



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**



Office of the Director

February 25, 2025

The Honorable Robert White
Chairperson, Committee on Housing
Council of the District of Columbia
1350 Pennsylvania Avenue NW
Washington DC 20004

Dear Chairperson White,

The Department of Housing and Community Development (DHCD) has received questions in preparation for the Annual Performance Oversight Public Hearing on the Department's Fiscal Year 2024 and Fiscal Year 2025 year to date, to be held March 3, 2025. Enclosed are the Department's responses, transmitted electronically with attachments.

Sincerely,

Colleen Green
Director
Department of Housing and Community Development

COMMITTEE ON HOUSING

ROBERT C. WHITE, JR., CHAIR
COUNCIL OF THE DISTRICT OF COLUMBIA

GENERAL QUESTIONS

1. Please provide the agency's mission statement.

The mission of the Department of Housing and Community Development (DHCD) is to produce and preserve opportunities for affordable housing and economic development and to revitalize underserved communities in the District of Columbia. DHCD focuses on three strategic objectives:

- producing and preserving the supply of quality affordable housing;
- increasing homeownership opportunities; and
- revitalizing neighborhoods, promoting community development, and providing economic opportunities.

2. Please list any statutory mandates that the agency lacks sufficient resources to fully implement.

DHCD does not have sufficient funding to support FY25 payments under the “Relief for River East at Grandview Condominium Owners Act of 2024.” (Effective September 18, 2024 (D.C. Law 25-217 § 2134) Costs incurred under Section 2134(i) and (j) under the program are currently being charged to the Home Purchase Assistance Program (HPAP) budget. Costs of these provisions of the Act are estimated at \$1.3 million.

3. Please list all reporting requirements in the District of Columbia Code or Municipal Regulations that the agency is required to complete in FY 24 and FY 25, and their mandated due dates. For each report whose due date has passed, list the date reporting was completed. If the agency did not produce the report on the mandated timeline, please explain why.¹

Inclusionary Zoning Annual Report

- The Inclusionary Zoning Annual Report is required on March 14 of the following fiscal year.
- The FY2022 Inclusionary Zoning Annual Report was published on April 12, 2023.

Housing Production Trust Fund (HPTF) Annual Report:

- The HPTF Annual Report is required April 1 of the following fiscal year.
- The HPTF Annual Report for Fiscal Year 2023 is due April 1, 2024.

¹ Question 46 calls for additional details around compliance with DC Code § 42–2802(d)(9). Please feel free to include a cross-reference to that response as part of your response to this question, instead of providing the same information twice, as long as all details requested in both questions are fully addressed.

Housing Production Trust Fund Quarterly Reports:

- Housing Production Trust Fund Quarterly Reports are required on a quarterly basis.

2023 Housing Production Trust Fund Consolidated Request for Proposals (RFP) Selection Reports:

- 2023 Housing Production Trust Fund Consolidated RFP Selection Report is required 10 business days after the selections have been announced.

Unified Fund Report

- The Unified Fund Report is due October 31 of the following fiscal year.

*Please note that over the last year, DHCD has made compliance with all reporting requirements a priority. All reports have been produced in a timely manner. Some reports are currently under executive review.

4. Please list and describe any regulations promulgated by the agency in FY 24 or FY 25, to date, and the status of each.

DHCD did not promulgate any regulations in FY 24 or FY 25.

5. Please explain any significant impacts on your agency of any legislation passed at the federal or local level during FY 24 and FY 25, to date.

Relief for River East at Grandview Condominium Owners Emergency Act of 2024 and Relief for River East at Grandview Condominium Owners Temporary Act of 2024.

Impact: Legislation that memorialized proposed solutions for the residents of River East at Grandview Estates, which included property tax relief, DHCD loan forgiveness, expanded Inclusionary Zoning access and additional financial resources for the River East condominium association and property/moving expenses.

Housing Opportunity Through Modernization Act of 2016 (HOTMA), effective January 1, 2024, implementation date July 1, 2025.

Impact: Changes the method of calculating income eligibility.

HOME Investment Partnerships Program, 24 CFR Part 92, Final Rule, effective April 20, 2025, implementation date pending.

Impact: Incorporates HOTMA, expands tenant protections, expands eligibility requirements for Community Housing Development Organizations (CHDO), to allow more participation in the program.

6. Last year, the agency identified 3 goals using the Specific, Measurable, Achievable, Relevant, and Time-bound (SMART) framework.

a. What is the status of each of these goals?

GOAL #1: By the end of calendar year 2025, deliver 1,500 new affordable units to maintain the Department of Housing and Community Development's (DHCD) contribution toward the Mayor's goal of 12,000 net new affordable units by 2025.

Response: In FY 2024, DHCD delivered 856 affordable housing units and in FY 2025 DHCD is projected to deliver 1,257 affordable housing units for a total of 2,113 units which will meet the Mayor's goals.

GOAL #2: Within Fiscal Year 2024, preserve 735 units of affordable housing through extending existing covenants using HPTF or other long-term capital sources (450 units), repairs and rehabilitations via the Small Buildings Program (60 units), affordable housing acquisition (100 units), vacant property disposition (25 units), and repairs via the Single-Family Residential Rehabilitation Program (100 units).

Response: Within Fiscal Year 2024, preserve 312 units of affordable housing through extending existing covenants using HPTF or other long-term capital sources (111 units), repairs and rehabilitations via the Small Buildings Program (60 units), affordable housing acquisitions (49 units), vacant property dispositions (101 units), and repairs via the Single-Family Residential Rehabilitation Program (110 units).

GOAL #3: Within Fiscal Year 2024, promote neighborhood stabilization by preventing 50 evictions or foreclosures via housing counseling, supporting 100 small business clients with technical assistance, supporting 7% of those small businesses in securing financing, and creating 250 jobs through those same small businesses.

Response: Within Fiscal Year 2024, DHCD promoted neighborhood stabilization by preventing 1,494 evictions or foreclosures via housing counseling, supporting 4,025 small business clients with technical assistance, supporting 7% of those small businesses in securing financing, and creating 5,680 jobs.

b. For any goal that is not on track for completion, what were the barriers and what adjustments have been made to ensure progress in FY 2025?

DHCD is on track for the completion of the SMART Goals listed above.

c. Does the agency propose to update or replace any of its SMART goals for 2025?

DHCD is currently assessing last year's goals to determine if any updates or changes are needed for 2025.

d. What changes to its practices does the agency anticipate making to better achieve its SMART goals in 2025?

DHCD is currently assessing last year's goals to determine if any updates or changes are needed for 2025.

7. What other metrics does the agency regularly use to evaluate its operations? Please be specific about which data points are monitored.

Please see DHCD's FY25 Performance Plan for all data points and strategic initiatives monitored by the agency.

https://oca.dc.gov/sites/default/files/dc/sites/oca/page_content/attachments/DHCD%20%281%29.pdf

8. Please describe any new initiatives or programs that the agency implemented in FY 24 and FY 25, to date, to improve its operations. Please describe any funding utilized for these initiatives or programs and the results, or expected results, of each initiative.

HPAP: In FY24 DHCD implemented a lottery system for applicants. Gives the program more control over the timing and distribution of HPAP funds. The number of people chosen are based on the available funds and average expected downpayment assistance. In future years, lower and moderate-income applicants will have more buying power.

Consolidated RFP for LIHTC and bond allocations: By releasing the Consolidated RFP, DHCD was able to better understand the scope of all financial requests at one-time rather than on a case-by-case basis.

RFAs for CBOs and Technical Assistance: DHCD provided a more targeted approach to help CBOs better align their services to the individual and unique needs of their communities and neighborhoods.

Housing Resource Center: The HRC improved our ability to collaborate with our Community Based Organizations (CBOs) and residents to provide a one-stop shop for access to services. Through the RFA, CBOs are required to participate services in the HRC.

ADU pilot: Initiating this pilot in FY24 allowed DHCD to purchase units that would have otherwise gone on the market and lost their affordability.

Family-Friendly Affordable Housing Design: Promotes the design of higher quality medium- and high-density housing for families in the district by offering a reference tool for teams engaged in

developing, designing, and operating family-friendly affordable housing— both new construction and rehabilitations of affordable housing properties.

9. What are three areas, programs, or initiatives within your agency where you see the most opportunity to make progress toward racial equity?

DHCD has a compliance review process for Affirmative Fair Housing Marketing Plans, which are approved and monitored by the Office of Program Monitoring and are mandated for all properties, program administrators and community-based organizations which receive DHCD funding.

Housing Counseling Program - provides budget and credit one on one counseling to low and moderate-income individuals and households. Individualized counseling provides a roadmap to the client that when followed results in credit improvement, debt management strategies and an opportunity for enhancement of household savings. This counseling also provides an entrance to many DC local programs such as HPAP and/or IZ as well as how to use DC Housing Search website.

Language Access Program – DHCD participates in the District’s Language Access Program through one to one on demand interpretation for services and partners to connect with residents whose first language is not English. In addition, DHCD provides Amharic, Spanish and Sign Language interpretation at every federal public hearing, other languages are available upon request.

10. In the past year, what are two ways that your agency has addressed racial inequities internally or through the services you provide?

DHCD staff can attend Lunch and Learn programs through Challenging Racism, LLC. This workshop series, led by Challenging Racism, regularly covered three topics: equity, bias, and privilege. This series was designed to support the agency’s work on the regional fair housing report and plan and the Mayor’s Office of Racial Equity’s (ORE) plan and introduce the concepts to members of the agency.

DHCD implemented the Heirs Property Assistance Program to preserve housing for families after a homeowner dies. Many older adults live in homes with parents, grandparents, and even great-grandparents listed as the owners. The Heirs Property Assistance Program launched in FY2024 to help low-income households and family members become legal owners when a family member dies. The legal heir to a family property may stay in a unit or sell it, qualify for DHCD programs that pay for repairs or help you keep the home, and list it as a financial asset when you apply for loans or other benefits. A person’s estate—everything they own when they die —goes through probate. This process can be complex. DHCD administers the Heirs Program, partnering with the DC Affordable Law Firm and Legal Counsel for the Elderly (LCE) to provide legal representation and other support to low-income households for probate and estate

issues. Both are known for their expertise in these areas and for protecting the civil rights of the District's low-income residents.

DHCD will support the creation of residential accessory apartments at existing residential properties throughout the District. Residential accessory apartments, also known as accessory dwelling units, are dwelling units that are secondary to the principal home in terms of area, use, and physical character, but have separate kitchens and baths and have a separate entrance. Through the Residential Accessory Apartments Program (RAAP), the District will fund the renovation or creation of accessory dwelling units for residents of all incomes, however residents with incomes above 120% of the Median Family Income (MFI) must rent their accessory dwelling units to households with incomes below 60% of the MFI.

11. Please provide a current organizational chart for the agency, including the number of vacant, frozen, and filled positions in each division or subdivision. Include the names and titles of all senior personnel and note the date that the information was collected on the chart.

See Attached For Response

a. Please provide a narrative explanation of any changes made to the organizational chart during FY 24 and FY 25, to date.

There were no changes to the organizational chart during FY 24. However, in February 2025, a change was implemented to better align with the department's operational needs and to support the effective achievement of DHCD's mission. This change was designed to improve operational efficiency and ensure that Director Green could focus on high-priority initiatives critical to the mission of producing and preserving affordable housing, increasing homeownership opportunities, and revitalizing neighborhoods. Specifically, the reporting structure was adjusted so that only the Deputy Director and Chief of Staff directly report to the Director. Other managers and senior leaders now report through the Deputy Director and Chief of Staff. This adjustment allows for a more streamlined leadership structure, helping to facilitate decision-making and ensuring that Director Green can focus on strategic priorities that will best support our objectives, such as the production of affordable housing and promoting community development. This change is expected to strengthen DHCD's overall effectiveness, ensuring that leadership can be more responsive to the evolving needs of the District's housing and economic development landscape. We remain committed to advancing the agency's mission and ensuring that DHCD is positioned for continued success in serving the District's residents.

12. Please provide a current Schedule A for the agency which identifies each position by program and activity, with the salary, fringe benefits, and length of time with the agency. Please note the date that the information was collected. The Schedule A should also indicate if the position is continuing/term/temporary/contract or if it is vacant or frozen. Please indicate if any position must be filled to comply with federal or local law.

See Attached For Response

13. Please list all employees detailed to or from your agency. For each employee identified, please provide the name of the agency the employee is detailed to or from, the reason for the detail, the date of the detail, and the employee's projected date of return.

There are currently no employees officially detailed to or from DHCD.

14. Please provide:

a. A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned as well as a description of all vehicle accidents involving the agency's vehicles in FY 24 and FY 25, to date;

Tag No.	Vehicle	VIN Number
55-11197	Ford Transit (15)	1FBZX2YM9GKA01950
55-11058	Toyota Corolla	2T1BURHEXFC458371
55-11059	Toyota Corolla	2T1BURHE3FC460060
55-11060	Toyota Corolla	2T1BURHE6FC467486
55-11061	Toyota Corolla	2T1BURHE4FC445776
55-11062	Toyota Corolla	5YFBURHE5FP337764
55-11063	Toyota Corolla	2T1BURHE9FC455266
55-11180	Dodge Caravan	2C4RDGCG5GR100852
55-11181	Dodge Caravan	2C4RDGCG3GR100851
55-11182	Dodge Caravan	2C4RDGCG1GR100850
55-11232	Ford Cargo Van	1FYTE1M2GKA15440

There were three accidents with government vehicles in FY 24; there are no accidents to date in FY25.

b. A list of travel expenses, arranged by employee, for FY 24 and FY 25, to date, including justification for travel; and

See Attached For Response

c. A list of total workers' compensation payments paid in FY 24 and FY 25, to date, including the number of employees who received workers' compensation payments, in what amounts, and for what reasons.

DHCD did not have any workers' compensation payments in FY24 or FY25 year to date.

15. Please list in descending order the top 25 overtime earners in your agency in FY 24 and FY 25, to date, if applicable. For each, state the employee's name, position number, position title, program, activity, salary, fringe, and the aggregate amount of overtime pay earned by each.

See Attached For Response

16. For FY 24 and FY 25, to date, please provide a list of employee bonuses, special pay granted, or separation pay issued, that identifies the employee receiving the bonus, special pay, or separation pay, the amount received, and the reason for the bonus, special pay, or separation pay.

See Attached For Response

17. Please provide each collective bargaining agreement that is currently in effect for agency employees. Please include the bargaining unit and the duration of each agreement. Please note if the agency is currently in bargaining and the anticipated date of completion of each agreement in bargaining.

See Attached For Response

18. Please describe the agency's procedures for investigating allegations of sexual harassment or misconduct committed by or against its employees. List and describe any allegations received by the agency in FY 24 and FY 25, to date, and whether and how those allegations were resolved.

DHCD handles sexual harassment, sexual assaults and other complaints involving inappropriate conduct of a sexual nature in accordance with the sexual harassment guidance and procedures outlined in Mayor's Order 2023-131 and additional guidance provided by the MOLC, DC Department of Human Resources DPM Issuance No. 1-2024-4 (effective June 11, 2024) and the Office of Human Rights.

