

AMENDMENT IN THE NATURE OF A SUBSTITUTE

Bill 24-1144

December 19, 2022



Chairman Phil Mendelson at
the request of the Mayor

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the District of Columbia Housing Authority Act of 1999 to establish a temporary stabilization and reform board to govern the District of Columbia Housing Authority (“DCHA”) and to require that the board and the Executive Director of DCHA take specific actions to reform and revitalize the operations of DCHA.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “District of Columbia Housing Authority Stabilization and Reform Emergency Amendment Act of 2022”.

Sec. 2. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 6-201) is amended as follows:

(1) Paragraph (6) is amended by striking the phrase “Board of Commissioners” and inserting the phrase “Stabilization and Reform Board” in its place.

(2) Paragraph (12) is repealed.

(3) A new paragraph (17A) is added to read as follows:

“(17A) “Dwelling unit” means any room or group of rooms located within a residential or mixed-use building and forming a single unit which is used or intended to be used for living, sleeping, and the preparation and eating of meals.”.

(b) Section 10(h) (D.C. Official Code § 6-209(h)) is amended as follows:

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34 (1) Strike the phrase “or Commissioner of the Authority” and insert the
35 phrase “member of the Board, or member of the former Board of Commissioners” in its
36 place.

37 (2) Strike the phrase “a Commissioner” and insert the phrase “a member
38 of the Board, member of the former Board of Commissioners,” in its place.

39 (c) New sections 11a, ~~and~~ 11b, and 11c are added to read as follows:

40 “Sec. 11a. Stabilization and Reform Board.

41 “(a) The Authority shall, from and after the date set forth in subsection (h) of this
42 section, be governed by a Stabilization and Reform Board, which shall consist of the
43 following members:

44 “(1) The following ~~97~~ voting members, each of whom shall be residents of
45 the District:

46 “(A) One member with experience in housing development or
47 operations;

48 “(B) ~~Two~~ One members with experience affordable housing
49 development, operations, or finance;

50 “(C) One member with knowledge of federal housing law and
51 regulation;

52 “(D) One member with experience in capital project financing;

53 “(E) One member who is a resident of a property owned,
54 operated, and managed by the Authority ~~member of the resident advisory board for~~
55 ~~the Authority or a member of a resident council of a Housing Property owned,~~
56 ~~operated, or managed by the Authority; and~~

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57 “(F) One member with experience as a voucher holder;

58 “(G) The current Executive Director of the Interagency

59 Council on Homelessness;

60 “(HF) The Director of the District’s Office of Budget and

61 Performance Management; ~~and~~

62 “(I) One member with experience in government procurement;

63 “(2) The Chief Financial Officer, or a designee of the Chief Financial

64 Officer who is an employee of the Office of the Chief Financial Officer, who shall serve

65 as a non-voting member; ~~and~~ .

66 “(3) The President of the City-Wide Resident Advisory Board, who

67 shall serve as a non-voting member.

68 “(b)(1) Each member of the Stabilization and Reform Board shall be appointed by

69 the Mayor, with the advice and consent of the Council pursuant to section 2(e) of the

70 Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code

71 § 1-523.01(e)), except as provided in paragraph (2) of this subsection, ~~and~~ subsection (c)

72 of this section, and subsection (f)(1) of this section.

73 “(2) The Director of the District’s Office of Budget and Performance

74 Management and the Chief Financial Officer, or the Chief Financial Officer’s designee,

75 shall serve as members of the Stabilization and Reform Board by virtue of their

76 incumbency in the position of Director of the District’s Office of Budget and

77 Performance Management and Chief Financial Officer or employee of the Office of the

78 Chief Financial Officer.

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79 “(c) Notwithstanding subsection (b) of this section, the Mayor may appoint the
80 following individuals to the Stabilization and Reform Board without the advice and
81 consent of the Council pursuant to section 2(e) of the Confirmation Act of 1978, effective
82 March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)):

83 “(1) Raymond A. Skinner, to fill the Board seat described in subsection
84 (a)(1)(A) of this section and to serve as chairperson of the Stabilization and Reform
85 Board;

