
Government of the District of Columbia



Office of the Tenant Advocate

Testimony of

Johanna Shreve

Chief Tenant Advocate

Public Roundtable on

Tenant Protection and Eviction Prevention

Committee on Housing and Neighborhood Revitalization
The Honorable Anita Bonds, Chairperson
Council of the District of Columbia

on

Monday, September 14, 2020

12:00 p.m. via Virtual Platform

Good afternoon Chairperson Bonds, members of the Committee, and staff.

I am Johanna Shreve, Chief Tenant Advocate at the Office of the Tenant Advocate.

I am here today to join in a discussion with the Council, my sister agencies, and

public interest advocates that I hope will result in a bold and comprehensive

eviction prevention strategic plan. All of us are keenly aware of the looming

eviction crisis that the District, and indeed the country, confronts once the public

health emergency is over and the backlog of evictions that have been temporally

postponed are allowed to proceed. The question we must ask is, what are all of

us working together going to do to avoid, or at least minimize, the tragedy that is

sure to come if we do nothing.

This is the first time in recent memory that governments have been faced

with a housing challenge of this magnitude. It is one that we every reason to

believe will continue indefinitely both nationally and locally. Here in the District,

the stark reality is 143,308 of our residents have filed unemployment

compensation claims¹; small businesses are closing in record numbers; we are

losing retail businesses large and small; service industries including hotels,

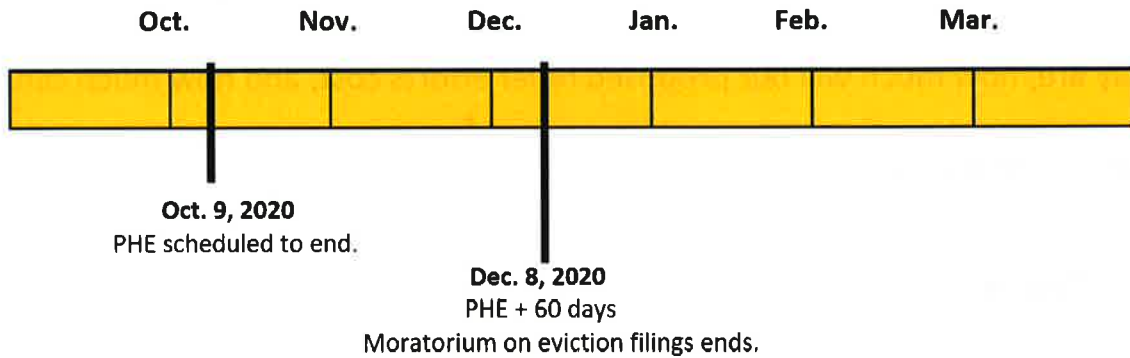
¹ Daily Unemployment Compensation Data, Department of Employment Services, Government of the District of Columbia, available at https://does.dc.gov/sites/default/files/dc/sites/does/publication/attachments/UI%20Claims%20Numbers%20Updated_101.pdf

theaters, and museums are closed or struggling with further delays in reopening. The indicators when observed on an economic scale reveal a frightening financial picture, or should we just call it a depression. The twin challenges before all of us today are, how much will our proposed relief efforts cost, and how much can the government afford.

Context

The anticipated surge of tenant evictions once the public health emergency ends will likely impact thousands of District residents, and may well overwhelm both the District's housing assistance resources and the Courts. To put the gravity of this challenge into perspective, about 30,000 eviction actions are typically filed each year; we anticipate up to 10,000 evictions will be filed immediately or very shortly after the eviction filing moratorium expires (December 8, 2020),

**TMIELINE FOR THE FILING OF EVICTIONS
FOLLOWING THE PUBLIC HEALTH EMERGENCY (PHE)**



Since Mayor Bowser declared both a State of Emergency and a Public Health Emergency (PHE), OTA has been working hard to assist the District’s tenant community.

- **Our attorney advisors and case managers** have been fielding questions, advising tenants of their legal rights and providing legal representation in judicial and administrative actions.
- Since April the **Education and Outreach Branch** has informed 4,855 tenants, tenant associations, nonprofits, tenant bar, and stakeholders on their tenant rights during COVID-19 through twenty-two events.

- In July, we partnered with the Office of the Attorney General (OAG) to discuss, prepare and implement a tenant summit where 255 individuals were in attendance
- Additionally, the Education and Outreach Branch is developing handouts that explain and differentiate the rental assistance programs to tenants and the rent payment plan.
- The Policy Branch has been collaborating closely with governmental and non-governmental entities, including the DC Council, Mayor's office, tenant advocates and other interested parties to strengthen existing tenant protections.
- In addition to exploring other non-legislative solutions to further protect the District's tenants.

