

**DISTRICT OF COLUMBIA  
UNIVERSAL RULES FOR  
PERMANENT HOUSING ORGANIZATIONS  
GOVERNED BY  
THE HOMELESS SERVICES REFORM ACT OF 2005**

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These are the rules of \_\_\_\_\_ (*permanent housing name,*) which is a “permanent housing” governed by the Homeless Services Reform Act of 2005.

**A. Your Responsibilities:**

1. **You must follow all Program Rules in this packet, including the rules that apply to your permanent housing unit that are attached in the Additional Program Rules section.**
2. **Participation in the permanent housing organization’s program:**
  - You must seek employment, education, or training when appropriate.
3. **Alcohol, drugs, violence:**
  - You must *not* do any of the following while on the permanent housing organization’s property:
    - use or possess alcohol or illegal drugs.
    - use or possess weapons.
    - assault or batter any individual, or threaten to do so.
    - any other acts that endanger the health or safety of yourself or any other individual on the permanent housing premises.
4. **Children:**
  - You must ensure that children in your physical custody are enrolled in school.
  - You must ensure that children in your physical custody receive appropriate supervision while on the permanent housing organization’s property.
  - You must use child care services when necessary to enable you to seek employment or housing or to attend school or training, when appropriate, unless you meet an exemption under the District’s laws and rules governing the TANF program. (Found at D.C. Official Code § 4-205.19g or 29 DCMR § 5809.4 (b)-(e), or as revised).
5. **Respect and Cleanliness:**
  - You must respect the safety, personal rights, and private property of the permanent housing organization staff and other residents.
  - You must maintain clean sleeping and living areas, including bathroom and cooking areas.
  - You must use communal areas appropriately, with attention to cleanliness and respect for the interests of other residents.
  - You are responsible for your own personal property.

## B. Your Rights:

### 1. You have the right to be treated fairly and respectfully:

- You have the right to be treated with dignity and respect by the permanent housing organization's staff and the Department of Human Services ("DHS").
- You have the right to access homeless services free from discrimination on the basis of race, color, religion, national origin, language, culture, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, and source of income, as required by the following laws:  
**District of Columbia Human Rights Act (D.C. Official Code § 2-1401 et seq.)**  
**Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.)**  
**Rehabilitation Act of 1973 (29U.S.C. § 701 et seq.)**  
**Title II of the Civil Rights Act of 1964 (42 U.S.C. § 2000a et seq.)**  
**Language Access Act of 2004 (D.C. Law 15-167; D.C. Official Code § 2-1931 et seq.)**
- You have the right to access services free from verbal, emotional, sexual, financial, and physical abuse and exploitation.
- You have the right to practice or not to practice a religion.
- You have the right to be free from testing for drugs or alcohol except:
  - When the permanent housing organization's guidelines or program eligibility requirements prohibit intoxication and a licensed social worker or a certified addiction counselor determines that there is reasonable cause to believe that you are engaging in drug or alcohol use;
  - When you consent to drug or alcohol testing as part of your case management plan.

### 2. You have the right to shelter during severe weather conditions as provided by the Act.

### 3. You have rights relating to your personal information:

- You have the right to confidential treatment of all your personal information.
- At a reasonable time and with reasonable prior notice, you have the right to view and copy, or have someone you authorize view and copy, all records and information that are related to you and kept by this permanent housing organization.

### 4. You have the right to give input and feedback about permanent housing services:

- You have the right to be told the name and job title of any staff member delivering services.
- You have the right to provide input and feedback to the permanent housing organization about delivery of services.

- You have the right to file complaints with the permanent housing organization, DHS, the Mayor, or other appropriate offices regarding the delivery of services or your treatment.
  - You have the right to actively participate in the development of your service plan, be told of your progress, and receive a review of the service plan upon request.
5. **You have the right to timely notice of decisions made by the permanent housing organization or DHS that adversely affect your receipt of services and you have the right to appeal any such decision through a Fair Hearing.**
6. **You have the right to continue to receive housing and services without change while you wait for the final outcome of any fair hearing requested within 15 calendar days of receipt of written notice of the decision you are appealing.** However in cases of a non-emergency transfer, emergency transfer, suspension, or termination this right does not apply.
7. **You have the right to be free from retaliation, punishment, or sanction for exercising any rights provided in these Rules or under the Homeless Services Reform Act.**
8. **You have the right to leave and return and to receive visitors:**
- You have the right to leave and return to your permanent housing unit within reasonable hours as specified in the Additional Program Rules, which are attached.
  - You have the right to meet and communicate privately with attorneys, advocates, clergy, physicians, and other professionals.
  - Except for programs which address confidentiality, you have the right to receive visitors in designated areas of the housing premises under the conditions explained in the Additional Program Rules, which are attached.
9. **You have the right to privacy:**
- You have the right to reasonable privacy in caring for personal needs and in maintaining personal living quarters.
  - You have the right to reasonable prior notice of the date, time, and name of the staff person making any routine inspections of your living quarters.
  - You have the right to be present or have another adult member of the family present at the time of any routine inspection.

