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Testimony Before the District of Columbia Council  
Committee of the Whole  
February 27, 2019

Performance Oversight Hearing:  
*DC's Department of Consumer and Regulatory Affairs*  
*Fiscal Years 2018 and 2019 to-Date*

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Thank you, Chairperson Mendelson and members of the Committee of the Whole for this opportunity to testify regarding DCRA's performance and our recommendations for changes to improve the agency. My name is Anne Cunningham, and I am a Senior Policy Attorney with Children's Law Center<sup>1</sup> and a resident of the District. Children's Law Center fights so every DC child can grow up with a loving family, good health and a quality education. With nearly 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. We represent many children and families who live in rented homes in the District, and one component of our practice is representing tenant-families whose landlords are not complying with DC's housing code.<sup>2</sup>

Poor conditions in rental housing have a much broader impact than a family's discomfort. DC contains around 180,000<sup>3</sup> occupied rental units. Consequently, poor rental conditions are also an expensive public health concern. Exposure to environmental allergens, such as mold and vermin, can cause both acute medical crises as well as the development of chronic, lifelong ailments. Lead exposure can permanently damage a child's development. Poor conditions in rental housing can make it hard to sleep, eat, and thrive, thus impacting a child's performance in school or a mother's ability to go to work. Failure to prevent and remediate poor conditions also contributes to the accelerated deterioration and waste of our city's precious affordable

housing stock. The costly human and fiscal consequences of unsafe and unsanitary housing are why we hope you will continue to prioritize improving DC's enforcement of the residential housing code—currently a DCRA responsibility.

As you know, since 2017 I have testified numerous times regarding DCRA and the impact the agency's failures have on the low-income families my organization represents. My past testimonies<sup>4</sup> contain detailed criticisms and concerns about DCRA's practices, including that DCRA generally lacks a culture of protecting tenants and rental housing, that DCRA's approach to housing inspections and enforcement is neither strategic nor efficient, and that DCRA's inspections and enforcement regime is understaffed and under-resourced.<sup>5</sup>

Much of my feedback today will mirror the feedback I provided a year ago at DCRA's 2018 performance oversight hearing. That very little has changed, despite this Committee's fastidious oversight, is unsurprising to residents and organizations, like mine, who have been struggling with DCRA's poor residential code inspections and enforcement practices for over a decade.

I will be structuring this testimony as a list of recommendations for this Committee and for the Agency:

1. **Amend, Pass, and Fund the Department of Buildings Establishment Act of 2019.**<sup>6</sup>

Thank you for demonstrating your commitment to DCRA reform by re-introducing the Department of Buildings (DOB) Establishment Act. As you know, we strongly support this legislation's proposal to break DCRA into smaller pieces. DCRA's size, the extremely broad scope of its mission, and its lack of a strong consumer protection culture have rendered DCRA ineffective in enforcing DC's residential housing code. I would like to focus for a moment on the biggest problem we see with DCRA and the reason agency division and overhaul are essential: **that DCRA continues to lack a culture of protecting tenants.**

The Case Study published by the DC Auditor (ODCA) this past fall confirmed what advocates have long reported anecdotally: that DCRA chooses repeatedly to use its discretion to show leniency to landlords. Tenants suffer while landlords indefinitely avoid fines and prosecution by the agency as poor conditions in their properties persist.<sup>7</sup> Indeed, DCRA's former director acknowledged this fact but repeatedly signaled "reluctance to change the process."<sup>8</sup>

During last year's oversight, we noted that the institutional priorities DCRA outlined through its Oversight Responses further highlight how little the agency cares about its critical function of enforcing DC's residential housing code. Of the five "top priorities" DCRA listed in those oversight responses, only one related to residential housing inspections and enforcement, and it was not a goal that meaningfully addressed any aspect of the agency's broken inspections and enforcement protocol.<sup>9</sup>

Furthermore, it's important to examine the data DCRA reported for its 98 "Key Performance Indicators" (KPIs) in FY16, FY17, and FY18.<sup>10</sup> Of these 98 KPIs, DCRA listed 55% as "N/A" in FY16, 44% as "N/A" in FY17, and 52% as "N/A" for FY18.<sup>11</sup> More to the point, for FY18, DCRA reported data for only 5 of its 15 KPIs related to housing code enforcement.<sup>12</sup> Last year, we also noted that, since 2014, DCRA had removed 13 inspections and enforcement-related KPIs without meaningfully explaining their removal as the Committee had requested.<sup>13</sup>

Somehow, this year DCRA appears to have moved even further away from prioritizing its residential housing code enforcement functions. Of its top five priorities, again only one mentions housing code enforcement.<sup>14</sup> Additionally, DCRA's five 2019 "Strategic Objectives" have a very business-oriented focus, reflecting an ongoing issue we see with the agency prioritizing business interests over the needs of DC's tenants, in particular its low-income tenants.<sup>15</sup> To this point, of the 22 KPIs DCRA lists for measuring its progress toward meeting those Strategic Objectives, only two relate in any way to housing code inspections or enforcement and both of these jointly apply to construction code enforcement.<sup>16</sup>

