

COUNCIL OF THE DISTRICT OF COLUMBIA

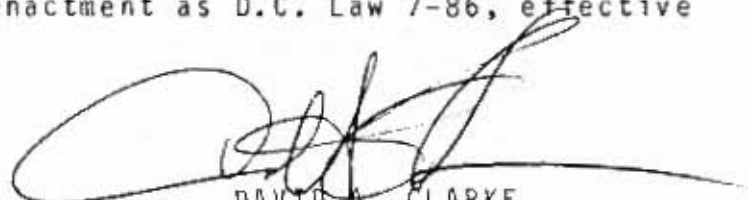
NOTICE

D.C. LAW 7-86

"Emergency Shelter Services for Families  
Reform Amendment Act of 1987".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 7-224 on first and second readings, November 10, 1987, and November 24, 1987, respectively. Following the signature of the Mayor on December 22, 1987, this legislation was assigned Act 7-123, published in the January 8, 1988, edition of the D.C. Register, (Vol. 35 page 140) and transmitted to Congress on January 22, 1988 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 7-86, effective March 11, 1988.



DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 25,26,27,28,29

February 1,2,3,4,5,8,9,16,17,18,19,22,23,24,25,26,29

March 1,2,3,4,7,8,9,10

EFFECTIVE DATE MAR 11 1988

AN ACT

D.C. ACT 7 - 123

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DEC 22 1987

To amend the District of Columbia Public Assistance Act of 1982 to authorize the Mayor to operate an emergency shelter family services program, which will enable the District of Columbia to obtain federal financial assistance to provide housing and other services for homeless families with children, and to limit the payments that the Mayor may pay to provide emergency shelter for families to the Tenant Assistance Program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Emergency Shelter Services for Families Reform Amendment Act of 1987".

Sec. 2. The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code, sec. 3-201.1 et seq.), is amended as follows:

(a) Section 552(d) (D.C. Code, sec. 3-205.52(d)) is amended by adding a new sentence to the end to read as follows:

D.C. Code,  
sec. 3-205.52  
(1988 supp.)

"Except with respect to AFDC families with no earned income who have entered into and are residing temporarily in a shelter for homeless families pursuant to the District of Columbia Right to Overnight Shelter Act of 1984, effective March 14, 1985 (D.C. Law 5-146; D.C. Code, sec. 3-601 et seq.), the Mayor shall adjust the payment level for families in emergency shelters to take into consideration the reasonable costs of shelter being provided pursuant to section 603(b)(1) by the District."

(b) Section 603 (D.C. Code, sec. 3-206.3) is amended to read as follows:

D.C. Code,  
sec. 3-206.3  
(1988 supp.)

"Sec. 603. Emergency shelter family services program.

"(a) The Mayor is authorized to operate an Emergency Shelter Family Program, which shall claim federal financial participation to the extent allowable by law for housing assistance and services to homeless families with minor children. Homeless families with minor children shall not

be required, requested, or encouraged to separate in order to be eligible for emergency shelter housing assistance or services under this act.

"(b)(1) Beginning no later than 1 year from the effective date of the Emergency Shelter Services for Families Reform Amendment Act of 1987, the Mayor shall establish and maintain, through the purchase of, lease of, or construction of 1 or more buildings, a sufficient number of emergency shelter family housing units for homeless families with minor children. Each homeless family shall be required, upon entry into the emergency shelter family housing unit, to sign an emergency shelter family housing resident contract, which sets forth the conditions for living in that housing unit as well as the rights and responsibilities of the adult members of the emergency shelter family and the District of Columbia government. The emergency shelter housing resident contract shall be explained orally to the adult members of the emergency shelter family by the Mayor prior to being signed. Each emergency shelter family housing unit shall be supervised apartment-style housing with:

"(A) Separate cooking facilities and other basic necessities to enable the homeless family to prepare and consume meals;

"(B) Bathroom facilities for the exclusive use of the homeless family;

"(C) Separate sleeping quarters for adults and minor children in accordance with the regulation codified at section 5113.6 of Title 14 of the District of Columbia Municipal Regulations; and

"(D) Access to immediate outdoor areas equipped with basic facilities for exercise and play for use by minor children residing in the emergency shelter family housing unit.

"(2) Each emergency shelter family housing unit shall be in substantial compliance with all rules, regulations, and orders codified at Title 14 of the District of Columbia Municipal Regulations as of the effective date of the Emergency Shelter Services for Families Reform Amendment Act of 1987, including the provision of chapter 5113 pertaining to the assignment of units appropriate for family size.

"(c)(1) The Mayor shall provide emergency shelter family housing services and, beginning 2 years from the effective date of the Emergency Shelter Services for Families Reform Amendment Act of 1987, emergency shelter family housing services shall be provided for no more than 180 consecutive calendar days to a homeless family, except as provided in paragraph (2) of this subsection.

