



**Mayor Muriel Bowser**  
**City Administrator Rashad M. Young**



# ***Homeless Services Reform Amendment Act***



***June 21, 2017***

# Background and Key Context



- ❖ Homeless Services Reform Act (HSRA) drafted more than a decade ago.
  - Our response to homelessness at the time was largely focused on shelter.
  - The goal was to prevent cold weather injury/death.
  
- ❖ Over the last ten years, the landscape has changed significantly.
  - Focus today is on preventing homelessness whenever possible, and provision of shelter and rapid connection back to permanent housing when housing loss is unavoidable.

# WORST CASE HOUSING NEEDS IN THE DISTRICT OF COLUMBIA

## HOUSEHOLDS THAT ARE IN HOUSING BUT HAVE "WORST CASE" HOUSING NEEDS.

Needs experienced by unassisted, very low-income renters who either (1) pay more than one-half of their monthly income for rent; or (2) live in severely inadequate conditions, or both.

Different data sources estimate the number of households with worst case needs to be between 40,000 and 60,000.

Programs designed to increase affordable housing include:

- Public Housing
- Section 8 Housing Choice Vouchers
- Section 811/202
- Low Income Housing Tax Credits
- HOME Investments Partnership Program
- Community Development Block Grant Program
- Local Rent Supplement Program
- Housing Production Trust Fund
- Inclusionary Zoning Units



## HOMELESS SERVICES SYSTEM

• The homeless services systems represents a safety net for people. The Homeward DC plan is focused on reforming the homeless services system.

• At any point in time there are approximately 4750 households in shelter, transitional housing, or on the streets (Source: 2017 Point-in-time).

• The programs designed to help move people out of shelter and back into housing include Permanent Supportive Housing and Rapid Re-Housing.

# Resource-Constrained Environment



Two options for allocating resources:

- 1) **First-come, first-serve (waitlist model)**
  - Households treated the same; all needs given equal weight.
  - A small number of households get deep/ongoing assistance; others receive no help.
- 2) **Triage & prioritization approach (crisis response model)**
  - Different program models to address different needs.
  - Providing “just enough” assistance allows us to stretch available resources to assist/stabilize as many individuals/families as possible.
  - Due process provisions in the HSRA exist to ensure we can preserve system flexibility while maintaining client rights and protections.

# About DC's Right to Shelter Law



- ❖ In mid-80s, advocates successfully got a referendum on the ballot (known as “Initiative 17”)
  - Passed with over 70% of vote
- ❖ District had difficulty complying
  - Two separate class action lawsuits filed
  - City was being fined \$30,000 per day
- ❖ Council repealed Initiative 17 through emergency legislation in 1990
- ❖ Advocates got another referendum on the ballot in 1990, which was rejected.

# About DC's Right to Shelter Law, Cont.



- ❖ HSRA passed in 2005, provided a Right to Shelter during hypothermic weather.
  - Led to large spikes in the winter with little to no access the rest of the year.
- ❖ Housing crisis continued to grow more extreme. By 2014, the City was pushed into Maryland motels for the first time.
  - Advocates challenged this policy; City began placing families in recreations centers.
  - Lawsuit filed (Reid v. District of Columbia)
  - Dignity for Homeless Families Act
- ❖ HSRA Amendment Act is intended to ensure we are using shelter system for crisis response (versus a waiting room for affordable housing) and protect our ability to provide year round access.

# DC is not alone, but we must lead



**HUD: Between 2007 – 2016 sheltered homelessness among people in families in major cities increased by 15%**

## Jurisdiction with Highest Increases in Family Homelessness (2007 – 2016)

Jurisdictions	Total Increase in Persons in Families	Percent Increase
New York	16,492	47.7%
Massachusetts	6,339	92.7%
District of Columbia	3,064	191.1%

} The only 3 Jurisdictions in US with “Right to Shelter”

## Jurisdiction with Lowest Rates of Unsheltered Family Homelessness (2007 – 2016)

Jurisdiction	Total in Persons in Families	Percent Unsheltered
New York City	44,558	0.0%
District of Columbia	4,667	0.0%
Boston, MA	3,755	0.0%



# Homeward DC



- Released in March 2015 with unanimous support from the ICH.
- Historic investments in solutions that work:
  - ✓ Launched innovative and effective targeted homelessness prevention program for families.
  - ✓ Created year-round access to emergency services for families that need it, when they need it.
  - ✓ Closing and replacing DC General.
  - ✓ Coordinated Assessment and Housing Placement (CAHP) system allows us to reach our most vulnerable residents and prioritize access to resources.
  - ✓ Housing more veterans, families, and individuals than ever before.
- Drove homelessness down by 10.5% from 2016 to 2017.
- Addressing our statutory framework is our next step.