During these challenging times, OTA as a whole has remained steadfast on helping our city's tenants stay in their homes.

Financial Assistance

The eviction moratorium and the other tenant protections the Council enacted have helped District renters stay home and healthy and have helped mitigate the spread of COVID-19 in our city. However, without additional

emergency assistance funds for tenants and small landlords, we are merely delaying not preventing evictions. As Matthew Desmond wrote in a recent New York Times op-ed, *“The Rent Eats First, Even During a Pandemic².”* To fully prepare for the eventual wave of evictions we require additional funds.

However, as you recall Chairperson Bonds, during the budget hearing, we discussed the possibility of reviving the Legal Service Provider Fund (LSPF). We were then speaking of \$500,000 refunding amount. This program would serve to augment OTA’s ability to assist renters who need attorneys but whose incomes may exceed the threshold requirements of other available funding (200% of the federal poverty level for Civil Legal Counsel Projects Program). The Fund would also increase the agency’s ability to provide more flexibility in terms of the types of cases that qualify for assistance. These cases would include both imminent evictions as well as “anticipatory” evictions. I recognize that there is a premium on direct assistance to tenants, however we foresee a growing number of tenants needing assistance who otherwise will lack legal representation. In repurposing a revived LSPF to better meet the looming eviction crisis, the OTA would explore possible partnerships with organizations that specialize in mediation to avoid as many evictions as possible against economically stressed tenants. Therefore, I

² Matthew Desmond, *The Rent Eats First, Even During a Pandemic*, New York Times, August 29, 2020, op-ed.

believe the Council should reconsider funding the LSPF so that we can help more individuals and families stay in their homes.

Legislative Protections

OTA believes that the Council should extend all tenant protections because simply allowing them to expire with the ongoing pandemic would be counterproductive. The moratorium on eviction filings should be extended to cover the public health emergency plus 120 days and the moratorium on the execution of evictions should cover the public health emergency plus 60 days (the graph below shows the number of cancelled evictions subject to rescheduling immediately upon the expiration of the moratorium).

SCHEDULED EVICTIONS CANCELED DUE TO COVID-19 BY WARD

	March	April	May	
Ward	3	4	5	
1	30	8	0	
2	11	6	0	
3	19	4	0	
4	26	8	0	
5	86	70	0	
6	66	28	2	
7	91	76	1	
8	197	108	5	
TOTALS	526	308	8	842

By doing this, we effectively extend renters' timeline to (1) to stay in their homes and stay safe during the pandemic, and (2) to make necessary financial arraignments. This is important, because those District tenants that lost their jobs or have been financially impacted by the pandemic are not back to work and it will take them time to get back on track.

Additionally, the Council should consider extending the mortgage forbearance period in section 401 to further protect small landlords, and their tenants, from foreclosure and displacement. The current protections afforded to homeowners in both the DC coronavirus emergency legislation and the CARES Act, provide homeowners with a 90-day forbearance period. By extending the

forbearance period, the Council will help keep tenants in their units and buy more for tenants, housing providers, and policy-makers alike to determine longer-term solutions, hopefully with an improving economy and employment picture.

As I've testified before, an eviction record can have long-lasting impact on a renters' credit scores and their ability to find future housing. Therefore, I urge the Council to consider legislation to seal eviction records, especially now in light of our current circumstances. The Eviction Record Sealing Authority Amendment Act of 2019, introduced by Councilmember Cheh, is currently under Council review. I encourage the Council to act decisively and approve this legislation before the courts reopen and begin to process evictions.

The current coronavirus emergency legislation establishes that landlords must offer rental payment plans to eligible tenants (Section 402). This is an important protection against evictions that has allowed tenants facing a pandemic-related hardship to remain in their units on a modified payment schedule, without losing any rights under the lease. OTA welcomes DHCD/RAD's publication of the Tenant Payment Plan Complaint form, which will provide further direction to both landlords and tenants on the fashioning of a rental

payment plan agreement. However, section 402 requires substantial clarifications to better achieve its legislative intent.

Without these clarifications, landlords will continue to engage in practices that violate either the letter or the spirit of the law and make it harder for tenants to access a payment plan. OTA is receiving an increasing number of complaints about unlawful landlord behaviors including requiring tenants to exhaust their savings and available credit, to disclose all assets, and to request loans from friends and family before the landlord will agree to discuss a payment plan. The Council should require that landlords negotiate in “good faith” and prohibit them from including onerous terms not contemplated in the statute. This will level the playing field for tenants, and it will also facilitate the execution of tenant payment plans in accordance with the legislative intent.

Public Outreach

In lieu of an in-person Tenant Summit, this year OTA will hold a variety of virtual forums to address the most pressing issues confronting our tenant community. The forums will place special emphasis on eviction prevention and tenant resources.

