



**MURIEL BOWSER**  
MAYOR

December 5, 2022

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW, Suite 504  
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration and adoption by the Council of the District of Columbia, pursuant to section 31 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-756.02), is the "Targeted Affordable Housing Program Rules Approval Resolution of 2022".

The resolution would approve rules that establish requirements and procedures for the District's Targeted Affordable Housing (TAH) Program, which supports individuals and families in maintaining housing with a permanent housing voucher. These rules also satisfy the Department's requirement under the Local Rent Supplement Program Enhancement Emergency Amendment Act of 2021 to promulgate rules "governing the referral of applicants to the [District of Columbia Housing] Authority for tenant-based voucher assistance, including eligibility criteria for Targeted Affordable Housing." See section 2042(b)(3) of the Fiscal Year 2022 Budget Support Emergency Act of 2021, effective August 23, 2021 (D.C. Act 24-159; 68 DCR 8602).


I urge the Council to take prompt and favorable action on this proposed resolution.

Sincerely,

A handwritten signature in black ink that reads "Muriel Bowser".

Muriel Bowser

Enclosures

  
Chairman Phil Mendelson  
at the request of the Mayor

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8 A PROPOSED RESOLUTION  
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12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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16 To approve proposed rules to implement the Targeted Affordable Housing Program.  
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18 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
19 resolution may be cited as the "Targeted Affordable Housing Program Rules Approval  
20 Resolution of 2022".

21 Sec. 2. Pursuant to section 31 of the Homeless Services Reform Act of 2005, effective  
22 October 21, 2005 (D.C. Law 16-35; D.C. Official Code § 4-756.02), the Council approves the  
23 proposed final rules of the Director of the Department of Human Services to amend Chapter 25  
24 (Shelter and Supportive Housing for Individuals and Families) of Title 29 (Public Welfare) of the  
25 District of Columbia Municipal Regulations, regarding the implementation of the Targeted  
26 Affordable Housing Program, which were transmitted to the Council by the Mayor on -----.

27 Sec. 3. Transmittal.

28 The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the  
29 Director of the Department of Human Services, and the Administrator of the Office of  
30 Documents and Administrative Issuances.

31 Sec. 4. Fiscal impact statement.

32           The Council adopts the fiscal impact statement in the committee report as the fiscal  
33 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
34 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

35           Sec. 5. Effective date.

36           This resolution shall take effect immediately.

**DEPARTMENT OF HUMAN SERVICES**

**NOTICE OF FINAL RULEMAKING**

The Director of the Department of Human Services (“Department”), pursuant to the authority set forth in Section 31 of the Homeless Services Reform Act of 2005 (“HSRA”), effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-756.02 (2012 Repl.)), and Mayor’s Order 2006-20 dated February 13, 2006, hereby gives notice of the adoption of the following amendment to Chapter 25 (Shelter and Supportive Housing for Individuals and Families) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations.

This rulemaking amends the existing Chapter 25 to include requirements and procedures for the Department’s Targeted Affordable Housing (TAH) Program, which supports individuals and families in maintaining housing with a permanent housing voucher. Chapter 25 includes the main body of regulations implementing the HSRA and governing the District’s homeless services programs administered by the Department. These rules also satisfy the Department’s requirement under the Local Rent Supplement Program Enhancement Emergency Amendment Act of 2021 to promulgate rules “governing the referral of applicants to the [District of Columbia Housing] Authority for tenant-based voucher assistance, including eligibility criteria for Targeted Affordable Housing.” See section 2042(b)(3) of the Fiscal Year 2022 Budget Support Emergency Act of 2021, effective August 23, 2021 (D.C. Act 24-159; 68 DCR 8602).

These rules were first published as emergency and proposed rules in the *D.C. Register* on June 10, 2022, at 69 DCR 6715. The emergency rules were adopted on March 30, 2022, and became effective on that date. A second emergency rulemaking was adopted on July 28, 2022, and published in the *D.C. Register* on September 30, 2022, at 69 DCR 11799. These final rules are identical to the proposed rules, in response to which the District received no public comments.

