant-COVID 19 (CDBG-CV) has been spent by DHCD?**

Response: In total, the District has received \$16,752,216 in CDBG-CV funding. To date, a total of \$10,747,815 has been committed, of which \$3,089,280 has been expended.

**9. On an Excel spreadsheet, please provide the following information regarding each CDBG-CV recipient to date:**

- **Organization name;**
- **Dollar amount awarded;**
- **Date of award;**
- **Brief summary of what work the organization is engaged in (Ex: Housing Provider)**
- **Address of organization; and**
- **Ward in which organization is located.**

Response: See ASQ Attachment 9.

**10. Please describe how Home Investment Partnerships Program (HOME) funds are being used in FY21, and what changes are being considered for HOME funds.**

Response: As noted in the FY2021 Annual Action Plan, DHCD will use its current HOME funding to finance the rehabilitation and construction of multifamily affordable rental housing and provide homeownership opportunities. Of note, for FY2020, DHCD launched a HOME-funded Tenant-Based Rental Assistance (TBRA) program to address the COVID-19 pandemic.

**11. What funds will be available from HOME in the 2021 Notice of Funding Availability (NOFA)?**

Response: DHCD continues to use HOME funding per the Annual Action Plan submitted to HUD. DHCD cannot estimate the amount of funding available because we have not prepared the Annual Action Plan for future Fiscal Years beyond FY21. DHCD continues to use HOME funds to preserve and expand the affordable housing stock, increase homeownership through using HOME funds for HPAP, and supporting CHDOs.

**12. What are DHCD’s plans for using HOME funds as operating funds for Community Housing Development Organizations (CHDOs)? Please describe how CHDOs have used that funding.**

Response: CHDO Operating funds remain available for a qualified CHDO with a CHDO project eligible for an operating grant. DHCD will continue to support CHDOs and provide Operating Assistance if requested and based upon the pipeline of eligible CHDO projects presented to the agency. In FY 2020, Jubilee Housing Inc. received \$100,000.00 in CHDO Operating Funds supporting the HOME funded Maycroft Project completed in FY2019.

**13. Have there been any changes to the District’s Qualified Allocation Plan (QAP) and the use of tax credits?**

Response: The District last updated its Qualified Allocation Plan (QAP) in June 2019. One of the key changes in the 2019 update was the inclusion of the average income minimum set aside election. DHCD plans to update the QAP in FY21.

**14. In November 2020, the District received \$10 million in Housing Stabilization Grants as part of federal government’s Coronavirus Aid, Relief, and Economic Security (CARES) Act.**

- **How much of the \$10 million has been spent to date?**

Response: DHCD received \$2,533,933.75 of CARES Act funding to provide targeted rental housing programs, of which \$2,533,733 has been spent to date through a sub-grant to a CDFI. The remaining funds were provided to DCHFA to support projects supported with District funding.

- **How much has gone to Small Housing Providers to date?**

Response: The program closed Jan. 29th, 2021 and provided approved landlords with \$2,076,725.63 which has been disbursed to Small Housing Providers to date.

- **What plans are in place to spend the remaining funds that have not yet been spent?**

Response: A total of \$275,007.37 remains and is being returned to the District.

**15. In January of 2021, it was announced that the District would receive \$200 million from HUD for rental assistance.**

- **What is the source of this \$200 million from HUD?**

Response: The likely source of funds in question is Title II, Section 201 the Consolidated Appropriations Act, 2021, at p. 2451. These funds are being administered at the federal level by the US Department of the Treasury.

- **How much of this money will be used and administered by DHCD or an organization selected by DHCD?**

Response: At this time, the spending plan for the funding has not been finalized and there remain some programmatic questions. While the US Department of the Treasury updated its guidance for the program in the form of a revised Frequently Asked Question document on February 22, 2021, at that time it stated that it “continues to work with stakeholders to provide additional guidance and technical assistance, which will

be forthcoming.” As a result, the spending will be subject to additional iterations as necessitated by the emerging guidance.

- **When will a plan to spend and allocate these funds be finalized?**

Response: We expect an announcement to be made in March, in coordination with the release of the Mayor’s FY2022 Budget.

- **Has DHCD come to a decision as to how this money will be spent?**

Response: As noted above the funds are being allocated to the District and the spending plan for these funds is being determined by the Executive Office of the Mayor.

- **On January 29, 2021, the Mayor formed the “Saving DC’s Rental Housing Strike Force to take on the affordable housing crisis in the District. Will this Strike Force provide their input on how to best use these funds?**

Response: The charges of the Strike Force were laid out in Mayors Order 2020-129. Providing input on the use of the federal corona virus relief funds or any other federally-funded emergency rental assistance is not a charge of the “Saving DC’s Rental Housing Strike Force.

#### COVID-19 Housing Assistance Program (CHAP)

16. Please provide the statistics for the pool of CHAP recipients, broken down by the following categories (If applicable, provide both the mean and median of a variable):

- Age
- Gender
- Ethnicity
- Household size
- Income

Response: See chart below.

Age	# of Recipients	Female Head of Household	# of Recipients	Race/ Ethnicity	# of Recipients	Household Size	# of Recipients	Income Level	# of Recipients
20-29	118	Yes	312	Asian	4	1	137	0 - 30%	240
30-39	193	No	162	Black/ African American	393	2	69	31- 50%	40
40-49	100	Blank	68	Declined to Answer	21	3	39	51 -60%	7
50-59	78			Hispanic/ Latino	35	4	30	61 -80%	5
60+	41			Multiracial	2	5	9	Unknow n	250
unkno wn	12			Other	42	6	4		

				White	13	7	2		
				Unknown	32	Unknown	252		

**17. Please list each nonprofit that DHCD has partnered with as part of CHAP.**

Response: DHCD partnered with three of our existing CBO partners:

- [Greater Washington Urban League \(GWUL\)](#)
- [Housing Counseling Services \(HCS\)](#)
- [United Planning Organization \(UPO\)](#)

**18. How much of the \$6.2 million budgeted for CHAP has been spent to date?**

Response: \$1.6 million of the CHAP budget has been spent to date.

**19. How many individuals have been served by CHAP to date?**

Response: 448 households have been served by CHAP to date.

**20. How many individuals have been served by CHAP in each Ward?**

Response: See chart below.

Ward	Number
1	16
2	12
3	8
4	27
5	35
6	22
7	51
8	117
Unknown	254

**Tenant Opportunity to Purchase Act (TOPA)**

**21. For FY19, FY20 and FY21, what participation was provided by your agency for each TOPA building completed or in process? Identify each developer for each building and the names of the individuals who are the principals for each entity of the developer.**

Response: In FY19, the 5912 Missouri Avenue Tenants Association, Inc (now 5912 Missouri Cooperative Association) accessed DHCD financing to complete the purchase of their 22-unit property. Maria Alvarez is the president of this organization and the development consultant is Redevelopment Housing Advisors.

No TOPA acquisition projects utilized DHCD financing to complete TOPA purchases in FY20 or FY21 to date. While no TOPA acquisition projects are currently in DHCD's direct pipeline for acquisition financing, several completed TOPA acquisition projects are in DHCD's current pipeline for rehabilitation financing. In addition, the Housing Preservation Fund has been utilized to support TOPA acquisition projects, per response to question 119.

**22. How many buildings completed a TOPA purchase in FY19, FY20 and FY21 to date?**

Response: The Tenant Opportunity to Purchase Act provides tenants with the opportunity to purchase their housing accommodation should their housing provider decided to sell the property. The Act creates a bundle of rights for all parties involved in the intended sell of rental housing and tenants have a right to choose a number of outcomes related to their opportunity to purchase. Tenants may organize to purchase the housing accommodation and maintain the property as rental housing or convert the property to a condominium or cooperative. Tenants may assign their right to purchase to a third-party assignee, for consideration deemed appropriate by the tenants, who then purchases the property. Tenants may also decide against exercising any rights under TOPA and waive their right to purchase or otherwise assign their rights. Any of the aforementioned outcomes would result in the completion of the TOPA process.

The Act does not require tenants or the housing provider to inform DHCD of the outcome of a given sale of rental housing involving TOPA. The Rental Conversion and Sale Division is required by the Act to serve as the repository for TOPA documents submitted to tenants and requires tenants to register with DHCD should they choose to exercise their rights. In FY 19, the Division received 61 tenant association registrations and notices from tenants expressing their intent to exercise their TOPA rights out of the 100 TOPA notices received by the Division for properties with (5) or more rental units. In FY 20, the Division received 67 tenant association registrations and notices from tenants expressing their intent to exercise their TOPA rights out of the 97 TOPA notices received by the Division for properties with (5) or more rental units. Based on the above data, most tenants do exercise their rights under TOPA but the outcomes of the process vary.

See response above – 5912 Missouri Avenue Tenants Association, Inc in FY19

**23. How many buildings began the TOPA process in FY19, FY20 and FY21 to date, but have yet to complete the purchase?**

Response: The Act does not require tenants or the housing provider to inform DHCD of the outcome of a given sale of rental housing involving TOPA. The Rental Conversion and Sale Division is required by the Act to serve as the repository for TOPA documents submitted to tenants and requires tenants to register with DHCD should they choose to exercise their rights. In FY 19, the Division received 61 tenant association registrations notices from tenants expressing their intent to exercise their TOPA rights out of the 100 TOPA notices received by the Division for properties with (5) or more rental units. In FY 20, the Division received 67 tenant association registrations and notices from tenants expressing their intent to exercise their TOPA rights out of the 97 TOPA notices received by the Division for properties with (5) or

more rental units. Based on the above data, most tenants do exercise their rights under TOPA but the outcomes of the process vary.

See response above – 5912 Missouri Avenue Tenants Association, Inc in FY19

**24. Please describe any issues/problems that have come to your attention regarding the implementation of TOPA or apparent attempts by housing providers to circumvent TOPA.**

Response: TOPA creates a valuable opportunity for tenants who choose to exercise their rights. The Act intends to create a transparent and uniform process for tenants to exercise their rights. Tenants are given broad authority to determine which course of action to take when they have this opportunity to purchase. DHCD partners with CBOs and the Office of the Tenant Advocate to provide technical assistance such as establishing tenant associations, completing forms and counseling regarding their legal rights under TOPA. However, tenants may assign their rights or act in any lawful manner they deem appropriate in the TOPA process.

The housing provider is required to act in good faith throughout the TOPA process and the Act prohibits such practices as avoiding providing tenants notices, making an offer of sale which is not bona fide, withholding information about the property which would allow tenants to make informed decisions such as; providing rent rolls, financial expenditures related to maintenance and floor plans. The Act also prohibits the seller from creating a bidding war between the tenants and a third-party by not allowing the seller to offer the property at a price higher than one offered to a third-party or a price or terms different than what is listed on TOPA notices filed with DHCD.