I also believe it is crucial to include D.C. Superior Court in a specialized working group, organized by housing advocates from both sides, to examine how to improve court processes and outcomes once the PHE is over. We are discussing with the advocate community the importance of encouraging the Court to contribute to these policy discussions. Judicial policy can mitigate evictions in ways that complement policy solutions, and the converse is true as well. Additionally, the Court is uniquely positioned to advise policy makers on to how best to address procedural issues that impact tenants' ability to stay in their homes. We encourage the Council to reach out to and collaborate with D.C. Superior Court, as it did in 2010 regarding the creation a housing conditions calendar to benefit tenants experiencing chronic disrepairs in the rental accommodation. Times like these call for all branches of government, including the judiciary, to engage in direct conversations to achieve optimal solutions to the unparalleled housing challenge our city is facing.

We are not alone in this belief. Jurisdictions across the country have implemented similar summits, some even before the COVID-19 pandemic. For example, in 2018 the Ramsey County Housing Court instituted a Court led working group with one objective, "to reduce evictions by fifty percent in five years." The working group, comprised of judges, financial assistance services, attorneys and

mediators, among others, identified several modifications to the Court process and other procedural efficiencies that resulted in a reduction of writs of restitution and kept tenants in their homes.

Courts in other jurisdictions have convened similar working groups to allow all relevant stakeholders and interested parties to mutually inform each other about policy and procedural solutions. For example, it is our understanding that the Court in the Commonwealth of Massachusetts has convened such a group. Similarly, on June 16, 2020, New York University's Furman Center held a special online forum, which OTA followed closely, focusing on eviction scenarios in New York State. The forum was comprised of a variety of subject matter experts including, attorneys, housing professionals and public policy experts. At that forum Ira Goldstein, Director of Policy and Information Services at The Reinvestment Fund, discussed Philadelphia's court-centric collaborative approach to evictions. The participation of the courts, Mr. Goldstein stressed, is essential because there may not be enough time to legislate necessary solutions before the eviction crisis is upon us. Another important element that was discussed was the inclusion of non-attorney housing professionals who play a key role in preventing evictions, such as housing counselors and financial assistance specialists. Lastly, Mr. Goldstein spoke about the need to educate attorneys and judges on the root

causes of evictions and to consider the human factors that weigh heavily on all evictions. For our part, the OTA assists with DC Superior Court's navigator program by staffing a table at the Court once a month to share information about tenant rights and the agency's services. In the District of Columbia, we should do the same to help mitigate the surge of evictions once the moratoriums expire.

Conclusion

Chairperson Bonds, I want to thank you for convening this roundtable to discuss tenant protection and eviction prevention. Now, more than ever, we must work together to help keep those DC tenants at risk of eviction safe and in their homes. I am happy to answer any questions you and members of the Committee may have at this time.

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COVID-19 State of Emergency: Tenant Rights & Resources

The purpose of this document is to assist District renters in understanding their rights and available resources during the COVID-19 Public Health Emergency (“Emergency”) declared by Mayor Muriel Bowser. Mayor Bowser has extended the Emergency to Friday, October 9, 2020.¹ The D.C. Office of the Tenant Advocate (OTA) has suspended its regular walk-in hours, Mondays through Thursdays, 9:00 am to 4:00 pm, for the duration of the Emergency. We are otherwise committed to providing our full range of services.

I. OTA Telecommute Services

- a. **Legal Branch:** Tenants needing legal services should contact OTA’s hotline. Either:
 - i. Go online to <https://ota.dc.gov/>; click on “OTA Housing Assistance” and “Community Service”; click on “Ask the Director” and complete the request; and then click “Submit”; or
 - ii. Call 202-719-6560 and leave a message.
- b. **Policy Branch:** Tenants who have requests or questions regarding policy matters should send an email to Legislative Director Joel Cohn at Joel.Cohn@dc.gov.
- c. **Outreach and Education Branch:** Tenants who have requests or questions regarding education and outreach services should send an email to Education and Outreach Coordinator Stephen Dudek at Stephen.Dudek@dc.gov. Mr. Dudek is conducting virtual trainings during the Emergency.
- d. **Emergency Housing Assistance:** OTA will respond to displacements in collaboration with the Department of Consumer and Regulatory Affairs (DCRA), DC Homeland Security (HSEMA), or the American Red Cross.

II. Tenant rights & protections during the Emergency²

- a. **Rent Increase Freeze & Rent Collection**
 - i. **Rent increase freeze:**
 1. Rent increases are prohibited during the Emergency and for 30 days thereafter. This applies to rent controlled and non-rent controlled units alike.
 2. Any rent increase notice that was issued during the Emergency, or that was to take effect during the Emergency, is null and void. The landlord must issue a new 30-day notice when the Emergency ends.