Upon notification that a sexual harassment complaint has been filed, the agency promptly contacts the agency Sexual Harassment Officer (SHO) who immediately notifies the General Counsel (GC). After consulting with the GC, the SHO interviews the complainant, the alleged harasser, and third-party witnesses, if any. The SHO gathers any relevant documents or other evidence, assembles the evidence and evaluates all interviews and available physical evidence and prepares an investigation report. The SHO presents the investigation report to the agency head, or his or her designee, and the agency in consultation with the GC drafts the Agency Report, which accepts, modifies or rejects the SHO's findings, including whether the substantiated allegations violate MO 2023-13, and the agency issues the Notice of Agency Findings and Conclusions. If employee misconduct has occurred, appropriate administrative action is initiated.

During FY 24, the agency received one allegation of sexual harassment on or about March 28, 2024. The SHO investigated the complaint in April and May 2024 in accordance with the

requirements and standards set forth in MO 2023, and D.C. Official Code § 2-1402.11(c-2). The SHO concluded that there was no evidence to substantiate that sexual harassment had occurred and recommended that no disciplinary action be taken against the accused. The agency concurred with this conclusion and issued a report that no sexual misconduct had occurred.

The agency has received no complaints of sexual harassment in FY 2025 to date.

a. Has the agency identified a primary and alternate sexual harassment officer (“SHO”)? If no, why not? If yes, please provide the names of the primary and alternate SHOs.

DHCD’s primary SHO is Pamela Hillsman. Our alternate SHO is Charles Lindsay.

b. Has the agency received any requests from staff in an otherwise prohibited dating, romantic, or sexual relationship for a waiver of provisions of the Sexual Harassment Order? What was the resolution of each request?

DHCD has received no requests for waivers.

19. For FY 24 and FY 25, to date, please identify any special purpose revenue funds maintained by, used by, or available for use by the agency. For each fund identified, provide:

See Attached For Response

- a. The revenue source name and code;***
- b. The source of funding;***
- c. A description of the program that generates the funds;***
- d. The amount of funds generated by each source or program;***
- e. Expenditures of funds, including the purpose of each expenditure; and***
- f. The current fund balance.***

20. For FY 24 and FY 25, to date, please list any purchase card spending by the agency, the employee making each expenditure, and the general purpose for each expenditure.

See Attached For Response

21. Please list all memoranda of understanding (“MOU”) entered into by the agency during FY 24 and FY 25, to date, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date. Please attach a copy of each.

[Pending Execution] The Public Accessible Rent Control Housing Database Memorandum of Understanding between the Department of Housing and Community Development and the Department of Buildings for Fiscal Year 2025 (establishes a data sharing agreement) dated through September 30, 2024.

The Public Accessible Rent Control Housing Database Memorandum of Understanding between the Department of Housing and Community Development and the Department of Buildings for Fiscal Year 2024 (establishes a data sharing agreement) dated June 20, 2024 through September 30, 2025.

See Attached For Response

22. Please list all open capital projects and capital projects in the financial plan under the agency's purview, including the amount budgeted, actual dollars spent so far, any remaining balances, and the status of the project. In addition, please provide a description of any projects which are experiencing delays, or which require additional funding.

The Agency does not have any capital projects.

23. Please provide a table showing your agency's Council-approved budget, revised budget (after reprogrammings, etc.), and actual spending, by program, activity, and funding source for FY 24 and FY 25, to date. Please detail any over- or under-spending and any federal funds that lapsed.

See Attached For Response

The tables reflect an overspending in fund 4015920 (Homeowner Assistance Fund) which is tied to the run date of the report. No actual deficit exists. Post closing budget adjustments were necessary to account for transactions cancelled in the general ledger, ensuring that all HAF funds are fully expended.

Local fund surplus is primarily related to the funding line item utilized for Talbert relief. Timing of expenditures for this activity was dependent on home purchase or rental assistance requests from residents as they were able to relocate.

The large surplus in the Section 108 fiduciary fund is related to the timing of construction draws as the Worthington Woods project nears completion. The agency expects the balance of this funding to be fully expended in FY25.

Unspent dollars in agency UZ0, the Housing Production Trust Fund, are related to projects under construction for which construction draws are expected in FY25, and commitment of funds for other projects in the pipeline that did not close, or did not make an initial draw in FY24. The accumulated fund balance of the trust fund is \$483,803,885, of which \$165,254,198 was obligated to ongoing projects.

FY25 expenditure variances to date reflect normal spending patterns.

24. Please list and describe any spending pressures the agency experienced in FY 24 and FY 25, including and any anticipated spending pressures for the remainder of FY 25. Include a description of the pressure and the estimated amount. Describe how any spending pressures have been resolved and any proposed solutions for remaining pressures.

The Agency does not have any spending pressures in FY 24 and FY 25.

25. Please provide a list of all budget enhancement requests (including capital improvement needs) for FY 25 or FY 26. For each, include a description of the need and the amount of funding requested.

DHCD works closely with the Mayor's Budget Office and the Deputy Mayor for Planning and Economic Development to develop the agency's annual budget, including enhancement requests, to ensure that critical programs and services are funded. As such, DHCD has sufficient funding to operate and/or provide its programs and services.

Budget enhancement requests submitted to Council for FY25 included:

- \$2 million to support the costs of agency operations and offset declining HPTF administration funding
- \$1 million for Heirs Property Services
- \$11.2 million to increase available down payment assistance through the Home Purchase Assistance Program
- \$4.9 million to support Local Rent Supplement sponsor-based voucher awards to the Housing Authority
- \$55k to support ongoing training for limited equity communities

For the FY26 budget, the agency is continuing to work with the Mayor's budget team and the Deputy Mayor for Planning and Economic Development on proposals to submit for Council consideration.

26. Please list, in chronological order, each reprogramming that impacted the agency in FY 24 and FY 25, to date, including those that moved funds into the agency, out of the agency, and within the agency. For each reprogramming, list the date, amount, rationale, and reprogramming number.

See Attached For Response

27. Please list each grant or sub-grant received by the agency in FY 24 and FY 25, to date. List the date, amount, source, purpose of the grant or sub-grant received, and amount expended.

See Attached For Response

Please note that HUD grants are spent and committed on a first-in/first-out basis, so some current year activity is being funded with prior year grant balances.

28. How many FTEs are dependent on grant funding? What are the terms of this funding? If it is set to expire, what plans, if any, are in place to continue funding the FTEs?

FY 2025 Proposed FTEs			
Agency	Fund Detail Title	Total	Grant Terms
DBO	CDBG GRANT	31.60	Continuing Entitlement
	HUD GRANT - HOME	4.99	Continuing Entitlement
	HUD GRANT - OTHER	2.07	Formula Project -TBD
Grand Total		38.66	

See details above on the federally funded FTEs for DHCD. Note that these FTEs represent fractional allocations of 96 positions, with funding spread across multiple funds. The above grants are entitlement grants to jurisdictions, so funding is not set to expire. However, if federal funding for entitlement grants were reduced or eliminated, staffing would have to be reduced, and overall funding allocations shifted to support critical functions. Housing Counseling and Neighborhood Based Activities would be the most seriously impacted, as those programs are almost entirely supported with federal funds.

Funding under the Homeowner Assistance Fund will be fully expended during FY25, and the associated term employees will be separated, but will have the opportunity to move into existing vacancies in the agency.

29. Please list each contract (including leases) and procurement entered into or extended by your agency during FY 24 and FY 25, to date. For each contract, please provide the following information where applicable:

See Attached For Response

- a. The name of the contracting party;*
- b. The nature of the contract, including the end product or service;*
- c. The dollar amount of the contract, including amount budgeted and amount actually spent;*
- d. The term of the contract;*
- e. Whether the contract was competitively bid;*
- f. The name of the agency's contract monitor and the results of any monitoring activity; and*
- g. The funding source.*

30. If there have been cases where you have been dissatisfied with the procurement process, what have been the major issues?

The District's procurement process is designed to purchase goods and services for direct use by public agencies. However, a substantial portion of DHCD's procurements are for construction services that we provide to low-income homeowners and small landlords to address critical repairs and accessibility issues. These contracts are scoped specifically for the structure being rehabilitated, and require specialized experience to review and oversee. In addition, turnaround time is crucial to delivery on budget, particularly in times of significant inflation in labor and materials like those we have seen over the last several years. These contracts can also be an important source of business opportunities for small neighborhood-based construction companies, many of which are building their base of working capital and capacity, and experience challenges while waiting on the District's contract and payment processing.

a. What changes to contracting and procurement policies, practices, or systems would help the agency deliver more reliable, cost-effective, and timely services?

DHCD works intensively with the Office of Procurement and Contracts to bid construction contracts, but the framework of regulations is not ideal for meeting an excellent standard of service to our ultimate clients, the homeowners and landlords. We have made substantial progress working with our OPC colleagues to improve construction contracting in the Single Family Residential Rehabilitation and look forward to continued success with the Small Buildings Programs. In addition, we are working with our partners to improve contract timeliness and delivery dates.

31. What is the agency's current adjusted expendable budget for CBE compliance purposes? How much has been spent with SBEs or CBEs? What percent of the agency's current adjusted expendable budget has been spent with SBEs or CBEs?

The agency's current SBE/CBE goal for FY 25 is \$3,897,830.50. The agency has spent \$280,712.50 thus far, in FY25, 7.2% of the agency's FY 25 goal.

32. Please provide the number of FOIA requests that were submitted to your agency in FY 24, and FY 25, to date, specifying how many were granted, partially granted, and denied, and how many are pending. In addition, please provide the average response time, the estimated number of FTEs required to process these requests, estimated number of hours spent responding, and cost of compliance.

FOIA Requests for FY24

- Submitted – 232
- Granted in whole – 27
- Partially Granted – 109
- Denied – 4
- Request pending – 0

- Average response time – 19.25 days to process
- FTEs – 3
- Estimated number of hours – 105
- Cost of compliance - \$5,090.00

FOIA Requests for FY25 to date

- Submitted – 63
- Granted in whole – 1
- Partially Granted – 16
- Denied – 0
- Request pending– 18
- Average response time – 8.7 days to process
- FTEs – 3
- Estimated number of hours – 21
- Cost of compliance - \$1,018

33. Please list the administrative complaints or grievances that the agency received in FY 24 and FY 25, to date, broken down by source. Please describe any changes to agency policies or procedures that have resulted from complaints or grievances that were resolved in FY 24 or FY 25, to date.

See Attached For Response

34. Please list all pending lawsuits that name the agency as a party. Identify which cases on the list are lawsuits that potentially expose the District to financial liability or will result in a change in agency practices and describe the current status of the litigation. Please provide the extent of each claim, regardless of its likelihood of success.

<u>Case Name/Case Number</u>	<u>Case Description</u>	<u>Status</u>
Pamela Johnson vs. District of Columbia Civil Action No. 1:22-cv-03814-CKK	Claims against the District for unlawful failure to hire Plaintiff because of her age and in retaliation for her protected activity in violation of the Age Discrimination in Employment Act (“ADEA”).	On November 1, 2024, the District of Columbia filed a Motion for Summary Judgment in favor of the District. Plaintiff Pamela Johnson applied for a position with the District of Columbia Department of Housing and Community Development. Although she interviewed for the position, she scored the lowest—along with one other interviewed applicant—in the hiring process and was not selected. Johnson’s discrimination under the Age Discrimination in Employment Act (ADEA) should be dismissed

		<p>because the District had legitimate, nondiscriminatory reasons for not hiring Johnson. The agency followed District policy by offering the vacancies to the highest-scoring applicants, and the hired candidates were qualified for the position. Johnson's retaliation claim under the ADEA also fails because the decisionmakers involved in the hiring decision did not know about Johnson's previous lawsuit against the District. Without employer knowledge of the alleged protected activity, her retaliation claim fails. Thus, summary judgment in favor of the District is appropriate for both claims.</p>
<p>LaDonna May et al. vs. Stanton View Development, LLC, et al. Civil Action No. 2021 CA 000266 B D.C. Court of Appeals No. 21-cv-0612</p>	<p>Civil action filed on February 1, 2021. Plaintiffs are a group of 9 River East at Grandview condominium owners. Claims include breach of contract and breach of warranty against DHCD. Claims against the District allege that liability exists because DHCD provided HPTF monies to finance the development of the 46-unit condominium homeownership project, and DHCD provided HPAP/EAHP assistance to individual homebuyers</p>	<p>On September 12, 2024, The DCCA issued a decision in the case appealing the District's dismissal. The court held that the District acted as a merchant (provided construction funding, monitored construction, controlled the eligibility of homebuyers, among other actions) under the DC Consumer Protection Procedures Act (DCCA) and reversed the Superior Court's decision that the CPPA did not apply to the District. The case was remanded for the trial court to consider whether the District's trade practices were unfair and deceptive. The DCCA affirmed the trial court's dismissal of appellants' other claims. The District filed a Petition for Rehearing on January 24, 2025 in the DCCA. The District informed the D.C. Superior Court on January 30, 2025, that DHCD has completed production of documents in response to Plaintiff's April 1, 2024 subpoena. A remote mediation is scheduled for April 3, 2025.</p>
<p>Brittney Bennett et al. vs. District of Columbia, et al. Civil Action No. 2021 CA 003895 B</p>	<p>Civil action filed on July 22, 2021. Plaintiffs are a group of River East at Grandview condominium owners (some plaintiffs in this lawsuit are also plaintiffs in the May v. Stanton View Development case noted above) Plaintiffs' claims against the District, DHCD, DCRA, DCHFA, Manna, and Stanton</p>	<p>On September 6, 2022, Judge Scott dismissed the District as a defendant. On September 16, 2024, Plaintiffs filed a Motion to Reconsider the Court's September 6, 2022 Interlocutory Order Granting the District's Motion to Dismiss (and Motion for Summary Judgment), in light of the trial court's determination in the <i>LaDonna May, et al. v. River East at Grandview, et al.</i>, No. 21-</p>