Given the persistence of DCRA's problems over many years, and across many administrations, we are certain that nothing short of a major overhaul will bring meaningful reform to the agency and to housing code enforcement in the District. We continue to ask that you take your DOB proposal one step further by either establishing

a third agency, or a separate division within DOB, with a dedicated mission of protecting tenants and rental housing. We testified at length regarding specifics surrounding this proposal during the bill's April 2018 hearing. Please see Attachments 1 and 2 for our depictions of both the bill's currently envisioned DOB organizational structure, and advocates' proposal for a tenant/rental protection agency or division within DOB.<sup>17</sup>

**2. Amend, Pass, and Fund the Indoor Mold Remediation Enforcement Act of 2019.**<sup>18</sup>

Thank you, Chairperson Mendelson, for introducing the Indoor Mold Remediation Enforcement Act of 2109. This legislation requires DCRA to issue Notices of Violation (NOVs) and Notices of Infraction (NOIs) to landlords whose properties contain ten or more square feet of mold in an area affected from the same water source. It also requires all DCRA housing code inspectors to become certified in mold inspection and remediation through the Department of Energy and Environment (DOEE).<sup>19</sup> In doing so, the bill directly responds to critiques we have raised about the inefficiency of tenants needing to contact multiple agencies for enforcement of various aspects of the code related to their housing conditions.

The bill is well-drafted and appears to meaningfully address our concern with respect to mold inspections. However, we hope you will amend the legislation to cover lead<sup>20</sup> and asbestos as well, so that all three are brought under one agency whose

inspectors are licensed in each of these areas. Currently, these functions are overseen across multiple agencies. Lead inspections, just like mold, are conducted exclusively through the private market which is regulated by DOEE. Not only will directing a government agency to inspect and enforce these issues be more convenient for tenants and landlords alike, but we also believe it will reduce overall costs. Under current practice, tenants are often forced to pay for their own inspection by a private company, with the option of attempting to recover that cost from their landlord after the fact. In our practice we have seen how this process is particularly detrimental to low-income tenants (as well as low-income landlords). We applaud you for working to create equity in access to mold inspections, Chairperson, and hope you will do the same for lead, which similarly disproportionately impacts low-income families who tend to live in older housing that tends to be more poorly maintained.

### **3. Fund and Implement the DCRA Omnibus Amendment Act of 2018.**

We hope to work with this Committee to ensure the DCRA Omnibus Amendment Act of 2018 is fully funded and implemented in Fiscal Year 2020. While we enthusiastically support this legislation in its entirety, we are particularly eager for implementation of the corporate transparency component of this bill. Although DCRA's failings surrounding the notorious slumlord, Sanford Capital, extend far beyond this issue, one thing those cases made clear was that lack of corporate transparency makes enforcement against individual bad actors virtually impossible. CLC sees this regularly

in the cases we litigate as well—our attorneys have no way of knowing when we are repeatedly going up against the same property owners as they are so frequently shrouded in multiple layers of opaque LLCs. The corporate transparency component of the DCRA Omnibus Amendment Act of 2018 will meaningfully improve our government’s ability to hold slumlords accountable.

**4. As We Await the Department of Buildings, Make Targeted, Transferrable Investments in DCRA’s Housing Code Enforcement Regime**

Though we have been reluctant to encourage investment in an agency that has proven itself over and over again unable to execute even its most basic functions, DC tenants need a stopgap as we go through the process of establishing and funding the Department of Buildings. To this end, we urge this Committee to legislatively mandate and fund additional housing code inspections and enforcement personnel at DCRA. As stated previously, the inspectors should be trained to inspect and cite for violations related to mold, lead, and asbestos. We believe such an investment will be easily transferrable to the new agency.

DCRA lacks the resources to do quality inspections, enforcement, and abatement.<sup>21</sup> On a basic staffing level, DCRA employs approximately 12-19 housing code inspectors<sup>22</sup> to handle the inspection needs of DC’s approximately 162,000 occupied rental units.<sup>23</sup> This works out to approximately one inspector for every 8,500 to 13,500 units, one of the worst ratios in the country for cities of similar size.<sup>24</sup> By way of



comparison, Baltimore employs approximately 95 residential housing inspectors for their approximately 130,000 occupied rental units—around one inspector for every 1,400 units.<sup>25, 26</sup> Attachment 1 features a helpful graphic contrasting DC’s 2018 ratio with ratios in other BUILD Health cities.<sup>27</sup>

We would like to note our concern that DCRA does not appear to have brought on additional inspectors compared to last year even though, by our understanding, they were funded for FY19 to expand their inspections force.<sup>28</sup> This is exactly why we think it critical that the DOB legislation *mandate* minimum ratios of inspectors and enforcement personnel to rental units.