The Act does not limit or provide specific guidance on how those parties negotiate or engage with each other beyond the requirement to act in good faith. In some instances, tenants have alleged that they were misled into signing contractual agreements or taking a particular course of action by the housing provider/seller or a third-party. DHCD strongly advises tenants to never sign contracts or make agreements without first seeking out legal counsel because the Act does not grant DHCD the authority to review, cancel or modify any contracts or other private agreements related to any TOPA transactions.

TOPA transactions often involve highly sought after real estate opportunities and this can create a frenzy of activity which may be confusing for some tenants who lack knowledge or experience with real estate transactions. Some tenants have expressed grievances and filed complaints with DHCD related to the actions of housing providers/sellers, potential third-party purchasers and the elected representatives of their tenant associations. Under the Act, DHCD has limited authority to resolve disputes and may make declaratory judgements about compliance with TOPA but in many instances tenants must seek out legal counsel and file a civil cause of action to address contractual issues that arise from the sale of property such as breach of contract of an assignment of rights agreement or corporate governance issues related to the alleged mismanagement of a tenant association. DHCD relies on CBO partners to inform tenants of their rights, because of their non-profit status, these organizations can counsel tenants without any conflicts of interest while focusing on the best interest of the tenants.

**25. Given the aggressive climate in which the District currently operates to fulfill Mayor Bowser's recent mandate of creating 36,000 new housing units by 2025, has the agency given thought to**

**reporting quarterly on the total number, size by bedroom type, location, and DC dollars devoted to TOPA deals?**

Response: The District of Columbia does assist projects where tenants have exercised their TOPA rights through its funding mechanisms such as the Housing Production Trust Fund and its federal block grant funding. Organizations that receive DHCD funding such as our DC Housing Preservation Fund Managers and Community Based Organizations also assist properties undergoing a TOPA transfer with financial and technical assistance. The data from these activities can be made available.

**26. Please describe the effect that tolling of all tenant deadlines has had on the TOPA process.**

Response: The COVID-19 Response Emergency Amendment Act of 2020 extended all deadlines for tenants to exercise their rights under the Tenant Opportunity to Purchase Act to a date 30 days following the end of the public health state of emergency. The Tenant Opportunity to Purchase act outlines the process by which tenants may exercise their right to purchase, which includes in many instances holding meetings, forming tenant associations, obtaining financing and engaging in activities outside of their homes which are high risk activities for vulnerable individuals during the pandemic.

The tolling of all tenant deadlines has provided tenants with the flexibility to mitigate their risks and assess how best to assert their rights under TOPA without the added pressure of statutory timelines which may be unreasonable due to the current economic and public health conditions. The tolling of tenant timelines has in some instances added additional time in which a housing provider may sell a property and some have been frustrated by delayed plans to sell properties but this emergency provision has not barred any TOPA transactions from advancing. Some housing providers who wish to sell have likely chosen to delay plans to sell until the public health emergency has ended and this is evidenced by a decline in TOPA filings in FY 20. DHCD's CBO partners have continued to engage with tenants and provide technical assistance with the TOPA process via zoom meetings and when possible have even conducted meetings in person, mostly in outdoor settings when permitted by weather. Many tenants have exercised their rights under TOPA despite the challenges presented by the public health emergency whether by assigning their rights or completing the purchase of the property, but each tenant/tenant association has been giving the ability to make their own decision about whether and when they will exercise their rights because of the flexibility this emergency provision has provided.

**District Opportunity to Purchase Act (DOPA)**

**27. Explain how DOPA is used towards the implementation of Mayor Bowser's goal creating 36,000 new housing units by 2025.**

Response: DOPA is a preservation tool and of the 36k Mayoral housing goal, about 6k is the goal towards preservation. As such, DOPA is meant to assist the Mayor in reaching her goal particularly in saving properties being offered for sale that are currently naturally affordable and could be lost and converted to a fair market unit.

**28. The District Opportunity to Purchase Act of 2008 allowed the Mayor to have the opportunity to purchase housing accommodations, subordinate to tenants' rights, for certain low-income housing accommodations. Please detail the process of purchasing a property under DOPA.**

Response: The following are the steps involved in purchasing a property under DOPA.

1. Every multifamily property with 5 or more units needs to provide a DOPA notice along with their TOPA notice when offered for sale.
2. The District reviews each property for eligibility.
3. The District is given 30 days to submit a statement of interest for the property.
4. For properties where interest has been expressed, the District then issues an RFP to its selected pre-qualified developers on the property.
5. The District then waits for the TOPA timeframe to end.
6. If the tenants do not exercise their TOPA rights, then the District can proceed with assign its rights to a prequalified developer from those that responded to the RFP.
7. If there were responses to the RFP, the District would select one and proceed with assigning its rights.
8. The developer then has to move towards acquiring the property.

**29. What obstacles are there to DHCD beginning to implement DOPA purchases?**

Response:

Though the DOPA program has been operational since November 2018 the District has yet to complete a DOPA purchase. It is important to recognize that statutorily DOPA is designed to serve as a backstop to TOPA and it subordinate to the TOPA process. A purchase can only occur in the DOPA program in cases where:

- the Mayor determines at the start of the TOPA process that an opportunity for needed affordable housing exists in a DOPA eligible property being offered for sale, namely one with 5 or more units where at least a quarter of the units are renting at prices affordable to a household earning no more than 50% of the median family income, and writes a statement of interest;
- the tenants do not successfully exercise their TOPA rights, and
- an interested third-party developer prepares a successful proposal and purchase the property as the Mayor’s assignee.

Since the program was implemented in November 2018 and to-date DHCD has sent 13 DOPA written statements of interest to DOPA eligible properties and has published requests for proposals in 13 of these cases. In 9 of these cases, there was not DOPA purchase because the tenants pursued their TOPA rights. In the remaining 4 cases, there were no responses to the DOPA requests for proposals.

As a result, DHCD has investigated if there were any changes it could make to the DOPA program to make more effective, to either be more successful in purchasing the currently eligible properties that do not complete a TOPA transfer or to expand the program to additional properties . A number legislative changes suggested by this review were proposed in the form of B23-0136 – District’s Opportunity to Purchase Amendment Act of 2019, and we continue to work with the Housing and Executive Administration committee to improve and pass this legislation.

**30. How many applications has DHCD received for DOPA since the rollout of the program?**

Response: The District has received 87 DOPA notices since the rollout of the program.

**31. When does DHCD expect to make its first DOPA building purchase?**

Response: The ability to purchase is contingent on interest from the pre-qualified developers. The proposed changes to DOPA that DHCD is recommending through B23-0136 would help to increase the flexibility for developers to make the financing work and as such, increase interest in properties to acquire.

**32. How would a bill mirroring or similar to B23-0136 – District’s Opportunity to Purchase Amendment Act of 2019 allow DOPA to be better utilized?**

Response: As discussed in the previous question, B23-0136 addressed some of the most obvious difficulties that have been identified in the DOPA statute. It would make the following improvements:

- 1) Matches the DOPA eligibility requirements with a wider range of available District affordable housing financing tools.
- 2) Untangles and clarifies the statutes requirements for how rents are set and current tenants are protected when a DOPA transfer occurs.
- 3) Clarifies the treatment of vacant units in the property.
- 4) Requires a successful developer to submit an affordability plan to the District to guide the transition and ongoing operation of the property to ensure existing affordable housing is preserved and additional affordable housing is provided as a result of the DOPA transfer. This plan would be supported by the covenant filed at the transfer of the property and would limit rents in the property to an average 60% of median family income.

Thus, the bill both removes a number of frictions in the current statute that limit developer interest in the DOPA eligible properties and it expands the properties eligible to be purchased by the program. DHCD is confident these changes will make the DOPA program successful in cases where affordable housing opportunities are available after the TOPA process is complete.

**Home Purchase Assistance Program (HPAP)**

**33. Who is the current administrator(s) of the program and what is the current division of labor?**

Response: The two administrators are listed below. Both administrators assist low-moderate income applicant households with down-payment and closing cost assistance from DHCD. The Greater Washington Urban League is the sole administrator underwriting applications for the Employer-Assisted Housing Program and the First Responders.

Greater Washington Urban League  
2901 14th Street NW  
Washington, DC 20009

DC Housing Finance Agency  
815 Florida Avenue NW  
Washington, DC 20001

**34. Please provide the number of applications, closings, the funds distributed, and average purchase price for the HPAP program for FY20 and FY21 to date.**

FY 2020 Applications and Closings

Applications		Total
	GWUL	153
	DCHFA	716
Total		869
Closings		
	GWUL	* 143
	DCHFA	221
Total		364

Funds Distributed: \$20,815,452.05

Average Purchase Price: \$373,988

\*Includes 111 EAHP/HPAP Combo Loans

**FY 2021 Applications and Closings**

Applications		Total
	GWUL	102
	DCHFA	
Total		
Closings		
	GWUL	* 50
	DCHFA	
Total		

Funds Distributed: \$20,815,452.05

Average Purchase Price: \$373,988

\*Includes 111 EAHP/HPAP Combo Loans

**35. Please provide the statistics for the pool of HPAP recipients, broken down by the following categories (If applicable, provide both the mean and median of a variable):**

- Age
- Gender
- Ethnicity
- Household size
- Income

Response:

**FY20**

<b>AGE</b>	18-25	26-33	34-42	43-51	52 and above
	23	133	82	40	32

<b>GENDER</b>	18-25	26-33	34-42	43-51	52 and above
<b>M</b>	12	39	31	29	9
<b>F</b>	16	74	51	27	22

<b>ETHNICITY</b>	BLK	W	A	O
	242	54	6	8

<b>HOUSEHOLD SIZE</b>	1	2	3	4	5 or more
	154	74	42	27	13

<b>INCOME</b>	Up to 50% AMI	51-80% AMI	81-110% AMI
	46	217	47

The data consists of 310 HPAP loans of which 111 also received EAHP assistance

**Definitions:**

<b>GENDER</b>	BLK = Black
	W = White
	O = Other
	A = Asian

**FY21**

<b>AGE</b>	18-25	26-33	34-42	43-51	52 and above
	15	45	31	5	8

<b>GENDER</b>	18-25	26-33	34-42	43-51	52 and above
<b>M</b>	4	18	5	2	2
<b>F</b>	10	39	17	2	5

<b>ETHNICITY</b>	BLK	W	A	O
	70	20	8	6

<b>HOUSEHOLD SIZE</b>	1	2	3	4	5 or more
	65	14	17	5	3

<b>INCOME</b>	Up to 50% AMI	51-80% AMI	81-110% AMI
	10	62	32

Total HPAP loans = 104 in which 84 DC Government Employees also received EAHP

**Definitions:**

<b>GENDER</b>	BLK = Black
	W = White
	O = Other
	A = Asian

**36. What is the breakdown of purchases by home prices and by Ward from HPAP recipients for FY20 and FY21 to date?**

Response:

**FY20**

Ward	Number of Loans	Average Sales Price
1	13	\$368,762
2	3	\$319,450

3	8	\$326,000
4	21	\$316,041
5	36	\$286,484
6	14	\$281,589
7	127	\$386,241
8	88	\$336,365

**FY21**

Ward	Number of Loans	Average Sales Price
1	11	\$ 417,765
2	1	\$ 416,000
3	3	\$ 422,000
4	5	\$ 313,825
5	13	\$ 323,807
6	10	\$ 310,404
7	36	\$ 386,568
8	25	\$ 396,639

**37. How many HPAP recipients also utilized EAHP and/or NEAHP?**

Response:

FY2020 - EAHP 111/NEAHP 38

FY2021 - EAHP 41/NEAHP 0 due to lack of funding

**38. Provide the underwriting criteria and guidelines for HPAP and EAHP. Please note any changes that have been made to the criteria and/or guidelines since the last performance oversight hearing.**

Response:

HOME PURCHASE ASSISTANCE PROGRAM HPAP (HPAP)  
 Eligibility and Underwriting Guidelines for HPAP and EAHP loans  
Effective July 2020

<p>HPAP Loan</p>	<p>HPAP is a second trust loan for acquisition down payment of up to \$80,000 plus closing cost assistance up to \$4,000. All funds are in one loan - not a grant. Loan is deferred for minimum 5 years. The amount of assistance and deferral period is determined by household income and size. (Loan deferred with no monthly payments for Very Low-Income and Low-Income households unless property rented, transferred or sold; refer to the HPAP Assistance Table) <u>HPAP Maximum First Trust loan \$510,400, no maximum sales price</u></p>
<p>EAHP Loan First-Responder Grant</p>	<p>EAHP loans available to DC Government Employees in good standing for 1 year EAHP deferred loan of \$20,000 and up to \$5,000 matching grant based on savings First-Responder additional \$10,000 Recoverable Grant for MPD Officers, Corrections Officers, Firefighters, Paramedics, Emergency Medical Technicians. Matching grant up to \$15,000. EAHP <u>maximum sales price \$765,600</u>, no maximum first trust loan amount</p>
<p>Income to Payment</p>	<ul style="list-style-type: none"> <li>• Maximum housing cost to income is 40%</li> <li>• Housing costs include: First Trust payment; Projected Real Estate Taxes (reflecting Homestead Exemption); Condo / Coop/ HOA Fees ; Homeowners insurance; Mortgage Insurance</li> <li>• Maximum total debt to income ratio is 45%</li> <li>• Exceptions based on compensating factors considered, but rare. <u>Compensating factors determined by the HPAP Administrator, may include: household income not included in ratios, savings; employment history; housing payment history</u></li> </ul>
<p>Acceptable First Trust Loan</p>	<p>Conventional, FHA and VA full documentation, fully amortizing fixed rate loans, or ARM loans of minimum 5 year first adjustment, 2% annual cap, 5% lifetime max. DU and LPA approval recommendations encouraged, however HPAP loans will be manually underwritten, and DU/LPA recommendation does not guarantee an approval.</p>
<p>Condo/Coop fees and other fees</p>	<p>HPAP funds <u>cannot pay condo or coop fees</u>. Maximum of 2 months toward escrow for capital contribution. Condo and Coop Fees are counted in monthly debt ratio. See <u>Non-Allowable Closing Fee Sheet</u> for fees HPAP can pay on behalf of borrower.</p>
<p>Credit Score</p>	<p>600 middle score with tri-merge credit report. Credit Report less than 120 days old at closing.</p>
<p>Credit Report</p>	<p><u>At Eligibility:</u> Traditional history with minimum 600 middle credit score accepted.</p>

	<p>No credit score: eligible non-traditional/ alternative credit with minimum three accounts, such as utility, cell phone bills, auto insurance with one year documented history, plus 12 mo. rent history.</p> <p><u>At Approval:</u> Lender Automated Underwriting accepted for tradelines and rental history. Manually underwritten loans require three tradelines and 12 month rental history, or maximum 36% housing ratio in lieu of rental history.</p> <p>Authorized user accounts <u>are not counted</u> in minimum trade line requirement.</p> <p>Accounts with collections and charge-offs are not considered trade lines.</p>
Income/ Employment Requirement	<p>HPAP Eligibility Income requires annualized income from all sources of income from all household members, whether mortgage borrowers or not. HPAP income does not follow mortgage qualifying income guidelines, and uses income from all current sources expected to continue in the future, irrespective of how long the income has been received.</p> <p>Mortgage debt ratio calculations use income calculated according to mortgage qualifying guidelines of FHA, Fannie Mae or Freddie Mac.</p>
Loan Amount and CLTV	<p>Lenders are required to maximize the first trust loan, using 28% housing cost to income as minimum guideline. HPAP Administrator has final say on whether first trust loan meets this guideline.</p> <p>HPAP Notice of Eligibility amount represents a maximum, not a guaranteed amount. Relationship of HPAP amount to first trust loan is not restricted other than by maximizing first trust loan.</p> <p>Total financing cannot exceed the appraised value by more than 5% (105% CLTV).</p>
Rate Buy Downs and Arms	<p>Rate buy down subsidies cannot be paid with HPAP closing assistance. The borrower, lender or third party can pay the buy down subsidy on behalf of the borrower, as disclosed to borrower.</p> <p>ARM - HPAP will qualify applicants based on the first adjustment cap rate.</p>
First Time Homebuyer	<p>HPAP borrowers can have had no residential real estate ownership for 3 years.</p> <p>EAHP borrowers cannot have owned a primary residence in DC for 3 years.</p>
District Residency	<p>HPAP borrowers must all be current District residents to receive eligibility priority. Non-District residence only eligible after all District residents with notices of eligibility have purchased or eligibility expired.</p> <p>EAHP borrowers do not need current District Residency</p>
Borrower Cash Contribution	<p>HPAP borrowers must contribute the greater of \$500 or 1/2 of all financial assets over \$3,000, other than retirement accounts (i.e. \$7,000 of assets requires \$2,000); Contribution includes some items paid outside of closing which are documented with receipts from borrower payment.</p> <p>EAHP borrowers have no minimum contribution required.</p>

Property Eligibility	Only Single Unit properties eligible for HPAP and EAHP loans. Single family houses, town houses, PUDs, Condominiums and Cooperatives eligible.
HPAP Timelines	Notice of Eligibility issuance 6 business days after receipt of complete application package. Contract acceptance decision 3 business days after receipt of complete contract. Inspection acceptance decision 3 business days after receipt of complete inspection. Underwriting decision 5 business days after receipt of complete application package from Lender. Closing scheduling at least 3 business days after underwriting approval, for documents and funding.

**39. Have there been any issues pertaining to the amount of funding for FY20 and FY21 to date?**

Response: There were no funding issues for HPAP and EAHP through the close of FY20. However for FY21, additional funding for EAHP was allocated to assist with the demand for purchasing.

**40. Have there been any additional changes made since the last fiscal year to improve HPAP loan repayment servicing?**

Response: DHCD continues its compliance-driven work with a focus on asset recovery and collections. As in FY20, DHCD contracted with a new loan servicer, Tax Credit Asset Management (TCAM), to improve Home Purchase Assistance Program (HPAP) servicing through the following action steps:

- Consistently working to improve annual residency monitoring by increasing correspondence to non-responsive borrowers;
- Efficiently tracking delinquent borrowers with increased written and telephonic correspondence; and
- All correspondence include more compelling language, transparency, and has been branded to name the Department of Housing and Community Development.

**41. How much money are you receiving yearly in HPAP repayments and how are these funds being used?**

Response: See table below for revenue collection information. Local fund repayments go back to the General Fund for use by the District. Fund 0602 (HPAP Repay) is used to finance additional HPAP loan activity. Funds 8201 (CDBG), 8202 (HOME) and 8231 (CDBG-CV) are considered program income, and are used to support additional activities under those grant programs, along with some of DHCD’s administrative costs, per the terms of the grant.

Agency Fund	Agency Object	Agency Object Title	FY20 Revenue	FY21 Revenue (thru 12/31)
0100	2800	HPAP LOAN PAYOFF	1,332,350.27	721,191.97
	2810	HPAP LOAN REMITTANCE	248,372.88	89,019.44
	6111	APPR HPAP REPAY	2,750.00	
<b>0100 Total</b>			<b>1,583,473.15</b>	<b>810,211.41</b>
0602	2002	APPR HPAP REPAY	(235.14)	117.57
	2800	HPAP LOAN PAYOFF	893,134.07	318,595.52
	2810	HPAP LOAN REMITTANCE	485,427.47	109,818.34
<b>0602 Total</b>			<b>1,378,326.40</b>	<b>428,531.43</b>
8201	2700	HPAP LOAN PAYOFF	2,997,320.85	845,518.20
	2710	HPAP LOAN REMITTANCE	877,405.08	246,716.05
	5105	CDBG HPAP LOAN REPAY	930,032.93	(328,802.56)
<b>8201 Total</b>			<b>4,804,758.86</b>	<b>763,431.69</b>
8202	2700	HPAP LOAN PAYOFF	1,019,122.81	320,274.09
	2710	HPAP LOAN REMITTANCE	319,268.32	80,341.31
	5105	CDBG HPAP LOAN REPAY	826,402.85	
	5122	HOME HPAP PROGRAM INCOME	(120,143.13)	-
<b>8202 Total</b>			<b>2,044,650.85</b>	<b>400,615.40</b>
8231	5105	CDBG HPAP LOAN REPAY	75,877.85	107,838.60
<b>8231 Total</b>			<b>75,877.85</b>	<b>107,838.60</b>
<b>Grand Total</b>			<b>9,887,087.11</b>	<b>2,510,628.53</b>

42. How much of that money is from monthly repayments and how much is from repayments of the total HPAP amount?

Response: See table below.

	 <b>FY20 Revenue</b>	<b>FY21 Revenue (thru 12/31)</b>
Payoff	6,241,928.00	2,205,579.78
Monthly/Other Remittance	3,645,159.11	305,048.75
<b>Grand Total</b>	<b>9,887,087.11</b>	<b>2,510,628.53</b>

**43. Currently, what is the average time it takes for DHCD to re-subordinate an HPAP or HPTF loan for a regular refinance?**

Response: Due to the large demand for subordinations caused by lower interest rates at an all-time low, the processing time take 45-60 business days.

**44. Does DHCD intend to supplement the funds if and when the originally appropriated amount runs out?**

Response: DHCD will monitor and evaluate the demand for HPAP dollars. If the demand exceeds the approved budget, DHCD will discuss options for funding the demand internally and with the executive leadership.

**45. What is the maximum income limit for federal funds versus local funds?**

Response: The maximum income limit for federal funds is \$70,550 vs. \$97,000 for local funds.

