

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN SERVICES**



Public Hearing on
Bill 23-180, the “On-Site Services Act of 2019”

Testimony of
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Before the
Council of the District of Columbia

Committee on Human Services
Brianna K. Nadeau, Chairperson

Committee on Housing & Neighborhood Revitalization
Anita Bonds, Chairperson

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Room 412
John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Good afternoon, Chairperson Nadeau, Chairperson Bonds, members and staff of the Council, and members of the community. My name is Laura Zeilinger, and I am Director of the District of Columbia Department of Human Services (DHS). I am pleased to testify before you today regarding Bill 23-180, the “On-Site Services Act of 2019.”

The “On-Site Services Act of 2019” (Act) requires qualifying housing providers to arrange for on-site services if a building 1) consists of at least 20 separate dwelling units and 2) at least 30 percent of the dwelling units are leased to residents receiving rental assistance through District programs, including the Local Rent Supplement Program and project-based, sponsor-based, or tenant-based assistance, which is more often provided through vouchers. On-site services may include, at the determination of the housing provider, “health services, legal services, food and nutrition services, childcare services, education services, employment services, after-school programs, social activities that promote community building, or other social service programs that promote healthy and supportive housing.”¹ While we believe this is well-intentioned legislation aimed at supporting residents and landlords, the proposal presents a series of troubling policy assumptions and logistical hurdles that we worry could result in significant unintended consequences that would also prove harmful to the very population we seek to serve.

Before discussing the impact of this legislation, I want to discuss the two programs administered by DHS that would be captured in this bill: the Permanent Supportive Housing (PSH) program and the Targeted Affordable Housing (TAH) program. PSH is a permanent subsidy that includes supportive services to help individuals and families experiencing chronic homelessness, including persons with a disabling condition and long histories of homelessness,

¹ Bill 23-180, the “On-Site Services Act of 2019,” lines 39-42, accessible at: <http://lims.dccouncil.us/Download/42009/B23-0180-Introduction.pdf>

obtain and sustain housing stability. TAH is a permanent subsidy that includes light-touch supportive services for individuals and families experiencing homelessness who do not need intensive services to remain stably housed, or who are getting intensive services elsewhere, but, most likely due to advanced age and/or a disability, will need a permanent housing subsidy. Both programs rely on the Housing First Model,² a national best practice that prioritizes providing permanent housing to persons experiencing homelessness, which can serve as a platform for recipients to pursue personal goals and improve their quality of life.

The eligibility determination for PSH or TAH includes an assessment called the Service Prioritization Decisions Assistance Tool – or SPDAT, for short. The SPDAT examines the components of a person’s or family’s life to help determine which households are most likely to benefit from certain housing interventions and what case management supports they need to be successful. The SPDAT helps inform a case management plan for each household that provides tailored supportive services based on the household’s particular needs. In furtherance of a well-tailored approach, once a PSH client is housed, DHS ensures that a licensed clinician conducts a psychosocial assessment. This assessment more deeply reviews all levels of functioning, including family, community, medical history, and trauma. The purpose is to ensure the case manager is clear about what a client needs to maintain housing. With this, I will now turn the focus to the impact of the measure.

First, we fear this legislation could have a chilling effect on the availability of units for residents experiencing homelessness. While the Act is aimed at supporting landlords, the requirements of the On-Site Program may prove overly burdensome and ultimately deter landlords who do not want to deal with additional requirements. This could result in landlords

² Additional information outlining how the Housing First model differs from other approaches; who can be helped by Housing First; and a breakdown of how the model works, is accessible at <https://endhomelessness.org/resource/housing-first/>

working to ensure they do not meet the 30 percent threshold – which, although illegal, would be difficult to enforce. In addition, establishing on-site services in a residential building may require housing providers to take units offline to create the necessary office or community space, further reducing the number of available units. This comes at a time in which the District desperately needs to expand the number of units accessible to low-income residents. A report released last week by the Mayor, CNHED, and the Urban Institute cited the insufficient supply of units available for very low-income households.³

Second, we believe the threshold for services is misguided. This legislation sets a broad threshold that targets residents by virtue of receiving a housing subsidy. The baseline assumption being that the mere presence of a certain number of tenants who rely on housing subsidies automatically requires a different level of service delivery. All households with housing subsidies need rental assistance – not all households with housing subsidies need supportive services. Relatedly, we are concerned that requiring services based on the source of income of a particular group may violate local fair housing protections.

Third, for clients supported by DHS programs, this bill may require services that are already provided and paid for through other means. Clients in the PSH and TAH programs already receive supportive services. They each have an assigned case manager who meets with them on-site and at other locations. There may be situations in which those services need to be enhanced or altered—we have certainly seen that in cases where an individual’s personal situation changes. Programmatically, we believe such adaptations can and should be addressed on a case-by-case basis through our provider network. Providing supplemental

³ Peter A. Tatian, et al., “An Assessment of the Need for Large Units in the District of Columbia” (2019), accessible at : https://dmped.dc.gov/sites/default/files/dc/sites/dmped/publication/attachments/Formatted%20FSU%20Study_FINALE%206-24_1.pdf

services regardless of the support clients are already receiving begs the question of whether this is the best use of limited resources.

Fourth, it would be difficult to accurately assess what services are appropriate for an entire building and to change those services as tenants turn over. The bill requires housing providers to work with all residents to determine what services should be put in place, yet not all residents will necessarily have uniform needs. For example, one segment of residents may favor employment supports while others may favor social activities. Subsequent residents, following turnover, may favor childcare. Services requested by those receiving rental assistance may be different than those not receiving rental assistance – and providing one versus the other may represent divergent policy goals that would be difficult to evaluate and choose. Furthermore, most services cited in the Act – such as health services, employment services, and childcare – may be more effectively and efficiently provided through established channels in non-residential facilities.

Before I close, I would like to revisit the issue of access. Despite our best efforts to enforce fair housing laws, residents receiving a rental subsidy from the District already face rampant housing discrimination, if not explicitly based on their source of income, implicitly, based on other criteria such as credit scores, housing history, and systems involvement that limits their ability to obtain housing. The proposed legislation implies that people who require financial assistance with rent must have social services needs that are different than people with means. The truth is that the wealth and income gaps are the direct result of social policies that have limited opportunities based on race, gender, and other demographic factors. Our strategies to address housing needs should maintain a focus on increasing access by growing the number of properties available to people with the lowest incomes. These residents want the same thing we

all want – to live in safe, high-opportunity neighborhoods. We should do everything we can to reduce barriers to accessing housing in all neighborhoods, not increase them. Similarly, landlords willing to give vulnerable residents a second chance are already few and far between. Rather than putting additional responsibilities on them, we should focus on ways to open up other housing partners to these programs.

I would welcome the opportunity to share the strategies we are currently implementing to expand access and reduce barriers. I know we all share the same goal of ensuring that our most vulnerable neighbors have access to safe, stable, affordable housing – and the supportive services to help them be successful.

Thank you for the opportunity to testify today. I look forward to answering your questions at this time.