

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General

ATTORNEY GENERAL
KARL A. RACINE



December 6, 2022

Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Re: District of Columbia Housing Authority Stabilization and Reform Amendment Act of 2022

Dear Councilmembers:

I write to you today to urge you to vote no on the Board reform proposals in the District of Columbia Housing Authority Stabilization and Reform Amendment Act of 2022. This legislation both in its original and amended forms proposes to replace the current thirteen-member Board of Commissioners (the Board) with a Stabilization and Reform Board of seven or nine members. In practice, this would mean removing the agency's fiercest critics from the Board, including the three representatives elected by public housing residents.

The DC Housing Authority (DCHA) desperately needs reform. But not all change is for the better, and the Board reform proposals in the current and amended forms of this bill will not deliver the solutions DCHA needs. Indeed, these changes will further exacerbate the problems plaguing the agency. By removing outspoken critics of the agency and ignoring the will of public housing tenants and voucher-holders, these proposals threaten to push DCHA further down the wrong track.

The Board reform proposals in this bill and the various proposed amendments will silence the voices of the people who have been DCHA's harshest critics. These are the very people who have been sounding the alarm for years about the dysfunction and incompetence at the agency that the Department of Housing and Urban Development (HUD) confirmed in its scathing report. Their voices were drowned out by the Board's majority, and it has cost the agency, and more importantly the vulnerable residents who rely on DCHA, immensely. These Board reform proposals eliminate the canaries in the coalmine instead of elevating their voices and heeding their calls.

Eliminating the Board members who were right not only makes no sense on its own terms but also creates dangerous incentives. Should these proposals become law, they will create a chilling effect in which Board members will be afraid to speak out about misconduct or dysfunction, lest they find their positions eliminated as well.

December 6, 2022

Page 2 of 2

The bill is also antidemocratic. This legislation and its amendments, crafted behind closed doors over a weekend without the input of the people most impacted by its outcomes, will eliminate the Board positions of the three elected public housing residents in the middle of their terms, effectively disenfranchising the residents who voted for them. To be sure, we need fundamental change at DCHA. But this is not the way to do it. Changing the structure of how an agency operates requires transparency and hearing from those who are most affected – here, public housing residents and voucher holders. DCHA has failed them for years, and we owe it to them to earn back their trust. The process of developing the Board reform proposals – as well as the proposals themselves – do precisely the opposite by silencing them.

I stand alongside the legal services community in urging you to vote against the Board reform proposals in this legislation and its amendments. DCHA is in desperate need of fixes – but action for the sake of action will only make things worse.

Sincerely,

A handwritten signature in black ink, appearing to be 'KARL A. RACINE', written in a cursive style.

Karl A. Racine
Attorney General for the District of Columbia