¹ Mayor's Order 2020-079, Section II.

² Except for the federal eviction moratorium under II(c), the tenant rights and protections listed in section II of this document are found in Act 23-0405, the “Coronavirus Support Second Congressional Review Emergency Amendment Act of 2020” (effective 7/27/20; expires 11/16/20). This legislation carries forward the Council’s emergency tenant rights and protections through the projected effective date of Bill 23-0758, the “Coronavirus Support Temporary Amendment Act of 2020” (currently projected to become law on or around 10/8/20). Bill 23-0758 contains the same rights and protections, and will be in effect for 225 days following its effective date. Note that regardless of the expiration dates of these laws, the tenant rights and protections therein will end at the conclusion of the Emergency or a fixed number of days thereafter.

3. Any rent increase notice that was issued before the Emergency, but that was to take effect after the Emergency, is also null and void. The landlord must issue a new 30-day notice when the Emergency ends.
- ii. **Tenant duty to pay frozen rent amount:** The laws governing tenant's duty to pay rent, other than rent increases, have not changed.
1. Except as explained in item (iv) below, the tenant is still obligated to pay rent in the amount charged just prior to the start of the emergency.
 2. In the event of financial hardship, the tenant should notify the housing provider and ask for an alternative payment plan. Any such plan should be put in writing and should be achievable.
- iii. **Rent Payment Plans:**
1. Landlords must develop a rent payment plan and make it available to tenants during the Emergency and for one year thereafter.
 2. The plan must cover all rent due during the Emergency, and for up to one year thereafter, so long as the tenant remains a tenant.
 3. The landlord must also include in the rent payment plan any amenity fee or other fee that is a part of the lease.
 4. To be eligible, a tenant must demonstrate to the landlord that the Emergency caused the tenant a direct or indirect financial hardship.
 5. Rent payment plans must have a minimum term length of one year, unless the tenant requests a shorter term.
 6. Any repayment of the deferred rent amount shall be made in equal monthly installments, unless the tenant requests otherwise.
 7. The tenant cannot lose any rights under the lease by entering into a payment plan.
 8. Landlords must establish an application procedure, and must accept applications by telephone and online; the landlord cannot deny an application that includes certain supporting documentation.
 9. The tenant may file a complaint with the Rent Administrator if the landlord denies their application for a rent payment plan. Tenants should use the Rent Administrator's official Tenant Payment Plan Complaint form (Form 24), which can be found at this [link](#)³ in several languages.
 10. The landlord is not allowed to report to credit bureaus any delinquency arising from the tenant's participation in a payment plan.
- iv. **Form of payment:** The laws governing the form of rent payments have not changed.
1. If the lease requires the tenant to pay by money order or in a fashion that requires the tenant to leave their home, the tenant may contact the housing provider to discuss alternative payment options.

³ <https://dhcd.dc.gov/service/rent-control>

2. Alternative options may include paying rent online via a wire transfer or an app such as Venmo, PayPal, Zelle, or otherwise.
3. The agreement should be in writing, and it should specify the period of time during which the agreed upon options are available to the tenant (likely at least until the Emergency ends).

b. Evictions (District Moratorium)

- i. Landlords are prohibited from evicting any tenant during the Emergency.
- ii. Landlords are prohibited from filing an eviction complaint during the Emergency and for 60 days thereafter.
- iii. Landlords are prohibited from serving eviction summonses during the Emergency.
- iv. Landlords cannot evict a tenant without a Court order; following the Emergency, landlords must schedule evictions anew, and then provide the tenant with 21 days' notice of the eviction date.

c. Evictions (Federal Moratorium)⁴

- i. The federal Centers for Disease Control and Prevention has issued an order effective through December 31, 2020, prohibiting landlords in certain jurisdictions from evicting for nonpayment any tenant who submits to the landlord a declaration, under penalty of perjury, that the tenant meets all of five eligibility criteria.
- ii. Tenants may use the declaration form provided by the federal government at [this link⁵](#).
- iii. OTA is currently researching the applicability of this moratorium to the District. In the meantime, District tenants are protected by a stronger moratorium on evictions through the end of the Emergency as described in (b) above.

d. Utility Services & Late Fees

- i. Utility companies (electric, gas, water, cable, and telecommunications) are prohibited from disconnecting services during the state of emergency and for 15 days following the end of the emergency.
- ii. Please note, cable and telecommunications companies may reduce services due to the nonpayment of a bill, so long as they maintain a basic level of service.
- iii. Housing providers are prohibited from charging a late fee during the emergency. A fee for late payment of rent due March 1st remains valid, if the grace period expired before the start of the Emergency on March 11th.