"(2) The Mayor may grant extensions of up to 30 calendar days each to a homeless family if mitigating circumstances or a justifiable public purpose is determined to exist. The Mayor shall grant extensions as necessary whenever the Mayor is unable to identify and obtain permanent housing for the homeless family in accordance with subsection (h) of this section.

"(3) The Mayor shall provide notice to each family at least 1 month prior to any termination of services provided under this section.

"(d) The Mayor may decline to provide services under this section if:

"(1) The homeless family has been evicted from previous housing because a parent or other adult member of the family refused without good cause to accept employment or training for employment and continues to do so, provided that housing shall not be withheld under this subsection from infant and minor members of the family or adult members of the family who have either accepted employment or training for employment or who have not been offered employment or training for employment; or

"(2) A parent or other adult member of the homeless family has not substantially complied with the terms of the emergency shelter family housing resident contract.

"(e)(1) Under guidelines established pursuant to subsection (1) of this section, the Mayor shall require homeless families who are not receiving AFDC and, who have been placed in emergency shelter family housing for more than 30 consecutive calendar days and who have the ability to pay, to pay a reasonable monthly fee in an amount up to 30% of the homeless family's monthly gross income after adjustments such as deductions for work and child care expenses.

"(2) The monthly fee authorized by this subsection shall not constitute rent, and shall be collected by the Mayor and deposited in an interest-bearing escrow account in the name of the homeless family for use by the homeless family in securing permanent housing.

"(3) The Mayor shall make available to each homeless family from whom monthly fees are collected a regular and complete accounting of the deposits made and interest earned on the homeless family's escrow account.

"(f)(1) During a homeless family's stay in emergency shelter family housing, the Mayor shall exhaust all efforts to obtain permanent housing for the homeless family, including:

"(A) Screening the homeless family to determine the homeless family's eligibility for all

applicable federal and District housing programs and services;

"(B) Assisting the homeless family in completing the required application procedures for all applicable federal and District housing programs;

"(C) Whenever possible, expediting the homeless family's receipt of housing subsidies under applicable federal and District housing programs; and

"(D) Assisting the homeless family in contacting and making application for available housing units from private-sector housing providers.

"(2) Adult members of the homeless family shall search for permanent housing on their own initiative.

"(g) Beginning 1 year from the effective date of the Emergency Shelter Services for Families Reform Amendment Act of 1987, the Mayor shall not place a homeless family with minor children in a hotel, motel, or other similar shelter unless:

"(1) Unforeseen circumstances leave no acceptable alternative that is in the best interest of the homeless family including minor children; and

"(2) The placement is for no longer than 15 calendar days, provided that this section shall not be construed to require or authorize the refusal to house or the displacement of any family otherwise entitled to shelter.

"(h)(1) If a homeless family has not found permanent housing within 90 days after receiving housing subsidy certification under any applicable federal or District housing program, the homeless family shall accept permanent housing that has been identified and obtained by the Mayor on the family's behalf and that is decent, sanitary, secure, provides the essential amenities necessary to establish a permanent household, and in substantial compliance with the Housing Regulations of the District of Columbia. A homeless family may appeal its acceptance of the permanent housing pursuant to procedures established under subsection (1) of this section.

"(2) A homeless family not eligible for any federal or District housing subsidy or other housing assistance, shall accept permanent housing that has been identified and obtained by the Mayor on the family's behalf and that is decent, sanitary, secure, provides the essential amenities necessary to establish a permanent household, and in substantial compliance with the Housing Regulations of the District of Columbia. A homeless family may appeal its acceptance of the permanent housing pursuant to procedures established under subsection (1) of this section.

"(i) The Mayor shall establish 4 regional resource centers, which shall offer home maintenance counseling

classes, and simultaneously provide a systematic program of employment counseling, employment training, remedial education, mental health counseling, or other types of social services for a period of 180 days or longer to assist adult members of the family achieve independence from public assistance. Where appropriate, following a case assessment, these social services or classes shall be provided to each family member during hours when he or she is not employed or going to or from a place of employment. The classes shall be provided in both English and Spanish and shall include the following subjects:

"(1) Maintaining a household in a clean and sanitary condition;

"(2) Proper maintenance of appliances such as stoves and refrigerators;

"(3) Utility cost-saving measures such as heat and cooling conservation;

"(4) Family counseling; and

"(5) Financial management emphasizing rent payment on a consistent and timely basis.

"(j) The Mayor shall establish standards for payments to vendors for emergency shelter family housing, which shall not exceed the amount by unit size established under section 303(b) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Code, sec. 45-2533(b)).