**46. What is the average time it takes to reimburse the co-administrators and what is the current status of reimbursement to the co-administrators?**

Response: DHCD strives to meet the Quick Payment Act (QPA) of 30 days from approved invoice to payment. The current cycle averages 20 days from loan closing to reimbursement, which results in Administrators carrying about two months of loan closing demand against the line of credit. As a note, liquidity for settlement timing has historically been a challenge for the HPAP program, based on the requirement that it operate as a reimbursable grant program, with DHCD purchasing loans and paying for expenses after they can be documented and invoiced. However, DHCD and the HPAP Administrators regularly monitor the program's funding needs.

**47. Has DHCD seen an increase or decrease in HPAP applications since the start of the public health emergency? Please provide a breakdown of the number of applications prior to the declaration of the public health emergency and the number received after.**

Response:

FY2019 Applications and Closings

Applications		Total
	GWUL	533
	DCHFA	614
<b>Total</b>		<b>1,147</b>
Closings		
	GWUL	186*
	DCHFA	157
Total		<b>343</b>

FY2020 Applications and Closings

Applications		Total
	GWUL	153
	DCHFA	716
<b>Total</b>		<b>869</b>
Closings		
	GWUL	* 143
	DCHFA	221
Total		<b>364</b>

\*Includes 111 EAHP/HPAP Combo Loans

FY2021 Applications and Closings

Applications		Total
	GWUL	102
	DCHFA	NA
<b>Total</b>		
Closings		
	GWUL	50

	DCHFA	NA
Total		

NOE Applications (data from DCHFA):

- From 4/1/2019 through 2/28/2020 DCHFA received 587 applications (pre-COVID)
- From 4/1/2020 through 2/28/2021 DCHFA received 440 applications (post)

Closings (data from DCHFA):

- From 4/1/2019 through 1/31/2020 DCHFA closed 157 HPAP loans (pre-COVID)
- From 4/1/2020 through 1/31/2021 DCHFA closed 126 loans (post)

There does appear to be a reduction in demand, however, that may also be a result of the CBOs transitioning to remote work, limited housing inventory, higher home prices, sellers selecting offers that do not include HPAP financing, etc.

### Employer-Assisted Housing Program (EAHP)

**48. Please provide the number of applications, closings, the funds distributed, and average purchase price for the EAHP program for FY20 and FY21 to date.**

Response:

FY2020

# of Applications        70  
 # of Closings            66  
 Funds Distributed: \$1,651,137.52  
 Average: \$470,091.00

FY2021

# of Applications        36  
 # of Closings            30  
 Funds Distributed: \$675,560.84  
 Average: \$428,156.00

**49. Please provide the statistics for the pool of EAHP recipients broken down by the following categories:**

- Age
- Gender
- Ward
- Ethnicity
- Household size

- **Income**
- **Loan amount**

Response:

**FY20**

**AGE**

<b>AGE</b>	18-25	26-33	34-42	43-51	52 and above
	1	29	27	8	1

<b>GENDER</b>	
<b>M</b>	27
<b>F</b>	39

**FY21**

**AGE**

<b>AGE</b>	18-25	26-33	34-42	43-51	52 and above
	2	15	11	2	0

<b>GENDER</b>	
<b>M</b>	12
<b>F</b>	18

Response:

**FY20**

Ward	Number FY 2020	Average Purchase Price
1	1	\$440,000.00
2	0	\$0.00
3	0	\$0.00
4	8	\$474,178
5	11	\$528,300
6	4	\$586,500
7	31	\$451,861
8	11	\$420,136

**FY21**

Ward	Number FY 2020	Average Purchase Price
1	2	\$333,333
2	1	\$383,000
3	0	\$0.00
4	3	\$308,330
5	6	\$492,316
6	6	\$444,966
7	6	\$513,081
8	6	\$432,786

FY20

ETHNICITY	BLK	W	A	O
	53	11	2	0

FY21

ETHNICITY	BLK	W	A	O
	21	5	2	2

**Definitions:**

<b>GENDER</b>	BLK = Black
	W = White
	O = Other
	A = Asian

FY20

<b>HOUSEHOLD SIZE</b>	1	2	3	4	5 or more
	17	24	9	4	12

FY21

<b>HOUSEHOLD SIZE</b>	1	2	3	4	5 or more
	10	10	3	3	4

FY20

<b>INCOME</b>	>30% AMI	31-50% AMI	51-60% AMI	61-80% AMI	81%+ AMI
	0	0	1	1	28

FY21

<b>INCOME</b>	>30% AMI	31-50% AMI	51-60% AMI	61-80% AMI	81%+ AMI
	0	0	4	4	58

Average Loan Amount for FY20 and FY21 is \$20,000.00

**50. What is the breakdown of purchases by home price and by Ward for EAHP recipients for FY20 and FY21 to date?**

Response:

FY20

<b>FY20 EAHP Average Purchase Price By Ward</b>	<i>Sales Price</i>
Ward 1	\$440,000.00
Ward 2	\$0.00
Ward 3	\$0.00
Ward 4	\$474,178.00
Ward 5	\$528,854.00
Ward 6	\$586,500.00
Ward 7	\$451,861.00
Ward 8	\$420,136.00

FY21

<b>FY21 EAHP Average Purchase Price By Ward</b>	<i>Sales Price</i>
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Ward 1	\$333,333.00
Ward 2	\$383,000.00
Ward 3	\$0.00
Ward 4	\$308,330.00
Ward 5	\$492,316.00
Ward 6	\$444,966.00
Ward 7	\$513,081.00
Ward 8	\$432,786.00

**51. What does DHCD do in terms of outreach to advertise this program to District government employees?**

Response: Due to the pandemic, outreach efforts have been challenging; however, DHCD continues to search for opportunities to provide outreach for homeownership opportunities for the government's employees. The agency is currently strategizing to increase participation in the First Responders Program within EAHP, which is specifically designed for Fire Department, Police Department and EMS employees. DHCD has conducted significant outreach for the EAHP targeted toward homeownership opportunities for District government employees.

**52. How many DCPS teachers utilized EAHP in FY19, FY20, and FY21 to date?**

Response: HPAP was not asked to track teachers in the past, however we are tasked with tracking EAHP employees. Moving forward, we will track DCPS teachers.

**53. How many first responders utilized EAHP in FY19, FY20, and FY21 to date?**

Response:     FY19 – 19  
                   FY20 – 3  
                   FY21 - 7

**54. What has been done by DHCD to ensure that all CBOs and clients are made aware of the recent changes to the program?**

Response: Changes to the original legislation which created HPAP, EAHP, or NEAHP have been approved by the DC Council. In addition, changes to HPAP eligibility requirements such as household size, income, and maximum home purchase price have been published in the DC Register. Procedural and policy changes for the programs have been accomplished through notification to the Homeownership Program Administrators and the Community Based Organizations. Customers are notified by the Community Based Organizations, and as necessary, by DHCD and the Homeownership Program Administrators. DHCD may use its additional outreach channels to ensure that the community is aware of program changes. DHCD also holds periodic meetings with the Administrators and CBOs to discuss and answer questions about potential changes to our homeownership programs. In FY19, DHCD implemented no additional changes to the program other than annual increases in the income maximums which are updated and published during the month of July of the respective year.

**55. Does DHCD intend to supplement the funds if and when the originally appropriated amount runs out?**

Response: DHCD will monitor and evaluate the demand for HPAP dollars. If the demand exceeds the approved budget, DHCD will discuss options for funding the demand internally and with the Executive Leadership.

**56. Has DHCD seen an increase or decrease in EAHP applications since the start of the public health emergency?**

Response: The Department has seen an increase in EAHP applications. This increase was partially due to low interest rates for home sales.

### **Single Family Residential Rehabilitation Program (SFRRP)**

**57. How many applicants applied for the SFRRP in FY20 and FY21 to date?**

Response:

- FY20: 59 applications
- FY21 to date: 28 applications

**58. How many seniors applied for the SFRRP in FY20 and FY21 to date?**

Response:

- FY20 – 46 of 59 (77%)
- FY21 to date – 20 of 28 (71%)

**59. Please provide the statistics for SFRRP recipients broken down by the following categories:**

- **Age**
- **Ward**
- **Ethnicity**
- **Income**

Response:

- Age, as a percentage of total active SFRRP applications
  - 30 to 39: 2%
  - 40 to 49: 6%
  - 50 to 59: 14%
  - 60 to 69: 25%
  - 70 to 79: 24%
  - 80 to 89: 21%
  - 90 to 99: 7%
- Ward, as percentages of total active SFRRP applications
  - Ward 1: 5%
  - Ward 2: less than 1%

- Ward 3: less than 1%
  - Ward 4: 19%
  - Ward 5: 21%
  - Ward 6: 8%
  - Ward 7: 22%
  - Ward 8: 24%
- Ethnicity, as percentages of total active SFRRP applications
    - Asian American: 4%
    - Black / African American: 94%
    - Hispanic or Latino: 1%
    - Native American / Hawaiian: 0%
    - White, Non-Hispanic or Latino: 1%
    - Other: 0%
  - Income (Household), as percentages of total active SFRRP applications
    - \$0 to \$19,999: 29%
    - \$20,000 to \$39,999: 33%
    - \$40,000 to \$59,999: 25%
    - \$60,000 to \$79,999: 4%
    - \$80,000 to \$99,999: 6%
    - \$100,000 or greater: 3%

**60. What was the average time from SFRRP application submission to project completion in FY20 and FY21 to date?**

Response: Historically, the average time from SFRRP application to project completion is between 3.5 and 4 years. Substantial program changes, detailed in Question 62, have been made to reduce this wait time.

**61. Please list the agencies that DHCD collaborates with as part of SFRRP and detail the nature of the collaboration.**

Response:

- Safe at Home (DACL) – SFRRP refers senior homeowners with eligible requests, which are generally smaller repairs or adaptations, to Safe at Home at DACL. Safe at Home refers homeowners with more substantial accessibility requests to SFRRP.
- Utility Affordability Programs (DOEE) – SFRRP and the Utility Affordability Program at DOEE communicate regularly to identify and refer homeowners requesting assistance, with DOEE accepting applications for their Weatherization Assistance Program (WAP) and Emergency Mechanical Systems Program (EMS), and SFRRP accepting applications for roof repair and accessibility modifications.

**62. What steps have been taken to improve and streamline the program?**

Response:

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.
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.

**63. What outreach and support processes has DHCD implemented for the senior population in identifying and searching for appropriate housing?**

Response: SFRRP does not identify or search for housing for seniors.

**64. Please provide the Committee with an update regarding lead remediation efforts taken up through SFRRP. How many cases of lead remediation have been resolved utilizing this program to date?**

Response: Projects previously approved under the Lead Safe Washington Programs have been transitioned to the Housing Protection Unit for completion. The remaining five single-family projects and three multi-family projects are expected to be completed by the end of FY21.