⁴ By order of the Centers for Disease Control and Prevention, "Temporary Halt in Residential Evictions To Prevent the Further Spread of COVID-19", Document Number 2020-19654; 85 FR 55292 (effective 9/4/20; expires 12/31/20).

⁵ <https://www.cdc.gov/coronavirus/2019-ncov/downloads/declaration-form.pdf>

- e. **Utility Payment Plans**
- i. A utility provider (gas, electric, DC Water, telecommunications, cable) must offer a payment plan for eligible customers for amounts that come due during the program period.
 - ii. The “program period” is the Emergency plus:
 1. 60 days for a cable or telecommunications operator not regulated by the Public Service Commission.
 2. Six months for any other utility provider.
 - iii. To be eligible, a customer must notify the provider of an inability to pay all or a portion of the amount due as a result of the public health emergency.
 - iv. During the Emergency, a utility provider regulated by the Public Service Commission shall reconnect service to occupied residential property upon customer request and not charge a fee for this reconnection.
- f. **Deadlines for the Exercise of Tenant and Tenant Association Rights**
- i. All deadlines for the exercise of tenant and tenant association rights under both the Rental Housing Act of 1985 and the Rental Housing Conversion and Sale Act of 1980 (including TOPA) have been extended.
 - ii. Specifically, any such deadline is tolled – or paused – until the end of the Emergency plus an additional 30 days.
 - iii. Example:
 1. Tenants in a building with 5 or more units receive an offer of sale on March 1, 2020, from the housing provider.
 2. Under the law, they have 45 days, or until April 15, 2020, to create a tenant association and submit to the landlord a letter of interest in purchasing the building.
 3. On March 11, 2020, the Mayor declares a state of emergency.
 4. When the Mayor lifts the state of emergency, the tenants will have a total of 65 days (45 – 10 + 30) to respond to the offer of sale.
- g. **Tenant Notices of Intent to Vacate**
- i. The tenant may elect to toll or pause a Notice of Intent to Vacate submitted to the landlord prior to the Emergency for the Emergency's duration.
 - ii. When the Emergency ends, the tenant will have exactly the same number of days remaining to vacate unit as they had before the Emergency started.
 - iii. The tenant will not be deemed to be a “holdover tenant,” one who fails to vacate by the date promised. This is important because under DC law, a holdover tenant can be evicted and is liable for double the rent.
- h. **Landlord access to rental units**
- i. The laws governing landlord access to a rental unit have not been specifically changed. The landlord could be within their rights to enter the unit to conduct repairs, inspections, to show the unit to a prospective purchaser, etc.

- ii. The tenant should be aware of the existing law. Except in the case of an emergency situation in the building, the landlord must provide the tenant with:
 1. A 48-hour written notice (a text message or email suffices); AND
 2. Can only access the unit Monday through Saturday, between 9 am and 5 pm, except for District holidays, unless the tenant agrees otherwise.
 - iii. Regarding concerns about spreading the COVID-19 virus, the tenant may request that the landlord defer non-essential work until after the emergency, and inquire about the health and safety precautions being taken. All parties should:
 1. Practice social distancing;
 2. Wear protective gear (masks and gloves) as appropriate;
 3. Make sure that the apartment is cleaned / disinfected after visitors leave;
 4. Wash hands with soap and hot water for 20 seconds.
- i. **Cleaning of Common Areas**
- i. Landlord must clean common areas on a regular basis, including surfaces that are regularly touched, such as doors, railings, seating, and the exterior of mailboxes.
 - ii. The Department of Consumer and Regulatory Affairs has issued regulations elaborating on these cleaning requirements. See the issue of the D.C. Register at this [link](#)⁶ (p. 010003) for the full regulations.
 - iii. The Mayor has also provided Phase II COVID-19 guidance that pertains to common area cleaning and other important precautions in residential buildings. That guidance is available at this [link](#)⁷.
- j. **Masks in Residential Buildings**
- i. All “essential businesses”—including residences and residential facilities—must ensure employees, contractors, and visitors wear a face mask and honor social distancing upon entering the building.
 - ii. Essential businesses are required to post signage at their entrances instructing all employees, contractors, customers, guests and visitors to:
 1. Wear a mask or face covering;
 2. Maintain six (6) feet of distance from each other person who is not part of their household;
 3. Cough and sneeze away from people and into one’s elbow or shirt; and
 4. Not shake hands or engage in any other unnecessary physical contact.⁸
 - iii. Individuals must wear a mask in the common areas of apartments, condominiums and cooperatives.