# HSRA Stakeholder Engagement



- Solicited written comments from stakeholders – included past and current consumers, providers, advocates and government partners.
- Reviewed and identified issues that could only be addressed through the legislative process.
- Led a series of stakeholder meetings to gather input on issues those issues.
- Developed proposed amendments to the law based on first series of meetings.
- Hosted a second series of meetings throughout the fall and winter to discuss/revise language on each topic.
- Summary meetings in May 2017 to review final package of changes.

# Overview of the Proposed Changes



## Homeless Services Modernization Amendment Act

Aligns HSRA with the strategies of *Homeward DC*

*-Introduced on May 15, 2017*

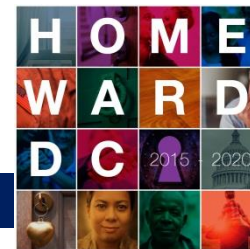
- Subchapter I: Definitions. Modifies existing definitions and adds new definitions to align with Federal policy.
  - Modifies “Homeless” and “At Risk of Homelessness;” adds “Chronically Homeless.”
  - Eliminates term “Supportive Housing,” provides distinction between short-term and permanent housing programs.
  - Adds definition of “medical respite services.”
  - Modifies definition of “Resident” to create fair and accurate standard for demonstrating District residency.
- Subchapter II: ICH. Makes minor modifications to ICH membership; streamlines powers and duties.

# Overview of the Proposed Changes



- Subchapter III: Continuum of Care Services.
  - Clarifies that those with access to safe and appropriate housing are not eligible for a shelter placement.
    - They do remain eligible for crisis intervention services (conflict resolution, family mediation, etc.)
  - Authorizes the District to re-determine eligibility for services, as with other public benefits.
  - Clarifies that referrals to housing will be based on the District's coordinated entry protocol (versus chronological order).

# Overview of the Proposed Changes



- Subchapter IV (Part B): Client Rights & Responsibilities. Establishes additional rights for clients in permanent housing programs and clarifies that it is the lease agreement that dictates a client's right to stay in their unit.
- Subchapter IV (Part C): Provider Requirements: Includes a series of changes related to notice requirements, program transfers, and program exits designed to address aspects of current law that perpetuate ineffective, costly, and/or unsustainable practices.
  - Clarifies notice requirements in cases of abandoned short-term housing units (termination is permissive, but the method of notice is mandatory).
  - Allows emergency transfers in cases of loss of a unit or when a client's continued presence threatens the Department's ability to provide services to current clients.
  - Clarifies emergency transfers & terminations must be effectuated within 24 hours.
  - Adds provision related to program exits for time-limited housing assistance programs (align with Federal policy, Homeward DC, and exiting program regulations.)