	View Development LLC, alleging claims of negligence, breach of contract, breach of implied warranty, conspiracy to defraud.	CV-0612 case, that the District of Columbia Consumer Protection Procedures Act, did not apply to the District and that the District acted as a merchant under the statute. The District filed a Motion to Stay on September 25, 2024, pending the resolution of the Petition for Rehearing in the DCCA case.
Yvonne Lawson vs Stanton View Development, et al. Civil Action No. 2023-CAB-002254	On April 10, 2023, Plaintiffs, Yvonne Lawson, Jeanita Brown, Antionetta Kelley, and Terri Wright bring action for damages and relief against Stanton View Development and DHCD for violations of the Consumer Protection Procedures Act and DC human rights act, etc. regarding Talbert Street development issues.	The District filed a Motion to Dismiss on December 18, 2024, in light of the Consumer Protection Clarification Emergency Amendment Act of 2024 passed by D.C. Council on November 25, 2024, and enacted on December 19, 2024. The enacted Act clarifies that the enacted Act clarifies that "merchant" under the Consumer Protection Procedures Act (CPPA) "shall not include the District of Columbia, its agencies or instrumentalities, or any employee thereof acting within the scope of the employee's official duties... as of June 12, 2007." This legislation directly bears on the outcomes of the May case and this case, as the text and intent of the bill will unmistakably bar District liability under the CPPA in the precise circumstances at issue here. Status hearing with the Court is scheduled on February 21, 2025.
Ade Adenariwo, et al v. District of Columbia Case No: 1:24-cv-00856-ACR	On March 25, 2024, Plaintiffs filed action against Defendant for actions and omissions related to the taking of Plaintiffs' properties located at 1262 Talbert Street, SE, Washington, D.C. 20020. Plaintiffs bring this action through which they seek just compensation and declaratory and injunctive relief for the District's unconstitutional taking of property without just	On August 14, 2024, the District filed a Motion to Dismiss and is currently in briefing schedule. The Parties filed a Joint Status Report with the Court on January 9, 2025 informing the Court of (1) the specific questions Plaintiffs need answered to understand "the tax and other implications of the forgiveness" of the senior loans; (2) Defendants understanding of the answers to those questions based on their communications with the senior loan

	compensation and without due process, retaliation in violation of the First Amendment of the United States Constitution, negligent undertaking in reliance, negligence through a special relationship, and promissory estoppel.	holders; (3) whether the parties believe that mediation would be productive at this stage; and (4) whether Plaintiffs plan to seek leave to file an amended complaint in light of any changed circumstances. The District will voluntarily extend Plaintiffs' deadline to notify DHCD of their election of a long-term housing option set forth in the January 27, 2025 letter to Talbert Street homeowners on January 27, 2025.
District of Columbia v. Denise Ross Civil Action No. 2024-CAB-003015	On May 14, 2024, the District filed action against Defendant Ross seeking: (1) a declaratory judgment that Defendant Ross is not in compliance with the Affordable Dwelling Unit Covenants (the "ADU Covenants") recorded against the real property located at 475 K Street, N.W., Unit #403, Washington, D.C. 20001; (2) the disgorgement of all money collected by Defendant Ross in connection with the use of the property in violation of the ADU Covenants, if any; and (3) the sale of Unit #403 to a qualified buyer.	The District filed a motion for default judgment against Defendant. The parties are engaged in settlement discussions. Remote mediation is scheduled for March 19, 2025.
John H. Wade v. Keith Pettigrew Civil Action No. 2024-CAB-007818	On December 20, 2024, Plaintiff Wade filed an action against Keith Pettigrew at DHCD alleging violations of the Rental Housing Act stating his apt is not exempt and he qualifies for elderly and disabled tenant protections.	The Office of Attorney General (OAG) is preparing a motion to dismiss, and a scheduling conference with the Court is scheduled for March 14, 2024.
Mohammed Ikram Butt v. Colleen Green, et al. Civil Action No. 2024-SCB-002168	On October 22, 2024, Plaintiff filed a Statement of Claim against DHCD Director, Colleen Green, regarding denial of Homeowner's Assistance Fund (HAF) claim. Plaintiff is seeking a \$10,000 judgment.	An initial hearing is scheduled for March 11, 2025.
William Medley II v. District of Columbia Department of Housing & Community Development et al. Civil Action No. 2024-CAB-006478	On October 11, 2024, Plaintiff filed a class action suit against DHCD alleging violations of the D.C. Consumer Protection Procedures Act, promissory estoppel for denial of	On January 10, 2024, the District filed its Motion to Dismiss on the grounds that the District of Columbia Consumer Protection Procedures Act is not viable against the District of Columbia or its agencies, and that Plaintiff's

	Homeowner's Assistance Fund (HAF) application.	promissory estoppel claim fails because Plaintiff cannot allege the existence of an actual promise on which Plaintiff could or did reasonably rely, nor does Plaintiff allege any sort of detrimental reliance on his part or affirmative misconduct on the part of the District. A remote scheduling conference will be held on March 28, 2025.
4021 3rd St. SE Tenants Association v. Department of Housing & Community Development Civil Action No. 24-AA-211	On March 7, 2024, Plaintiffs seek a petition of agency review with the D.C. Court of Appeals regarding Plaintiff's petition for declaratory relief for alleged violations of the Tenant Opportunity to Purchase Act (TOPA) relating to 1146 17 th Street NE, LLC's intention to sell property located at 4021 3 rd Street, S.E. The Owner sold the property on November 27, 2023, and the Conversion and Sales Division (CASD) of DHCD does not have legal authority to remedy the potential violation of tenant's rights.	On December 2, 2024, the District filed its administrative record on appeal. Briefing is ongoing and awaiting mandate from DCCA.
District of Columbia v. Adiam Baire Civil Action No. 2024-CAB-006604	On October 17, 2024, District filed action against Defendant Baire seeking (1) a declaratory judgment that Defendant is not in compliance with the Inclusionary Zoning Implementation Act of 2006 and the Inclusionary Development Covenant which encumber the real property located at 1350 Maryland Avenue NE, Unit 514, Washington, D.C. 20002 (2) payment of all fines associated with Defendant's noncompliance; (3) the disgorgement of all money collected by Defendant in connection with the use or lease of the unit in violation of the IZ Program Requirements; (4) civil penalties and treble damages for payments disbursed on Defendant's behalf through the District of Columbia Homeowners Assistance Fund for Defendant's violations of the	The case is ongoing, and an initial scheduling conference is set for April 11, 2025.

	False Claims Act; and (5) an order requiring Defendant to sell Unit 514 to a qualified buyer.	
Nima Bari v. District of Columbia Department of Housing & Community Development et al. Civil Action No. 2024-CAB-004722	On July 29, 2024, Plaintiff Bari filed a petition for an agency review due to denial of Homeowner's Assistance Fund (HAF) application.	The District filed the agency record on September 27, 2024. The plaintiff was granted continuance of the case to find an attorney to represent Plaintiff. The Court granted her a 60-day extension and the matter is set for another scheduling conference on April 4.

35. Please list all settlements entered into by the agency and judgments against the agency (or by or against the District on behalf of the agency) in FY 24 or FY 25, to date, and provide the parties' names, the amount of the settlement or judgment, and if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g., administrative complaint).

Parties' Names	Settlement Amount/Date	Case Name	Case Description	Settlement Justification
Plaintiffs - Tony and Geneva Brinkley Defendant - District of Columbia and Virgil Williams	A \$15,000 check was issued to Plaintiffs on July 14, 2024.	Tony and Geneva Brinkley v. District of Columbia, et al. Civil Action No. 2023-CAB-006802	Motor vehicle accident	Tony and Geneva Brinkley (Plaintiffs) filed the lawsuit on November 3, 2023, alleging claims of negligence as a result of being rear ended by a District government motor vehicle. On September 22, 2022, while stopped at a red light on Rhode Island Avenue, NE, Washington, D.C., a District government vehicle driven by DHCD employee, Virgil Williams, collided into the back of the Brinkley's motor vehicle causing property damage to the Brinkley's vehicle and alleged personal injury to the Brinkleys. Williams admitted fault and acknowledged that while driving the government vehicle, he was eating food that dropped into his lap, and when he reached to pick up the food, he accidentally ran into the back of the Brinkley's vehicle. Both vehicles sustained minor damage, and Plaintiffs sought treatment

				for minor injuries (emergency room care and physical therapy).
Plaintiff – Katco Associates, Inc Defendant – District of Columbia	District agreed to pay \$63,635.64 within 60 days of execution of the agreement, which was on May 22, 2024. The payment was paid to Plaintiff on June 19 th , 2024.	Appeal of Katco Associates, Inc.; Case No: D-1589	Failure of DHCD to pay unpaid invoices.	Katco Associates, Inc., a former contractor that was procured to provide constructions services for a Property Acquisition and Disposition Division (PADDD) property located at 2805 4th Street NE, has filed two complaints with the DC Contract Appeal Board (CAB) for failure of DHCD to pay an invoice in the amount of \$47,783.70 (DHCD 2805-03) and denial of an equitable adjustment in the amount of \$201,130.16 under Contract No. CW62098.
Plaintiff – District of Columbia Defendant – 1408-1410 Quincy St NW, LLC	\$135, 706 – pending settlement agreement authorization	District of Columbia v. 1408-1410 Quincy St. NW, LLC. Civil Action No. 2024 CAB 002083	On April 3, 2024, the District of Columbia (Plaintiff) filed an action against 1408-1410 Quincy St NW, LLC (Defendant) for violating the District's Inclusionary Zoning Law by renting an affordable unit at an inflated and unaffordable rate.	The Parties are engaged in settlement discussions and in consideration of the District's release of its claim and dismissal of the claim, Defendant shall comply make payment in the amount of \$135, 706 to the District.
Plaintiff – District of Columbia Defendant – Sayeh Tavangar	The District's Motion for Default Judgment was granted on September 6, 2024, that a judgment in the amount of \$36,000 is entered against the Defendant in favor of the District, and that Defendant shall sell the real property to a qualified purchaser pursuant	District of Columbia v. Sayeh Tavangar Civil Action No. 2023 CAB 007270	On November 2023, the District filed action against Defendant for the violation of the Inclusionary Zoning Covenant by failing to occupy the property located at 525 Water St, SW Unit 114 as principal residence.	Settlement is in the best interest of the District to avoid expense and time of litigation.

	to D.C. Code § 6-1041, et seq. and the terms of the Inclusionary Zoning Covenant.			
Housing and Development Services & DHCD	District paid \$138,182.41 on October 11, 2024	Contract Ratification	Housing and Development Services (HDS) provided computer maintenance and hosting services to DHCD without a valid written contract. The District accepted these services, and provided these services to the agency from October 1, 2022 through September 30, 2023.	HDS submitted a claim against the District seeking \$138,182.41. Parties have determined that the settlement of the claim is in mutual best interests for the services provided without a ratified contract.
US Housing	District paid \$2,351.44 on May 6, 2024	Contract Ratification	US Housing is a DIFS vendor and provides services on training for income verification without a valid written contract. There's an outstanding payment of \$2,351.44 due to incorrect address information in the DIFS system	US Housing submitted a claim against DHCD seeking \$2,351.44. Parties have determined that the settlement of the claim is in mutual best interests for the services provided without a ratified contract.
Transperfect	District has paid \$5,600 out of \$9,307.18. The last payment date was December 22, 2024.	Contract Ratification	Transperfect provided interpretation and recording services of the 2023 CAPER Public Hearing without a valid contract. The amount for services is \$9,307.18.	Transperfect submitted a claim against DHCD seeking \$9,307.18. Parties have determined that the settlement of the claim is in mutual best interests for the services provided without a ratified contract.
Beauchamp Consulting - Olmstead Housing Priority Mapping	District paid \$27,000.01 on October 9, 2024	Contract Ratification	Beauchamp Consulting provided services relating to map housing and services for persons	Beauchamp Consulting submitted a claim against DHCD seeking \$27,000.01. Parties have determined that the settlement of the claim is in mutual best interests for

			with disabilities within the city across agencies. The contract payment was not made due to rejection in budget code errors and DIFS vendor address issues. The amount for services is \$27,000.01.	the services provided without a ratified contract.
Challenging Racism	District paid \$43,524 on December 11, 2024.	Contract Ratification	Challenging Racism provided an 11-month course on Challenging Racism and Brown Bag luncheons to discuss Challenging Racism issues with agency staff.	Challenging Racism submitted a claim against DHCD seeking \$43,524. Parties have determined that the settlement of the claim is in mutual best interests for the services provided without a ratified contract.
Language Line Translation Solutions, Inc.	District has a pending payment of \$326,448.77.	Contract Ratification	Language Line Translation Solutions, Inc was awarded a contract to provide translation services. The contract expired, and the vendor did not receive payment for services after the contract expired without a contract modification.	Language Line Translation Solutions, Inc submitted a claim against DHCD seeking \$326,448.77. Parties have determined that the settlement of the claim is in mutual best interests for the services provided without a ratified contract. The settlement agreement is awaiting approval from the Office of Contracting and Procurement.
One Language	District has paid \$6,400 out of \$16,400.		One Language was awarded a contract to provide language access services without a valid contract.	One Language submitted a claim against DHCD seeking \$16,400. Parties have determined that the settlement of the claim is in mutual best interests for the services provided without a ratified contract.

36. Please list and describe any investigations, audits, or reports on the agency or any employee of the agency that were completed during FY 24 and FY 25, to date.

Agency investigations

- Office of the DC Auditor Inclusionary Zoning Report issued September 13, 2024

Employee investigations

- One (1) Sexual Harassment Complaint – May 2024
- BEGA Complaint #24-0113-P – October 2024

Financial Reports and Audits

- *Annual Comprehensive Financial Statement (ACFR) Audit FY23, completed in FY24*
- *Annual Comprehensive Financial Statement (ACFR) Audit FY24, completed in FY25*
- *Audit of HPTF Financial Statements for FY23, completed in FY24*
- *Single Audit FY23, completed in FY24 for HOME, Homeowner Assistance Fund, Section 108 and ARPA/SLFRF*

37. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or funded during FY 24 and FY 25, to date. Please attach a copy of any study, research paper, report, or analysis that is complete.

DHCD funded a Preservation Study with The Coalition for Non-profit Housing and Economic Development (CNHED) in FY24. The study is due by the end of March 2025.

DHCD also contracted with a CPA firm to perform a financial statement audit for FY 2023. The result of that audit was a clean opinion. The audit report has been submitted to OPLA for review and submission to the Council.

38. Please list any task forces, committees, advisory boards, or membership organizations in which the agency participates.

Advisory Board / Committee / Taskforces

- DC Housing Production Trust Fund (HPTF) Advisory Board
- DC Interagency Council for Homelessness (ICH)
- DC Preservation Network
- Preservation Working Group
- Advisory Committee to the Office of Deaf, Deafblind and Hard of Hearing
- Age-Friendly DC in 2028 Task Force
- Board for the Condemnation of Insanitary Buildings
- Building Energy Performance Standards Task Force
- Commission on African Affairs
- Commission on African-American Affairs
- Commission on Aging
- Commission on Asian and Pacific Islander Community Development
- Commission on Latino Community Development
- Commission on Poverty
- Commission on Re-Entry and Returning Citizen Affairs
- Condominium Association Advisory Council (CAAC)
- District Waterways Advisory Commission (DWAC)
- Green Building Advisory Council

Membership Organizations

- Coalition for Nonprofit Housing and Economic Development (CNHED)
- Housing Association of Nonprofit Developers (HAND)
- National Council of State Housing Agencies (NCSHA)
- National Housing Conference (NHC)
- National Housing and Rehabilitation Association (NH&RA)
- Urban Land Institute (ULI)

AGENCY SPECIFIC QUESTIONS

39. Please provide a chart with information about DHCD's public meetings and hearings² in FY 24 and FY 25, to date, including for each meeting or hearing:

See Attached For Response

- a. The name of the proceeding;*
- b. A brief description;*
- c. A citation to any statutory or regulatory provision requiring it;*
- d. The date, start time, and end time;*
- e. The location or forum (if virtual, include the platform);*
- f. The number of attendees (excluding agency staff working in their official capacity), broken down by manner of attendance (e.g. in person or videoconference);*
- g. For hearings, the number of witnesses who signed up to testify prior to the hearing;*
- h. For hearings, the number of witnesses who spoke at the hearing; and*
- i. For hearings, the number of witnesses who provided written testimony.*

40. Please attach an Excel workbook listing:

See Attached For Response

- a. All DHCD-funded projects that closed in FY 24 and in FY 25, to date; and*
- b. All DHCD-funded projects that completed construction and were available for occupancy in FY 24, and FY 25, to date; the addresses of these projects by ward; and the number of units in each of these projects, by affordability level.*

41. Please attach an Excel workbook with the information listed below regarding 9% LIHTC projects awarded for FY 24 and FY 25, to date. If no 9% LIHTC projects have been awarded, please explain why, and share a projected timeline for reopening 9% LIHTC awards.