86 “(2) James M. Dickerson, to fill one of the Board seats described in
87 subsection (a)(1)(B) of this section;

88 ~~“(3) Jessica Haynes-Franklin, to fill one of the Board seats described~~
89 ~~in subsection (a)(1)(B) of this section;~~

90 “(34) Christopher Murphy, to fill the Board seat described in subsection
91 (a)(1)(C) of this section; **and**

92 “(45) Melissa Lee, to fill the Board seat described in subsection (a)(1)(D)
93 of this section;

94 “(5) Denise Blackson, to the fill the Board sear described in subsection
95 (a)(1)(E) of this section;

96 “(6) Ronnie Harris, to fill the Board seat described in subsection
97 (a)(1)(F) of this section;

98 “(7) Theresa Silla, to fill the Board seat described in subsection
99 (a)(1)(G) of this section; and

100 “(8) Katrina D. Jones, to fill the seat described in subsection (a)(1)(I).

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101 “(d)~~(1)~~The members of the Stabilization and Reform Board referred to in
102 subsection (a)(1)(A) through ~~(1E)~~ of this section shall each serve for one term of 23 years
103 **or until the Board sunsets**; provided, that each such member may continue to serve until
104 a successor board assumes the responsibilities of the Stabilization and Reform Board;
105 provided further, that in the event of a vacancy in the seat of such a member of the Board
106 the Mayor may appoint a member, pursuant to subsection (b)(1) of this section, to serve
107 the remainder of the unexpired term or until a successor board assumes the
108 responsibilities of the Stabilization and Reform Board.

109 “(e) Upon a vacancy in the **position** ~~office of the~~ chairperson of the Stabilization
110 and Reform Board, the Mayor shall designate a chairperson from among the members of
111 the Stabilization and Reform Board referred to in subsection (a)(1)(A) through ~~(1E)~~ of
112 this section.

113 **“(f)(1) Upon a vacancy of any seat of the Stabilization and Reform Board, the**
114 **Mayor shall nominate a replacement who meets the qualifications of the vacant seat**
115 **pursuant to subsection (a)(1) of this section; provided, that this shall not apply to the**
116 **seat established by subsection (a)(1)(A) of this section. In the event that the seat**
117 **established by subsection (a)(1)(A) of this section becomes vacant, the Council shall**
118 **appoint a successor.**

119 **“(2) A Mayoral nomination shall be submitted to the Council for a 45-**
120 **day period of review, excluding days of Council recess. The Council shall be deemed**
121 **to have approved a nomination under this subsection, if, during the 45-day period, n**
122 **member introduces a resolution disapproving the nomination.**

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123 “(gf)(1) The Stabilization and Reform Board shall meet at least 10 times per year.

124 All meetings of the Stabilization and Reform Board shall be open to the public, except as

125 may otherwise be authorized by the Open Meetings Act, effective March 31, 2011 (D.C.

126 Law 18-350; D.C. Official Code § 2-571 *et seq.*).

127 **“(2) All regular meetings of the Board must be publicized through a**
128 **notice, published in the District of Columbia Register one week prior to the meeting,**
129 **which contains the date, time, and location of the meeting.**

130 **“(3) Each regular meeting shall provide for a period of public**
131 **comments, which shall not be limited in time, except that the time allowed for each**
132 **individual speaker may be reasonably limited.**

133 “(hg) A quorum of the Stabilization and Reform Board, for the purposes of taking
134 any official action, shall consist of **54** members

135 “(ih) The Stabilization and Reform Board established by this section shall assume
136 authority from the Board of Commissioners established by section 12, and the Board of
137 Commissioners shall be dissolved, upon the swearing in of at least **54** members of the
138 Stabilization and Reform Board.

139 “Sec. 11b. Reform activities.