These statistics regarding insufficient inspectors are compelling. However, we also want to impress upon the Committee that a separate team at DCRA is responsible for carrying out enforcement against landlords who do not comply with inspectors’ NOV’s. Although we have less information about this team—due partly to DCRA opaqueness around its organizational structure—we are confident it is similarly understaffed. Following up on unanswered NOV’s is as critical a component of the enforcement process as inspections, so we hope you will similarly prioritize expanded staffing and training and reporting for that team.

DCRA also uses outdated technology to do its inspections and acknowledges that archaic technology has contributed to its lack of transparency.<sup>29</sup> Indeed, DCRA’s Interim Director spoke just recently about DCRA’s need for a “digital transformation.”<sup>30</sup>

Until as recently as last year, DCRA's housing inspectors created inspection reports using pencil and paper.<sup>31</sup> We would also note here that DCRA could be revenue-generating in this area if it collected fines and placed liens on properties, as it is authorized to do when landlords fail to make repairs. Revenue from fines could finance some of the important investments for which we are advocating.<sup>32</sup>

Given years of failure across numerous administrations, we hope you will legislatively mandate many of the proposals we are suggesting today, including by defining minimum ratios of inspectors and enforcement personnel to residential housing units. Of course, legislatively mandating staffing levels must be coupled with sufficient funding to support that staffing.

#### **5. We Urge DCRA to Prioritize its Housing Code Enforcement Functions and Collect Better Data**

We would like to provide another example of DCRA's failure to meaningfully enforce the housing code. In 2017, CLC became involved with a 39 unit rental property in Brightwood<sup>33</sup> after pediatricians from neighboring health clinics referred us several children who were living in health-harming conditions. Shortly after visiting the property, we realized the housing conditions were building-wide and were, in a word, appalling. Half the building hadn't had heat in years, there were mold and lead hazards throughout, the electrical system was emitting sparks, and the plumbing was in disrepair. The conditions were so bad that, about a month ago, the receiver appointed to

the property felt he had no choice but to immediately begin \$45,000 of repairs, partly paid for by his firm, to fix the most emergent problems. This included fixing the immediate fire hazards in the electrical system and replacing two 2 x 4 pieces of lumber which the owner had used to replace a rotting structural beam. DCRA has been involved in this property for over a year and has been unable and/or unwilling to hold this criminal landlord accountable despite her ongoing failure to follow orders the agency outlined in NOVs.

This also would have been a perfect opportunity for DCRA to make good use of its Nuisance Abatement Fund. After reviewing the agency's oversight responses, we requested additional details about their use of the Nuisance Abatement Fund to better understand how much of the fund is used on rental housing violations as opposed to vacant or blighted properties. We also wanted to know whether the agency was strategically using this resource to address the most egregious issues it encounters— issues like this property which are an immediate threat to residents' health and safety. We have yet to receive a response and we hope this Committee will follow up by requesting a list of the addresses and scope of work for each project this fund was used on.

Aside from highlighting the agency's enforcement failings, this case also highlights a major weakness of DCRA's inspections department. DCRA inspectors are unable to inspect for the more serious violations of DC's housing code. Currently,

DCRA inspectors do a visual inspection by running through a checklist, and do not do anything more to identify the root causes of more serious issues. For example, if an inspector identifies moisture, they cite the moisture but do not identify the leaking roof which is causing. As such, landlords' frequent response to this NOV is to simply paint over the wall damaged by the moisture in time for DCRA's re-inspection. Similarly, DCRA does not have in-house access to electrical engineers or certified plumbers, even though DCRA is the agency that certifies those technical experts on the private market. We implore DCRA and this committee to ensure DCRA inspectors can do more than just superficially assess units for housing code violations. They should be able to identify the deeper structural issues—electric, plumbing, roofing—that cause the most persistent and dangerous conditions we observe in the homes of the tenants we represent.

Data collection should also be one of DCRA's integral functions. Data is necessary to evaluate the agency's performance and identify areas which need improvement. Furthermore, an agency like DCRA needs data to be able to build out a strategic, targeted plan for enforcement against insidious slumlords like Sanford Capital. Robust data could also inform the agency's proactive and strategic enforcement regimes—something we have been pleased to hear Director Chrappah wishes to prioritize.

Data could also be used by sister agencies and public health practitioners. As part of BUILD Health DC<sup>34</sup>, a unique grant that funds collaboration between Children’s Law Center, Children’s National Health System and DC Health to address housing conditions issues for children with asthma on an individual and systemic level, it has become clear to us that DC is behind other cities in our ability to use inspection data to target public interventions.<sup>35</sup> This type of mapping—using reliable underlying data—is important to be able to do public health and legal interventions in properties with particular conditions.