Further, in accordance with section 31 of the HSRA (D.C. Official Code § 4-756.02), the proposed final rules were submitted to the Council for a forty-five (45) day period of review and were deemed approved on November \_\_\_\_, 2022, pursuant to PR 24-\_\_\_\_.

On \_\_\_\_, 2022, the Director of the Department adopted these rules as final, and the rules shall become effective upon publication of this notice in the *D.C. Register*.

**Chapter 25, SHELTER AND SUPPORTIVE HOUSING FOR INDIVIDUALS AND FAMILIES, of Title 29 DCMR, PUBLIC WELFARE, is amended by adding new sections 2570 through 2573 to read as follows:**

**2570 TARGETED AFFORDABLE HOUSING PROGRAM – PURPOSE AND SCOPE**

2570.1 The purpose of the Targeted Affordable Housing Program (TAH) is to combine rental assistance with supportive services to individuals and families who:



- (a) Are chronically homeless or are at risk of chronic homelessness, as defined in section 2(5A) and (6C) of the Act (D.C. Official Code § 4-751.01(5A) and (6C)), or, in the case of a family, have a household member with a condition described in § 2571.1(c); and
- (b) Do not require monthly case management engagement to remain stably housed.

2570.2 Participation in TAH is contingent upon referral through the District’s Coordinated Assessment and Housing Placement (CAHP) process and successful application for a rental subsidy through the Local Rent Supplement Program, as administered under sections 26a and 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code §§ 6-226 and 6-228).

- 2570.3
- (a) TAH consists of a rental subsidy and supportive services for an unrestricted period of time.
  - (b) Supportive services may include light touch case management, outreach and engagement, assessment, unit identification assistance, application assistance, and referrals to community-based resources and services.
  - (c) For the purposes of sections 2570 through 2573, “light touch case management” means case management in which the case manager meets with the client once every month during the first three (3) months after lease-up and once every three (3) months thereafter.

2570.4 TAH is a permanent housing program as defined in section 2(27C) of the Act (D.C. Official Code § 4-751.01(27C)).

2570.5 TAH is subject to annual appropriations and the availability of funds.

2570.6 Nothing in §§ 2570-2573 shall be construed to create an entitlement, either direct or implied, on the part of any individual or family to TAH.

**2571 TAH – ELIGIBILITY AND PRIORITIZATION CRITERIA**

2571.1 In order to be eligible for participation in TAH, a client must meet the general eligibility requirements set forth in § 2501 and be:

- (a) An individual or family that is chronically homeless as defined in section 2(6C) of the Act (D.C. Official Code § 4-751.01(6C));
- (b) An individual or family that is at risk of chronic homelessness as defined in section 2(5A) of the Act (D.C. Official Code § 4-751.01(5A)); or

- (c) A family with a household member who is diagnosed with substance use disorder, serious mental illness, developmental disability (as defined in D.C. Official Code § 21-1201(3)), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability.
- 2571.2 A client seeking to participate in TAH may be assessed for eligibility using an evidence-based assessment tool selected by the Department, such as the Service Prioritization Decision Assistance Tool (“SPDAT”), which may be administered by the Department or a provider approved by the Department.
- 2571.3 The Individual Coordinated Assessment and Housing Placement (I-CAHP) or the Family Coordinated Assessment and Housing Placement (F-CAHP), which are part of the District’s centralized or coordinated assessment system protocol, as defined in section 2(6B) of the Act (D.C. Official Code § 4-751.01(6B)) and established according to § 2510, shall be used to prioritize clients for TAH based on prioritization factors described at § 2571.7. The Department shall determine the eligibility of clients prioritized pursuant to I-CAHP or F-CAHP.
- 2571.4 The assessment and contact information for any client seeking to participate in TAH shall be maintained in the Homeless Management Information System (HMIS).
- 2571.5 The Department shall report any TAH vacancies to The Community Partnership (TCP), which serves as the CAHP System Administrator.
- 2571.6 Vacancies in TAH shall be filled by the Department according to the applicable CAHP protocol.
- 2571.7 In accordance with the applicable CAHP protocol, clients shall be referred to TAH subject to priority factors, including:
  - (a) Length of time the client has been chronically homeless or at risk of chronic homelessness;
  - (b) Vulnerability level based on an evidence-based assessment tool selected by the Department, such as the SPDAT or a biopsychosocial assessment conducted by a licensed clinician;
  - (c) Whether a household member, as described in § 2571.1(c), has a condition that likely prevents the head of household from increasing the household’s total income beyond thirty percent (30%) of the area median income for a household of the same size;
  - (d) Length of time the client has received rapid re-housing services; and

