

**Testimony before the Zoning Commission, Public Hearing on Inclusionary Zoning**

**By Courtney N. Kyles, Law Clerk, Crowell & Moring Affordable Housing Initiative,  
Washington Legal Clinic for the Homeless**

**Monday, July 25, 2005, 6:30 p.m.**

Good evening Commissioners and thank you for the opportunity to testify. My name is Courtney Kyles and I am the summer law clerk of the Crowell & Moring Affordable Housing Initiative at the Washington Legal Clinic for the Homeless. As a part of my work, I assist a staff attorney in representing tenants at risk of losing their homes, generally through the termination of a federal subsidy. In addition, I help educate tenants about their rights under the District of Columbia Housing Code.

From my legal studies and work experience at the Washington Legal Clinic, I have decided to do public interest work that will allow me to actively give back to my community on a daily basis. For me and many others doing legal public interest work, the monetary downside in pursuing this work is that I will not make anywhere close to the six-figure salary of around \$125,000 that some of my fellow classmates will receive working at a private law firm. With the ongoing depletion of affordable housing, the large increases in the cost to purchase a home, and my need to pay back my students loans, it seems that the only way I can pursue my career of choice is to live outside of DC. That is an unfortunate result for a Howard University Law School graduate who wants to use her legal education to assist her community.

I am here tonight to urge the Zoning Commission to adopt the Mandatory Inclusionary Zoning Text Amendment to help assure that affordable housing is maintained in the District of Columbia. I am here because I want the neighborhoods in the District of Columbia to continue to be diverse with residents of all financial backgrounds, not just a neighborhood full of persons who have six-figure salaries such as doctors, lawyers, and investment bankers.

Currently, many of the clients of the Washington Legal Clinic cannot find affordable rental housing in the District. In 2003, there were 55,000 renter households in DC with incomes below \$20,000, and only 24,000 apartment units affordable to them (at \$500 per month).<sup>1</sup> In addition, this year Congress underfunded the voucher program by almost \$570 million, which meant that about 80,000 vouchers will not be available to low income people in need of housing assistance.<sup>2</sup> As of March 2005, the DC Housing Authority reported 43,964 families on the waiting list for subsidized housing and 18,531

<sup>1</sup> Jerome, Richard. *Affordable Housing in DC: A Call to Action*. Washington Council of Lawyers News Forum, June 2005.

<sup>2</sup> <http://www.nlhc.org/advocates/housingchoicevouchers.htm>

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of these families were homeless<sup>3</sup> The District has experienced a loss of 246 units through landlord opt-out of project based § 8 and a loss of over 400 units through HUD termination of project based § 8 In addition, owners have prepaid HUD subsidized mortgages on 561 units of federal subsidized housing Given the loss of low rent affordable housing through condominium conversion and loss of subsidized housing, the city must institute a plan to counter this loss

Currently, many non-subsidized low-income residents are competing for the same apartments as those who earn between \$40,000 and \$70,000 per year The fair market rent for a 2-bedroom apartment in the District is \$1187 per month and the hourly wage needed to afford this rent is \$22.83 per hour (40 hours per week)<sup>4</sup> Many of our clients at the Washington Legal Clinic earn the minimum wage (\$6.60 per hour) and would have to work approximately 138 hours per week<sup>5</sup> (20 hours per day, every day of the week) in order to afford a 2-bedroom unit at the area's Fair Market Rent, which demonstrates they have a greater need for the \$500 per month apartment Although this Amendment does not address the problem of affordable units for those persons earning minimum wage, the Amendment would lessen the competition for rental units affordable to low wage workers

In addition Commissioners, I urge you to consider the character of a neighborhood without Mandatory Inclusionary Zoning A neighborhood's character is what makes DC so appealing Soon, without this measure, the District will only be filled with individuals who make six-figure salaries and everyone else will be displaced. In the past 5 years, the median house price in the District of Columbia has risen 107% to \$385,000<sup>6</sup> It is doubtful that a person making between \$40,000 and \$70,000 per year will get approved by a bank to purchase a home at the median price Inclusionary Zoning will aid in decreasing the vast divide between housing prices and resident incomes in the District

In closing, I would like to urge the Zoning Commission to adopt this Mandatory Inclusionary Zoning Text Amendment, which serves as a tool to assure that affordable remains in the District as we experience a surge in the housing market Although this Amendment does not guarantee housing for low wage workers, it does lessen the competition on the rental housing market Commissioners, thank you for your attention and I hope that the Zoning Commission will take my comments under serious considerations.

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<sup>3</sup> DC Housing Authority, *Client Placement Division Monthly Report*, March 2005

<sup>4</sup> National Low Income Housing Coalition Out Reach 2004 District of Columbia, <http://www.nlihc.org/oor2004/data.php?getstate=on&state%5B%5D=DC>

<sup>5</sup> National Low Income Housing Coalition Out Reach 2004 District of Columbia, <http://www.nlihc.org/oor2004/data.php?getstate=on&state%5B%5D=DC>

<sup>6</sup> Jerome, Richard *Affordable Housing in DC A Call to Action* Washington Council of Lawyers News Forum, June 2005