² For reference, see the Report and Recommendations of the Committee on Housing on the Fiscal Year 2025 Budget and Financial Plan for Agencies Under Its Purview at pp. 50-51, available at https://lms.dccouncil.gov/downloads/LIMS/55149/Committee_Report/B25-0785-Committee_Report6.pdf?Id=195912

See Attached For Response

- a. Name of the awardee;*
- b. Name of all the legal entities comprising the awardee;*
- c. Name of each individual owner and/or principal of the entity;*
- d. Name and location of project;*
- e. Date of award;*
- f. Description of project; and*
- g. Project timeline.*

42. In last year's performance oversight responses, DHCD stated, "DHCD does not award 4% LIHTC. The process for awarding 4% LIHTC is tied to the issuance of tax- exempt bonds and DHCD has transferred this process to DCHFA as part of our MOU. Our colleagues at DCHFA can provide more specific information." Is this still the process for 4% LIHTC awards? If not, please explain.

Yes, this is still the process for 4% LIHTC awards.

43. Please provide a timeline for development and release of the Qualified Allocation Plan.

April 1, 2025, to May 31, 2025 – Develop and write criteria for the Qualified Allocation Plan, based on best practices and needs of the District of Columbia.

June 1, 2025 – Upon completion of writing the draft QAP, send to the Director for review, make directed updates and finalize approved draft document.

July 1, 2025 – Publish draft QAP for a 30-day Citizen Review.

August 1, 2025 – Finalize the document and send final document to Office of General Counsel for legal sufficiency and submit it to the Office of Policy & Legislative Affairs (OPLA) for review.

September 30, 2025 – Publish final QAP on the DHCD website.

44. Of the units supported by LIHTC, are any designated for specific populations (e.g. seniors, veterans)? If so, how many per population?

Projects supported by 9% LIHTCs have various affordability ranges and provide affordable housing for various populations. Within the projects awarded in FY 24, there was a requirement that each project contain units at 30% AMI, which are supported by Local Rent Supplement Program (LRSP) rent subsidy – 5% of these units are Permanent Supportive Housing (PSH) units.

With respect to the projects awarded 9% LIHTCs in FY 24, three projects have 5% of their unit count as 30% AMI Permanent Supportive Housing units (per the requirements of the Request For Proposals through which these projects entered the DHCD pipeline). 1109 Congress Street is a 100% Permanent Supportive Housing development, with all 69 of its units as PSH units. Wesley House is a 120-unit senior affordable housing development that will be rehabilitated and will remain set aside only for senior District residents with PSH units included in the unit count.

45. Please list the names and titles of the current Housing Production Trust Fund Advisory Board members, the statutory position each member fills on the Board, and each vacant position on the Board. For each vacant position, please list the status and projected timeline for filling the position.

See Attached For Response

DHCD has been working diligently to identify candidates for the HPTF Advisory Board, with representation that meets its statutory requirements with respect to composition. We are working with the Mayor's Office of Talent and Appointments to schedule interviews. We anticipate nominating candidates for confirmation in the coming months and look forward to the advice of a full board in 2025.

In the meantime, we have begun using Zoom to improve access to the Advisory Board's monthly meetings, and plan to use those opportunities to provide useful information about affordable housing production and preservation for the interested public.

46. DC Code § 2803.01 requires the Mayor to transmit to the Council an annual HPTF report no later than April 1 of each fiscal year. Will DHCD transmit to the Council its 2024 HPTF Annual Report before April 1, 2025? If not, why not?

DHCD has a contract in place with a CPA firm to audit the annual financial statements. We anticipate work on the FY 2024 audit will begin immediately after the ACFR audit is completed, with the objective of completing that work and finalizing the Annual Report by the April 1st deadline. As a recommendation to facilitate timely completion of the audit of the financial statement, the annual audit of the HPTF should be included as a major fund within the ACFR audit and not a standalone contract administered by the agency.

47. DC Code § 42-2802(d)(2) requires DHCD to file with the Chairperson of the Council committee with oversight jurisdiction over DHCD quarterly reports on activities and expenditures related to the HPTF. DHCD submitted the FY 23 quarterly reports to the

Committee on April 17, 2024, but has not submitted any from FY 24 or FY 25. The last quarterly report on the DHCD website is from the Fourth Quarter of FY 22. Please provide the quarterly reports for each quarter of FY 24 and the first quarter of FY 25.

Reports have been prepared and are under review.

48. DC Code § 42–2802(d)(9) requires DHCD to release to the Council a written report, within 10 business days of written notification to selected applicants that applied for projects to produce or preserve affordable housing, with aggregated information on the units that would be produced through the project.

a. Please list the number of such reports DHCD was required to submit to the DC Council in FY 24 and FY 25, to date.

2 reports – the Fall 2023 RFP report and the Fall 2024 RFP report.

b. Please list how many such reports DHCD submitted to DC Council in FY 24 and FY 25, to date, and attach the reports.

The Fall 2023 RFP report was submitted to DC Council in April 2024. The Fall 2024 RFP report will be submitted to DC Council during the week of February 24, 2025.

c. Of the reports submitted, please indicate the date DHCD provided written notification to the applicants, the date DHCD submitted the required report to Council, and whether DHCD submitted the report to Council within 10 business days of notifying the applicant.

For the Fall 2023 RFP report, applicants received written notification in January 2024 during the period in which the report due to DC Council was under review by the Office of Policy and Legislative Affairs (OPLA).

49. Please provide the total amount and percentage of HPTF funding spent on preservation projects in FY 24 and in FY 25, to date.

\$29,213,891 were reserved for preservation (Ridgecrest Ph. 2) in FY24, these funds are spent over the construction period of the projects. No funds have been reserved in FY25 although preservation projects have been selected for further underwriting.

50. Please provide the total amount and percentage of HPTF funding spent on acquisitions in FY 24 and FY 25, to date.

Inclusionary Zoning:

In FY 24, \$907,975 in HPTF funding was spent on IZ resale acquisitions for resale at a lower MFI level. In FY25 to date, \$1,075,251 was spent on IZ resale acquisitions for resale at a lower MFI level.

Development Finance Division:

In FY 24, \$0 in HPTF funding was spent on acquisitions. In FY 25 to date, \$16.3 million in HPTF funding was spent to facilitate the sale/leaseback portion of the Belmont Crossing Phase 2 transaction, in which DHCD purchased the underlying land to help facilitate the redevelopment of 229 affordable rental units in Ward 8. This transaction closed in January 2025 and is expected to reach construction completion in 24 months.

51. Please list how many total units have been created using HPTF since HPTF's inception by fiscal year and in total.

See Attached For Response

52. Please update and expand the chart provided in last year's oversight response to question 50 (which DHCD updated in a post-hearing response), and list the number and percentage of HPTF units since 2015 with the following characteristics:

See Attached For Response

- a. Rental units at each level of affordability;***
- b. Ownership units at each level of affordability;***
- c. Units designed to heightened accessibility standards (specify which); and***
- d. Each bedroom configuration (studio, 1-bedroom, etc.).***

53. Please provide a status update on each of the projects selected in the following Consolidated Requests for Proposals, including the project status, the projected closing date, and, separately, the actual closing date:

See Attached For Response

- a. 2021 Consolidated RFP issued on September 30, 2021, and updated as of February 10, 2022; and***
- b. 2023 Consolidated RFP that was issued on August 1, 2023, and updated on August 15, 2023.***

54. Please list the number of HPTF closings in FY 24 and FY 25, to date, including the project name, location of the project (address and ward), start date, closing date, amount of HPTF funding used in each project, the developer(s) on the project, and in what funding round the project was selected (ex. 2021 Consolidated RFP).

See Attached For Response

55. On August 23, 2024, DHCD released a Consolidated RFP for Affordable Housing Projects. DHCD's web page for this RFP suggests that the process is still open.

a. What is the status of this process?

There were 86 applications submitted (Category A – 69, Category B – 3 Category C – 14). All applicants in Categories A & B have received selection letters and are going through underwriting. The category C applicants are in the process of being evaluated.

b. How many applications has DHCD received?

86

c. If DHCD has made selections, please provide the names of the Selected Developer(s), broken down by Categories A, B, and C as defined in the RFP.

Category A: 69

Category B: 3

Category C: selections pending

See Attached For Response

56. Other than those listed in response to question 53, how many applications for HPTF money were received in FY 24 and FY25, to date? Please specify:

Applications referenced in this response were submitted to DHCD under the Fall 2024 Request for Proposals, which had different categories based on the type of financing request.

a. The number of production applications:

There were no true production applications for HPTF funds submitted in this funding round, although there were 3 Category B applications (financial carrying cost assistance) that will receive HPTF funds under this funding round and once they reach financial closing on their full capital stack, these three projects will produce new affordable rental housing units.

b. The number of preservation applications:

There are 69 Category A applications (financial assistance for loan conversion/rent arrearages due to economic vacancy/bad debt expense)

c. Number of selected applications per planning area:

Rock Creek East – 16

Rock Creek West - 0

Upper Northeast - 5

Mid-City - 5

Near Northeast - 0

Far Northeast and Southeast - 17

Central Washington – 4

Capitol Hill - 0

Far Southeast and Southwest - 23

Lower Anacostia Waterfront - 2

d. The number of applications that dropped out per planning area:

none

57. In FY 24 and FY 25, to date, what were the total amount and percentage of HPTF funding spent on housing for people in specific income ranges (broken down by income level) and on housing units without income restrictions?

See Attached for Rspnse Also, note that HPTF does not fund units without income restrictions.

58. Of the units supported by HPTF, how many were:

- a. Accessible to tenants with disabilities**
- b. Accessible to seniors**
- c. Accessible to veterans**
- d. Accessible to LGBTQIA+ people**
- e. Accessible to returning citizens**

As long as the given person/households is income-qualified, each category of resident listed above can access HPTF-funded affordable housing units, subject to availability. In certain cases, there are affordable housing developments funded by HPTF that specifically serve the aforementioned population and in all HPTF-funded developments, there are units set aside for disabled residents.

59. On January 3, 2024, DHCD released an RFP for the Potential Assignment of DOPA Rights at 801-811 R Street NW.

a. Please outline the process DHCD used to evaluate and determine the acceptance or denial of these offers.

DHCD solicited proposals through our RFP process and convened a technical evaluation panel of qualified reviewers to evaluate submissions and make a recommendation. The agency received one response, which was assessed based on the following criteria:

- Capacity to plan, finance, and develop projects of similar scale and complexity.
- Experience developing in Washington, DC.
- Capacity to successfully manage properties of similar scale and complexity, including relocation and/or resident services if applicable.
- Ability to collaborate with existing residents in design, development, and management.
- Proposed approach to resident engagement in design, development, and management (automatic full points awarded if selected for TOPA).
- Amount of closing assistance requested (up to \$25,000).

After a thorough review, the agency determined that the respondent was not currently qualified to successfully acquire the property using the District's DOPA right to purchase.

b. Please provide a list of proposals received with details about each, including at minimum who submitted it, the total units in the property, the ward of the property, whether the property was subject to DC's rent stabilization program, and whether it was accepted or denied.

Applicant: Realty Ventures LLC
Total Units: 71
Ward: Ward 2
Rent Stabilized: No
Approval Status: Denied

c. Please list challenges DHCD has experienced in implementing DOPA, including recurring issues with property acquisitions or partnerships. What steps is DHCD taking to improve this program's impact in FY 2025.

Two major challenges with the program are:

- A shortage of qualified developers responding to DOPA RFPs.
- Insufficient incentives for developers to participate, particularly when tenants are simultaneously pursuing their TOPA rights.

In our most recent DOPA RFP, which closed in February 2024, we highlighted two incentives – Nonprofit Affordable Housing Developer Tax Relief and a \$25,000 acquisition grant for nonprofit DOPA applicants. The goal was to attract mission-driven developers by offering modest financial support and operational relief through tax abatements. Additionally, prioritizing developers selected by tenants through TOPA helped ensure that DOPA functioned as an effective safety net, aligning with tenants' preferences.

Ultimately, the project was acquired by the selected TOPA developer with funding from the Housing Preservation Fund and the Amazon Housing Equity Fund, which achieves the result of long-term affordability at the site. Moving forward, expanding financial incentives, such as land partnerships and additional funds for acquisition financing, will be essential to strengthening the program and its impact.

DHCD is exploring ways to attract additional and more resourced developers.

60. On May 31, 2024, DHCD released a Bundle Solicitation for Offers.³

a. Please outline the process DHCD used to evaluate and determine the acceptance or denial of these offers.

A panel of five members was established to review and evaluate the submittals and to select one winner to be awarded on the basis of the highest score.

The selection panel used the following criteria to evaluate each Responsive Offer:

³ See DHCD's website for a list of all solicitations: <https://dhcd.dc.gov/solicitations> (last visited January 21, 2025). See also the "Bundle of Solicitation for Offers" page at <https://dhcd.dc.gov/node/1727756> (May 31, 2024)

1. Qualifications and Experience
2. Financial Capacity
3. Development Plan
4. Implementation Plan
5. Budget
6. Design Characteristics

b. Please provide a list of proposals received with details about each, including at minimum who submitted it and whether it was accepted or denied.

RFP#1 (4244 6th St SE & 919 47th Pl NE)

No responses received

RFP#2 (2629 MLK Jr Ave SE & 1109 50th Pl NE)

1. 7 and M Development – Denied (Lack capacity)

RFP#3 (199 Chesapeake Ave SE)

1. 36 Channing St LLC – Accepted
2. Rosewood & Montage Dev Group – Denied (did not meet RFP requirements)

RFP#4 (10 Brandywine SE)

1. Rosewood & Montage Dev Group - Accepted

RFP#5 (709 Kenyon St NW & 2805 4th St NE)

1. VAM Vacations LLC – Accepted
2. 7 and M Development – Denied (Lack capacity)

RFP#6 (1328 W St SE) - Pending

1. Gold Rock Cox JV LLC
2. W Street Partners
3. 7 and M Development
4. Rosewood & Montage Dev Group

61. On June 21, 2024, DHCD released a Request for Applications for the FY 25 Small Business Services Program – SBTA and Façade Improvement.

a. Please outline the process DHCD used to evaluate and determine the acceptance or denial of these offers.

Process used to evaluate applications for Small Business Services:

1. Applications are reviewed to see which application were submitted and timestamp by ZoomGrants on or before 11:59 pm July 31st, 2024. Applications, if any, received after that time and date are not reviewed.
2. Teams of three or four people were assigned three to four grant applications to review. Individual reviewers scored their applications on a point of 200 points. If an

applicant has been a recipient in prior years, the performance report is shared with the reviewers. For new applicants, reviewers read carefully the documentation provided about the applicant's experience providing similar services.