We are encouraged that DCRA’s new director seems to understand the critical importance of data in strategically deploying the agency’s resources. We are also encouraged that DCRA’s new Dashboard is up and running, as of last week.<sup>36</sup> However, both the agency’s performance oversight responses and a cursory click through the new portal demonstrate that DCRA still does not meaningfully collect or report on critical data, and that without good data going in to a system, a portal cannot output meaningful information. To these ends, we believe the agency should legislatively be required to collect detailed housing code enforcement data and make that data available in real time via a regularly updated, publicly accessible database.<sup>37</sup>

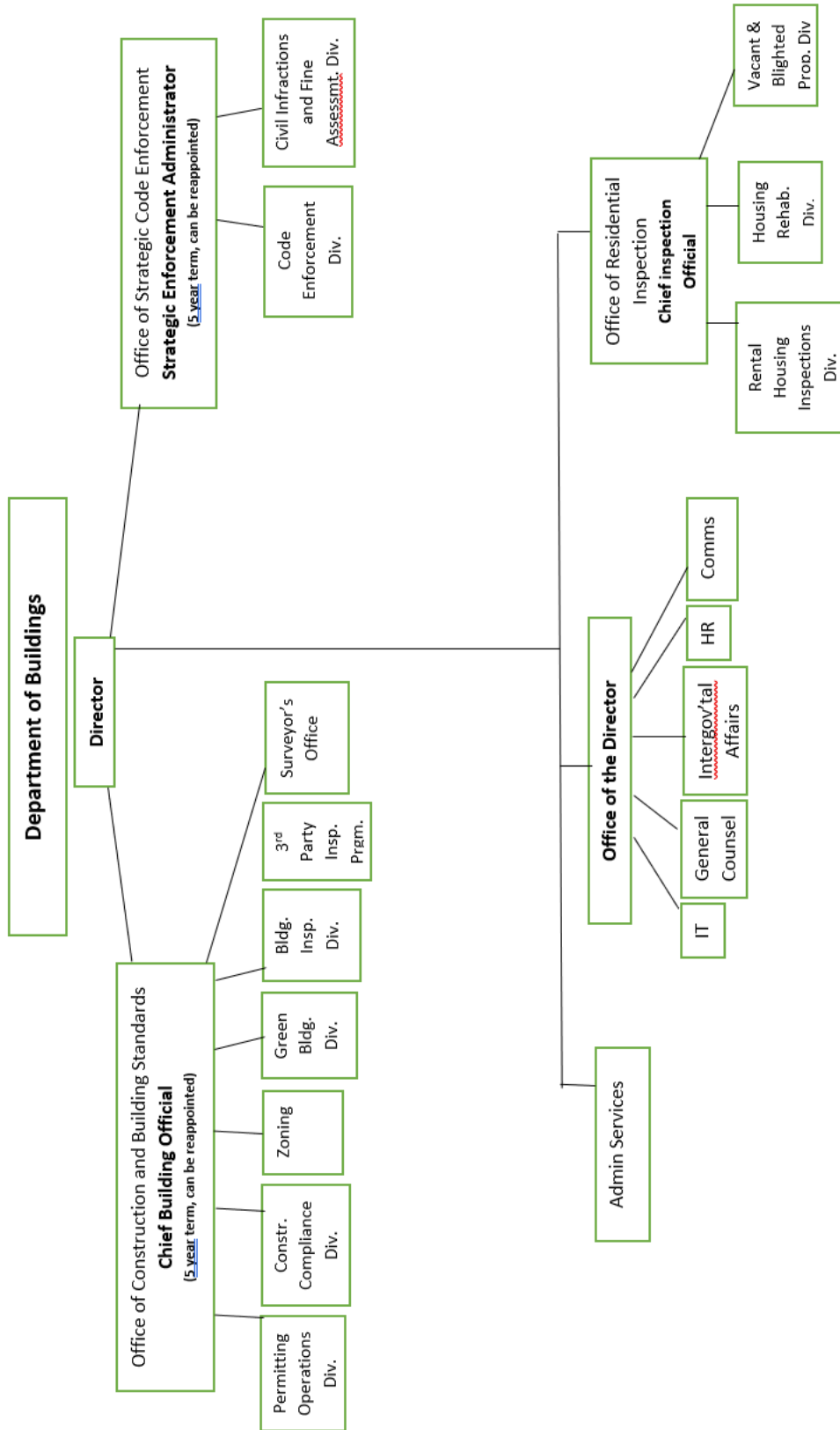
We are encouraged by a working group the new Director has established that brings together various stakeholders to make recommendations for improving DCRA compliance. At this time, the agency’s focus for this working group is on eliminating

NOVs and accelerating the NOI process. Though we support this focus on accelerated enforcement and improved deterrence through fines, particularly for repeat-offending landlords, we hope the agency will be open to the group's broader suggestions for improving the agency's housing code inspections and enforcement functions.