⁶ <https://www.dcregs.dc.gov/Common/DCR/Issues/IssueDetailPage.aspx?issueID=834>

⁷ https://coronavirus.dc.gov/sites/default/files/dc/sites/coronavirus/page_content/attachments/COVID-19_DC_Health_Guidance_for_Apt-and-Condo_08202020.pdf

⁸ Items (i) and (ii) are found in Mayor’s Order 2020-066, Section IV.

- iv. Individuals may report violations of the Mayor's order for not wearing masks to the Office of the Attorney General. Individuals found in violation of the Mayor's order may be subject to fines up to \$1,000 per violation.⁹

k. **Amenity Fee Refunds for Rent Controlled Units**

- i. Where the tenant pays an amenity fee in addition to the rent, and where the amenity is made temporarily unavailable as is consistent with an Emergency order, the landlord must provide a pro rata refund of the fee.
- ii. Where a service or facility fee is lawfully included in the rent charged, and the service or facility is made temporarily unavailable as is consistent with an Emergency order, the landlord does not have to reduce the rent charged.

III. Tenant Associations (TA)

- a. A TA should heed the COVID-19 Emergency orders and recommendations of District government and the Centers for Disease Control and Prevention, including not hosting in-person meetings involving social gathering.
- b. If a TA needs to hold a special meeting, it should explore and execute an online option.
- c. If a TA needs to hold a vote during the emergency, the TA should consider amending the bylaws to permit electronic, online, or virtual voting as appropriate.
- d. If you have relevant questions or concerns, contact OTA's Education and Outreach Coordinator Stephen Dudek at Stephen.Dudek@dc.gov.

IV. Court Procedures

a. **D.C. Superior Court: Evictions**

- i. As of June 24, 2020, all trials including at Landlord & Tenant Court scheduled on or before August 14, 2020, are continued.
- ii. ***All evictions of tenants and foreclosed homeowners on or before August 14, 2020, are stayed.*** This applies to tenancies under both oral and written leases.
- iii. The landlord may not file an eviction action in court until 60 days following the end of the Emergency.

b. **D.C. Superior Court: Other actions & emergencies**

- i. All Small Claims Court and Housing Conditions Calendars are continued pending further notice from the Court.
- ii. In the event of an ***emergency*** need for court action – including at Housing Conditions Calendar -- tenants can file emergency motions and applications for waiver of prepayment of cost (Fee Waiver Applications) by emailing these documents to Civilefilings@dcsc.gov.
- iii. ***Tenants should NOT go to the Moultrie Court House to file emergency motions.***

⁹ Items (iii) and (iv) are found in Mayor's Order 2020-080, Sections II and VII.

- c. **D.C. Office of Administrative Hearings (OAH)**
- i. OAH is operating on a modified schedule at least until July 24, 2020.
 - ii. All hearings, except emergency hearings as designated by the Mayor, are canceled through July 24, 2020.
 - iii. OAH will notify the litigants of their new hearing date.
 - iv. Until further notice, all hearings will be conducted by telephone.
 - v. If you cannot participate in a hearing by telephone or do not want to, you must advise OAH. OAH will reschedule your hearing to a time when in-person hearings are authorized to resume.
 - vi. Please, communicate with OAH electronically, by emailing OAH at oah.filing@dc.gov, or call 202-442-9094.

V. Other Government Services

- a. **DC Council offices & legislative / budget hearings**
- i. All DC Council offices remain open. However, like the OTA and most DC agencies, they will operate on a telecommute basis.
 - ii. DC Council has suspended all hearings – including both legislative and budget hearings -- until further notice. Some functions, like legislative meetings, are still being held. Please visit <https://dccouncil.us/events/> for more information.
- b. **Department of Consumer and Regulatory Affairs (DCRA)**
- i. DCRA remains operational. DCRA is conducting virtual housing inspections.
 - ii. Tenants may request a residential inspection ONLINE by going to DCRA's website, <https://dcra.dc.gov/>, and click the "schedule an appointment" icon.
 - iii. Also, tenants may request sending an email to DCRA Residential Inspection Scheduling Unit at dcra.housingcomplaints@dc.gov. To help DCRA respond to your request as quickly as possible, please include:
 1. Name & Phone Number
 2. Address and Unit Number (if applicable)
 3. Brief description of the selected violations
 - iv. If you feel you **need an emergency inspection**, please do not email. Instead call 202-442-9557 ext. 6 or dial 311.
 - v. If you have questions about how to use DCRA services online, utilize the live chat feature on the DCRA website during normal business hours, call 202-442-4400, or send an email to dcra@dc.gov.
- c. **Rental Accommodations Division (RAD) and Conversion and Sales Division (CASD)**
- i. Tenants may drop off documents for the RAD, the Rent Administrator, or CASD at 1800 Martin Luther King Avenue, SE. No walk-in consultations are available.
 - ii. RAD is accepting electronic filings; please send filings to dhcd.rad@dc.gov.
 - iii. For questions about any of RAD or CASD services or other information, contact DHCD at 202-442-7200 or dhcd@dc.gov.