3. The team then meets as a whole to share their individual reviews, to share observations and to come to a consensus on the team's score for each assigned application.
4. The division staff then reviews the scores for each applicant in terms risk assessment analysis. Risk assessment takes into account years as a grantee, past performance and accomplishments, beneficiary data as required by HUD, and capacity to provide services and to meet deadlines.
5. Recommendations concerning the applications are then forwarded to the Director.

b. Please provide a list of proposals received with details about each, including at minimum who submitted it and whether it was accepted or denied.

Note: The current Facade Grants expire on March 31, 2025. FY25 awards are pending the end of those grant awards at which time, if funding permits, Facade awards would be made.

All twelve (12) applicants were existing SBTA providers and were awarded for FY25.

SMALL BUSINESS SERVICES APPLICANTS	APPLIED	ACCEPTED	APPLIED	ACCEPTED?	Submitted by
Anacostia Economic Development Corporation	SBTA	YES		N/A	Thomas Turner
ARCH Development Corporation	SBTA	YES		N/A	Charles Gautier
Congress Heights Community Training & Development Corporation	SBTA	YES		N/A	Stephanie Campbell
Columbia Heights Day Initiative dba District Bridges	SBTA	YES		N/A	Brianne Dornbush
Friends of Rhode Island Avenue, NE dba DC Squared	SBTA	YES	FACADE	PENDING	Michaela Blanchard
Greater Washington Hispanic Chamber of Commerce	SBTA	YES		N/A	Nicole Quiroga
H Street Main Street	SBTA	YES		N/A	Anwar Saleem
Latino Economic Development Corporation	SBTA	YES		N/A	Emi Reyes
Life Asset	SBTA	YES		N/A	Markus Larsson
Marshall Heights Community Development Organization	SBTA	YES	FACADE	PENDING	Babatunde Oloyede
SB Works	SBTA	YES	FACADE	PENDING	John Mains
Washington Area Community Investment Fund	SBTA	YES		N/A	Shannan Herbert

62. On June 21, 2024, DHCD released a Request for Applications for the FY 25 Housing Counseling Services Program⁴.

a. Please outline the process DHCD used to evaluate and determine the acceptance or denial of these offers.

Process used to evaluate applications for Housing Counseling Services:

⁴ See DHCD's website for a list of all solicitations: <https://dhcd.dc.gov/solicitations> (last visited January 21, 2025). See also the Bundle of Solicitation for Offers page at <https://dhcd.dc.gov/publication/fy-2025-rfa-housing-counseling-services-and-small-business-services> (June 21, 2024)

1. Applications are reviewed to see which application were submitted and timestamp by ZoomGrants on or before 11:59 pm July 31st, 2024. Applications, if any, received after that time and date are not reviewed.
2. Applicants fall into one of two categories: Organizations which are registered and approved by the U.S. Department of Housing and Urban Development (HUD) as housing counseling organizations, and other organizations that are not so registered or approved by HUD as of this date. These organizations may provide certain public services but may not engage under the grant in housing counseling which requires one or more certified HUD certified counselor(s).
3. Teams of three or four people were assigned three to four grant applications to review. Individual reviewers scored their applications on a point of 200 points. If an applicant has been a recipient in prior years, the performance report is shared with the reviewers. For new applicants, reviewers read carefully the documentation provided about the applicant's experience providing similar services.
4. The team then meets as a whole to share their individual reviews, to share observations and to come to a consensus on the team's score for each assigned application.
5. The division staff then reviews the scores for each applicant in terms risk assessment analysis. Risk assessment takes into account years as a grantee, past performance and accomplishments, beneficiary data as required by HUD, and capacity to provide services (See # 8 below) and to meet deadlines.
6. Applicants can apply to work in one or more seventeen (17) lines of service. Added this year was Technical Assistance for Coop and Condo Associations (B13) and Technical Assistance for Owners of Small Rental Properties (B14). No award could be made for FY25 for B14; however, it will continue to be promoted in future RFA's.

Category A: HOMEOWNERSHIP

- A1: HUD Housing Counseling
- A2: 8-Hour Homebuyer Education Class (HBE)
- A3: Intake for the Homebuyer Assistance Program (HPAP/EAHP/NEAHP)
- A4: Inclusionary Zoning Orientation
- A5: Income Certification for IZ/ADU Program
- A6: Income Certification for PADD Applicants
- A7: Public Services: General Housing Services and Information

CATEGORY B: HOUSING PRESERVATION AND HOUSING STABILITY

- B8: General Home Management Counseling (Post-Purchase Non-Delinquent)
- B9: Foreclosure Counseling

- B10: Eviction Counseling
- B11: Intake for the Single-Family Residential Rehabilitation Program
- B12: Legal Services for Seniors and/or Coop & Condo Associations
- B13: Technical Assistance for Coop and Condo Associations
- B14: Technical Assistance for Owners of Small Rental Properties

CATEGORY C: TENANTS AND TENANT GROUPS

- C15: TOPA: Pre-purchase Tenant Counseling/Training
- C16: TOPA: Post-Purchase Tenant Counseling/Training
- C17: Counseling for Tenants and Tenant Organizations (HRA/RAD/CASD)

7. Recommendations concerning the applications are then forwarded to the Director.

b. Please provide a list of proposals received with details about each, including at minimum who submitted it and whether it was accepted or denied.

APPLICANTS	Recommendation
CARECEN	Award
Centro de Apoyo Familiar	Award
Douglas CLT	Deny
Greater Washington Urban League	Award
Housing Counseling Services Inc	Award
Latino Economic Development Corp	Award
Legal Counsel for the Elderly	Award
Lydia's House	Award
Manna Inc	Award
Marshall Heights CDO	Award
Mi Casa	Award
National Stabilization Corp	Deny
Neighborhood Legal Services	Award
Small Landlord Assistance Center	Deny
University Legal Services	Award

Douglas CLT was denied. The application was dated and timestamped after the deadline of 11:59 pm July 31st.

Small Landlord Assistance Center is a new organization which as yet does not have IRS status as a nonprofit corporation. The application was denied. There were incomplete application answers and required documents not uploaded.

National Stabilization Corp (NSC) submitted an incomplete audit with 32 pages missing. The applicant scored below the points required for funding.

63. Please share the date, or at a minimum, the year and quarter, when DHCD anticipates putting out its next Consolidated RFP.

DHCD is targeting October/November 2025.

64. What was the total amount of HPTF contributions received under 11 DCMR § 414, the “Affordable Housing Production Requirement Generated by Construction on a Non-Residential Building of Habitable Penthouse Gross Floor Area” in FY 24 and FY 25, to date? Please provide a spreadsheet of properties subject to this provision and how much each has paid to date.

The total amount of HPTF contributions received for habitable penthouse space on non-residential buildings in FY24 was \$3,692,255.04, and in FY25 (as of 2/18/25) was \$891,858.81. See the attached list of properties and how much each has paid to date.

65. In the last 2 years’ oversight responses, DHCD said no fees had been transferred to the HPTF pursuant to DC Code §§ 42-2802(c)(18), 42-3402.04(d) and 42-3509.10(d), which became effective in 2020. Last year, DHCD said, “DHCD is working with DOB on implementation of the fees.” Please state whether any fees have been collected under this law in FY 23, FY 24 or FY 25, to date, and provide an update on the implementation work with DOB.

No fees have been transferred to the HPTF pursuant to these legislative requirements in FY23, FY24 or FY25 to date.

66. How many applications did DHCD receive for the Housing Preservation Fund in FY 24 and in FY 25, to date? What were the common reasons for rejected applications?

DHCD received 8 HPF loan applications. While the agency did not reject any applications that were forwarded for approval by our fund manager partners, one loan did not close due to a dispute that could not be resolved between the buyer and the seller.

67. Please list the number of projects funded through the Housing Preservation Fund in FY 24 and in FY 25, to date, and the type of project (e.g. TOPA acquisition).

To date, six loans supporting four projects have been funded through the Housing Preservation Fund in FY 2024 and FY 2025. Among these projects, one was a TOPA acquisition.

68. Please provide an update on the use of Emphasys software to maintain data across all funding types on units with expiring affordability covenants. .

Loan data has been integrated, providing monthly updated statistics on the loans within the applications Asset Management System. The Asset Management Module is online and active. We have used data from the 2022 collection of financials and 2023 data to begin the review of the modules analysis and rating system. This has allowed for greater financial oversight of the Multi-Family portfolio. The Single-Family module is currently being loaded with history and

should be completed by year end. This year, HPAP loans will transition to the application which will roll out to the lenders and loan administrators, enabling deeper insight to HPAP's pipeline along with automating a current manual paper-driven process. The IMC module has launched, but not in time for the launch of the RFP process which closed in January of this year's round of funding. Construction inspections will begin to use the application starting in the 3rd quarter concurrent with the mobile tablets to be utilized in the field.

Emphasys coordination with DCHFA is pending MOU development and execution.

69. How many affordability covenants on rental units in DC will expire in the next 3 years and in the next 5 years? What proactive strategies is DHCD employing to preserve affordability in these units?

In the next 3 years, covenants for approximately 2,200 units will expire.

In the next 5 years, covenants for approximately 3,500 units will expire, inclusive of those expiring in the next 3 years.

This only includes properties where a covenant expires and there are no other affordability covenants in place.

The District has the ability to intervene in properties of particular interest through the District Opportunity to Purchase Act. Additionally, by working with our HUD partners and properties that receive federal project-based Section 8 rental assistance, we can support the transfer of Project-Based Rental Assistance authority in cases where a project loses or does not renew its contract or provide other soft interventions. We can also help property owners to address health and safety issues, extend affordability, and maintain their contracts through the Small Building Program, which adds an additional five-year affordability covenant.

Additionally, recapitalization of the projects through the HPTF would allow us to extend the covenant.

70. Please report on the (now concluded) Homeowner Assistance Fund (HAF), including:

a. How much was spent or allocated;

\$40,152,472.19

b. The number of households that applied to HAF;

3,177

c. The number of households deemed eligible for HAF;

1,622

d. Statistics on the pool of applicants, including:

i. Age;

N/A

ii. Gender;

Female -1,462

Male - 735

Non-Binary - 7

Declined to answer - 9

Did not consent to provide gender information - 964

iii. Race/ethnicity;

Other-Multi-Racial - 117

American Indian or Native American - 17

White - 153

Black or African American - 1,899

Native Hawaiian or Pacific Islander - 4

Did not consent to share demographic information - 964

iv. Preferred language;

American Sign Language – 1

Amharic – 2

English – 2,169

Spanish – 40

Vietnamese - 1

v. Household size; and

1 to 3 – 3,033

4 to 6 – 135

7+ - 9

vi. Income;

\$100,000 or less – 2,943

Over \$100,000 - 234

e. The number of HAF applications that fell into each category:

i. Incomplete applicants;

1,496

ii. Completed applications;

3,177

iii. Applications placed on hold because of required corrections;

12

iv. Approved applications;

1,622

v. Waitlisted applications; and

N/A

vi. Denied applications;

1,498

f. The most common reasons for denied applications; and

Did not meet program's guidelines – 596

Did not meet program's guidelines due to unique reasons – 351

Did not meet program's guidelines most frequent reasons – 245

No primary residence since 6/1/21 - 100

Home not legally owned and primary residence since 6/1/21 - 36

Insufficient documentation – 31

Duplicate applications – 27

Unable to verify primary residence since 6/1/21 - 17

Over income – 12

Mortgage delinquency not at least 3 months behind – 8

DHCD compliance review- documentation does not meet guidelines – 7

Utilities not at least 1 month behind – 7

Nonresponsive to corrections/edits - 517

g. The average length of time for the following:

i. From application submission to decision; and
133 days

ii. From application approval to payment disbursement.
195 days

71. Please provide a list of registered HAF vendors over the lifetime of the program and include the following:

See Attached For Response

a. The length of time it took to register each vendor;

b. The shortest time it has taken to pay a registered vendor; and

c. The longest time it has taken to pay a registered vendor.

72. After DHCD closed HAF in June 2024, please share what steps the agency took to assist residents facing foreclosure.

Since the launch of the HAF program, homeowners have been encouraged to pursue loss mitigation through their mortgage servicers, seek guidance from HUD-certified or foreclosure prevention-certified housing counselors, and utilize the District's Foreclosure Prevention Program. Additionally, resources were made available on the HAF website, within the application portal, and through direct communications with applicants via phone calls, chat, emails and letters.

73. Please provide the underwriting criteria and guidelines for HPAP, EAHP, and NEAHP. Please note any changes that have been made to the criteria and/or guidelines since the last performance oversight hearing.

HPAP

HPAP is a second trust loan for acquisition down payment of up to \$202,000 and closing cost assistance up to \$4,000. All funds are in one loan - not a grant, never forgiven.

Loan deferred for a minimum of 5 years. The amount of assistance and deferral period is determined by household income and size. HPAP maximum first trust loan shall not exceed the conventional conforming loan limit.

EAHP, NEAHP, and First Responders and Educators

Deferred EAHP loans of up to \$20,000 and up to \$5,000 matching grants are available to eligible DC Government Employees in good standing for 1 year for a first-time home purchase in the District. Eligible first responders and educators may receive an additional \$10,000 recoverable grant and a matching grant of up to \$15,000. EAHP maximum purchase price shall not exceed the maximum conventional conforming loan limit. DC Government Employees who are in good standing and whose positions are covered by certain collective bargaining agreements are eligible to apply for NEAHP assistance.

Debt to Income

- Maximum total back-end debt to income ratio is 50%
- Debt to income ratios exceeding 45% must have a compensating factor Exceptions based on FHA compensating factors can be considered for debt-to-income ratios exceeding 45% up to 50%

Acceptable First Trust Loan

Conventional, FHA and VA full documentation, fully amortizing fixed rate loans, or ARM loans of minimum 5-year first adjustment, 2% annual cap, 5% lifetime max. DU and LPA approval recommendations encouraged, however HPAP loans will be manually underwritten, and DU/LPA recommendation does not guarantee an approval.

Condo / Co-op Fees and Other Fees

HPAP funds cannot pay condo or coop fees. Maximum of 2 months toward escrow for capital contribution. Condo and Coop Fees are counted in monthly debt ratio. See Non-Allowable Closing Fee Sheet for fees HPAP can pay on behalf of borrower.

Credit Report and Credit Score

630 middle score with tri-merge credit report. Report less than 120 days old at closing.

Income and Employment Requirement

HPAP Eligibility Income requires annualized income from all sources of income from all household members, whether mortgage borrowers or not. HPAP income does not follow mortgage qualifying income guidelines and uses income from all current sources expected to continue in the future, irrespective of how long the income has been received.

Mortgage debt ratio calculations use income calculated according to mortgage qualifying guidelines of FHA, Fannie Mae or Freddie Mac.

First Time Homebuyer

HPAP borrowers cannot have had ownership interest in any residential real estate within three years prior to application submission.

EAHP and NEAHP borrowers cannot have owned a primary residence in DC for 3 years.