- (e) Active engagement in case management services and completion (or attempted completion, as documented in case notes) of activities and milestones outlined in the most recent case management plan from a Continuum of Care provider.

2571.8 Once a client is assigned to TAH through the CAHP process, the Department shall assign a TAH case manager to the client.

**2572 TAH – APPLICATION FOR LRSP RENTAL SUBSIDY**

2572.1 Assignment to a TAH case manager does not guarantee receipt of an LRSP rental subsidy. The applicant will work with the assigned TAH case manager to complete an application for the LRSP rental subsidy.

2572.2 The TAH case manager shall work with the assigned client to ensure the LRSP rental subsidy application is submitted to the District of Columbia Housing Authority (DCHA).

2572.3 Upon receipt of notification that DCHA deemed the applicant eligible for an LRSP rental subsidy, the Department shall contact the client and TAH case manager to confirm approval for the LRSP rental subsidy.

2572.4 The TAH case manager shall assist the client in complying with DCHA requirements to utilize the LRSP rental subsidy in a timely manner. This may include notifying the client that they must attend a DCHA Voucher Briefing, helping the client to identify a housing unit within six (6) months of the LRSP voucher being issued, or requesting an extension of the utilization period if the client needs additional time to identify and lease up in a unit.

2572.5 If DCHA deems the applicant ineligible for LRSP, then the TAH case manager shall work with the client on next steps. For clients who are deemed ineligible for LRSP, the TAH case manager may refer the client for alternative rental assistance for which funding is available. The case manager shall notify the Department if the client is deemed ineligible for LRSP. In addition, the case manager shall notify the Department if alternative rental assistance is not possible.

**2573 TAH – SUPPORTIVE SERVICES**

2573.1 TAH is designed to assist clients who would otherwise qualify for Permanent Supporting Housing pursuant to DCMR §§ 2535-2542 but do not require ongoing, intensive supportive services to maintain housing because they have fewer barriers to housing stability or they are connected to community services.

2573.2 TAH combines a rental subsidy with supportive services for an unrestricted period of time. TAH supportive services may include unit identification assistance,



application assistance, ongoing light touch case management, and coordination with the client's landlord.

- 2573.3 The TAH case manager shall meet with the client at least once every month during the first three (3) months after lease-up. Afterward, the TAH case manager shall meet with the client at least once every three (3) months or at some other frequency as agreed upon by the client and the case manager.
- 2573.4 The TAH client shall pay thirty percent (30%) of their household income toward the total rental amount determined by DCHA. The TAH case manager shall confirm if the client is paying their portion of the rent to ensure housing stability.
- 2573.5 The TAH case manager shall inform his/her supervisor in writing if the case manager assesses that the client would be better served with Permanent Supportive Housing (PSH) case management. PSH case management consists of intensive case management services.
- 2573.6 It shall be the responsibility of each TAH client to follow rules for reporting changes in income related to their rental subsidy. Any resulting effect of a change in income on the client's rental subsidy shall be made in accordance with the rules and policies of DCHA or other applicable funding source.