# Why is Fixing the Law Critical to our Efforts?



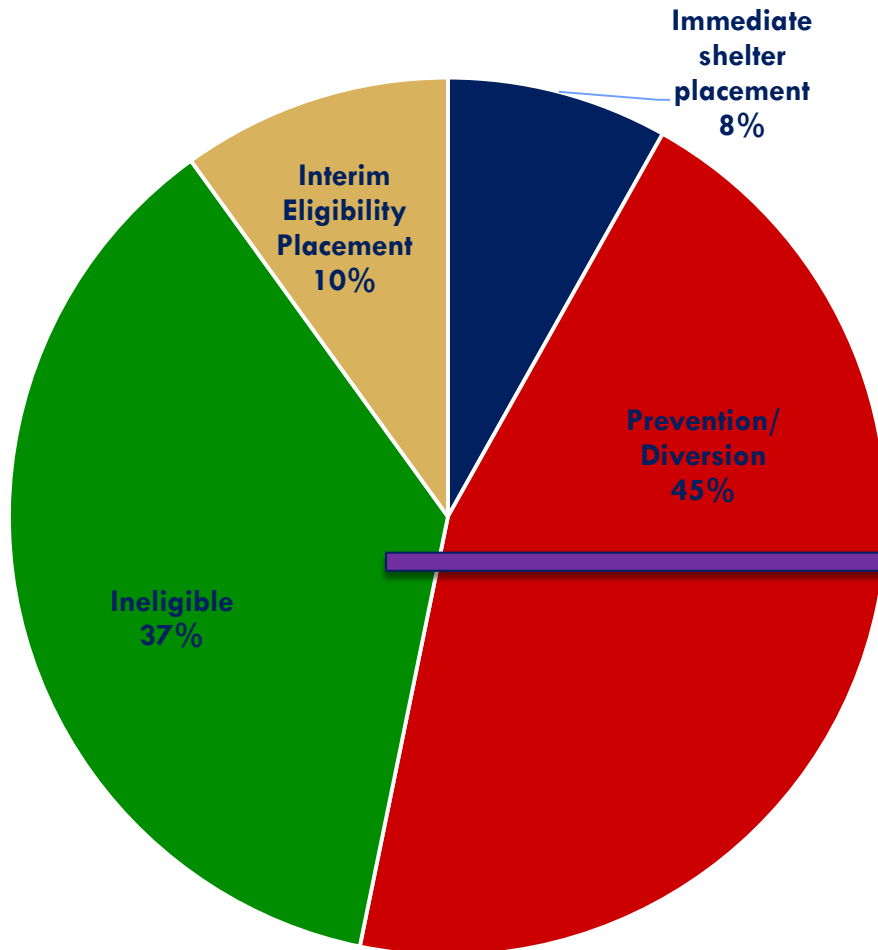
**Some aspects of current law perpetuate ineffective, costly and unsustainable practices; reforms are needed now.**

- DHS is spending more than \$65,000 a night on overflow motels.
- Nearly 25% of overflow motel rooms are not consistently used by clients.
- 11% of applicants seeking family shelter are not DC residents.
- As many as 10% of applicants have access to safe housing.
- Current law creates compliance challenges with HUD, putting the District at risk of losing Federal funding.
- Law is outdated and does not reflect the current system or industry best practices.

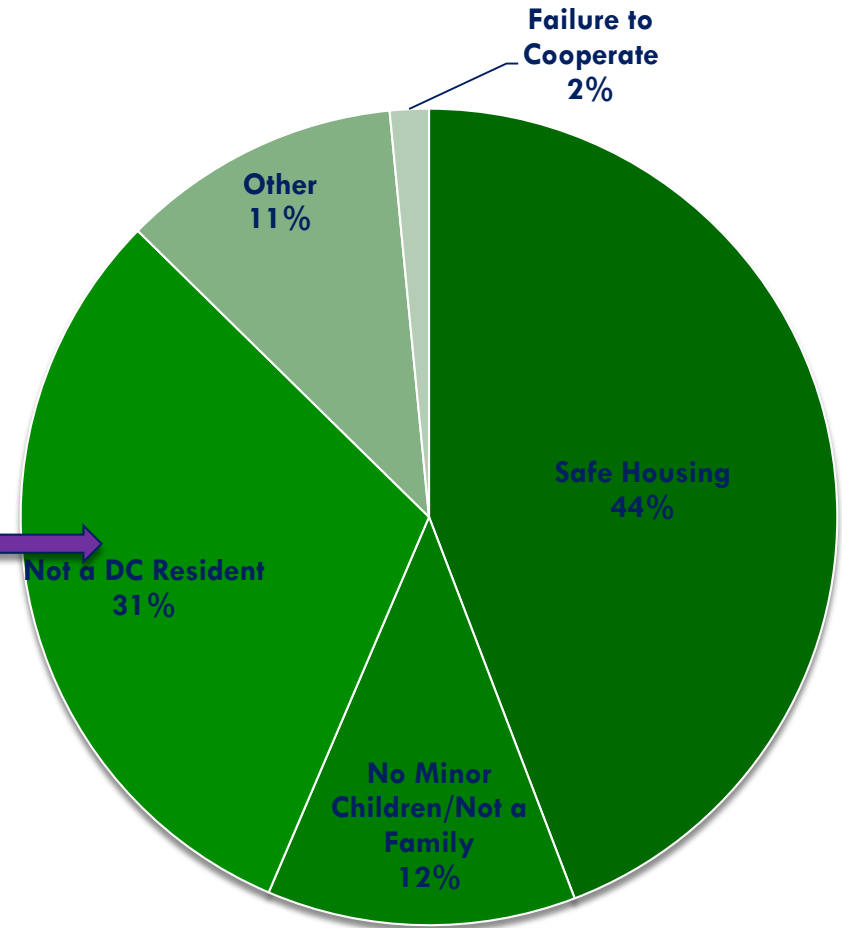
# Shelter Must be Reserved for Households Who Have No Safe Options