**65. How has outreach for SFRRP been adapted since the start of the public health emergency?**

Response: Online trainings were held with CBOs to support the outreach and application efforts of Housing Counselors. SFRRP's application process was fully migrated to accepting online submissions, and SFRRP website and online materials were revised for clarity. A communications plan was implemented to proactively reach out to homeowners waiting for assistance, and to answer questions more efficiently for homeowners interested in applying for assistance.

**66. Has DHCD seen a change in volume of applications since the start of the public health emergency?**

Response: Application volume has not changed significantly since the start of the public health emergency.

**Small Business Technical Assistance (SBTA)**

**67. How has DHCD coordinated its funding for SBTA in partnering, managing, or collaborating with other District agencies that serve small businesses?**

Response: In 2020, the Neighborhood Based Activities Program (NBAP) continued to support the efforts of Great Streets through our Community Based Organizations (CBOs) by assisting small businesses in completing Great Street grant applications. NBAP and our CBOs have had several briefings/trainings with Great Streets to learn how to better promote the program and service the small business community in applying for the Great Streets grant.

During DHCD's FY2020 NBAP Grantee Orientation in November, DSLBD and DCRA conducted briefings on their programs and engaged the grantees as partners and potential partners in future events and programs. Additionally, members of MOCR were invited to the orientation.

The challenges of the Coronavirus Pandemic promoted opportunities to collaborate with DMPED to assist with economic relief efforts for small businesses, as well as to provide CARES ACT/CDBG-CV funding to support economic relief efforts to small businesses East of the River (EOR). The East of the River effort was administered by two of the EOR SBTA CBOs.

**68. What steps has DHCD made to improve the RFP application submission process?**

Response: For the FY2020 RFA, we relied on a totally electronic application submission and review process utilizing the web-based platform ZoomGrants for Neighborhood Based Activities Programs' (NBAP) three grant programs: Housing Counseling Services, SBTA and Storefront Façade Improvement. The ZoomGrants system simplified the process of managing programs, from receiving and reviewing applications to making decisions to gathering post-decision reporting, including: application questions, program budget, document attachments, post-funding reporting, custom scoring criteria, voting

recommendations, committee discussions, workflow dashboards, weighted scoring and application comparisons, automatically saves data, etc.

There is great value in that ZoomGrants provides unlimited users, applications received, document attachments, saved reports and technical support to applicants and users. The independent review panel process was completed in two weeks and the NBAP team review was completed two days later. Recommendations were forwarded to senior management within two days. 57 applications were received for the FY2020 RFA through the ZoomGrants platform.

With the Coronavirus Pandemic, NBAP utilized ZoomGrants as the application submission platform for two COVID-19 programs: COVID-19 Small Business Economic Relief East of the River Grant Program (217 applications received and reviewed) and COVID-19 Non-profit Capacity Support Grants Program (46 applications received and reviewed).

**69. How many of the organizations that received an SBTA award for FY20 or FY21 have an executed P.O. number?**

Response: In FY20 there were ten (10) SBTA Community Based Organizations (CBOs), all with executed grant agreements and funded purchase orders. For FY21 there are 10

(10) SBTA CBOs, as of 2/20/2021: six (6) have executed grant agreements and funded purchase orders; and 2 (2) are in the pipeline for signature to be executed and then will be issued P.O. numbers. The two (2) remaining are completing legal sufficiency of the grant agreement.

**70. What was the total amount awarded to SBTA organizations in FY20 and FY21 to date?**

Response: The total amount awarded to SBTA grantees in FY20 was \$3,547,680.00 and for FY21 it is \$2,948,273.32.

**71. How many small businesses did the SBTA provider organizations serve across the District and by Wards in FY20 and FY21 to date? On an Excel spreadsheet, please identify:**

- (a) the business by address,**
- (b) the Ward the business is located,**
- (c) the Ward where the award will take place,**
- (d) the amount of the award,**
- (e) each individual principal of each entity of the business, and**
- (f) the CBE, MBE, and/or WBE status of the business.**

Response: See ASQ Attachment 71

## Inclusionary Zoning

### 72. How many IZ units were sold in FY20 and FY21 to date?

Response: In FY20, 49 IZ units became available for sale and 31 were sold. The remaining IZ units produced in FY20 & previous years are in the lottery or sales process (including applicant verification, contracting and financing). To date in FY21 7 IZ units became available for sale and 0 units have been sold to date, but all are in the lottery or sales process (including applicant verification, contracting and financing). In FY21 13 IZ units have sold, which became available in previous fiscal years.

### 73. What is the process, from start to finish, that an applicant must take in order to purchase an IZ unit?

Response: To purchase an IZ unit, a household representative must take the following steps:

1. Attend the two-hour IZ Orientation (IZO), being held virtually due to the public emergency, hosted by either DHCD or one of the seven Community-Based Organizations (CBOs) listed on the DHCD IZ webpage and obtain a certificate of completion.
2. Use the IZO certificate code to create one registration for the household on the DHCD IZ webpage. Per the 12/29/17 revised regulations, new households registering for the IZ program will initially only be eligible for rental unit notifications. To change the registration notifications to “rent or purchase” or “purchase only,” the household must first submit a certificate of completion from a DHCD-approved 8-hour homebuyer course to [iz.adu@dc.gov](mailto:iz.adu@dc.gov).
3. Check email regularly (at least once a week) to look for IZ lottery announcements (a lottery entry link is open for 7 days). Households who read an IZ lottery email announcement, believe that they meet the requirements and are serious about pursuing the unit complete the lottery link within the email.
4. If a lottery applicant is selected in an IZ lottery, the household representative will receive another email informing them of their selection (by the deadline that was stated in the lottery announcement email) and providing next steps to purchase the unit. The sales team also receives the contact information for all selectees and follows up with them. Within 10 days of the selection email being sent, the household must then send a “Confirmation of Interest” form to the property. The CBOs serve as Certifying Entities for sale IZ units and conduct income verifications. Within 60 days of the selection email being sent, a sale contract should have been made with one of the selectees. The property can extend any of these deadlines in writing if it so chooses.
5. The applicant must sign an Acknowledgement of Covenant form prior to or at closing, summarizing the main restrictions on the IZ unit.

Prospective IZ applicants are also advised to monitor the listings on <http://dchousingsearch.org/> regularly. All IZ units must be posted on this website before DHCD will conduct a lottery. In instances where DHCD has already conducted the required number of lotteries and has approved the property’s Affirmative Fair

Housing Marketing Plan (AFHMP) and Household Selection Plan (HSP) in writing, the property can take direct applicants per the instructions on the [www.dchousingsearch.org](http://www.dchousingsearch.org) listing.

**74. How many IZ rental units have come online in FY19, FY20 and FY21 to date?**

Response:

IZ rental units available by fiscal year:

FY19	136 rental units
FY20	186 rental units
FY21 (as of 2/23/21)	63 rental units

**75. How many IZ rental units are in the pipeline?**

Response: There are 638 IZ rental units in the pipeline, including planned units, units under construction, and units that anticipate a certificate of occupancy within 60 days.

**76. What is the process, from start to finish, that an applicant must take in order to purchase an IZ unit?**

Response:

Note: This question is identical to Agency Specific Question 73. Therefore, this response answers the question related to renting instead of purchasing an IZ unit.

To rent an IZ unit, a household representative must take the following steps:

1. Attend the two-hour IZ Orientation (IZO), being held virtually due to the public emergency, hosted by either DHCD or one of the seven Community-Based Organizations (CBOs) listed on the DHCD IZ webpage and obtain a certificate of completion.
2. Use the IZO certificate code to create one registration for the household on the DHCD IZ webpage.
3. Check email regularly (at least once a week) to look for IZ lottery announcements (a lottery entry link is open for 7 days). Households who read an IZ lottery email announcement, believe that they meet the requirements, and are serious about pursuing the unit complete the lottery link within the email.
4. If a lottery applicant is selected in an IZ lottery, the household representative will receive another email informing them of their selection (by the deadline that was stated in the lottery announcement email) and providing next steps to rent the unit. Within 10 days of the selection email being sent, the household must then send a “Confirmation of Interest” form to the property. Within 30 days of the selection email being sent, the household should provide all required documents, including income verification, to the property. The leasing teams typically serve as Certifying Entities for rental IZ units and conduct income verifications. Within 60 days of the selection email being sent, a lease should have been signed with one of the selectees. The property can extend any of these deadlines in writing if it so chooses.
5. The applicant must sign an IZ Lease Rider, in addition to the lease, summarizing the main restrictions on the IZ unit.

Prospective IZ applicants are also advised to monitor the listings on [www.dchousingsearch.org](http://www.dchousingsearch.org) regularly. All units must be posted on this website before DHCD will conduct a lottery. In instances where DHCD has already conducted the required number of lotteries and has approved the property's Affirmative Fair Housing Marketing Plan (AFHMP) and Household Selection Plan (HSP) in writing, the property can take direct applicants per the instructions on the [www.dchousingsearch.org](http://www.dchousingsearch.org) listing.

**77. With the IZ+ coming online, how much of an increase does DHCD anticipate to the number of units in the pipeline?**

Response: The Office of Planning is managing the rollout of IZ+ and is responsible for determining projections.

**78. Please describe what marketing and outreach initiatives are in place to provide the public information about IZ units coming online and the possibility of renting or purchasing one.**

Response: As required by statute, all IZ unit vacancies (either initial offerings or future vacancies or future resales) must be listed by the project's owner or owner's representative (typically the property management in the case of rental units) on the District's Affordable Housing Locator Website: [www.dchousingsearch.org](http://www.dchousingsearch.org). According to the regulations (Section 2207.6), in the case of IZ units that are still subject to DHCD lotteries, DHCD will not conduct the lottery until the unit has been properly listed on this site. If an IZ property has fulfilled its required number of DHCD lotteries and has a DHCD-approved Affirmative Fair Housing Marketing Plan (AFHMP) and a DHCD-approved Household Selection Plan (HSP) on file, the property may also advertise on additional outlets (e.g. community newspapers, other websites and methods) that have been specified in the approved plans. In addition, the public can view both existing and upcoming IZ projects on the public IZ Project Dashboard available through a link on the DHCD Inclusionary Zoning webpage. The direct link to this application is <https://octo.quickbase.com/db/bi9iqv4v7>.

**79. How do the District's IZ requirements for development compare to jurisdictions in Maryland and Virginia that have IZ requirements?**

Response: A comparison chart of DC and the three largest counties is provided in Appendix 79. The Grounded solutions network has a detailed database of inclusionary zoning programs nationwide that can be found here:

<https://gsn.maps.arcgis.com/apps/webappviewer/index.html?id=83f6a5aee35a4788844db4b7aef3cbb5>

See ASQ Attachment 79.

## **Affordable Dwelling Units (ADUs)**

**80. What is the process DHCD utilizes to recapture HPTF funds used to create for-sale units?**

Response: Homeownership projects, like all projects receiving gap financing from DHCD, go through a rigorous underwriting process to ensure to the best extent possible that they are not oversubsidized.