- d. **Department of Energy and Environment (DOEE)**: DOEE is operational and all DOEE staff is working remotely, except in limited cases. For questions about DOEE services or related matters, tenants may contact DOEE at 202-535-2600 or doecomms@dc.gov.

For questions about any of the services the OTA provides and information on any future changes, please contact us at 202-719-6560. For up-to-date information and resources regarding COVID-19 and DC Government operations, please visit coronavirus.dc.gov.



COVID-19 Rental Assistance Programs

The Public Health Emergency (“Emergency”) has put a financial burden on renters in the District of Columbia. Landlords must develop a rent payment plan for renters that experience a direct or indirect financial hardship caused by the Emergency. For more information on rent payment plans, please see “OTA’s COVID-19 Tenant Rights and Resources Guide” on the OTA’s website. This document provides the essential information for all emergency rental assistance programs including funding sources, availability of funds, eligibility requirements, and contact information for the Community-Based Organizations (“CBOs”) administering the application process. The rental assistance programs are:

I. COVID-19 Housing Assistance Program (CHAP)

a. Tenant Benefits:

- i. Depending on the availability of funds, renters may apply for up to three months of overdue rent from April 2020 onward.

b. Eligibility Requirements:

- i. Renters must be District residents who have resided in their units since February 29, 2020.
- ii. Renters must owe rent during the Emergency.
- iii. Renters must demonstrate that they are unable to pay rent because they lost employment due to COVID-19.
- iv. Renters must demonstrate they are delinquent on rent or are unable to pay rent because they have lost employment due to COVID-19.
- v. Renters are not eligible if they received ERAP assistance in the past twelve months.
- vi. Renters must earn 80% of the Median Family Income (MFI) or below to qualify, based on the CHAP Income Schedule:
 1. The MFI for DC is \$126,000 per year for a family of 4, and varies based on household size.
 2. See the CHAP Income Schedule below (reflecting monthly income after taxes):

Household Size	30% MFI	50% MFI	60% MFI	80% MFI
1	\$2,125.00	\$3,541.67	\$4,250.00	\$4,529.17
2	\$2,429.17	\$4,045.83	\$4,855.00	\$5,175.00
3	\$2,733.33	\$4,550.00	\$5,460.00	\$5,820.83
4	\$3,033.33	\$5,054.17	\$6,065.00	\$6,466.67
5	\$3,279.17	\$5,462.50	\$6,555.00	\$6,987.50
6	\$3,520.83	\$5,886.67	\$7,040.00	\$7,504.17

c. Application:

- i. Begin the application process by completing the Central Intake Portal Application.
- ii. Here is the application link: [Central Intake Portal Application](#)
- iii. This form is also used to determine ERAP assistance eligibility. After completing the application, the applicant will be routed for a meeting with one of the three administering CBOs listed in the next section.

d. Administering CBOs:

- i. Greater Washington Urban League – (202) 524-8175 or by email at covidrent@gwul.org.
- ii. Housing Counseling Services – (202) 667-7713
- iii. United Planning Organization – (202) 231-7910 or (202) 231-7922

e. Available Funds:

- i. \$6.2 million program created by the Department of Housing and Community Development (“DHCD”) and funded by the federal Community Development Block Grant (CDBG).

For more information on CHAP, please visit <https://coronavirus.dc.gov/node/1483515>.

II. COVID-19 DHCD Tenant Based Rental Assistance Program

a. Tenant Benefits:

- i. Depending on the availability of funds, renters may apply for at least six months of rental assistance from April 2020 onward.
- ii. Income and number of bedrooms factor into the amount of the financial assistance.

b. Eligibility Requirements:

- i. Renters must be District residents who have resided in their units since February 29, 2020.
- ii. Renters must owe rent during the Emergency.
- iii. Renters must demonstrate they are unable to pay rent.
- iv. Renters must demonstrate they are delinquent on rent or are unable to pay rent because they have lost employment due to COVID-19.
- v. **Renters must live in a rental property of 50 units or less.**
- vi. Renters must earn 60% of the Median Family Income (MFI) or below.
 1. The MFI for DC is \$126,000 for a family of 4, and varies based on household size.
 2. See the income chart below (reflecting annual income after taxes).