Eligibility Data,  
n = 2642



Reasons for Ineligibility,  
n = 973



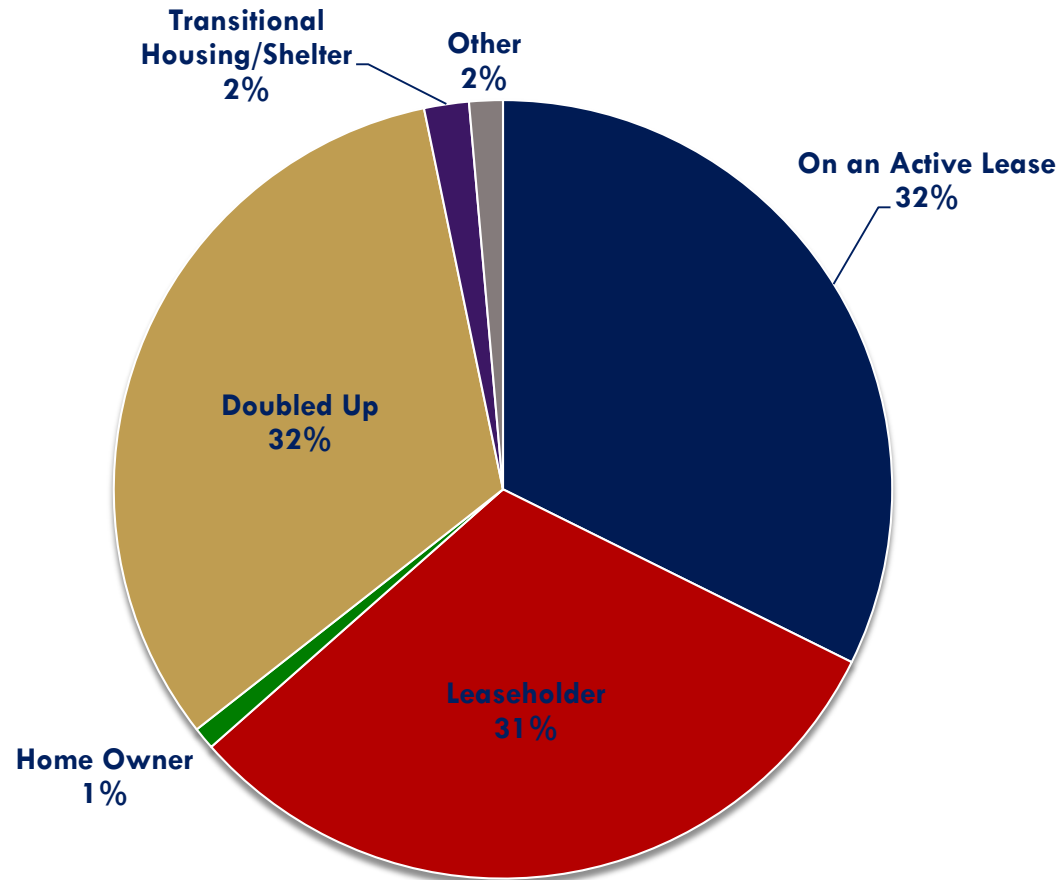
**Note:** DHS insourced Virginia Williams Family Resource Center on October 1, 2016. All data is from October 2016 – April 2017.