DHCD uses final cost certifications and loan right sizing strategies to ensure any surplus unit sales proceeds and/or project cost savings are recaptured.

**81. Please describe DHCD's current process of enforcement against ADU owners who have defaulted on their loans and/or condo fees.**

Response: DHCD is not typically a lender of record and therefore does not in the normal course of business receive notice of foreclosure or liens against ADU or IZ units. However, if DHCD becomes aware of such issues, as it has a few times in the past, it works with Office of the Attorney General (OAG) and the owner and/or condo association to try to resolve the issues and ensure that the unit remains affordable.

**82. What oversight does DHCD have in place to prevent ADU owners from renting their units in a manner contrary to their ADU obligations?**

Response: Currently, there is language in the standard Affordable Housing Covenant, used to create ADUs, advising unit owners that they may not lease an ADU without DHCD's prior written approval and there is language in the deed referring to the covenant. In addition, DHCD staff monitors sites such as AirBnB and Craigslist to ensure that ADUs are not being rented. On a few occasions ADUs have been found to be rented, and DHCD has taken steps, in conjunction with the Office of the Attorney General (OAG), to notify the owner of the violation and ensure that the ADU is no longer rented.

If 'ADU' is intended to include IZ units, in addition to the above, the household is required to sign a Declaration of Eligibility, which requires them to declare, under penalty of perjury, that the household intends to occupy the unit as its principal residence and will not allow the extended occupancy of anyone not listed as part of the household. Restrictive language is also included in an Acknowledgment of Covenant form, which is signed by the owner at closing and in materials provided by the IZ program to the CBOs for the IZ orientation.

**83. What is the process, from start to finish, that an applicant must take in order to purchase an ADU unit?**

Response: The process for applying to purchase an ADU varies according to each property's Affordable Housing Covenant and for recent ADU properties, a DHCD-approved Affirmative Fair Housing Marketing Plan (AFHMP) and Household Selection Plan (HSP). Properties typically offer sale units via a lottery or waitlist system and must advertise on both the Housing Locator Website [www.dchousingsearch.org](http://www.dchousingsearch.org) and any other outlets listed in the AFHMP. To purchase an ADU, applicants should follow the instructions in the Housing Locator Website posting. Units on the Housing Locator Website that are marked with a red "R" icon are income restricted in some way (e.g. LIHTC, IZ, ADU). The comments section will provide additional information on the unit type and how to apply for the opportunity. DHCD also regularly offers ADU sellers to reach out to its list of IZ registrants offering the non-IZ purchase opportunity and for some ADUs, DHCD has conducted lotteries, following the IZ process.

**84. What is the process, from start to finish, that an applicant must take in order to rent an ADU unit?**

Response: The process for applying to rent an ADU varies according to each property's Affordable Housing Covenant, and for recent ADU properties, DHCD-approved Affirmative Fair Housing Marketing Plan (AFHMP) and Household Selection Plan (HSP). Properties typically offer rental units via a lottery or waitlist system and must advertise on both the Housing Locator Website [www.dchousingsearch.org](http://www.dchousingsearch.org) and any

other outlets listed in the AFHMP. To rent an ADU, applicants should follow the instructions in the Housing Locator Website posting. Units on the Housing Locator Website that are marked with a red “R” icon are income restricted in some way (e.g. LIHTC, IZ, ADU). The comments section will provide additional information on the unit type and how to apply for the opportunity. DHCD also regularly offers ADU sellers to reach out to its list of IZ registrants offering the non-IZ purchase opportunity and for some ADUs, DHCD has conducted lotteries, following the IZ process.

**85. How does DHCD notify or communicate with the buyer or tenant throughout this process?**

Response: During the purchase or rental process for IZ units, DHCD communicates with prospective households primarily via email, as indicated in the regulations (Section 2200.6). In instances where an email address is not valid, the agency typically follows up with the household by phone. If, during registration with DHCD, a prospective household requests another form of communication, DHCD will attempt to accommodate the request. For ADUs, which are marketed independently by the development owner or property management, the communication methods will vary by development but are typically similar (primarily email and phone).

**86. Please describe what marketing and outreach initiatives are in place to provide the public information about ADU units coming online and the possibility of renting or purchasing one.**

Response: As required by the standard affordable housing covenant used to establish ADUs, all ADU vacancies (either initial offerings or future vacancies or future resales) must be listed by the development’s owner or owner’s representative (typically the property management in the case of rental units) on the District’s Affordable Housing Locator Website: [www.dchousingsearch.org](http://www.dchousingsearch.org). In the case of recent ADUs that have a DHCD-approved Affirmative Fair Housing Marketing Plan (AFHMP) and Household Selection Plan (HSP) on file, the property must also advertise on additional outlets (e.g. community newspapers, other websites and methods) that have been specified in the approved plans and for some ADUs, DHCD has conducted lotteries, following the IZ process.

**Property Acquisition and Development Division (PADD)**

**87. What is DHCD’s full inventory of vacant and/or blighted properties under this program? Please provide a list of addresses by ward, square footage, zoning, last appraisal, improvements if any, and date when the property entered the inventory.**

Response: See ASQ Attachment 87.

**88. How many RFPs were released in FY20 and FY21 to date that involve PADD properties?**

Response: PADD released five (5) RFP’s in FY20 but later pulled back due to funding availability.

**89. What is the process for disposing of a PADD property? How long does the disposition process take?**

Response: DHCD may dispose of PADD properties via negotiated sale, competitive solicitation, or transfer to another District agency or adjacent property sale. Each process has various statutory requirements and can take between two weeks to two years to dispose of a PADD property.

**90. How many PADD properties were disposed of in FY20 and FY21 to date?**

Response: See ASQ Attachment 90.

**91. Are there profits that result from all transactions involving PADD properties? If so, how much profit was gained from any dispositions in FY20 and FY21 to date?**

Response: No. See ASQ Attachment 90.

**92. How are the PADD inventory properties being maintained?**

Response: DHCD has an MOU with DC Housing Authority for maintenance.

**93. What are the future plans for the program?**

Response: PADD plans to continue to dispose of DHCD inventory via competitive solicitation, adjacent property sale, and transfer to District agencies. PADD has introduced a Fair Shot program to dispose of renovated properties to District residents earning less than the area median income.

**94. Has an acquisition strategy to address vacant and blighted properties been created and implemented? Please provide details of the strategy.**

Response: No, PADD continues to explore options with sister agencies and, should federal funding become available, will explore how it can be utilized to address vacant and blighted properties.

#### **Housing Production Trust Fund**

**95. Please attach a copy of the statutorily required HPTF Annual Report for FY16, FY17, FY18, FY19 and FY20, as they are not available online.**

Response: See response to General Question 35

**96. According to the HPTF statute, DHCD is required to submit quarterly reports on activities and expenditures. Please provide a copy of any available quarterly reports for FY17, FY18, FY19, FY20 and FY21 to date.**

Response: Quarterly reports for FY18 and FY 19 are available at the following website:  
<https://dhcd.dc.gov/page/housing-production-trust-fund-reports>

Quarterly reports for FY 20 and FY 21 to date are included in GQ Attachments 34.

**97. Please provide the amount of money spent on administration of the fund in FY20 and FY21 to date. Please include the total number of FTEs and a breakdown of expenditures.**

Response: See ASQ Attachment 97

**98. Please indicate the balance remaining in the HPTF for FY20 and FY21 to date.**

Response: See chart below.

FY20 Fund Balance	\$116,221,631
Outstanding Commitments	<u>(\$104,930,265)</u>
<b>Uncommitted Fund Balance</b>	<b>\$11,291,365</b>

FY20 Q1 Estimated Fund Balance	\$126,464,265
Outstanding Commitments	(\$105,449,125)
FY21 Authority	<u>\$100,000,000</u>
<b>Estimated Available Balance</b>	<b>\$121,015,140 *</b>

\* Note: Fund balance is only calculated at the end of the fiscal year, so this reflects the balance of uncommitted (available) funds as of December 31, 2020.

**99. Please indicate the total amount of funding in the HPTF for FY20 and FY21 to date.**

Response: See ASQ Attachment 99

**100. Please provide a breakdown of the following Fund amounts and an explanation of how the agency defines these categories:**

- a. Active requests**
- b. Available funds**
- c. Obligated funds**
- d. Expended funds**

Response:

- a. Active Requests - This is the amount of funding requests currently in the DHCD Project Pipeline. Based on established benchmarks in the underwriting process, conditional commitments are made. The commitments are conditioned on the availability of funds along with other established criteria. In order to be considered an Active Request, an application successfully completed the following:
  - Threshold requirement review—a thorough review of an application compared to established requirements;
  - Project scoring—a detailed, multi-layered scoring process that weighs the application against established scoring criteria; and
  - Selection—a high-level review analyzing available resources, recommended projects and community needs.
- The DHCD Project Pipeline currently has \$141,025,898 in active funding requests, of which approximately \$123,558,066 are for HPTF loans.
- b. Available Funds - The amount of funds available in the HPTF's FY21 budget to be obligated to the active request is \$67,426,000 through the end of the 1<sup>st</sup> quarter.
- c. Obligated Funds - The amount of funds obligated to specific projects. Obligations occur at the execution of the final legal documents. In cases involving more than one-million dollars of funds, Council approval occurs prior to obligation of funds. The FY21 HPTF funds that are obligated to projects, but not yet expended is \$105,292,000 as of the end of the 1<sup>st</sup> quarter.
- d. Expended Funds - This is the amount of funds that have been disbursed to projects. The majority of projects funded by the Housing Production Trust Fund involve complete or substantial construction. Funds are expended over the course of the construction period. Through the end of the 1<sup>st</sup> quarter of FY21, \$2,158,000 has been expended on projects.

101. Please identify all sources of HPTF funding and the amount from each source.

Response: See ASQ Attachment 101

102. How many applications did HPTF receive in FY20 through FY21 to date? Please provide a breakdown for each year.

- a. Of these applications, how many applications were approved?
- b. How many applications dropped out?

Response: Due to the uncertain budget environment caused by the onset of the COVID-19 State of Emergency and Public Health Emergency, which began March 11, 2020, there were no new funding rounds in FY20 or in FY21 to date. The most recent Consolidated RFP round closed on September 30, 2019. Consequently, no new applications were received in FY20 or FY21 to date.

