

## RESOLUTION 17-31

### TO AUTHORIZE THE PUBLICATION OF FINAL REGULATIONS FOR IMPLEMENTING THE RENTAL ASSISTANCE DEMONSTRATION PROGRAM

WHEREAS, Congress authorized the Rental Assistance Demonstration (“RAD”) program (*Public Law 112-55*) with the stated purpose “...to preserve and improve public housing and certain other multifamily housing through the voluntary conversion of properties with assistance under section 9... to properties with assistance under a project-based subsidy contract under section 8...” ;

WHEREAS, RAD allows Public Housing Agencies (“PHAs”) to convert public housing subsidies into a long term, Project-Based Section 8 rental assistance subsidy;

WHEREAS, public housing subsidies and funding for capital projects have been unpredictable and subject to annual fluctuations in response to federal budget fluctuations;

WHEREAS, conversion to Project-Based Section 8 Vouchers would allow for a more stable and predictable annual subsidy, and, unlike the public housing subsidy, could even allow for annual increases at levels that may equal up to inflation rates;

WHEREAS, DCHA’s policy mandate is to create a RAD program, which incorporates the basic tenant protections, but, which also creates, to the greatest extent possible, a “seamless” transition for property residents;

WHEREAS, DCHA has published proposed resolutions that would codify the RAD program’s tenant protections, and, as far as residents are concerned, allow for converted properties to be operated a similarly as possible to public housing properties; and

WHEREAS, these proposed final regulations were published in the DC Register on October 27, 2017 and DCHA has received and considered comments during the thirty day comment period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of District of Columbia Housing Authority that, in order to facilitate the conversion under the RAD program of: Colorado Apartments; Columbia Road; Fairlawn Marshall and Matthews Memorial, proposed new Chapter 57 (Rental Assistance Demonstration Administrative Plan) and the following proposed amendments to Chapter 61 (Public Housing: Admission and Recertification), Chapter 64 (Low Rent Housing: Public Housing Transfer Policy), and Chapter 89 (Informal Hearing Procedures for Applicants and Participants of the Housing Choice Voucher and Moderate Rehabilitation Program) (collectively, the RAD Regulations”) be adopted as proposed herein as Final Regulations.

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PROVIDED, HOWEVER, THAT DCHA shall not undertake any further conversions under RAD of DCHA-owned or mixed-finance properties, and no such conversions shall be authorized by the Board of Commissioners unless and until: (i) within ninety (90) days of the date hereof, DCHA staff and representatives of its Office of General Counsel shall have met and discussed with representatives of the legal service provider community (the "Legal Service Providers") comments and/or proposed changes to the RAD Regulations; (ii) the DCHA Board of Commissioners shall have considered any revised regulations resulting from said consultations with the Legal Service Providers; and (iii) the Board of Commissioners shall have affirmed the effect of the RAD Regulations as published, or authorized the publication of any amendments to the RAD Regulations resulting from consultation with the Legal Service Providers.

ADOPTED by the Board of Commissioners and signed in authentication of its passage, the 13<sup>th</sup> day of December 2017.

ATTEST:

APPROVAL:

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Tyrone Garrett  
Executive Director/Secretary

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Neil Albert  
Chairman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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Kenneth S. Slaughter  
General Counsel