

Council Should Delay the Vote on Homeless Services Bill

By Kate Coventry

While the Homeless Services Reform Amendment Act, currently before the DC Council, would make needed changes to update the rules governing DC's homeless services, it also would make a number of changes that could jeopardize access to shelter and other services. There are critical issues and areas of confusion in the legislation that would benefit from further discussion among people experiencing homelessness, providers, advocates, and government officials. Given that this legislation affects some of the District's most vulnerable residents and their access to life-saving shelter, DCFPI believes that the Council should delay the vote scheduled for December 5th and that stakeholders should reconvene to work through these issues.

The legislation makes changes to reflect the District's move from a system focused primarily on providing emergency shelter to one that focuses on housing and includes new housing programs. The legislation also includes changes to definitions of a number of key terms, such as chronic homelessness. Many changes align definitions with federal law, which would reduce the monitoring and reporting burden of providers who receive both federal and local funding. Finally, the bill expands the DC Interagency Council on Homelessness (ICH) membership to align with federal requirements and allow new, needed stakeholders like business and philanthropic leaders to join.



Photo by: Johnathan Comer. Available [here](#).

Despite these positive changes, there are several issues that would benefit from additional discussion:

Safe Housing Assumption Could Lead Families to Be Wrongfully Turned Away

The legislation requires a resident seeking shelter who is listed on a lease or occupancy agreement to provide “credible evidence that it is impossible to return to such housing.” This language was introduced from the Council dais and there has not been broad discussion of what will count as “credible evidence.” If a statement is not considered credible without corroboration, for example, it may lead to residents being wrongfully turned away. Additionally, it is not clear whether “impossible to return to such housing,” includes situations in which the housing poses a risk to the family's health or safety. Under current law, these situations give a family the right to access shelter. These terms need to be clarified to help ensure families in need are not turned away from shelter.

Families May Be Unfairly Exited Due to Time Limits

The legislation allows families to be exited from a program if they have reached a time limit, without any grounds for appeal. This provision is concerning for several reasons. First, families could lose their housing even if they do not have access to a safe alternative. In addition, many clients report they do not receive case

management until months after starting the Rapid Re-Housing program. Finally, it is up to individual Rapid Re-Housing providers to recommend that a family be exited, and different providers make different decisions, with some being more likely to extend housing than others. Allowing termination without a consistently applied standard for exits may lead to clients receiving different treatment based on who their provider is. DCFPI recommends that stakeholders reconvene to establish circumstances in which a family can be exited based on a time limit.

Residency Requirements May Exclude Some DC Residents

DCFPI is concerned that some DC residents, particularly young parents who have not lived on their own, may not have one of the residency proofs listed in the current bill and thus will not be able to prove their residency. DCFPI recommends that a provision be added to the legislation to allow DHS to accept other evidence so that that DC residents are not turned away.

Families in Need May Be Excluded from Permanent Supportive Housing

The proposed new definition of “permanent supportive housing” (PSH) limits the program to residents who are or are at-risk of being “chronically homeless,” meaning the head of household must have a disability. This is narrower than the District’s current practice of also serving families in which a *child* has a disability and the family needs intensive services to remain housed. We suggest that this definition be expanded to ensure that families in this situation can receive the services they need when an assessment indicates they likely need the intensive wraparound services of PSH.

New Chronically Homeless Definition May Lead Clients to Not Seek Inpatient Treatment

The proposed new definition of “chronically homeless” is adapted from federal guidance and excludes those who have been in an institution for more than 180 days. Because the new definition of “permanent supportive housing” (PSH) in the legislation limits the program to residents who are or are at-risk of being “chronically homeless,” this may lead clients not to seek inpatient substance abuse or mental health treatment that might disqualify them for PSH. DCFPI does not believe this is the administration’s intention, and we recommend that stakeholders discuss how to maintain the intention regarding exit planning without disqualifying clients from PSH.

Delaying the vote can allow for further discussion to clarify the legislation and ensure that residents experiencing homelessness have access to the services they need.