103. Please provide the total amount used for:

- a. Preservation
- b. Acquisition
- c. Construction, development, and redevelopment
- d. Permanent Supportive Housing (PSH)
- e. Housing for persons at 0-30 percent of AMI (not including PSH)
- f. Housing for persons at 31-50 percent of AMI
- g. Housing for persons at 51-80 percent of AMI

Response:

Note: These categories are not mutually exclusive. The projects that are included in the calculation for each category are listed below the total obligated HPTF for FY20 for each category.

a. Preservation: **\$54,795,582**

Project Name	HPTF Loan Amount
Anacostia Gardens Apartments	\$9,803,105
HanTiv	\$9,700,125
SOME Scattered Site III	\$4,747,639
Spring Flats Senior 9%	\$826,062
Spring Flats Senior 4%	\$3,506,854
Cedar Street Apartments	\$4,518,213
Park Southern Apartments-Summer 2018	\$19,693,584
1445 Spring Rd NW Renovation	\$2,000,000
<b>Total</b>	<b>\$54,795,582</b>

b. Acquisition: **\$0**

No HPTF was obligated for acquisition-only projects in FY20.

- c. Construction, development, and redevelopment: **\$101,119,044**  
 (This includes both substantial rehabilitation and new construction projects.)

<b>Project Name</b>	<b>HPTF Loan Amount</b>
1550 First St SW	\$13,877,898
Anacostia Gardens Apartments	\$9,803,105
HanTiv	\$9,700,125
The Todd A. Lee Senior Residences at Kennedy Street	\$7,377,210
1100 Eastern Ave NE	\$8,269,376
SOME Scattered Site III	\$4,747,639
Spring Flats Senior 9%	\$826,062
Spring Flats Senior 4%	\$3,506,854
Cedar Street Apartments	\$4,518,213
Park Southern Apartments-Summer 2018	\$19,693,584
1445 Spring Rd NW Renovation	\$2,000,000
Minnesota & 27th Street	\$6,427,352
Spring Flats Family - Affordable	\$10,371,626
<b>Total</b>	<b>\$101,119,044</b>

- d. Permanent Supportive Housing (PSH): **\$8,851,765**

<b>Project Name</b>	<b>HPTF Amount Allocated to PSH Units</b>
1550 First St SW	\$2,921,663
HanTiv	\$431,117
1100 Eastern Ave NE	\$1,706,379
Spring Flats Senior 4%	\$1,141,766
Cedar Street Apartments	\$451,821
Park Southern Apartments-Summer 2018	\$589,628
Spring Flats Family - Affordable	\$1,609,390
<b>Total</b>	<b>\$8,851,765</b>

e. Housing for persons at 0-30 percent of AMI (not including PSH): **\$10,238,023**

<b>Project Name</b>	<b>HPTF Amount Allocated to 30% MFI Units (excl. PSH)</b>
22 Atlantic - Additional Financing	\$111,413
North Capitol Commons - Additional Financing	\$401,879
HanTiv	\$1,233,591
The Todd A. Lee Senior Residences at Kennedy Street	\$790,415
SOME Scattered Site III	\$4,747,639
Spring Flats Senior 9%	\$383,669
Spring Flats Senior 4%	\$203,328
Cedar Street Apartments	\$530,399
Park Southern Apartments-Summer 2018	\$286,421
Liberty Place - Additional Financing	\$395,423
1445 Spring Rd NW Renovation	\$1,153,846
<b>Total</b>	<b>\$10,238,023</b>

f. Housing for persons at 31-50 percent of AMI: **\$61,265,979**

<b>Project Name</b>	<b>HPTF Amount Allocated to 50% MFI Units</b>
22 Atlantic - Additional Financing	\$212,214
1550 First St SW	\$10,956,235
Anacostia Gardens Apartments	\$1,960,621
HanTiv	\$4,641,974
The Todd A. Lee Senior Residences at Kennedy Street	\$6,586,795
1100 Eastern Ave NE	\$6,562,997
Spring Flats Senior 9%	\$332,774
Spring Flats Senior 4%	\$2,161,759
Park Southern Apartments-Summer 2018	\$12,439,897
Liberty Place - Additional Financing	\$1,496,960
1445 Spring Rd NW Renovation	\$769,231
Minnesota & 27th Street	\$4,382,285

Spring Flats Family - Affordable	\$8,762,236
<b>Total</b>	<b>\$61,265,979</b>

g. Housing for persons at 51-80 percent of AMI: **\$23,566,922**

<b>Project Name</b>	<b>HPTF Amount Allocated to 80% MFI Units</b>
22 Atlantic - Additional Financing	\$42,443
North Capitol Commons - Additional Financing	\$98,121
Anacostia Gardens Apartments	\$7,842,484
HanTiv	\$3,393,443
Spring Flats Senior 9%	\$109,620
Cedar Street Apartments	\$3,535,993
Park Southern Apartments-Summer 2018	\$6,377,638
Liberty Place - Additional Financing	\$45,191
1445 Spring Rd NW Renovation	\$76,923
Minnesota & 27th Street	\$2,045,067
<b>Total</b>	<b>\$23,566,922</b>

**104. Is DHCD hitting the AMI affordability requirements for Housing Production Trust Fund, particularly in regard to the 0-30% AMI? Please provide a breakdown of the percent of HPTF funding by income category of units funded for FY19, FY20, and FY21 (projected, if available).**

Response:

Beginning with the 2015 Consolidated RFP, DHCD has placed a greater emphasis on units for households at 30 and 50 percent of the area median family income (MFI). As the data for FY20 demonstrates, performance continues to exceed the requirement for the 31 – 50 percent MFI category. However, while 77% of all funding in FY20 was obligated to MFI units at or below 50 percent MFI overall, only 18% of funding was obligated for units in the 0-30% MFI category. However, this represents an increase from FY19, and the percentage of funding obligated for units in the 0-30% MFI category is expected to further increase in FY21 to 27%.

The availability and targeting of operating subsidy is critical for 0-30% MFI units. In recent Consolidated RFPs, available LRSP was prioritized for Permanent Supportive Housing units. The limited availability of LRSP resulted in DHCD and DCHA funding 0-30 percent units that were almost exclusively PSH units. In response, and due to the additional FY20 budget commitment of LRSP for Consolidated RFP projects, DHCD changed the 2019 Consolidated RFP to allow applicants to request LRSP for non-PSH 0-30% MFI

units. Consequently, the percentage of funding that is expected to be obligated for units in the 0-30% MFI category increased substantially, as summarized in the table below.

DHCD is balancing competing priorities in each Consolidated RFP. In particular, the District recognizes the value of mixed-income housing or developments that incorporate 30%, 50%, 60%, and 80% MFI units with market-rate units. The agency does not seek to incentivize concentrating 30% and 50% MFI units in a way that repeats the housing policy mistakes of the past.

Performance against the affordability guidelines, including projects currently in the pipeline but not yet obligated, is shown below:

<b>Fiscal Year: October 1 – September 30</b>	<b>Percent of Total HPTF Funding Obligated to 30% and below MFI Units for the Fiscal Year</b>	<b>Percent of Total HPTF Funding Obligated to 31 - 50% MFI Units for the Fiscal Year</b>	<b>Percent of Total HPTF Funding Obligated to 51 - 80% MFI Units for the Fiscal Year</b>
<b>FY2019</b>	<b>13%</b>	<b>79%</b>	<b>8%</b>
<b>FY2020</b>	<b>18%</b>	<b>59%</b>	<b>23%</b>
<b>FY2021 (to date plus projected)</b>	<b>27%</b>	<b>63%</b>	<b>10%</b>

- 105. Of the units supported by the HPTF, how many were accessible to:**
- a. Tenants with disabilities**
  - b. Seniors**
  - c. Veterans**

Response:

- a. Tenants with disabilities. Pursuant to Section 504 of the Rehabilitation Act at least 5 percent of housing units on wheelchair accessible floors (ground floor or floors with elevators) must be built to Uniform Federal Accessibility Standards (UFAS) and at least 2 percent of all housing units must be built with Audio/Visual features. While DHCD does not track the aggregate number of units available to tenants with disabilities, DHCD does prioritize the creation of PSH units, many of which serve tenants with physical or other disabilities. As described in the most recent RFP, PSH units provide supportive housing for individuals and families who were once homeless and continue to be at imminent risk of becoming homeless, including persons with disabilities as defined in 24 C.F.R.582.5, for whom self-sufficient living may be unlikely and whose care can be supported through public funds. Likewise, under the CoC Interim Rule, HUD defines PSH as permanent housing in which supportive services are provided to assist homeless persons with a disability to live independently. In FY20, DHCD

funded six projects with 55 PSH units and in FY21 to-date, DHCD funded three projects with 41 PSH units. There are twelve additional projects currently in underwriting that will produce 194 PSH units. In addition, DHCD's RFP provides prioritization scoring points to projects that go beyond the minimum accessibility requirements. Five points are awarded to projects where 80% of the project is reserved for seniors and 100% of senior units follow universal design standards, and two additional points are awarded to projects that develop 30% of units as Type A units, units that are adaptable and can allow seniors and others with mobility issues to age in place.

- b. Seniors. All units supported by HPTF are available to seniors. In FY20, DHCD funded two projects with 126 units reserved for seniors and in FY21 to date DHCD funded one project with 129 units reserved for seniors. In the FY21+ pipeline, there are three projects in underwriting that will produce 111 senior housing units. The increase in senior housing since FY17 is the result of the addition of prioritization scoring points in the RFP for projects with senior housing units
- c. Veterans. All units supported by the HPTF are available to veterans. DHCD does not track the number of units specifically reserved for veterans.

**106. The 2019 Consolidated Request for Proposals (RFP) was issued on June 28, 2019 and closed on September 30, 2019. What projects were selected for this RFP?**

Response: The list of projects selected to-date and other relevant information is provided in the response to Agency Specific Question 109.

**107. Of that RFP, what amount of HPTF funding was included?**

Response: For the 2019 Consolidated RFP, DHCD received 37 applications on or before the deadline of September 30, 2019 that represented total financing requests in the amount of \$369,496,618 in gap financing (HPTF/Federal funds) and \$14,015,757 in annual 9% Low Income Housing Tax Credits (LIHTC).

Due to the uncertain budget environment caused by onset of the COVID-19 State of Emergency and Public Health Emergency, which began March 11, 2020, the amount of HPTF funding that DHCD budgeted for 2019 RFP selections shifted multiple times. Consequently, DHCD selected projects in stages and placed a number of projects on a waitlist subject to additional funding availability of HPTF or other resources. The first round of selected projects, two projects, were announced on March 30, 2020. These initial project selections only requested 9% LIHTC and LRSP – no HPTF gap financing was required. The second round of selected projects, eight additional projects, were announced on June 30, 2020. Selected projects in this round requested \$73,777,213 in gap financing and \$3,268,190 in 9% LIHTCs. A third round of selected projects consisting of one project was announced on February 23, 2021. This project requested \$19,380,116 in gap financing. DHCD intends to utilize both HPTF and Federal sources, such as Section 108 guaranteed loan funds and national Housing Trust Funds, to cover some of the funding requested by the selected projects in round 2 and 3 as well as any future rounds.

**108. When was/will the next Consolidated RFP be released? Have the projects for this RFP been selected?**

Response: DHCD anticipates the next Consolidated RFP will be announced in last quarter of FY 2021.