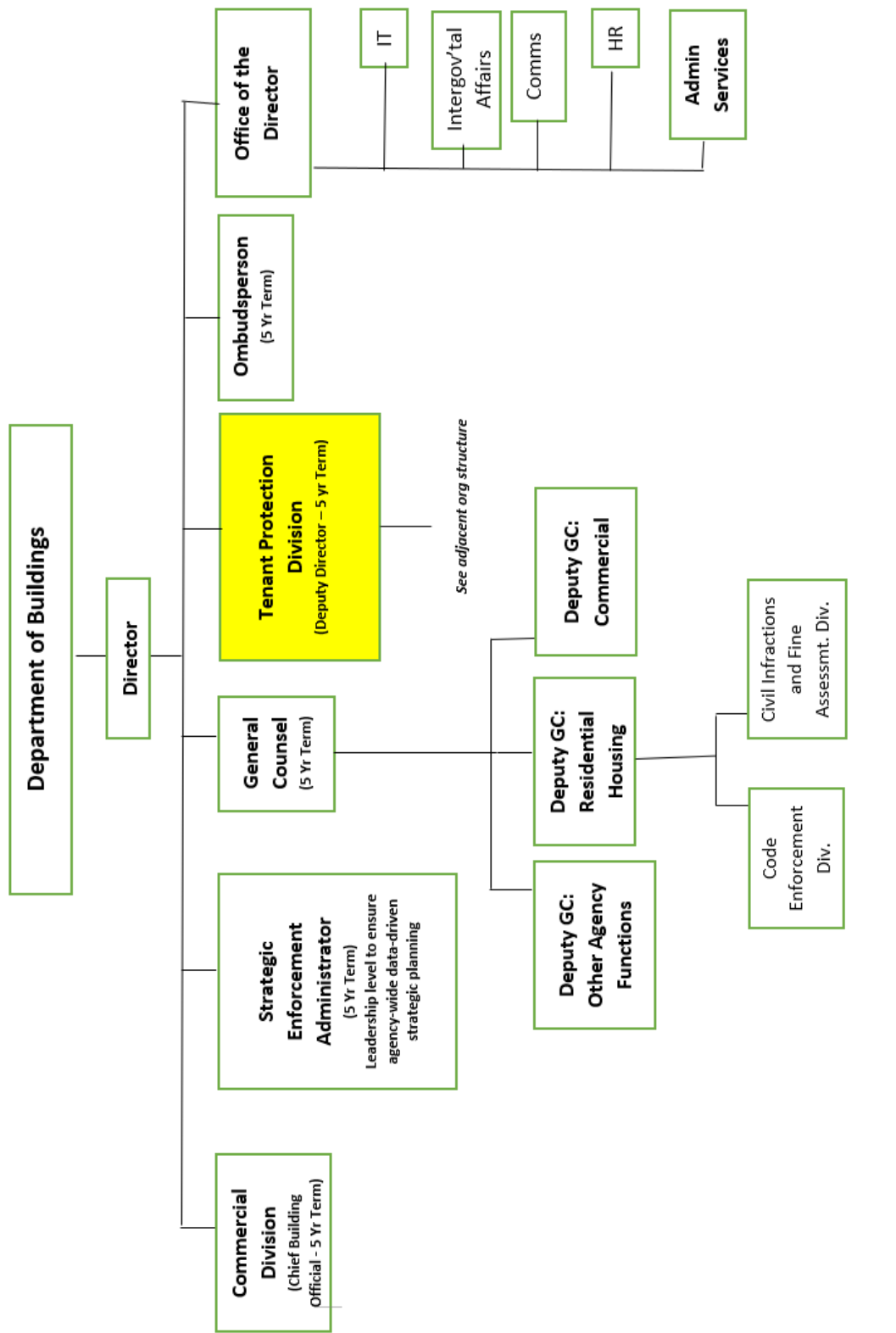
### **Conclusion**

Thank you for this opportunity to testify. I would be happy to answer any questions.