"(k) In accordance with the provisions of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code, sec. 1-1181.1 et seq.), the Mayor may enter into contracts with not-for-profit organizations and private business entities for the provision of emergency shelter housing services established pursuant to this section. The Mayor shall give priority to not-for-profit organizations.

"(l) The Mayor shall issue proposed rules, pursuant to title I of the District of Columbia Administrative Procedures Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code, sec. 1-1501 et seq.), to implement the provisions of the Emergency Shelter Services for Families Reform Amendment Act of 1987. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed effective. Nothing in this subsection shall effect any requirements imposed upon the Mayor by title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code, sec. 1501 et seq.).

"(m) Section 601 (D.C. Code, sec. 3-206.1) shall not apply to this section.

"(n) A homeless family shall be entitled to a hearing process pursuant to procedures established under section 603(1) for any action of the Mayor that affects the receipt, termination, or conditions of services under this act. A homeless family shall not be deprived of emergency shelter housing prior to the rendering of a decision following a hearing."

Sec. 3. To the extent that there is any conflict between the provisions of title V of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Code, sec. 45-2551 et seq.), and the Emergency Shelter Services for Families Reform Amendment Act of 1987 regarding a homeless family receiving shelter services, the provisions of the Emergency Shelter Services for Families Reform Amendment Act of 1987 shall apply.

Note,  
D.C. Code,  
secs. 3-205.52  
3-206.3 &  
45-2551  
(1988 supp.)

Sec. 4. Within 180 days of the effective date of this act, the Mayor shall transmit to the Council a written report describing specific plans and timetables for implementing the provisions of this act. The Mayor shall transmit to the Council an annual updated written report regarding the status of the Emergency Shelter Family Program.

Note,  
D.C. Code,  
secs. 3-205.52  
& 3-206.3  
(1988 supp.)

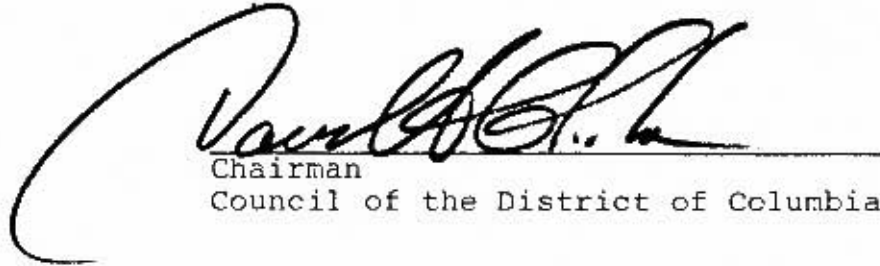
Sec. 5. Nothing in this act shall be construed to repeal or amend the District of Columbia Right to Overnight Shelter Act of 1984, effective March 14, 1985 (D.C. Law 5-146; D.C. Code, sec. 3-601 et seq.).

Note,  
D.C. Code,  
secs. 3-205.52  
3-206.3 &  
3-601  
(1988 supp.)

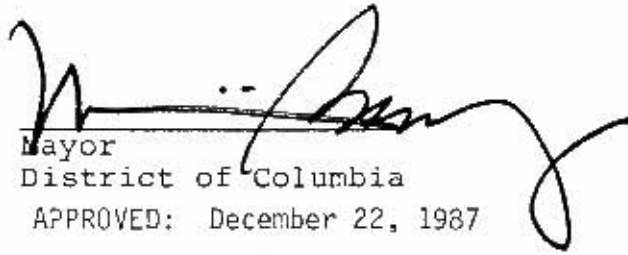
Sec. 6. Effective date.

This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act,

approved December 24, 1973 (87 Stat. 813, D.C. Code, sec. 1-233(c)(1)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED: December 22, 1987





**COUNCIL OF THE DISTRICT OF COLUMBIA**  
Council Period Seven

**RECORD OF OFFICIAL COUNCIL VOTE**

DOCKET NO: B7-224

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 11-10-87

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT ( 11, 2, 0, 0 )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE	X				NATHANSON	X				THOMAS SR.		X		
CRAWFORD	X				RAY	X				WILSON		X		
JARVIS	X				ROLARK	X				WINTER	X			
KANE	X				SCHWARTZ	X								
MASON	X				SMITH, JR.	X								

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

**CERTIFICATION RECORD**

Secretary to the Council \_\_\_\_\_

Date \_\_\_\_\_

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 11-24-87

VOICE VOTE: Unanimous

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT ( / / / )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					NATHANSON					THOMAS, SR.				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SCHWARTZ									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

**CERTIFICATION RECORD**

Secretary to the Council \_\_\_\_\_

Date \_\_\_\_\_

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT ( / / / )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					NATHANSON					THOMAS, SR.				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SCHWARTZ									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

**CERTIFICATION RECORD**

Secretary to the Council \_\_\_\_\_

Date \_\_\_\_\_