District Residency

To apply for and receive HPAP assistance, an applicant must be a current District resident. EAHP borrowers do not need current District residency.

Borrower Cash Contribution

HPAP borrowers must contribute the greater of \$500 or ½ of all financial assets over \$3,000, other than retirement accounts (i.e. \$7,000 of assets requires \$2,000); Contribution includes some items paid outside of closing which are documented with receipts from borrower payment.

EAHP borrowers have no minimum contribution required.

Property Eligibility

Only Single Unit properties eligible for HPAP and EAHP loans. Single family houses, town houses, PUDs, Condominiums and Cooperatives (co-ops) are eligible.

74. How much money did DHCD receive in yearly HPAP, EAHP, and NEAHP payments in FY 24 and FY 25, to date, and how is DHCD using those funds?

Repayments of NEAHP are rare and occur only when an employee does not meet the terms of the grant agreement. Repayments of HPAP and EAHP loans are dependent on the source used to make the initial loan. Repayments made with local dollars go back to the General Fund for use by the general government. Repayments of loans from CDBG and HOME grants are considered program income and are treated as grant dollars and used on current year grant activities. Repayments of loans made with HPAP Repay or other special purpose funds of DHCD (none in FY23-24) are put back in the HPAP program.

75. Please provide the number of applications, closings, total funds distributed, average HPAP loan amount, and average purchase price for HPAP for FY 24 and FY 25, to date.

	FY24	FY25 YTD
Number of Applications	912	851
Closings	283	157
Total Funds Distributed	\$31,190,203	\$20,992,346
Average HPAP Loan Amount	\$110,213	\$133,709
Average Purchase Price	\$408,749	\$426,797

Please note: YTD through 1/31/25

76. Please provide breakdowns of HPAP applicants and recipients in FY 24 and FY 25, to date, by the following characteristics. Identify any disparities in outcomes among different demographic groups and describe how DHCD is addressing these inequities:

See Attached For Response

There do not appear to be any disparities. Over 64% of HPAP borrowers are African American and 66% are female. The average age is 35 years old. The average HH income is \$94,745 with an average HH size of 1.8. We do not track the preferred language. Every ward in the city is represented with a heavy concentration in Ward 7 and Ward 8.

- a. Age;
- b. Gender;
- c. Race/ethnicity;
- d. Preferred language;
- e. Household size;
- f. Income; and
- g. Ward.

77. Please provide a breakdown of HPAP purchases by home price and by ward for FY 24 and FY 25, to date.

The average sales price for HPAP borrowers is as follows:

	FY24	FY25 YTD
Ward 1 Average Price	\$354,176	\$314,950
Ward 2 Average Price	\$355,707	\$407,250
Ward 3 Average Price	\$320,437	\$425,000
Ward 4 Average Price	\$356,216	\$485,325
Ward 5 Average Price	\$404,812	\$410,646
Ward 6 Average Price	\$331,037	\$443,625
Ward 7 Average Price	\$409,466	\$410,841
Ward 8 Average Price	\$403,956	\$445,339

Please note that FY25 YTD is thru 1/31/25

78. DC Code 42-2604(a)(1) says HPAP applicants and recipients shall be tenant organizations or first-time homebuyers. In last year's pre-hearing response to Question 71, DHCD shared that the only use of HPAP involving a tenant organization is when the buyer of a unit in a cooperative purchases the unit. In FY 24 and FY 25, to date, specifically for tenant organizations:

- a. How many applied for HPAP?

b. How many were deemed eligible?

0

c. How many received funds?

0

d. Of those that received funds, what was the average HPAP loan amount provided to the organization?

N/A

79. Please report on DHCD's implementation of the following HPAP mandates:

a. DC Code § 42-2602.01(d)(1)-(2), requiring establishment of a grant program by April 1, 2023, "that provides qualifying applicants up to \$25,000 for repairs on a home purchased with [Home Purchase Assistance] Program financial assistance," which would be granted in addition to the financial assistance provided for purposes of a down payment or mortgage rate buydown.

The funds are available, however, has not been made public. DHCD does not want to get in the habit of providing money to HPAP borrowers as first-time homeowners to do a rehab project.

b. § 42-2602.01(d)(3), requiring "details about the [\$25,000] grant program in communications to a qualifying applicant at the time the Mayor confirms that the qualifying applicant is approved for" HPAP.

N/A

c. § 42-2602.01(e)(1)(D), requiring a plan by September 15, 2024 "to create a centralized portal for [HPAP] document collection and approval that is accessible to [HPAP] stakeholders, including grantees, qualifying applicants and their representatives, and sellers and their representatives."

DHCD has created a portal for the collection of all HPAP documents
dhcd.hpap.dc.gov.

d. § 42-2603(b), requiring a Program dashboard.

HPAP has a dashboard on the website at www.dhcd.dc.org

e. § 42-2603(c), extending the validity notices of HPAP eligibility for an extra fiscal year in cases where successful applicants miss out due to lack of funding.

DHCD has granted extensions to successful applicants that miss out due to funding shortfalls. They are entered into the next available lottery.

f. § 42-2604(b)(1B), prohibiting the use of loan-to-value ratios or first trust mortgage amounts to decide if participants will receive HPAP funding.

The HPAP amount cannot exceed the first trust mortgage amount.

80. DHCD is authorized to give up to \$5,000 in additional HPAP support to very low-income households (0-50% MFI) if a household member is elderly, handicapped, disabled, or displaced and if the household has a demonstrated need.

a. Please describe DHCD's decision making process for this additional HPAP support, including whether applicants must formally apply and if there is an appeals process.

Requests for additional support are considered on a case-by-case basis. At a minimum, a demonstrated need would include the demonstration that a purchase would not otherwise be able to close without the additional HPAP support of up to \$5,000.

b. Please state the number of households to whom DHCD provided this additional assistance in FY 24 and FY 25, to date.

In FY24 and FY25 YTD, no requests for additional support were received and no additional support was provided.

c. Please describe the communication strategy DHCD uses to advertise this additional HPAP support.

DHCD does not advertise this. This is communicated on a case-by-case basis, where need and eligibility are demonstrated.

81. Please provide the number of applications, closings, the funds distributed, average EHAP loan amount, and average purchase price for the EAHP program for FY 24 and FY 25, to date.

FY24	FY25 YTD	
Number of Applications	198	212
Closings	81	64
Total Funds Distributed	\$1,990,000	\$1,380,000
Average EAHP Loan Amount	\$23,975	\$26,363
Average Purchase Price	\$503,465	\$432,285

82. Please provide breakdowns of EAHP and NEAHP applicants and recipients by the following characteristics:

See Attached For Response

- a. Age;**
- b. Gender;**
- c. Race/ethnicity;**
- d. Preferred language;**
- e. Household size;**
- f. Income; and**
- g. Ward (or location if outside DC).**

83. Please provide a breakdown of EAHP and NEAHP purchases by home price and by ward for FY 24 and FY 25, to date.

See Attached For Response

84. Did EAHP demand exceed the approved budgets for FY 24 or for FY 25, to date?

No, EAHP demand did not exceed the approved budgets for FY24 or for FY25 to date.

85. Please provide breakdowns of Single-Family Residential Rehabilitation Program (SFRRP) applicants and recipients by the following characteristics:

- a. Age;**

20-29	0
30-40	7
41-50	5
51-60	10
61-70	28
71-80	23
81-90	17
91-100	3
101-110	1

- b. Gender;**

Information not collected under application process.

- c. Race/ethnicity;**

AA	Multi Race	NO Pref	WH	Other
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89	1	1	2	1
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d. Preferred language;

Information not collected under application process.

e. Household size;

1	2	3	4	5	6	7	8
58	17	13	2	4	0	0	0

f. Income; and

under 70	under 80K	under 90k	under 100k	under 110k	under 120k	under 130k	under 141k
83	7	2	2	0	0	0	0

g. Ward (or location if outside DC).

Ward							
1	2	3	4	5	6	7	8
3	0	2	20	15	2	29	23

86. What was the average time from SFRRP application submission to project completion in FY 24 and FY 25, to date?

6 months is the average time from application to project completion.

87. Please state how many SFRRP projects were completed in FY 24 and FY 25, to date, and list the average expenditure for these projects.

Projects completed: 134 with an average cost of properties

FY24: 110 at an average cost of \$25,427.91

FY24 & FY25: 134 properties combined at an average cost of \$26,388.91

88. Please list the number of applications DHCD received in FY 24, and FY 25, to date, through Requests for Applications for the Small Business Technical Assistance (SBTA) program.

See the answers provided to Question # 61 and Questions # 89.

89. Please list the number of community-based organizations (CBOs) that received an SBTA award for FY 24 or FY 25, to date; the dollar amount awarded to each CBO; and the total amount awarded.

Thirteen (13) organizations were awarded SBTA grants in FY22 and subsequently extended for FY23 and FY24. One of them, Emory Beacon of Light, did not apply in the Request for Applications (RFA) for FY25.

SMALL BUSINESS TECHNICAL ASSISTANCE GRANTEES	FY24	FY25
Anacostia Economic Development Corporation	\$250,000.00	\$250,000.00
ARCH Development Corporation	\$325,000.00	\$275,000.00
Congress Heights Community Training & Development Corporation	\$300,000.00	\$300,000.00
Columbia Heights Day Initiative dba District Bridges	\$300,000.00	\$300,000.00
Emory Beacon of Light	\$131,200.00	\$0.00
Friends of Rhode Island Avenue, NE dba DC Squared	\$79,400.00	\$80,000.00
Greater Washington Hispanic Chamber of Commerce	\$200,000.00	\$150,000.00
H Street Main Street	\$50,000.00	\$40,000.00
Latino Economic Development Corporation	\$769,300.00	\$750,000.00
Life Asset	\$350,000.00	\$350,000.00
Marshall Heights Community Development Organization	\$270,000.00	\$270,000.00
SB Works	\$306,500.00	\$320,000.00
Washington Area Community Investment Fund	\$768,600.00	\$800,000.00
	\$4,100,000.00	\$3,885,000.00

90. Please list the small businesses that each SBTA CBO served in FY 24 and FY 25, to date, including their:

- Address;**
- Ward;**
- Award amount; and**
- The local Certified Business Enterprise (CBE), Minority-owned Business Enterprise (MBE), and/or Women-owned Business Enterprise (WBE) status.**

See Attached For Response

Two excel spreadsheets are attached for FY24 and FY25 YTD respectively.

GRANT AWARDS: Grant funds are not used to make loans or grant awards to client businesses; however, some Grantees are CDFI's or are able to assist client businesses to secure financing or to obtain contracts. In FY24, 1,463 client businesses were assisted to obtain an aggregate of \$6,286,319 in financing or contracts. These amounts are noted for the relevant client businesses.

Overview:

In FY24, the Grantees provided SBTA services to 2,943 client businesses.

ARCH	64
CH	183
DB	93
FORIA	93
GWHCC	35
HSMS	202
LIFE ASSET	1718
SBWORKS	42
WACIF	472
No Organization Identified	41
	2943

Client Businesses by Ward

Ward 1	262
Ward 2	176
Ward 3	117
Ward 4	278
Ward 5	440
Ward 6	326
Ward 7	502
Ward 8	597
No Ward Provided by Grantee	245
	2943

91. Please state the number of units repaired using the Small Buildings Program in FY 24 and in FY 25, to date, and list the average expenditure per unit.

The Small Buildings Program repaired 34 units in FY 24 and 26 units in FY 25, to date. The average expenditure per unit is \$65,000.00

92. Please describe how Community Development Block Grant (CDBG) funds are being or will be used in FY 25 and what, if any, changes are being considered for the CDBG funds for FY 25.

See Attached For Response

93. Please provide the following information regarding each CDBG recipient in FY 24 and FY 25, to date, including CDBG-CV:

See Attached For Response

- a. Organization name;**
- b. Dollar amount awarded;**
- c. Date of award;**
- d. Brief summary of what work the organization does;**
- e. Address of organization;**
- f. Ward in which organization is located; and**
- g. Whether the grant was CDBG-CV.**

94. Please describe how Home Investment Partnerships (HOME) funds are being used in FY 25 and what, if any, changes are being considered for HOME funds for FY 26.

DHCD is using the FY 2025 HOME Investment Partnerships Program Funds to finance downpayments and closing costs for first-time homebuyers participating in the Home Purchase Assistance Program and to finance the creation of multifamily affordable housing units.

There are no changes being considered for FY 2026.

95. How much District money has been disbursed for TOPA projects in FY 24 and FY 25, to date?

During FY 24 and FY 25 to date, DHCD has not disbursed any funds for TOPA projects.

96. How many TOPA Offer of Sale notices did DHCD receive in FY 24 and in FY 25, to date, and, of those notices, how many were for buildings with 5 units or more?

FY 2024 TOPA Notices/Offers of Sale

	With a Third-Party Contract	Without a Third-Party Contract	Total
Two for Four Rental Units	113	56	169

Five or More Rental Units	86	22	108
Single Family	17	18	35

FY 2025 TOPA Notices/Offers of Sale for 5+ Unit Buildings

	With a Third-Party Contract	Without a Third-Party Contract	Total
Two for Four Rental Units	54	18	72
Five or More Rental Units	36	7	43
Single Family	7	5	12

97. How many Letters of Interest did DHCD receive from tenants or tenants' associations in response to TOPA Offers of Sale in FY 24 and in FY 25, to date, and, of those letters, how many were for buildings with 5 units or more?

FY 24 - 138

120 of those letters of interest were for 5+ unit buildings

FY 25 - 38

33 of these letters of interest were for 5+ unit buildings

98. Please list all TOPA acquisition projects that utilized or were in the pipeline for DHCD financing in FY 24 or FY 25, to date. Please include:

*****See Attached For Response*****

- a. Project name;***
- b. DHCD financing status;***
- c. Program through which the acquisition was funded (ex. Housing Preservation Fund);***
- d. Acquisition price;***
- e. Name of the developer;***
- f. Name of all principals or owners associated with the developer;***
- g. Ward in which the project is located;***
- h. Average income of residents in the building;***

- i. Average rent amount; and*
- j. Range of unit size (e.g. studio to 2 bedrooms).*

99. In response to last year's performance oversight pre-hearing question 98, DHCD indicated that it covers eligible uses of the First Right Purchase Program (FRPP) as part of its other programs. Please define FRPP, state the status of FRPP, and state whether DHCD intends to use FRPP in FY 25 or FY 26.

Eligible uses of the First Right Purchase Program are covered by other DHCD programs. Through the Housing Preservation Fund, the District makes funds available for acquisition, predevelopment, environmental remediation, critical repairs, earnest money deposits and other preservation uses of occupied properties where at least 50% of units are affordable to households earning less than 80% of Median Family Income.

100. According to the FY 22 Inclusionary Zoning Annual Report, the District created 1,966 IZ units between August 2009 and September 30, 2022. Please state how many of these units are for-rent or for-sale and, for each category, how many of the units are vacant.

A total of 1,589 of the units were rentals and 377 were for-sale. All of the units are either occupied or in some phase of the lottery process. DHCD does not have the exact number of units that are currently vacant.

