

Families sue D.C. for ending housing aid in unprecedented case

[Meagan Flynn](#) October 25, 2024 at 6:00 a.m. EDT



A Metrobus passes the John Wilson Building in Washington, where the D.C. Council meets. (Eric Lee for The Washington Post)

Families who had their rental assistance discontinued by the District filed a lawsuit this week that accuses the city of violating the rights of hundreds of residents and demands that they be reinstated in the city's rapid rehousing program.

The lawsuit was filed Tuesday in the Office of Administrative Hearings, which hears and rules on cases involving city agencies. Lawyers for three plaintiffs in the case — Angel Gregory, Sierra Moore and Britne Thomas — said they are seeking certification for a class-action suit that could benefit 816 families who were removed from rapid rehousing between April and June of this year

in a controversial shake-up of a city program meant to help those facing homelessness.

An official with the Office of Administrative Hearings said the case is unprecedented and probably the first of its kind to seek certification as a class in the administrative court. As of Thursday evening, no hearing had been scheduled.

Rapid rehousing, a program that is meant to provide time-limited rental assistance to families at risk of losing their housing, has for years been the centerpiece of Mayor Muriel E. Bowser's plan to end homelessness.

The program, formally known as the [Family Rehousing Stabilization Program](#), covers a percentage of participants' monthly rent for a period of 12 to 18 months, depending on how much each resident is deemed able to afford based on their monthly income. But since the [coronavirus](#) pandemic, many families have been extended for longer periods — in some cases up to four years, according to city officials.

Government officials have said these extensions overinflated the program and created a financial burden the city could no longer afford. In total, the District plans to remove more than 2,000 families from the program.

The lawsuit, filed by attorneys from the Washington Legal Clinic for the Homeless and D.C. Children's Law Center, among others, asserts that the District's blanket removal of families that had overstayed the program's allotted time span violated the law by denying individuals the ability to be reconsidered on a case-by-case basis and deprived participants of their right to due process.

"Instead of considering extension requests and determining — individually on a totality of the circumstances basis — whether the petitioners should receive an extension," the lawsuit states, "DHS improperly decided that all Petitioners would be summarily denied that opportunity."

The suit also alleges that officials' claim "that 'funding is not available' for extensions was factually inaccurate, and instead, represented an arbitrary and capricious decision" by the government to use available money to onboard new families rather than to support those already in the program.

Hundreds of rapid rehousing recipients have filed appeals over the past six months, according to D.C. officials. In some cases, families' terminations have been paused as these appeals work their way through the system.

Moore, 25, a single mother who has been receiving rental assistance through rapid rehousing since 2022, is one of three program participants named in the lawsuit. Moore, who has struggled to retain employment while juggling child care for her son who has a disability, was accepted into the program after spending nine months in a homeless shelter.

Her caseworker led her to believe that she would eventually be transitioned into a program that could provide longer-term rental assistance, she said. Instead, she continued to receive rapid rehousing extensions.

That is until June, when she received a letter announcing that she would be phased out of the program.

Moore said she flew into a panic. She knew she couldn't afford the \$1,800 monthly rent payment without a steady income, she said, and she didn't have anywhere else to go. When she asked her case manager what options were available for her and her son, she said, she was told they could return to a homeless shelter — and start the process over again.

"Honestly, I went through the biggest mental breakdown," Moore said in an interview Thursday. "I just felt really lonely."

According to a [2023 amendment](#) to the rapid rehousing program, D.C. "shall consider requests" for extensions beyond the program's designated 12-month period if several criteria are met, including: there is funding available;

the participant has “made a good faith effort” toward landing back on their own feet by working toward goals set by a case manager; the participant has not been approved for a longer-term affordable housing program.

This same D.C. law instructs its Department of Human Services to “consider the totality of the circumstances” when weighing extensions, according to the 2023 amendment, and to grant extensions in increments of no more than six months at a time.

“Because the fundamental goal of the [program] is to provide participants with sufficient time to stabilize participant housing, extension requests are a critical component” of rapid rehousing, the lawsuit states.

D.C. is expected to [continue removing](#) long-standing participants from its rapid rehousing roster even as new ones are brought into the program. Hundreds more are expected to receive notices of termination before the end of this year, advocates said.

“They have the money, they’re just choosing not to use it on the families already in this program,” said Amber Harding, executive director of the Washington Legal Clinic for the Homeless. “The law directs [the government] to give people extensions when there is money to grant them.”

The D.C. Housing Authority and the D.C. Council sought to soften the blow of the mass terminations by setting aside vouchers that could go to the families leaving rapid rehousing, to prevent them from becoming homeless.

At the mayor’s request, the D.C. Housing Authority voted in July to set aside 1,300 federal vouchers to help families being booted from rapid rehousing — a difficult vote for some board members who felt that DCHA was using federal dollars to come to the city’s rescue, even as DCHA’s own waitlist was filled with families in need.

The D.C. Council voted to fund about 600 additional vouchers in its 2025

budget. But Laura Zeilinger, the head of D.C.'s Department of Human Services, noted in September that there was [actually no money](#) to pay for them. She accused the council of making a budgeting mistake — incensing D.C. Council Chairman Phil Mendelson (D), who disputed any error and questioned why the issue had only just come up months after the council publicly debated the budget.

Mendelson said earlier this month that the dispute on voucher funding remains unresolved, leaving vulnerable families in the lurch. If far fewer vouchers are available than anticipated, that could leave hundreds more families with nowhere to go, advocates said.

Because the city does not track where families end up after they are removed from rapid rehousing, it is difficult to know where families land after their housing assistance is discontinued.

Some are placed in other voucher programs that supplement all or part of their housing costs. Others move in with friends or relatives. Some leave the District.

Moore, who lives in Northeast Washington, said she is considering every option she can come up with.

In addition to filing an appeal with DHS and joining the class-action suit, she said, she has applied for jobs out of state and aid through the federally funded Housing Choice Voucher Program.

She has not yet heard back.

"It really is hard out here," Moore said. "We have to figure something out, as a city, to help people."