**Attachment 1: DOB Organizational Structure as Currently Envisioned by B23-19**

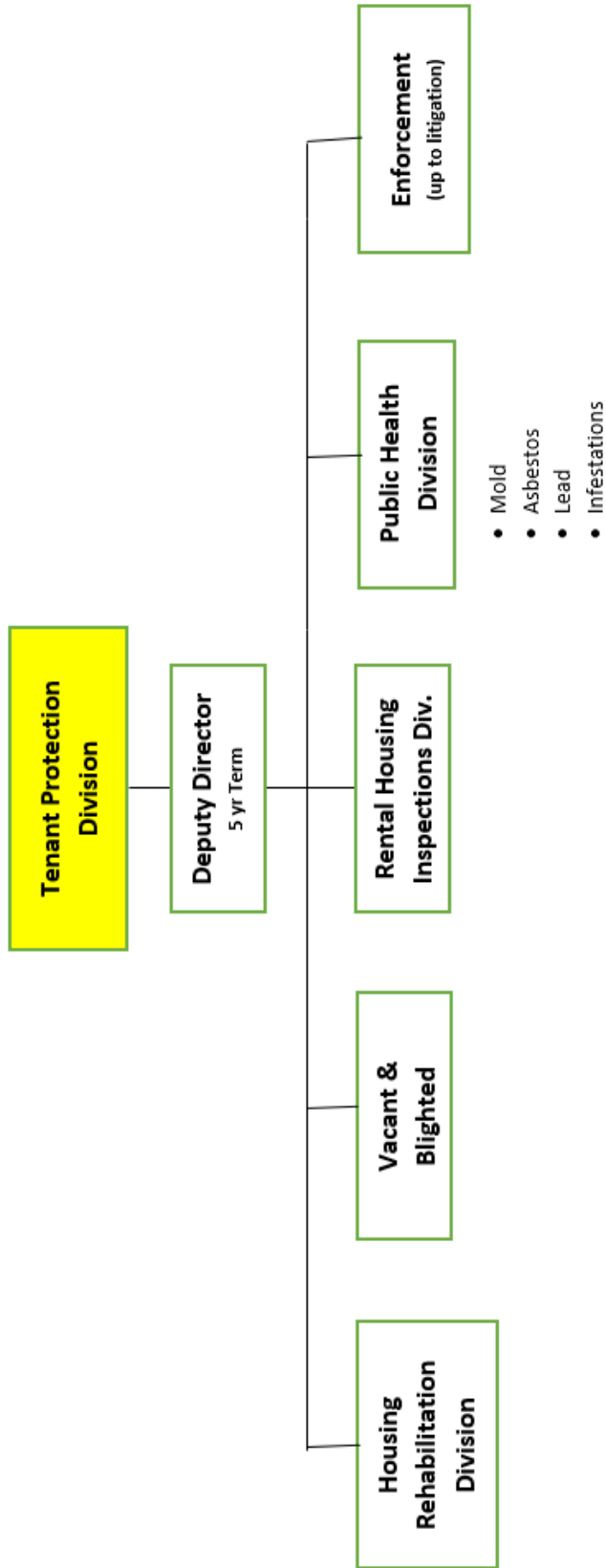


**Attachment 2: Advocates' Alternative Proposal for DOB Organizational Structure**





Attachment 2: Cont'd



## Attachment 3: BUILD Health Infographic



# PHILADELPHIA

**270,000**

Rental Properties

**1** INSPECTOR  
FOR EVERY

**4.5K**

PROPERTIES



# TRENTON

**9,119** Rental  
Properties

**1** INSPECTOR  
FOR EVERY

**911**

PROPERTIES



# WASHINGTON

**D.C. 187,000**  
Rental Properties

**1** INSPECTOR  
FOR EVERY

**12.5K**

PROPERTIES



The BUILD Health Challenge strengthens partnerships between community-based organizations, hospitals and health systems, local health departments, and others, to cultivate a shared commitment to moving resources, attention, and action upstream to drive sustainable improvements in community health. Since 2015, the BUILD Health Challenge has mobilized nearly 40 community-based partnerships to help address health problems using a bold, upstream approach.

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<sup>1</sup> Children’s Law Center fights so every child in DC can grow up with a loving family, good health, and a quality education. Judges, pediatricians, and families turn to us to be the voice for children who are abused or neglected, who aren’t learning in school, or who have health problems that can’t be solved by medicine alone. With 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC’s poorest neighborhoods—more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

<sup>2</sup> Children’s Law Center frequently represents families whose homes’ poor conditions are so severe they harm the health of the children living in them. In those instances, the child’s pediatrician refers the family to us for legal representation to secure healthy, code-compliant conditions. In addition to our direct services work, we have attended the DCRA advocate meetings for over nine years, and have used those meetings as an opportunity to provide DCRA feedback about our concerns over that time. Unfortunately, the practices we see have remained largely unchanged since we started doing this work almost a decade ago.

<sup>3</sup> We estimate DC’s occupied rental units to be in the 175,000-185,000 range based on 2010 population and rental housing data extrapolated to today, as well as on 2016 data showing the number of non-owner occupied housing units to be approximately 186,000. This, however, does not take in to account the number of unoccupied units. The number of unoccupied rental units in 2010 was 13,000 and demand for DC rental housing has increased since that time. (Use <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml> and input “Washington DC,” and <https://www.census.gov/quickfacts/fact/table/DC/PST045217> 2016 data.)

<sup>4</sup> Including today, Children’s Law Center has testified at eight hearings related to DCRA over the past 1.5 years. Those testimonies are available on our website. Listed chronologically from most recent to oldest: Feb. 2019 Public Oversight Roundtable DCRA: What Issues Should the Committee Pursue? at <https://www.childrenslawcenter.org/testimony/testimony-public-oversight-roundtable-dcra-what-issues-should-committee-pursue>, Oct. 2018 Public Hearing on the DC Auditor’s Report at <https://www.childrenslawcenter.org/testimony/testimony-district-columbia-auditor’s-report-housing-code-enforcement-case-study>; July 2018 Public Hearing for DCRA Omnibus Act at <https://www.childrenslawcenter.org/testimony/testimony-slumlord-deterrence-amendment-act-2017-housing-rehabilitation-incentives>. Apr. 2018 Public Hearing for the Department of Buildings Establishment Act of 2018 at <https://www.childrenslawcenter.org/testimony/testimony-department-buildings-establishment-act>; Mar. 2018 DCRA Performance Oversight Testimony at <http://www.childrenslawcenter.org/testimony/testimony-performance-oversight-dcra>; Oct. 2017 Roundtable Testimony, at <http://www.childrenslawcenter.org/testimony/testimony-dcra-inspection-and-enforcement-tenant-housing>; and July 2017 testimony, at <http://www.childrenslawcenter.org/testimony/testimony-dcra-inspection-and-enforcement-housing-code-violations>.