- You do not have the right to prior notice of an inspection or to be present during an inspection if, in the opinion of the permanent housing organization's director, there is reasonable cause to believe that you are in possession of a substance or object that poses an imminent threat to the health and safety of yourself or others on the premises.
- You have the right to conduct your own financial affairs, subject to the reasonable requirements of your service plan or of the Additional Program Rules, which are attached.

**10. If you have a disability, you have the right to receive reasonable modifications to policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the permanent housing organization demonstrates that the modifications would fundamentally alter the nature of the services.**

- You have the right to request a reasonable accommodation at any time either verbally or in writing.
- When you ask for an accommodation you will be asked to fill out an accommodation request form. If you are unable to fill out the form, a staff person will help you.
- You will also be asked to supply Verification for your disability in order to process your accommodation request.
- The Provider will make a decision whether to approve or deny your request as soon as possible.
- If an immediate accommodation is required and evident a Provider may conditionally approve the request until a final decision is made.
- Once a decision is made you will receive notification as to whether the request was approved or denied:
  - if your accommodation request is approved it may be granted immediately;
  - if it is denied you will be informed in writing.
- If you wish to appeal the decision you may request a fair hearing from the Office of Administration Hearings (See Section D for additional information about this process)
- If you would like to file a complaint regarding your accommodation decision you may make a complaint to the DHS ADA Coordinator at 202-671-4339 or file a complaint with the DC Office of Human Rights at 202-727-4557.

**C. The Permanent Housing Organization's Rights to Sanction, Transfer, Suspend or Terminate You:**

- 1. The permanent housing organization can use alternative sanctions for specified violations of Rules as described in the Additional Program Rules, which are attached.**
- 2. The permanent housing organization can TRANSFER you to another permanent housing organization:**
  - You must receive 15 days oral and written notice of the transfer date and the reason for the transfer.
  - You can be transferred through direct arrangements with other permanent housing organizations.
  - You can be transferred when you consent to the transfer.
  - You can be transferred without your consent if:
    - The permanent housing organization identifies and secures a placement with another permanent housing organization that more appropriately meets your medical, mental health, behavioral, or rehabilitative service needs; OR
    - You do not comply with the Rules and Responsibilities listed in this document and you have received notice of the Rules. The permanent housing organization must make a good-faith effort to assist you with complying with the Program Rules.
- 3. The permanent housing organization can SUSPEND your services:**
  - You can be suspended from services if you fail to comply with or refuse to comply with the Rules and Responsibilities listed in this document, or if you engage in any of the behaviors listed as a basis for a termination below.
  - You can be suspended from services for up to 30 days depending on what you did that led to your suspension.
  - A permanent housing organization may suspend your services when:
    - The permanent housing organization has given you oral and written notice of the Program Rules, resident responsibilities, and prohibited behaviors;
    - The permanent housing organization has made a good-faith effort to enable you to comply with the Program Rules;
    - The organization has made a reasonable effort to transfer you to another permanent housing organization; and
    - The permanent housing organization has given you 15 days notice of the suspension date.
  - A permanent housing organization may not suspend adult individuals or adult family members in a manner that results in minor children or dependent adults being left unattended in a unit.

**4. The permanent housing organization can TERMINATE your services:**

- You can be terminated from this permanent housing organization if you:
  - Possess a weapon on the permanent housing organization's premises;
  - Possess or sell illegal drugs on the permanent housing organization's premises;
  - Assault or batter any person on the permanent housing organization's premises;
  - Endanger your safety or the safety of others on the permanent housing organization's premises;
  - Intentionally or maliciously vandalize, destroy, or steal the property of any person on the permanent housing organization's premises;
  - Fail to accept an offer of appropriate permanent housing or supportive housing that better serves your needs after having been offered two appropriate permanent or supportive housing opportunities;
  - Knowingly engage in repeated violations of Program Rules.

In cases of termination where the violation is not imminent threat to the health and safety of the client or others the permanent housing organization must:

- Give you 15 days oral and written notice of the termination date and reason for the termination.
- Document that they have considered suspension or made a reasonable effort to transfer you, in light of the severity of the act leading to the termination.

**5. The permanent housing organization can transfer, suspend, or terminate you IMMEDIATELY if you pose an imminent threat to yourself or others:**

- You may be immediately transferred, suspended, or terminated if you present an imminent threat to the health or safety of yourself or any other person on the permanent housing organization's premises.
- The permanent housing organization is not required to give you prior written notice.
- The permanent housing organization is required, however, to try to give you written notice at the time the action is taken.
- If it is not safe to give you written notice at the time of the action, the permanent housing organization is required to try to give you written notice within the next 15 days.
- If the permanent housing organization is unable to locate or contact you, the permanent housing organization must give you the written notice when you request it if less than 90 days has passed since the emergency transfer, suspension, or termination began.