101. The Office of the District of Columbia Auditor (ODCA) conducted a discretionary audit⁵ to determine whether the Department of Housing and Community Development was effectively implementing the IZ program. Their report (the "IZ Report") noted that stronger oversight was needed to reach housing goals. The IZ Report found that "DHCD... took on average more than 13 months to fill IZ units between DHCD issuing a post Notice of Availability letter to lease start date."

- a. Please explain in detail why it takes more than 13 months, on average, to fill IZ units, including any specific barriers (administrative, procedural, or external) that contribute to this delay.*

Per DHCD's response to ODCA that was included at the end of their report, DHCD objects to the methodology used in this Audit to calculate the average time required to fill an IZ unit and proposes alternate start and end dates that correspond with the steps of the process that are within the agency's control as opposed to those which are in the IZ development owner's control to more accurately demonstrate the time ranges that can be attributed to DHCD actions alone.

⁵ See the Office of the District of Columbia Auditor's report: <https://dcauditor.org/report/stronger-dhcd-oversight-needed-for-inclusionary-zoning-program-to-reach-housing-goals/> (last visited January 21, 2025)

To effectively measure the range of time for a particular unit, DHCD recommends starting with the date the property accurately lists the unit(s) publicly on the District's Affordable Housing Locator (www.dchousingsearch.org) and communicates this/these postings to DHCD, and that DHCD confirms the listings are correct to be advertised more widely. These listings are the sole responsibility of property staff and moving to the next stage of the IZ lottery process hinges on this step, which is out of DHCD's control.

The end date of the process which is within DHCD's control (or its grantees) is when an income certification is approved for a household. The ODCA audit instead looked at the process from the perspective of a strict interpretation of the regulations that assumed perfect behavior and timeline adherence by private sector partners as well. ODCA's decision to start from the receipt of the Notice of Availability (NOA) has several shortcomings. This form is often submitted on a premature basis and/or is incomplete requiring several rounds of questioning between the property and DHCD and along with requests for additional information from the property. In many cases, information revealed at the NOA stage requires a property to go back to the Department of Buildings (DOB) for subsequent permit revisions and issuance of a new Certificate of Inclusionary Zoning Compliance (CIZC) as well as entering into an Amendment to the Inclusionary Development Covenant. These extra steps can add weeks or months to filling an IZ unit, especially when changes are not reported to DHCD or DOB until the last minute prior to expected building occupancy.

As to ODCA's selection of the end date, note that the date the unit is occupied is a negotiation between the landlord and the tenant that is outside of DHCD's control. After the income certification is issued, signing the lease is entirely up to the landlord and the tenant. In our experience, landlords allow future move-in dates, at times months after an income certification, rather than going through the IZ lottery and income certification processes again. Rather than signing a lease in advance, they pencil in a move-in date and then sign the lease on the day of move-in (which can be long after the last IZ step of income certification), hence adding several weeks or months between when DHCD's role is complete and the unit is filled. The date the unit is occupied accounts for processing that can only be done by the property manager/owner and is not a measure of DHCD's performance after the issuance of the income certification.

DHCD used the same 16 properties that ODCA sampled and, excluding 2 of the IZ-exempt properties with units at 30% and 120% median family income (MFI), the average time from the date the dchousingsearch.org listings were approved by DHCD until households were income certified by a community-based organization (CBO) was 170 days. This is a much more accurate timeframe to determine the effectiveness of the IZ program, since so much of the process before and after that is outside of DHCD's control. And if property management starts the lottery process 60-90 days before applying for the Certificate of Occupancy (CofO), as recommended by DHCD, the units should be filled 80-110 days after issuance of the CofO, which likely tracks how long the market-rate

units at the same developments take to occupy. Another factor to consider is that property managers frequently prioritize filling market-rate units over IZ units, since the revenue is much higher.

b. What steps is DHCD taking to reduce the time it takes to fill IZ units?

Since the audit, DHCD has implemented and continues to pilot several process modifications to reduce the time it takes to fill IZ units. One example is to follow-up with properties via phone about the NOA (Notice of Availability), to avoid tedious and inefficient email exchanges and obtain the necessary information to open lotteries faster. Another example is eliminating unnecessary and time-consuming site visits to move lotteries faster. Also, instead of waiting for perfect dchousingsearch.org listings from properties, specialists can announce and run lotteries if the most critical details on the property listings are accurate, to speed the unit filling process. In larger properties (20+ IZ units), instead of splitting the units into two separate time-consuming lottery batches, staff are piloting lotteries for all IZ units in the building at one time, but with a smaller number of selectees per unit. If the first lottery leaves unfilled units, DHCD is experimenting with ranking the remaining lottery selectees in a DHCD-administered waitlist to help the property fill remaining units faster (many backup selectees already have their documents submitted, which saves time in the income certification process).

102. ODCA's IZ Report indicates that "DHCD did not enforce the annual reporting requirements, which meant they were not able to track which units were vacant or who was living in occupied units".

a. Please describe, step by step, the annual reporting enforcement process that DHCD is supposed to follow.

The IZ regulations place the responsibility of annual reporting on rental properties and IZ unit owners, however DHCD does request reports at least once a year from all property management companies, rental property owners and/or IZ unit owners. Individual specialists contact properties to request annual reports, and mass emails are sent to properties quarterly with reminders and instructions of the annual reporting requirements.

b. Why has DHCD not enforced the annual reporting requirements? Are there specific resource, policy, or compliance issues contributing to this lapse?

The IZ program has always enforced annual reporting requirements and has significantly improved in enforcing the process of annual reporting requirements for properties since the data from the ODCA IZ report, and most IZ properties currently meet the compliance requirement of having an annual report on file that has been submitted within the past 365 days.

c. Are additional FTEs or other resources needed to adequately enforce IZ reporting requirements? If so, what is the estimated need?

Yes, the IZ division needs a minimum of at least 2 FTEs to enforce annual reporting requirements along with the administration of new properties that are continuously becoming available. DHCD is also requesting a budget to maintain a software database with the ability to automatically request and receive IZ annual reports from properties. Tracking property annual report due dates is currently maintained in Quickbase which does not currently send reminders externally. Cost prohibitive licensing fees for each property owner and/or manager would be required for this process. Quickbase already sends reminders to DHCD staff, and reminders are provided to owners by the DHCD staff.

103. ODCA's IZ Report indicates that "DHCD did not initiate enforcement action against property owners who violated IZ development covenant requirements and DCMR".

a. Why has DHCD not initiated enforcement action against property owners found to be in violation of IZ covenant requirements and DCMR? Are there legal, procedural, or resource-related barriers preventing enforcement?

DHCD has and continues to initiate enforcement action against property owners found to be in violation of IZ covenant requirements and DCMR.

b. Please share DHCD's anticipated timeline for addressing this finding.

DHCD has developed standard operating procedures and is implementing them.

104. ODCA's IZ Report recommended that DHCD develop and implement IZ program enforcement standard operating procedures, to include compliance checks and penalties and fines for properties that fail to comply with the IZ program; train staff on the standard operating procedures; and impose penalties as appropriate. Please share DHCD's anticipated timeline for completing this recommendation, including:

a. What specific steps has DHCD taken so far to develop these standard operating procedures, and what remains to be done?

IZ rental properties and individual IZ owners are required to submit compliance reports to the agency on an annual basis. While the agency is not required to remind them of this obligation, they are now sending reminders on an annual basis as a courtesy to increase the percentage of compliant properties and units. As a result of the audit, the IZ Manager proposed and the DHCD Director approved of a streamlined operating procedure for IZ compliance proceedings. The details of this procedure are as follows. When violations are discovered or are brought to the agency's attention, IZ team Staff can now send emails to the non-compliant party (property manager, owner, developer, tenant and/or unit owner) alerting them to the violation(s) and giving 7 days to comply. If no compliance after 7 days, Staff send a follow-up email and the IZ Program Manager signs and sends a Notice

of Violation, giving an additional 30 days to comply, as required by the IZ covenant. If no compliance after 30 days, Staff circulate a Decision Memo with a formal Notice of Default and Fine to be signed by the DHCD Director and giving an additional 30 days to pay the fine. If the fine is not paid after 30 days, Staff request OGC to refer the matter to OAG to file suit. Previously, there was no consolidated tracking platform for violations. The IZ program has since added a "Violations" table to its internal Quickbase database to better manage both current violations as well as to capture alleged violations that may require further investigation. This tool also enables the team to more accurately track enforcement data and fines.

What remains to be done is to add additional staff positions to the team, shift the focus of compliance efforts and penalties onto IZ owners (rather than the revolving door of property managers), and to consider redesignating some current IZ staff as compliance-only focused versus ongoing property assistance/lottery focused, so the compliance efforts are not diluted by the ongoing barrage of lottery requests. The team continues to face a growing portfolio of newly operational Inclusionary Zoning developments, as well as some Affordable Dwelling Units under their purview, but does not have sufficient staffing capacity to cover both the existing portfolio, the new units to come, and in addition, the myriad of assorted tasks that arise in what is still very much a "new" program, only having been in operation the last 14 years with much of the time evolving over trial and error.

b. What training programs will be put in place to ensure staff are equipped to enforce these procedures effectively?

Staff received copies of the standard operating procedures and meet on a weekly basis.

c. Will DHCD impose penalties and fines for non-compliance as part of these SOPs? If so, how will penalties be determined and enforced?

The issuance of fines is already in practice by the IZ program. The guidelines are outlined in the Act (recovering the overage of the rental amounts or sale amounts above that which was lawful for the unit plus a 10% penalty). In terms of penalties, there has already been at least one court case that has permitted the District to sell an IZ unit still owned by an IZ purchaser who violated the terms of the IZ covenant and regulations. Imposing penalties, in addition to fines is an enforcement avenue that will be pursued further to prevent ongoing violations and to deter other owners from similar violations.

105. Please provide statistics on households are registered for the IZ program, to date, including at minimum:

a. Percent of households registered with District addresses;

Of registered households, 79% have DC addresses.

b. Number of households registered for for-rent, for-sale, or both;

There are 29,521 households registered for rentals, 206 households registered for sales and 1,268 are registered for both.

c. Household size; and

Registration by household size are as follows: 1 person: 15,848; 2 people: 8,052; 3 people: 4,216; 4 people: 1,877; 5 people: 703; 6+ people: 299.

d. Income.

Self-reported incomes from IZ registrations: 22,657 households have income at or below 50% MFI, 7,804 have income above 50% but less than or equal to 80% MFI, and 534 have incomes above 80% MFI.

106. Please state the number of IZ for-rent and IZ for-sale units currently in the pipeline.

There are 680 IZ for-rent and 178 IZ for-sale units in the pipeline.

107. Please define what it means for a property to be “in DHCD’s portfolio” and list the number of properties and the total number of units DHCD has in its portfolio to date.

Properties are “in DHCD’s portfolio” when the property has compliance requirements that DHCD oversees, generally due to an affordable housing covenant. The District as of 12/31/24 has over \$2.1 billion invested across 482 multi-family rental loans and 9,310 loans to single family homeowners.

108. Of the properties in DHCD’s portfolio, please state how many properties, and how many units, DHCD inspected in FY 24 and in FY 25, to date.

FY 2024

- Total number of properties inspected - 157
- Total number of units inspected - 2461

FY 2025

- Total number of properties inspected - 7
- Total number of units inspected - 7

109. Please state how many inspectors DHCD currently has on staff and whether DHCD contracts out inspections of its portfolio to other entities, including government agencies or private contractors.

DHCD currently has 12 inspectors on staff.

110. Please list DHCD’s remaining inventory of vacant and/or blighted properties under the Property Acquisition Development Division (PADD) program, including for each property:

See Attached For Response

- a. *Ward;*
- b. *Address;*
- c. *Zoning;*
- d. *Size (e.g. acreage or square footage);*
- e. *Last appraisal date;*
- f. *Last appraisal value; and*
- g. *Date when the property entered the inventory.*

111. How many RFPs were released in FY 24 and FY 25, to date, that involve PADD properties?

PADD released 6 RFPs in FY24 and plans to release 9 in FY25.

112. Please provide a chart of PADD properties that were disposed of in FY 24 and FY 25, to date, including for each property:

- a. *Ward;*
- b. *Address;*
- c. *Closing date;*
- d. *Sales proceeds; and*
- e. *Purchaser.*

FY24

WARD	ADDRESS	Closing Date	Sales Proceeds	Purchaser
8	4338 Halley Terrace SE	May 3, 2024	98,700	NaylorDC LLC
8	4324 Halley Terrace Se	May 3, 2024	combined	NaylorDC LLC
8	4326 Halley Terrace SE	May 3, 2024	combined	NaylorDC LLC

FY25

WARD	ADDRESS	Closing Date	Sales Proceeds	Purchaser
2	905 R St NW	April 2025	\$1	Emboden LLC
6	1106 3 rd St NE	March 2025	\$20,000	ICS Corp
1	709 Kenyon St NW	April 2025	\$200,000	VAM Vacation LLC
5	2805 4 th St NE	April 2025	Combined	VAM Vacation LLC
5	1325 Montello Ave NE	May 2025	\$51,500	Urban Edge, LLC
8	10 Brandywine St SE	May 2025	\$210,674	Rosewood/Montagae
8	2412 MLK Jr Ave SE	May 2025	\$200,000	Diamond Ridge LLC
8	1444 Alabama Ave SE	February 28, 2025	\$125,000	Cox Development Group LLC

8	1452 Alabama Ave Se	February 28, 2025	Combined	Cox Development Group LLC
8	1454 Alabama Ave SE	February 28, 2025	Combined	Cox Development Group LLC
8	199 Chesapeake St SE	May 2025	\$125,000	36 Channing St LLC

PADD disposed of 3 properties in FY24:

1. 4338 Halley Terrace SE – Ward 8 May 3, 2024 to NaylorDC Investment LLC
2. 4324 Halley Terrace SE – Ward 8 May 3, 2024 to NaylorDC Investment LLC
3. 4326 Halley Terrace SE – Ward 8 May 3, 2024 to NaylorDC Investment LLC

For a total sales price of \$98,700

PADD will dispose of the following properties in FY25

4. 905 R St NW – Ward 6 - \$1 - April 2025 - Emboden LLC
5. 1106 3rd St NE – Ward 6 - \$20,000 - March 2025 - ICS Corp (non-profit)
6. 709 Kenyon St NW – Ward 1 - April 2025 - \$200,000 - VAM Vacation LLC
7. 2805 4th St NE – Ward 5 - April 2025 - VAM Vacation LLC (combined with #6)
8. 1325 Montello Ave NE – Ward 5 - May 2025 - \$51,500 - Urban Edge, LLC
9. 10 Brandywine St SE – Ward 8 - May 2025 - \$210,674 – Rosewood/Montage Development Group
10. 2412 MLK Jr Ave SE – Ward 8- May 2025 - \$200,000 - Diamond Ridge LLC
11. 1444 Alabama Ave SE – Ward 8 - February 28, 2025 - \$125,000.00 - Cox Development Group LLC
12. 1452 Alabama Ave SE – Ward 8 - February 28, 2025 – Cox Development Group LLC (combined with #11 & #13)
13. 1454 Alabama Ave SE – Ward 8 - February 28, 2025 -Cox Development Group LLC (combined with #11 & #12)
14. 199 Chesapeake St SE – Ward 8 - \$125,000 - May 2025 -36 Channing St LLC

113. Please provide details of DHCD's current acquisition strategy, including how much funding DHCD intended to use for property acquisition in FY 24 and in FY 25, to date, and how much of that funding remains.