140 “(a) Within 15 days after the end of each calendar quarter, the Executive Director
141 shall, after submission to the Stabilization and Reform Board **and the City-Wide**
142 **Resident Advisory Board**, submit a report to the Mayor and the Council that describes
143 the progress of the Authority in:

144 “(1) Addressing and remediating the issues identified by the U.S.
145 Department of Housing and Urban Development in its 2022 assessment of the Authority;

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146 “(2) Developing and implementing a plan to expedite the leasing of
147 dwelling units owned, operated, or managed by the Authority;

148 “(3) Identifying individual dwelling units within Housing Properties of the
149 Authority that are in a substandard condition and improving the condition of such units to
150 a state of good repair;

151 “(4) Developing and implementing a plan for the maintenance, in an
152 ongoing state of good repair, of Housing Properties of the Authority and individual
153 dwellings units within those Housing Properties;

154 “(5) Improving the management of the wait list for dwelling units of the
155 within Housing Properties of the Authority; and

156 **“(6)(A) Reviewing and developing recommendations for**
157 **improvements of the Authority’s:**

158 **“(i) Capital and operating budgets;**

159 **“(ii) Capital and operating expenditures;**

160 **“(iii) Accounting and fiscal management systems,**
161 **controls and procedures; and**

162 **“(iv) Contracting and procurement systems, controls,**
163 **and procedures.**

164 **“(B) Requirements of this paragraph are subject to review by**
165 **the Chief Financial Officer measured against industry/government standards/best**
166 **practices.”**

167 “(76) Meeting the training requirements established by section 12(h) and
168 14(d).

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169 “(b) In addition to the requirements of subsection (a) of this section, the
170 Executive Director shall submit to the Council any updated policies, procedures,
171 and reports provided to the United States Department of Housing and Urban
172 Development as outlined in the Authority’s “Response to the U.S. Department of
173 Housing and Urban Development’s March 2022 On-Site Assessment Report,”
174 published on November 29, 2022. Such policies, procedures and reports shall be
175 submitted no later than 48 hours after submission to the United States Department
176 of Housing and Urban Development.

177 “(c) The Stabilization and Reform Board shall:

178 “(1) Review the progress of the Authority in addressing the findings
179 and recommendations of the United States Department of Housing and Urban
180 Development’s assessment of the Authority (“HUD DC001 Assessment”) each
181 month;

182 “(2)(A) Schedule and complete at least 4 listening sessions, 1 in each
183 quadrant, to hear from public housing residents about concerns and experiences by
184 May 2023;

185 (B) A quorum of Board members shall be present at each
186 session;

187 “(3) At least once a quarter, invite the City-Wide Resident Advisory
188 Board to report to the Board on any topics of interest or concerns.

189 “(3) Provide recommendations to the Mayor and the Council by July
190 1, 2024 for the structure of a successor Board of Directors to govern the Authority
191 on an ongoing basis.

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192 “(d) A quorum of members of the Stabilization and Reform Board shall, if
193 requested by the Council, attend a Council oversight hearing on the Authority and
194 provide testimony.

195 “Sec. 11c. City-Wide Resident Advisory Board.

196 “(a) The Authority shall establish and implement a comprehensive training
197 program for members of the City-Wide Resident Advisory Board with the goal of
198 enabling tenant members to participate fully in the oversight of the housing
199 authority’s operation and capital planning. The Authority shall develop the training
200 program in consultation with public housing residents and public housing industry
201 professional organizations.

202 “(b)(1) The City-Wide Resident Advisory Board shall be provided access to
203 trainings referenced in sections 12(h)(1) and 12(h)(2).

204 “(2) Additionally, the Authority shall provide training on relevant
205 federal and District laws, leadership development, communication, and negotiations.

206 “(c) The Authority shall provide a copy of resolutions on the agenda for
207 consideration by the Stabilization and Reform Board to the City-Wide Resident
208 Advisory Board at least 24 hours prior to the scheduled date and time of the
209 Stabilization and Reform Board meeting at which the resolution will be considered.

210 “(d) The Authority shall seek and consider the input of the City-Wide
211 Resident Advisory Board when a policy or program change affects residents.”.

212 ~~“(b) The Stabilization and Reform Board shall provide recommendations to~~
213 ~~the Mayor and the Council for the structure of a successor board of directors to~~
214 ~~govern the Authority on an ongoing basis.”.~~

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215 (d) Section 12 (D.C. Official Code § 6-211) is amended as follows:

216 (1) The section heading is amended to read as follows:

217 “Sec. 12. Additional Board provisions.”.