- The permanent housing organization must notify DHS immediately of the action taken against you.
- Within 24 hours of receipt of the notification by DHS, DHS will issue a written decision as to whether the providers' emergency transfer, suspension or termination can be upheld or denied;
- The provider is to give a copy of the completed Emergency Finding form to you as soon as reasonably possible after receiving the document from DHS.
- If your whereabouts are unknown and the provider has made reasonable efforts to find you, the provider shall retain a copy of the Emergency Finding from DHS and deliver it to you if and when the opportunity arises.
- If DHS denies the providers' emergency action, the provider must immediately reinstate services to you.
- If DHS upholds the providers' emergency action, you may appeal the providers' action through a Fair Hearing (see Section D for information about this process).

#### D. **Your Right to Appeal**

1. **Internal Mediation Program:** If your permanent housing organization has a mediation program, you may have the right to mediate a problem through the permanent housing organization's internal mediation process.
2. **Your Right to Appeal:**
  - You have the right to appeal any decision that adversely affects your receipt of services. You also have the right to appeal any violation of the Common Standards that apply to this permanent housing organization or any violation of your rights listed in Section B of this document.
  - Your appeal is called a Fair Hearing and is held at the District of Columbia's Office of Administrative Hearings.
  - You have the right to an Administrative Review before the Fair Hearing. The Administrative Review is less formal than a Fair Hearing and is conducted by an employee of the D.C. Department of Human Services.
  - You have a right to timely (15 days before the decision takes effect) notice of any decision by a permanent housing organization or DHS that negatively affects your services.
  - You have the right to continue to receive housing and services without change while you wait for the final outcome of any fair hearing that is requested within 15 calendar days of receipt of a written notice of a decision that negatively affects your services. However, in the cases of a non-emergency transfer, emergency transfer, suspension, or termination this right does not apply.

3. **To Request a “Fair Hearing”:**
  - Call the Office of Administrative Hearings, at 727-8280 OR send in a request for a fair hearing in writing to the Office of Administrative Hearings, 441 4<sup>th</sup> Street, N.W., Suite 540, Washington, D.C. 20001; OR
  - Call the Family Services Administration, at 541-3914, or send in a request for a fair hearing in writing to the Family Services Administration, 2146 24<sup>th</sup> Place, N.E., Washington, D.C. 20018; OR
  - Tell a staff member where you reside that you want a Fair Hearing. By law, the staff member must help you make your request.
  
4. **To Receive an “Administrative Review”:**
  - You do not need to file a separate request for an Administrative Review. Once you request a Fair Hearing, you will automatically be offered an opportunity for an Administrative Review by the Family Services Administration.
  - A notice will be sent to you notifying you of the time, date, and place for the Administrative Review.
  - If you do not appear at the Administrative Review, you will still have the right to the Fair Hearing you requested.
  - The Office of Administrative Hearings will send you a notice of the date, time and place of the Fair Hearing.
  
5. **In some cases, you have the right to stay in permanent housing during your appeal:**
  - To stay in permanent housing during the appeal of a termination or suspension you must ask for an appeal before the date of the adverse action. (By law, you must be given 15 days notice before the effective date of any non-emergency action).
  - If the action was a regular transfer or an emergency transfer, suspension, or termination based on an imminent threat to health or safety, you *do not* have the right to permanent housing during the appeal unless DHS orders the permanent housing organization to allow you to return during your appeal.
  - If you have already left permanent housing and it is after the effective date of the adverse action, you do not have the right to return and remain during your appeal. However, you can still appeal within 90 days from the date of the written notice of the termination and, if you win your appeal, you will be placed back into the permanent housing organization you were in or a similar one.
  
6. **Your rights at the Fair Hearing or Administrative Review:**
  - You have the right to be represented by a lawyer (see below), relative, or any other person of your choice who is not an employee of the D.C. Government.
  - You have the right to bring witnesses or evidence that helps your case.

7. **You may get free legal representation from:**
- *Bread for the City at (202) 265-2400 OR (202) 561-8587*
  - *Legal Aid Society of the District of Columbia at (202) 628-1161*
  - *The Washington Legal Clinic for the Homeless at (202) 328-5500*
8. **You may file discrimination claims:**
- If you think you have been discriminated against because of race, religion, color, sex, national origin, disability, personal appearance, age, marital status, sexual orientation or another basis, you may file a complaint with the D.C. Office of Human Rights at 727-4557 within 365 days of the discrimination.

I acknowledge that I have received, understand and accept the Program Rules of this program.

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Staff Signature

\_\_\_\_\_  
Date