PADD'S ACQUISITION STRATEGY FY24 & FY25

TAX LIST ACQUISITION

1. Target Tax Delinquent list for Bid-Back Properties that meet PADD's criteria of owing \$40K + in property taxes and is delinquent for at least three years.

INTER-AGENCY ACQUISITION

2. Acquire Sites via Inter-agency Acquisitions targeting sites that PADD is better suited to maintain and solicit for Rehabilitation.

HIGHER DENSITY ACQUISITION

3. Acquiring sites that allow for medium size development to contribute to the affordable housing stock.

ACQUISITION STRATEGY

4. Estimated Property Acquisition Budget FY 24/FY25 (To date) = \$3,510,991
Balance = \$0

114. How many petitions did the Rental Accommodations Division (RAD) receive in FY 24 and FY 25, to date, broken down by category including how many were granted, how many were appealed, and how many rulings were overturned on appeal?

Procedurally, RAD is the first level of administrative review for:

- § 501f petitions;
- § 205(e)(4) exclusion petitions;
- Substantial rehabilitation for vacant rental units;
- hardship petitions; and
- voluntary agreements.

RAD substantively reviews these petitions and issues a decision and order. The petition type dictates whether an aggrieved party intending to challenge RAD's order may appeal to either the Rental Housing Commission (RHC) or the Office of Administrative Hearings (OAH). Appeals of OAH orders are heard by the RHC and appeals of RHC orders are heard by the District of Columbia Court of Appeals. Because RAD does not have appellate authority and jurisdiction, RAD's records do not include any appellate cases.

RAD is the intake office and neither reviews nor issues orders for capital improvement petitions, substantial rehabilitation petitions (unless the affected rental units are vacant), services and facilities petitions, tenant petitions, and tenant payment plan complaints. RAD reviews filings for completeness and technical compliance and then transfers the petitions to OAH for adjudication. Accordingly, RAD's records do not include appellate cases for these petition types.

Petitions Received FY 2024-FY 2025 (as of 02/12/2025)

Petition Type	Filed	Pending	W/D	Granted	Denied	Appealed	Overruled
§ 501f	2	0	0	2	n/a	n/a	n/a
Capital Improvement*	1	1	n/a	n/a	n/a	n/a	n/a
§ 205(e)(4) Exclusions	5	4	n/a	1	n/a	n/a	n/a
Hardship	7	6	n/a	1	n/a	n/a	n/a
Services & Facilities*	1	1	n/a	n/a	n/a	n/a	n/a
Substantial Rehabilitation	1	1	n/a	n/a	n/a	n/a	n/a

for vacant rental units							
Tenant Petitions*	277	n/a	n/a	n/a	n/a	n/a	n/a
Tenant Payment Plan Complaint*	0	n/a	n/a	n/a	n/a	n/a	n/a
Voluntary Agreement**	0	n/a	n/a	n/a	n/a	n/a	n/a

* RAD intakes filings which are reviewed for completeness and technical compliance and then transfers the petitions to OAH for adjudication.

** The Voluntary Agreement Moratorium Temporary Amendment Act of 2024 (D.C. Law 25-0210, effective 09/18/2024 and expiring 05/01/2025) mandates that housing providers shall not enter into a voluntary agreement before January 1, 2025. As of 02/12/2025, no voluntary agreements have been filed with RAD.

115. Please list all RAD petitions that were pending at any point during FY 24 and FY 25, to date, including:

See Attached For Response

- a. Case numbers;
- b. The date the petition was filed with RAD; and
- c. The current status of the petition.

116. In FY 24 and FY 25, to date, how many petitions did RAD:

- a. Reject for insufficiency;
- b. Render a preliminary decision on; and
- c. Automatically transfer to OAH?

Pending Cases for FY 2024 & FY 2025 (as of 02/12/2025)

Number of Petitions Rejected for Insufficiency	0
Number of Preliminary Decisions Rendered by RAD	2
Total Number of Petitions Automatically Transferred to OAH	279
Number of Tenant Petitions:	276
Number of Tenant Payment Plan Complaints:	0
Number of Housing Provider Petitions:	3

117. For each category of RAD matter, please state the average length of time between the filing of a petition and a decision in FY 24 and in FY 25, to date.

RAD Average Processing & Review Time for FY 2024 & FY 2025 (as of 02/12/2025)	
Petition Type & Case Number	Average length of time between filings
Hardship Petitions	90 days
Services & Facilities Petitions	120 days
501f Petitions	120 days
Substantial Rehabilitation Petitions	120 days
Capital Improvement Petitions	120 days
Voluntary Agreements	n/a
Tenant Petitions	n/a

118. In response to last year's performance oversight pre-hearing question 113, DHCD said it anticipated completing a new form for rent control hardship petitions to comply with the Rent Control Hardship Petition Limitation Amendment Act of 2015 (D.C. Law 21-0197 effective Feb. 18, 2017), by the end of FY 24. Has the form been updated?

The Rental Accommodations Division (RAD) completed its review and edits to the Hardship Petition form reflecting the disclosure requirement mandated by the Rent Control Hardship Petition Limitation Amendment Act of 2015 (D.C. Law 21-0197 effective Feb. 18, 2017). The updated form and user instructions were submitted to the Rental Housing Commission for review pursuant to § 202(a)(1) of the Rental Housing Act of 1985. RAD anticipates that the form will be completed and ready for publication by May 1, 2025.

119. Please provide an update on the Rent Control Database.

Development of the Public Accessible Rent Control Housing Database (Rent Registry) was completed in October 2024, however, the following administrative tasks must be addressed before the system is ready for public release:

- Completing licensure purchases in coordination with OCTO's 01/28/2025 approval of the Artificial Intelligence Values Alignment Guideline (AI Guideline); and
- Closing out the few remaining development requirements of the vendor's contract with OCP and moving into an operations and maintenance phase.

DHCD drafted a communications plan to inform stakeholders and the public that the Rent Registry is near completion. DHCD also drafted an implementation plan and schedule and

expects to release the Rent Registry for public use no later than June 1, 2025. The estimated release date is contingent on:

- Completing a data sharing memorandum of understanding with the Department of Buildings (DOB) which is in progress; and
- Implementing DHCD's scheduled communications plan and implementation plan including:
 - an email campaign to stakeholders with membership constituencies, requesting sister agencies to amplify the launch message, public notice, social media postings, and other communication avenues;
 - publishing public notice in the District of Columbia Register;
 - public demonstration sessions to showcase the RentRegistry's features and requirements;
 - hands-on training sessions for stakeholders; and
 - releasing the RentRegistry in phases to allow housing providers sufficient time to re-register their properties by entering property data, registration information, and 3 years of rent history data (conditioned on approval of DHCD's legislative package).

During Summer 2024, DHCD worked with the Rental Housing Commission to obtain the Commission's review and approval of the RentRegistry's on-screen guidance, notifications, and disclosures systems. DHCD also beta-tested the RentRegistry in Summer/Fall 2024 with small housing providers, large housing providers, and tenants; the received feedback was vital in refining the database program.

120. DHCD's website has a Housing Provider Ombudsman webpage and contact phone number.

a. Who answers the Housing Provider Ombudsman phone number?

The Housing Provider Ombudsman has been repurposed as the Small Buildings Program Manager position at DHCD. The position was moved and subsumed into the Housing Preservation Unit (HPU) in approximately FY 2019. Housing provider questions and concerns are frequently addressed by HPU staff relating to loan and grant programs. The Small Buildings Program Manager assists housing providers with accessing funds for critical repairs, navigating District government regulatory agency procedures, and providing policy recommendations to support housing providers.

DHCD's housing provider ombudsman website page is outdated and will be corrected. The assigned telephone number, (202) 442-9505, is answered by Rental Accommodations Division (RAD) staff. RAD assumed some of the former housing provider ombudsman responsibilities, including: guidance on complying with

requirements under the Rental Housing Act of 1985, providing outreach and education relating to the Rental Housing Act, taking comments and complaints and suggesting solutions, and referring questions outside of RAD's subject matter scope to appropriate parties.

b. How many calls did the number receive in FY 24 and FY 25, to date?

In FY 2024-FY 2025 (as of 02/12/2025), RAD received 6,047 calls.

c. What are the 5 most common issues the Housing Provider Ombudsman received concerns about?

The most common questions RAD fields are:

- i. Completing RAD forms;
- ii. Rental accommodation registration requirements;
- iii. How to evict tenants;
- iv. How to calculate rent adjustments for market-rate and rent-stabilized accommodations;
- v. Housing provider petition requirements (including hardship, substantial rehabilitation, services and facilities, and capital improvements); and
- vi. Navigating the TOPA process and complete TOPA forms.

121. Please provide a detailed list of the services and support currently offered by the DHCD Housing Resource Center and its network of Community-Based Organizations (CBOs). Include the address of each location and specify the services provided at each.

See Attached For Response

The DHCD HRC provides direct housing services and referrals for residents seeking homeownership, rental, or public housing opportunities, as well as those experiencing housing instability and in need of emergency shelter or transitional housing. Additionally, HRC helps residents with navigating tenant advocacy services, ensuring residents understand and can exercise their housing rights. Our DHCD CBO provides specific services as it relates to some of the services mentioned above. Please see the attached detail listing.

122. Please share any plans for further developing DHCD's Housing Resource Center.

The DHCD Housing Resource Center (HRC) aims to serve as the central hub for housing support and assistance in the District. Its mission is to streamline access to critical housing resources, improve service coordination, and provide a customer-centric experience.

Significant progress has been made to date in the following key areas:

1. Strengthening Partnerships and Stakeholder Engagement

- Created an infographic to provide a comprehensive view of the District's housing landscape, outlining key touchpoints and the full spectrum of options. It highlights essential stakeholders and serves as a tool for identifying resources based on specific housing needs. By fostering transparency, improving service coordination, and streamlining access to critical housing support, the tool enhances effectiveness in connecting individuals to the right solutions (see attached).
- To ensure seamless coordination and accurate housing support, so far DHCD-HRC has identified key champions within core sister governmental agencies to improve interagency collaboration DOB, DCHA, DCHFA, DHS, DOEE and OTA. These champions facilitate information sharing, align agency services with HRC operations, and enhance overall service delivery for District residents.
- CBOs will co-locate at the HRC on a rotating schedule every other week to increase accessibility for residents. Scheduling preference requests were sent out to CBOs in early February 2025, and final schedules will be published via TeamUp, a shared calendar platform for coordination.

2. Updating the DC Housing Brochure

- The 2018 DC Housing Brochure is being updated to ensure accurate and comprehensive information for residents. The revised version will be available both in print and digital formats through the HRC and the DHCD website once all core sister governmental agencies have weighed in.

3. Personnel Development & Staffing Enhancements

- Customized De-escalation & Customer Service Training for RAD/HRC staff and Concierge is scheduled for February 13, 2025. Additional trainings in March and April will be provided through DCHR's Employee Assistance Program (EAP) and DHCD's certified trainers to strengthen conflict resolution and customer service skills.

4. Customer Service Enhancements

- City-wide DHCD Resource Guide is currently under development to improve service accuracy in terms of information and overall customer experience.
- Gathering input and feedback from the RAD/HRC team to establish clear service expectations and develop Standard Operating Procedures (SOPs).

5. Technological Advancements

- The HRC and CBO landing pages on the DHCD website now include detailed service information, ward coverage, and HUD certification status for DHCD-CBOs.
- The HRC is in the process of purchasing Alchemer, survey platform to efficiently collect and analyze HRC customer feedback.

6. Infrastructure Improvements

- Conducted a showroom visit for new HRC interview pods/booths for privacy and confidentiality of walk-ins. Funding approvals are pending.

Next steps and key priorities will focus on infrastructure, technology, and process improvements including staff training at the HRC. To continue improving customer service given the many housing touchpoints in the city (including service centers, online portals, helplines, and governmental partnerships), the following phases of work will be prioritized:

- Secure funding for infrastructure improvements to create a customer-centric HRC space.
- Finalize and distribute the updated DC Housing Brochure both in print and online.
- Develop and offer workshops and educational sessions to help customers navigate housing options and achieve housing stability.
- Ensure all DHCD program flyers, applications, and customer satisfaction surveys are published and easily accessible via the DHCD website.
- Collect and distribute information via handouts and materials from partner agencies and CBOs for HRC customers.
- Maintain ongoing coordination with sister agencies while expanding outreach efforts and formalizing partnership agreements.
- Explore chatbot technology for customer inquiries and implement an online appointment scheduling system, while maintaining flexibility for walk-ins.
- Integrate Alchemer survey platform with the DHCD website to improve data collection and service feedback.
- Begin collecting key HRC data metrics to support strategic planning and budgetary decisions.

123. Previously, DHCD noted that it was “working on developing template listings to improve the efficiency of listings and reduce timing delays.” Please provide a status update of those efforts.

DHCD implemented a number of one-time improvements to the www.dchousingsearch.org listing process outlined in the FY23 oversight responses. These changes provided greater transparency for households in allowing properties to clearly label lottery versus non-lottery properties and providing households the ability to search by lottery/non-lottery/non-IZ/ADU categories.

In FY24, DHCD worked with www.dchousingsearch.org staff to update the Tools and Resources link for households seeking housing (<https://www.dchousingsearch.org/Resources.html>).

In FY25, DHCD would like to expand on the work done in FY23 to educate landlords and property owners about the listing process by including instructions normally only found in the Post NOA letter more broadly on the DHCD website (IZ/ADU Forms and Resources Page, <https://dhcd.dc.gov/page/iz-and-adu-forms-and-resources>). This will make the information more accessible to the transient property manager population that is responsible for posting the affordable unit listings. DHCD would like to add text about how to contact the 3rd party that runs this site and especially information about taking over prior property management listings. This is a recurring issue with the high turnover both within property management companies and across property management groups, since management companies typically change every 1-2 years at each property.

124. Please describe any major activities and accomplishments in FY24 and FY25, to date, that are not addressed above.

- In Fiscal Year 2024 and FY 2025: We have reduced the backlog of Single -Family applicants to less than 9 cases.
- Issued the first Request For Applications for Neighborhood Based Activities since 2021.
- Awarded the Neighborhood Revitalization Grant from HUD for Ward 7 and 8.
 - 37% of the 2,943 client businesses served by SBTA grantees identified as resident in Wards 7 & 8. This 37% (1,099 businesses) obtained \$3 million in microloans or other financing. This is 60% of the total dollars in microloans or other financing.
- A placemaking event to attract restaurants to Anacostia
- Reduce the inventory in Property Acquisition Disposition Division to 36.
- Created a pathway for Bridge Loans
- Held Community Listening Sessions in all 8 wards.
- Worked on the Affordable Housing Design Collaboration

125. Please share any legislative priorities or recommendations for the Council for Council Period 26.

DHCD is assessing for any potential legislative priorities at this time, we will be able to provide recommendations if any in future budget discussions.