# Shelter Must be Reserved for Households Who Have No Safe Options



**Under the current law, families with documented access to safe housing can still be entitled to shelter during hypothermia.**

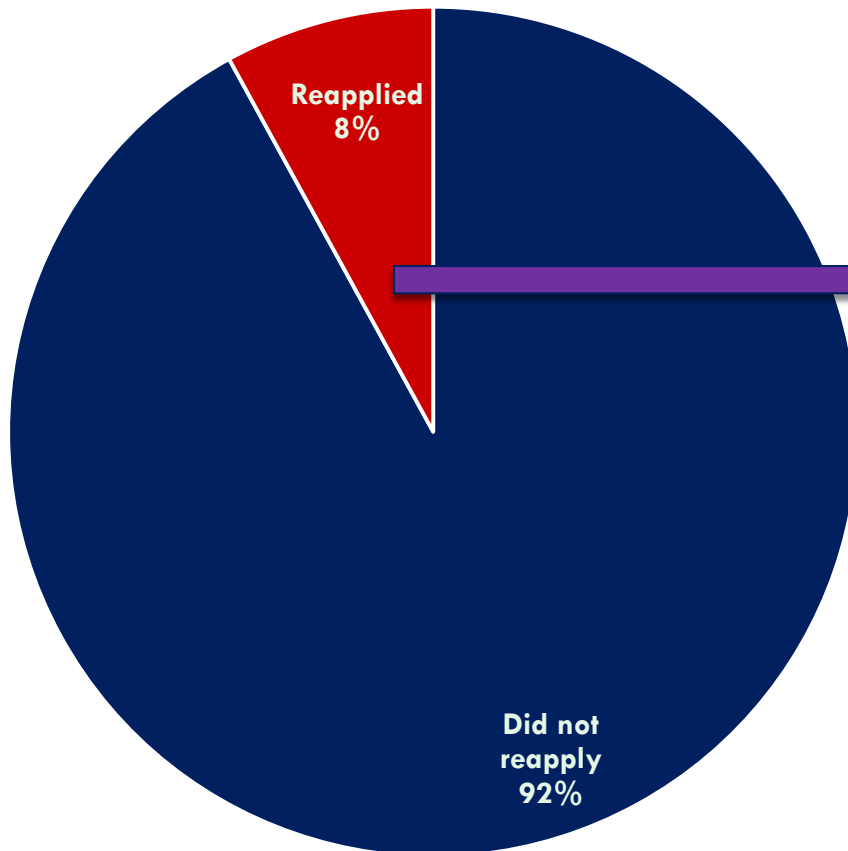
**Families with access to Safe Housing,  
n=430**



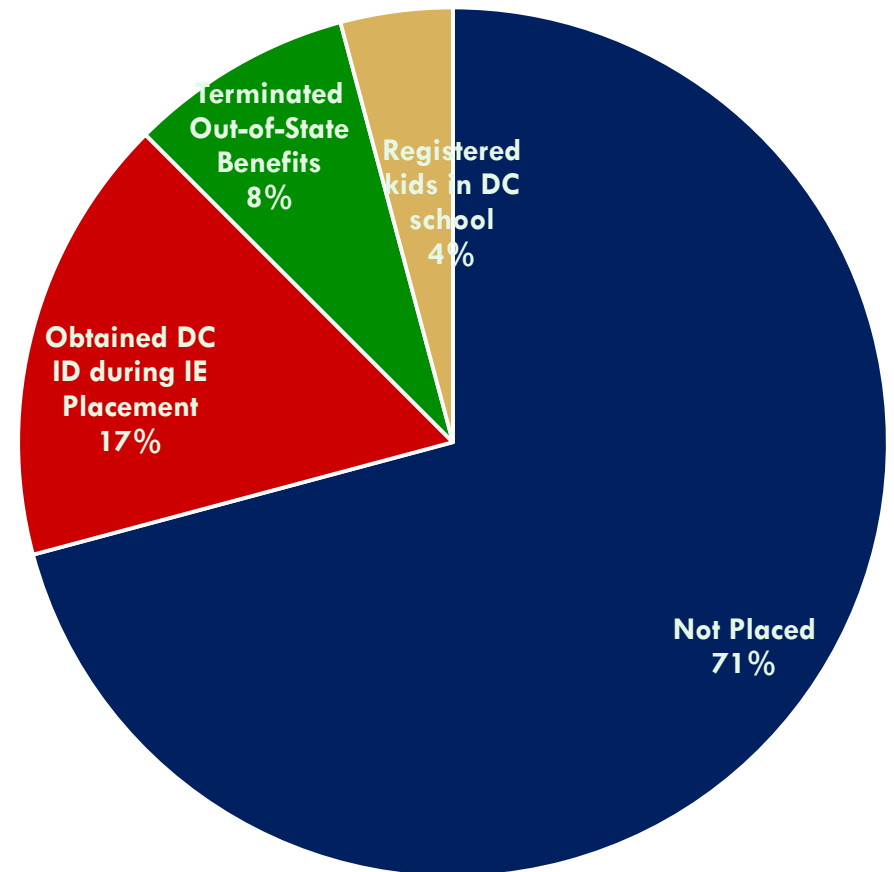
# The Right to Shelter Was Created to Protect District Residents