**109. On an Excel spreadsheet, please provide the following information regarding HPTF projects awarded from Consolidated RFPs for FY18, FY19, and FY20:**

- **Name of the awardee;**
- **Name of all the legal entities comprising the awardee;**
- **Name of each individual and/or principal of the entity;**
- **Name and location of project;**
- **Date of award;**
- **Description of project; and**
- **Project timeline.**

Response: See ASQ Attachment 109 covering RFPs that closed in FY18 and FY19. Due to the uncertain budget environment caused by the onset of the COVID-19 State of Emergency and Public Health Emergency, there were no new Consolidated RFPs released in FY20. Selections from the 2019 RFP were made in FY20 and FY21. Please also see response to Agency Specific Question 107 for additional information.

**110. Please indicate the target populations of the next Consolidated RFP and what amount DHCD will contribute from the Housing Production Trust Fund.**

Response: The populations targeted in the next RFP are expected to be similar to the populations targeted in the most recent RFP, reflecting the multiple policy objectives of DHCD. The targeted populations will take into account the Mayor's housing goals for the District of Columbia as well as the statutory requirements of the various funding sources. For example, the last RFP targeted households in need of Permanent Supportive Housing, families, senior citizens, residents in need of Type A units (units that are adaptable and can allow seniors and others with mobility issues to age in place), and Artists. In addition, Prioritization Scoring points were awarded for units targeting lower income households as well as for units targeting a diverse mix of incomes. DHCD is currently evaluating resources available for the next Consolidated RFP. DHCD will continue to focus the funds available such that they meet the statutory requirements of the various funding sources while also meeting multiple housing policy objectives.

**111. How many TOPA acquisition projects has DFD closed on using HPTF funds in FY19, FY20, and FY21 to date? How many TOPA acquisition projects are currently in the agency's pipeline?**

Response: One TOPA acquisition project totaling 22 units accessed DHCD financing to complete a TOPA purchase in FY19. No TOPA acquisition projects utilized DHCD financing to complete TOPA purchases in FY20. While no TOPA acquisition projects are currently in DHCD's pipeline for acquisition financing, several completed TOPA acquisition projects are in DHCD's current pipeline for rehabilitation financing.

**112. Has DHCD made any changes over the past calendar year to increase the efficiency of the processes and procedures involved in the TOPA acquisition assistance program?**

Response: The TOPA acquisition assistance program was not available for new applications in FY20. For information regarding TOPA acquisition projects that utilized HPF funding, see response to Agency Specific Question 119.

**113. What was the total amount of HPTF contributions received under 11 DCMR § 414 in FY20 and FY21 to date? Please provide a spreadsheet of properties are subject to this provision and how much each has paid to date.**

Response: See ASQ Attachment 113. In FY 2020, collections of the fee totaled \$5,697,608. Through the first quarter of FY21, the HPTF has received \$831,336 in fees.

**114. Please describe the HPTF Advisory Board's process for reviewing and evaluating a project.**

Response: The HPTF advisory board is not involved in the review and evaluation of individual projects.

**115. In Council Period 23, the Council passed B23-0048, the Housing Conversion and Eviction Clarification Amendment Act of 2019, which became effective on April 16, 2020. How much money has been added to the HPTF to date as a result of fees collected under this law?**

Response: Funding has yet to be added to the HPTF as a result of this legislation as work proceeds on implementation regulations and procedures with DCRA.

#### **Housing Preservation Fund**

**116. DHCD has stated that the administration has reached its goal to provide loans with a 3:1 private to public leverage ratio. Has this been maintained and what strategies are being used to go higher?**

Response: Yes, all loans are at 3:1 or higher. The ability to go higher is contingent on a variety of factors including:

- Subsidy per unit;
- Net Operating Income and Debt Service Ratio; and
- Whether there is another private lender in the capital stack.

**117. How many applications were received for the Housing Preservation Fund in FY20 and FY21 to date?**

Response: Approximately 18 applications came in between both fiscal years and of those six have been funded thus far.

**118. How many projects have been funded through the Housing Preservation Fund in FY20 and FY21 to date?**

Response: Four projects were funded in FY20 and two thus far in FY21.

**119. How many of the projects funded through the Housing Preservation Fund in FY20 and FY21, to date, were TOPA acquisitions?**

Response: Five of the six loans funded in FY20 and FY21 have been TOPA deals.

**Housing Provider Ombudsman**

**120. Please describe any and all efforts to fill the position of Housing Provider Ombudsman.**

Response: The agency is currently in the process of revising the Housing Provider Ombudsman position description in order to initiate recruitment.

**121. Please provide the description of duties for the Housing Provider Ombudsman, including who is responsible for carrying out these duties.**

Response: See the attached position description certified by the Office of Human Resources describing the major duties, responsibilities, and functions of the housing provider ombudsman. (ASQ Attachment 121-1)

**Rental Accommodations Division & Rent Administrator**

**122. With reference to the Rental Accommodations Division’s petition caseload during FY20 and FY21 to date, please provide by case number a list all petitions filed, the date the petition was filed with RAD, and the current status of the petition. Please include all petitions that were pending at any point during FY20 and FY21 to date, including petitions filed prior to FY20. Please also provide the number of petitions during FY20 and FY21 to date that:**

- a. Were rejected for insufficiency;
- b. RAD rendered a preliminary decision on;
- c. RAD automatically transferred to OAH; and
- d. RAD transferred as a contested case to OAH.

Response:

**Pending Cases for FY 2020 & FY 2021 (to date)**

Number of Petitions Rejected for Insufficiency	0
Number of Preliminary Decisions Rendered by RAD	0
Total Number of Petitions Transferred to OAH	171
Number of Tenant Petitions 170	
Number of Housing Provider Petitions 40	
Number of Petitions Transferred as a Contested Case to OAH <sup>1</sup>	1

See attached tables of Tenant Petitions and Housing Provider Petitions. (ASQ Attachment 122-1 (Tenant Petitions) and ASQ Attachment 122-2 (Housing Provider Petitions).

<sup>1</sup> Note: The Rental Accommodations Division does not maintain its petition records by petitions transferred to the Office of Administrative Hearings prior to any filings of tenant objections and exceptions.

**123. Please describe any policies and procedures of RAD with regard to providing access to tenants to the underlying documents filed by housing providers with hardship petitions:**

- a. Does RAD have any policies or procedures in place to allow tenants to access the underlying documents filed with hardship petitions?**

Response: RAD's policy and process is to provide copies of hardship petitions and supporting documentation to tenants and their counsel upon request. The division redacts certain sensitive information such as federal identification numbers or bank account numbers, but otherwise tenant requestors or their counsel receive a complete copy of the hardship petition submission. If a requestor, however, is not directly related to a hardship petition transaction (i.e., a current tenant or the tenants' counsel), then RAD requires that the requestor submit a Freedom of Information Act request.

- b. How many requests did RAD receive during FY20 and FY21 to date from tenants or their representatives seeking access to the underlying documents filed with hardship petitions? Please break down these requests by indicating the date the request was made, the party making the request, the method by which the request was made, and all actions by RAD to respond to the request (including dates).**

Response: RAD does not maintain records requesting access to hardship petition underlying documents.

**124. Please provide in detail an update on any efforts by the RAD to update its forms and processes to reflect the following statutes enacted during more recent Council sessions:**

- a. L20-135, the Air Quality Amendment Act of 2016 (disclosure provisions amending the Rental Housing Act);**

Response: The Rental Accommodations Division has not updated its form to reflect the disclosure required by the Air Quality Amendment Act. There is no anticipated process change. The Division anticipates that the Rental Housing Act final rulemaking will require substantive changes to RAD's forms, and RAD will complete its form updates upon implementation of the final regulations.

- b. L21-553, the Rent Control Hardship Petition Limitation Amendment Act of 2016; and**

Response: The Rental Accommodations Division has not yet updated its hardship petition form to reflect the disclosure required by the Rent Control Hardship Petition Limitation Amendment Act of 2015 (Bill 21-0146 introduced March 17, 2015, Act 21-0553 enacted Dec. 6, 2016 and Law 21-0197 effective Feb. 18, 2017). There is no anticipated process change required. The Rental Accommodations Division will update its hardship petition form upon the implementation of final regulations by the Rental Housing Commission.

- c. L22-17, the Elderly Tenant and a Tenant with a Disability Protection Emergency Amendment Act of 2017.**

Response: The Rental Accommodations Division neither amended its forms nor created a new form implementing the requirements of the Elderly Tenant and Tenant with a Disability Protection

Emergency Amendment Act of 2017 (Bill 22-0017, enacted with Act 22-0004 effective Jan 10, 2017 and expired May 10, 2017) because it is moot. The emergency legislation expired on May 10, 2017.

## Other Housing Questions

- 125. Please detail DHCDs work with 202 Assist and provide statistics on the number of residents served in both FY20 and FY21 to date.**

Response: DHCD served as an early advisor to The Wall Foundation. The Wall Foundation reached out to DHCD to seek guidance on how Mr. Wall through the Wall Foundation could provide rental assistance to the residents of Ward 8. DHCD provided guidance on how to structure the rental assistance program. DHCD also connected the Wall Foundation to HCS and Lydia's House to administer the program. Lydia's House served as point application intake and HCS approved and processed the applications for payment. All donation proceeds went directly to HCS. The number of residents that were served by the 202 Assist Program were 337 in FY20 and 218 in FY21.

- 126. Please list any other partnerships DHCD has engaged in during FY20 and FY21 to date.**

Response: None

## 36,000 New Housing Units by 2025

- 127. How has the public health emergency affected the Mayor's goal of producing 36,000 new housing units by 2025?**

Response: To-date the public health emergency has not affected the Mayor's goal of producing 36,000 new housing units by 2025. Progress toward the Mayor's housing goals can be tracked here: <https://open.dc.gov/36000by2025/>

- 128. How has the public health emergency affected the Mayor's goal of producing 12,000 affordable housing units by 2025? Has the public health emergency produced unique obstacles to the production of new affordable housing units?**

Response: To date public health emergency has not affected the Mayor's goal of producing 12,000 affordable housing units by 2025. Progress toward the Mayor's housing goals can be tracked here: <https://open.dc.gov/36000by2025/>.

- 129. Have the affordable housing production goals detailed in the Housing Equity Report changed or been adjusted? Please provide any changes, broken down by each planning area:**

- Rock Creek West:
- Rock Creek East:
- Capitol Hill:
- Upper Northeast:
- Near Northwest:
- Far Southeast and Southwest:
- Central Washington:
- Mid-City:

- **Lower Anacostia Waterfront and Near Southwest:**
- **Far Northeast and Southeast:**

Response: There have been no changes to the goals.

**130. Do you want to add a question here about the Office to Affordable Housing Task Force?**

Response: Not at this time. Thank you.