<sup>5</sup> Many of the concerns we have raised were confirmed in a report published by the D.C. Auditor this past September. Office of the District of Columbia Auditor, *Housing Code Enforcement: A Case Study of Dahlgreen Courts*. Sept. 24, 2018. Available at <http://dcauditor.org/report/housing-code-enforcement-a-case-study-of-dahlgreen-courts/>.

<sup>6</sup> B23-091 available at <http://lims.dccouncil.us/Download/41724/B23-0091-Introduction.pdf>.

<sup>7</sup> Id.

<sup>8</sup> Id. at 15.

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<sup>9</sup> Rather, it was a goal related to improving the transparency of Housing Inspection enforcement. While lack of transparency is certainly an ongoing problem at DCRA, we were distressed to learn that DCRA was not prioritizing any aspect of DCRA's largely defunct enforcement mechanisms. *See* DCRA FY17 Oversight Question Responses, Feb. 15, 2018 at 62-63, available at [http://dccouncil.us/files/user\\_uploads/budget\\_responses/DCRA\\_Oversight\\_Final\\_-\\_PACKET.pdf](http://dccouncil.us/files/user_uploads/budget_responses/DCRA_Oversight_Final_-_PACKET.pdf).

<sup>10</sup> DCRA Oversight Question Responses, Feb. 15, 2018 at 57-60. Available at [http://dccouncil.us/files/user\\_uploads/budget\\_responses/DCRA\\_Oversight\\_Final\\_-\\_PACKET.pdf](http://dccouncil.us/files/user_uploads/budget_responses/DCRA_Oversight_Final_-_PACKET.pdf).

<sup>11</sup> *Id.* DCRA had listed as "N/A": 54 of the 98 KPIs for 2016 (55%), 43 of the 98 for 2017 (44%), and 51 of the 98 for 2018 (52%).

<sup>12</sup> *Id.*

<sup>13</sup> DCRA Oversight Question Responses at 61-62. The only data point that got at the efficacy of OCI--the division of DCRA that is responsible for all enforcement post re-inspection--is the percent of NOIs processed by OCI within 30 calendar days. In FY16 and FY18, that KPI datum was "N/A." In FY17, OCI only met that goal in 27% of cases.

<sup>14</sup> Its fifth stated goal is to "Strengthen Enforcement," by accelerating the prosecution of NOIs for "habitual offenders and slumlords." Though we are pleased that this goal (though *only* this goal) alludes to residential housing, we think DCRA needs to improve NOI enforcement across the board before it hones in on strategically targeting slumlords. Department of Consumer and Regulatory Affairs FY18 to FY19 YTD Performance Oversight Questions, Feb. 19, 2019, at p. 96-97. Available at <http://dccouncil.us/wp-content/uploads/2019/02/2019-Agency-Performance-Responses-DCRA-Combined.pdf>.

<sup>15</sup> *Id.* at 126.

<sup>16</sup> *Id.* at 126-128. Though they are unnumbered, I refer to the 10<sup>th</sup> and 11<sup>th</sup> KPIs on this list.

<sup>17</sup> Eventually, we hope this tenant/rental-protection agency will absorb all aspects of rental housing preservation which are currently being mismanaged by various DC agencies. My testimony for DHCD's oversight yesterday includes examples, such as DHCD's loss of the Lead-Based Paint Hazard Reduction Program Grant. "2019 Performance Oversight Hearing: DC's Department of Housing and Community Development," Feb. 26, 2019. Available at <https://www.childrenslawcenter.org/testimony/oversight-testimony-dhcd>.

<sup>18</sup> B23-132 available at <http://lims.dccouncil.us/Download/41819/B23-0132-Introduction.pdf>.

<sup>19</sup> *Id.*

<sup>20</sup> Along these lines, we ask that you support Councilmember Allen's Lead Hazard Prevention and Elimination Amendment Act of 2018. This groundbreaking legislation proposes critical reforms for DC's approach to preventing childhood lead exposure via lead-based paint hazards in residential housing. The solutions proposed in the legislation target similar problems to what we have seen at DCRA, including inadequate enforcement and poor data collection and reporting, which have resulted in a hazy understanding of the scope of our lead exposure problems in DC. The bill also establishes a fund to fill in the void left by DHCD's loss this past year of a \$4.1M HUD-sponsored Lead-Based Paint Hazard Reduction Program Grant, intended to provide lead remediation grants for landlords renting to low-income tenants. *See* B22-956, available at <http://lims.dccouncil.us/Download/40934/B22-0956-Introduction.pdf>. *See also* Morgan Baskin, "D.C. Chronically Failed to Spend Federal Funds to Remediate Lead Paint Hazards, HUD Says," Feb. 21, 2019, available at [www.washingtoncitypaper.com/news/housingcomplex/article/21048191/dc-chronically-failed-to-spend-federal-funds-to-remediate-lead-paint](http://www.washingtoncitypaper.com/news/housingcomplex/article/21048191/dc-chronically-failed-to-spend-federal-funds-to-remediate-lead-paint). *See also* FR-6200-N-12TC Lead-Based Paint Hazard Reduction Program, US Department of Housing and Urban Development at <https://www.grants.gov/web/grants/view-opportunity.html?oppId=308148>.