Non-Resident Family Applications,  
n = 301



Outcomes of Non-Resident Family Applicants Who Reapplied, n = 24





# Residency Requirements Across DMV



Jurisdiction	Residency Requirement
Prince George's County	<ul style="list-style-type: none"> <li>• Proof of PG County Residency (lease, utility bill, proof of benefits);</li> <li>• Valid Photo ID from PG County, Voter Registration, Military ID; AND</li> <li>• Homeless or within 7 days of becoming homeless.</li> </ul>
Montgomery County	<ul style="list-style-type: none"> <li>• Proof of eviction, foreclosure or notice to vacate in Montgomery County.</li> </ul>
City of Alexandria	<ul style="list-style-type: none"> <li>• Proof of residency in the last 30 days.</li> </ul>
Fairfax	<ul style="list-style-type: none"> <li>• Proof of loss of housing in Fairfax County;</li> <li>• Proof of school enrollment; AND</li> <li>• Valid ID or mail depicting residency in county.</li> </ul>
Loudon County	<ul style="list-style-type: none"> <li>• No residency requirements.</li> </ul>
<b>District of Columbia</b>	<ul style="list-style-type: none"> <li>• <b>Valid mailing address in the District within the last two years;</b></li> <li>• <b>Evidence that HH has applied for or is receiving public assistance in the District;</b></li> <li>• <b>Evidence that HH member is attending school in the District; OR</b></li> <li>• <b>Written verification from District resident attesting that the HH lives in the District voluntarily, not for a temporary purpose and has no intention of moving from the District.</b></li> </ul>

# More on Residency



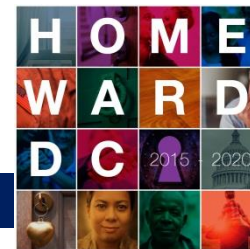
- ❖ Current law already contains residency requirement for temporary shelter and housing programs; amendment clarifies list of allowable documentation.
- ❖ Documentation requirements remain unchanged for low-barrier shelter (i.e., no documentation required)
- ❖ Department can use electronic records to verify residency (school attendance, benefit receipt, etc.)
- ❖ When in doubt, families have access to Interim Eligibility placement (and 3 day grace period).
- ❖ The change allows the District to engage surrounding jurisdictions in investing in needed services.

# Redetermination of Eligibility



- ❖ Provision clarifies that participant must remain eligible throughout their time in program, not just at program application.
- ❖ Client would be transferred (in cases where no longer eligible for program) or exited (if client no longer eligible for CoC services).
- ❖ Examples:
  - As a youth ages, he/she would be transferred to adult system.
  - If a parent no longer had physical custody of a child, he/she would be transferred to single adult system.
  - Once a client's acute medical condition subsided, he/she would be transferred from medical respite to a shelter program.
  - If it's determined that a client has access to safe housing, he should would be exited from shelter (and referred to prevention services if additional supports are needed).

# Redetermination of Eligibility



**DHS is spending more than \$65,000 a night on overflow motels, with nearly 25% of overflow motel rooms not consistently used by clients.**

<b>Cost After 18 Day Termination Process</b>	<b>Cost After 30 Day Termination Process</b>
$\$125 * 18(\text{days}) = \$2,250/\text{family}$	$\$125 * 30(\text{days}) = \$3,750/\text{family}$

**Funding for 54 HUD-funded programs, serving nearly 2,000 households, could be at risk without ability to re-determine eligibility.**



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