218 (2) Subsections (a), (b), (c), ~~(d)~~, (e), (f), (g), (i), (j), (k), (l), (m), (n), (o),
219 (p), (q), ~~(t)~~, (v)(3), and (w) are repealed.

220 (3) Subsection (h) is amended by adding a new paragraph (7) to read as
221 follows:

222 “(7) Each reference to “Commissioner” in this paragraph shall be deemed
223 to be a reference to a member of the Board.”.

224 (4) Subsection (r) is amended by striking the phrase “No Commissioner”
225 and inserting the phrase “No member of the Board” in its place.

226 (5) Subsection (s) is amended by striking the phrase “Commissioners
227 shall” and inserting the phrase “Each member of the Board referred to in section
228 11a(a)(1)(A) through ~~(I E)~~ shall” in its place.

229 (6) Subsection (u) is amended by striking the phrase “any Commissioner”
230 and inserting the phrase “any member of the Board” in its place.

231 (e) Section 14 (D.C. Official Code § 6-213) is amended **as follows:**

232 **(1) Subsection (c) is amended** by striking the phrase “direction and
233 supervision” and inserting the phrase “oversight” in its place.

234 **(2) A new subsection (d) is added to read as follows:**

235 **“(d) As part of the process of selecting an Executive Director, the Board shall**
236 **seek and consider the input of public housing residents, voucher holders, and the**
237 **resident advisory board for the Authority.”.**

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238 (f) Section 21 (D.C. Official Code § 6-220) is amended as follows:

239 (1) The section heading is amended by striking the phrase “of
240 Commissioners”.

241 (2) Subsection (a) is amended by striking the phrase “each Commissioner”
242 and inserting the phrase “each member of the Board”.

243 (3) Subsection (b) is amended as follows:

244 (A) Strike the phrase “as a Commissioner” and insert the phrase
245 “as a member of the Board or a member of the former Board of Commissioners” in its
246 place.

247 (B) Strike the phrase “no former Commissioner” and insert the
248 phrase “former member of the Board or former member of the former Board of
249 Commissioners” in its place.

250 (C) Strike the phrase “as Commissioner” and insert the phrase “as
251 a member of the Board or a member of the former Board of Commissioners” in its place.

252 (D) Strike the phrase “any former Commissioner” and insert the
253 phrase “any former member of the Board or former member of the former Board of
254 Commissioners” in its place.

255 (4) Subsection (c) is amended by striking the phrase “any Commissioner”
256 and inserting the phrase “any member of the Board” in its place.

257 (g) Section 26g(b)(2)(C) (D.C. Official Code § 6-232(b)(2)(C)) is amended by
258 striking the phrase “and to vote for candidates for resident commissioner to serve on the
259 Board, as provided in section 12.”

260 Sec. 3. Conforming amendment.

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261 Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law
262 2-142; D.C. Official Code § 1-523.01(e)), is amended by adding a new paragraph (27A)
263 to read as follows:

264 “(27A) The Stabilization and Reform Board of the District of Columbia
265 Housing Authority, established by section 11a of the District of Columbia Housing
266 Authority Act of 1999;”.

267 Sec. 4. Applicability.

268 Section 2(a), (b), (d), (e), and (f) shall apply on the date that the Stabilization and
269 Reform Board assumes authority for the governance of the Authority, as provided in
270 section 11a(h) of the District of Columbia Housing Authority Act of 1999, passed on
271 emergency basis on December **20 6**, 2022 (Enrolled version of Bill 24-**1144**).

272 Sec. 5. Fiscal impact statement.

273 The Council adopts the fiscal impact statement of the Budget Director as the
274 fiscal impact statement required by section 4a of the General Legislative Procedures Act
275 of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

276 Sec. 6. Effective date.

277 This act shall take effect following approval by the Mayor (or in the event of veto
278 by the Mayor, action by the Council to override the veto), and shall remain in effect for
279 no longer than 90 days, as provided for emergency acts of the Council of the District of
280 Columbia in section 412(a) of the District of Columbia Home Rule Act, approved
281 December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).