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<sup>21</sup> Before DCRA's new Director, Ernest Chrappah, entered the agency, DCRA commented regularly on its resources but declined to request additional funding for expanding its capacity. In a recent meeting with advocates, Director Chrappah did not mince words and said DCRA needs, at a minimum, 60% more funding to run effectively. He said he'd ideally see \$100M over the course of the next several years for the agency which is now funded at approximately \$60M annually.

<sup>22</sup> The organizational charts included in the Agency's oversight responses are not entirely clear. They list 12 inspectors and six to seven "specialists" in their inspections and enforcement divisions. *See* DCRA Oversight Question Responses at 109.

<sup>23</sup> American Community Survey Data, Physical Housing Characteristics for Occupied Housing Units, 2017 1-Year Estimates, available at <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>.

<sup>24</sup> In FY18, DCRA employed 15 inspectors. Our understanding is that additional inspectors were funded for the FY19 budget but we are uncertain exactly how many were hired. We would note that in 2005 when DC had fewer rental housing units, DCRA employed 40 residential housing inspectors. Lydia Depillis, *Meet the New Boss: DCRA's Nicholas Majett*, 1/18/2011, available at <https://www.washingtoncitypaper.com/news/housing-complex/blog/13121520/meet-the-new-boss-dcras-nicholas-majett>.

<sup>25</sup> *See also* David Whitehead. *DC Has a Slumlord Problem and Not Enough Inspectors to Solve it*. May 25, 2017. Available at <https://ggwash.org/view/63547/dc-has-a-slumlord-problem-and-not-enough-inspectors-to-solve-it>.

<sup>26</sup> Former DCRA Director, Melinda Bolling, previously testified that DCRA housing inspectors perform an average of 1,000 inspections per year. Assuming zero vacation days, this means inspectors do four inspections daily in addition to their other job functions, such as manually creating inspection reports and NOVs for each of those inspections in addition to any follow-up work and other duties.

<sup>27</sup> Attachment 1 available at <https://buildhealthchallenge.org/blog/cities-right-number-housing-inspectors/>.

<sup>28</sup> Compare the organizational charts contained in DCRA's 2018 and 2019 Oversight responses. 2018 available at <http://dccouncil.us/wp-content/uploads/2018/10/DCRA-Oversight-Final-PACKET.pdf>. 2019 available at <http://dccouncil.us/wp-content/uploads/2019/02/2019-Agency-Performance-Responses-DCRA-Combined.pdf>.

<sup>29</sup> With respect to transparency, DCRA states in its FY17 Oversight Responses that it will "Improve Transparency of Housing Inspection Enforcement" by "automat(ing) the inspection, re-inspection, and the Notice of Violation and Notice of Infraction workflows" through implementation of the inspection software Accela. By our understanding, Accela is a software that will automate the creation of inspection reports and subsequent enforcement documents, processes which inspectors currently complete manually. This shift should theoretically improve DCRA's efficiency, but DCRA provides no explanation of how the software will improve transparency. Furthermore, we have serious doubts about DCRA's ability to implement complicated software. *See* DCRA FY17 Oversight Responses at 62-63.

<sup>30</sup> *See* <https://twitter.com/mhbaskin/status/1092909945455034368>.

<sup>31</sup> *See Sanford Capital Faces \$539,500*, stating, "Violations are recorded using pen and paper, which must then be entered into the agency's computer. DCRA officials say they are upgrading to a digitized system this year."

<sup>32</sup> Currently, any fines collected by DCRA go to the general fund. We would ask that fines collected by the new agency be dedicated to an abatement fund within the new agency.

<sup>33</sup> Address 5280 8<sup>th</sup> St. NW.

<sup>34</sup> *See* <http://buildhealthchallenge.org/communities/2-healthy-together-medical-legal-partnership/>.

<sup>35</sup> Many other cities and counties have the capacity to map their housing code data, including Baltimore ([http://www.baltimorehousing.org/code\\_enforcement](http://www.baltimorehousing.org/code_enforcement)), Cincinnati (<http://cagismaps.hamilton-co.org/cagisportal/online/cincinnati>), Boston (<https://data.boston.gov/>),

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<https://data.boston.gov/dataset/code-enforcement-building-and-property-violations>), Prince George's County (<https://data.princegeorgescountymd.gov/Urban-Planning/Prince-George-s-County-Housing-Code-Violations-Map/i9iw-juus/data>).

<sup>36</sup> Dashboard *available at* <https://eservices.dcra.dc.gov/DCRAAgencyDashboard/index>.

<sup>37</sup> This would also be useful for agency oversight.