Household Size	30% MFI	60% MFI
1	\$26,500.00	\$52,920.00
2	\$30,250.00	\$60,480.00
3	\$34,050.00	\$68,040.00
4	\$37,800.00	\$75,600.00
5	\$40,850.00	\$81,660.00
6	\$43,850.00	\$87,720.00

c. Application:

- i. To begin the application, please contact one of the CBOs listed in the next section.

d. Administering CBOs:

- i. Housing Counseling Services – (202) 667-7713
- ii. Latino Economic Development Center – (202) 588-5102 or (202) 540-7401

e. Available Funds:

- i. \$1.5 million program created by the Department of Housing and Community Development (“DHCD”) and funded by federal HOME dollars.

For more information on the COVID-19 DHCD Rental Assistance Program, please visit <https://coronavirus.dc.gov/page/dhcd-tenant-based-rental-assistance-program>.

III. Emergency Rental Assistance Program (ERAP)

a. Tenant Benefits:

- i. ERAP continues to assist renters during the Emergency.
- ii. Depending on the availability of funds, renters may apply ERAP assistance for:
 - 1. Overdue rent: up to 5 months of overdue rent or \$4,250.
 - a. In cases of disability or households with seven or more children, this can be increased to up to \$6,000.
 - b. If the ERAP funds do not satisfy the overdue rent, ERAP cannot make payment until the renter shows how the remaining rent will be paid.
 - 2. Security deposit & first month’s rent: a total of \$900 each.
- iii. A renter may only apply for ERAP once every twelve months.

b. Eligibility Requirements:

- i. Renters must be District residents.
- ii. Renters must owe their housing provider rent.

- iii. Renters' income must be below 125% of the monthly federal poverty level according to household size. See the chart below:

Household Size	125% of monthly federal poverty level (after taxes)
1	\$1,329.17
2	\$1,795.83
3	\$2,262.50
4	\$2,729.17
5	\$3,195.83
6	\$3,662.50

c. Application:

- i. To go through the application process, please contact one of the seven CBOs listed in the next section.

d. Administering CBOs:

- i. Catholic Charities
 - 1. Call-in for appointments: 1st and 3rd Monday of the month 9 am – 11 am.
 - 2. Office: (202) 338-3100
 - 3. Website: www.catholiccharitiesdc.org
- ii. Housing Counseling Services, Inc.
 - 1. Appointments Only: Call from 9:00 am-5:00 pm on the first business day of each month at (202) 667-7339.
 - 2. ERAP Recorded Information Line: (202) 667-7339
 - 3. Website: www.housingetc.org
- iii. Salvation Army- National Capital Area Command (NW office)
 - 1. Call in for appointments on 2nd and 4th Monday of the month.
 - 2. Office: (202) 332-5000
 - 3. Website: www.salvationarmynca.org
- iv. Salvation Army- Solomon G. Brown Social Services Center (SE Office)
 - 1. Office (202) 678-9771
 - 2. Call in for appointments on 2nd and 4th Friday of the month
- v. Virginia Williams Family Resource Center
 - 1. Appointments are scheduled on the 3rd Wednesday of each month starting at 9 am by phone call only.
 - 2. Office (202) 312-5510, or Fax (202) 312-5598
 - 3. Website: www.community-partnership.org
- vi. The United Planning Organization
 - 1. ERAP Scheduling (202) 231-7922
 - 2. Website: www.upo.org

- vii. The Greater Washington Urban League
 - 1. Call in for appointments 3rd Monday of the month.
 - 2. Office: (202) 265-8200,
 - 3. Website: www.gwul.org

For more information on ERAP, please visit <https://dhs.dc.gov/service/emergency-rental-assistance-program>.

IV. "202 Assist" Program

a. Eligibility Requirements:

- i. Renter must be a Ward 8 resident.

b. Application:

- i. Renters must complete an application: <https://www.lh4us.org/forms>.
- ii. Renters must email completed form to LHAdmin@lhndc.org and attach the Rental Assistance Application.
- iii. The subject line for the email should be "202Assist – [Tenant's Last Name] – [Tenant's Phone Number in format 2021234567]".

c. Administering CBOs:

- i. Lydia's House and Housing Counseling Services are assisting the John Wall Family Foundation ("JWFF") in identifying qualified applicants and dispersing rent relief.
 - 1. Lydia's House- (202) 373-1050
 - 2. Housing Counseling Services – (202) 667-7713

d. Available Funds:

- i. Washington Wizards All-Star guard John Wall, in collaboration with the JWFF, launched the "202 Assist" program in late May as a one-month fundraising effort. The program raised \$ 554,360.

For more information on the "202 Assist" Program, please visit <https://202assist.com/>.

For questions about any of the services the Office of the Tenant Advocate provides, please contact us at 202-719-6560. For up-to-date information and resources regarding COVID-19 and DC Government operations, please visit coronavirus.dc.gov.