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Testimony Before the District of Columbia Council
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Introduction

Good afternoon Chairman Mendelson, members of the Committee of the Whole, and staff. My name is Anne Cunningham, and I am a Senior Staff Attorney at Children's Law Center.¹ I am submitting this testimony jointly with my colleague, Kathy Zeisel, a Senior Supervising Attorney at Children's Law Center. We are both residents of the District. We are testifying today on behalf of Children's Law Center, which fights so every DC child can grow up with a loving family, good health and a quality education. With more than 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 appreciate this opportunity to testify regarding the Department of Buildings Establishment Act of 2018 (DOB Act).²

Through our medical-legal partnerships with Children's National, Mary's Center and Unity, we are referred families where the conditions in their homes are harming the health of the children living there. We frequently see children who are behind in school due to many days missed from asthma exacerbated by their terrible housing conditions, families where sewage has overflowed over their units repeatedly or babies who have mice or rats entering their cribs.

Almost all of our clients are low-income tenants, which means they should be able to turn to DC's Department of Consumer and Regulatory Affairs (DCRA) for help in the face of illegal, unhealthy housing conditions and landlords who refuse to make

repairs. Unfortunately, neither our clients nor those residing in DC's other approximately 180,000³ occupied rental units can depend on this agency. As a result, DC tenants—especially DC's low-income tenants—have little recourse for improving the conditions in their unsafe and unhealthy homes.

This is the fourth testimony we have submitted in eight months about DCRA's deficiencies and the impact those deficiencies have on DC's vulnerable tenants.⁴ We urge members of this Committee to review the advocate and tenant testimonies from the DCRA Oversight Roundtables and Performance Oversight for a better understanding of why our city desperately needs an agency that can effectively enforce our residential housing code.⁵ We are very pleased that you, Chairperson Mendelson, have shown leadership in promoting reform by introducing the Department of Buildings Act. We also thank the nine other Councilmembers who signed on for the introduction of this legislation. We think it is a great start, but we hope the Council will go even further by creating either a standalone agency or a separate division within the Department of Buildings that will focus on protecting tenants by ensuring meaningful enforcement of the housing code and other DC law. We believe such an agency would provide a stronger foundation for protecting rental housing, which is the cornerstone of affordable housing in DC.

In this testimony, we will detail three of the biggest overarching problems we see at DCRA, and provide our suggestions for strengthening the DOB Act to make sure it

actually addresses those problems.⁶ This is an exciting opportunity to create an agency that truly protects our city's vulnerable tenants, and we look forward to working with you all to make sure we get it right.

DCRA Fails to Protect Tenants, and We Can Change That: The Major Problems and Solutions

DCRA has three broad categories of problems which make it ineffective in protecting tenants. First, DCRA lacks a culture of tenant protection. To close the serious gap in our enforcement mechanism, DC needs an agency whose sole mission is to protect tenants and which has an agency culture of carrying out that mission. Second, DCRA does not do effective or strategic inspections or enforcement. To solve this, the new agency must have a targeted strategic enforcement model that is informed by high-quality data and the perspective of a public health division, both of which need to be supported by strong technology. Third, DCRA lacks the resources to be effective. If we want this new agency to be an improvement on DCRA's failed model, it must, at minimum, have funding for adequate inspectors and enforcement personnel, customer service, training, and technology.

The Problem: DCRA has no culture of protecting tenants through meaningful inspections or enforcement

DCRA's culture has long been broken.⁷ Children's Law Center has attended DCRA's meetings with advocates for the past eight years, raising the same issues again and again without impact. Despite years of public complaints,⁸ DCRA has repeatedly

demonstrated that they are either unable or unwilling to reform their poor track record for housing code enforcement. DCRA also lacks a culture of tenant protection, as evidenced by their institutional priorities, none of which relate to improving inspections or enforcement of housing code violations.⁹ As a result, savvy landlords flagrantly violate the housing code knowing they will face no consequence for doing so, and vulnerable families suffer. In other words, DCRA's enforcement of the housing code fails DC tenants at every step of the process.

There are myriad examples in the press of slumlords like Sanford Capital who capitalize on, and profit from, our broken enforcement system.¹⁰ Like us, these landlords know that even if DCRA conducts an initial inspection, DCRA is very unlikely to conduct a re-inspection. They know that even if DCRA does re-inspect a property months later, DCRA inspectors will likely never submit a report of the unremediated violations to DCRA's enforcement branch, meaning the landlord will not be assessed fines. They know that DCRA will not respond to complaints or requests for re-inspections by tenants. Finally, they know that even in the exceedingly rare case that DCRA's enforcement team does issue fines,¹¹ DCRA will neither follow up on nor actively pursue the landlord for their unpaid fines. DCRA's own inspectors are so aware of DCRA's failings at the enforcement stage, that they give tenants complaint forms for filing a housing conditions lawsuit in Superior Court, rather than submitting enforcement request packets to their DCRA enforcement colleagues.¹² Their Director,

Melinda Bolling, has publicly endorsed this practice.¹³ This is problematic not only because it is overwhelming the courts with cases, but because tenants should be able to rely on government to perform this basic enforcement function rather than be forced to bring a private cause of action causing them to have to miss work and engage in high stress litigation.

In addition to harming the health and wellbeing of DC's tenants, these failings are causing deterioration of DC's affordable housing stock. Unscrupulous landlords take advantage of this lax enforcement system, allowing conditions to become so unbearable for low-income tenants that they eventually abandon hope that the unit will be fixed and move, making room for a developer to flip the property or escape rent control. Given DC's housing affordability crisis, this unnecessary waste, due purely to government incompetence, is tragic.

The Solution: Create a separate Tenant Protection Agency outside the Department of Buildings.

We strongly believe DCRA's broken culture and lack of a focused mission are to blame for the agency's failings. DC has approximately 180,000 occupied rental units. We need an agency whose sole purpose is to protect our city's renters. For this reason, we and other tenant advocacy organizations are strongly recommending this Committee pull residential housing code enforcement from the Department of Buildings and create a separate tenant protection agency. This tenant protection agency would have a strong,

unifying mission of protecting tenants and preserving the condition of affordable housing. An agency with such a mission will draw public servants with commitment to tenants' well-being and health. It would be a responsive, user-friendly, and transparent agency serving as a 'one stop shop' for housing conditions issues and other tenant-related concerns.¹⁴

If the Council is not amenable to creating a separate agency, we recommend modifying the organizational structure this bill envisions by adding a Tenant Protection Division to the Department of Buildings. Attachment 1 charts our proposal for such a restructure, and includes other enhancements, some of which we discuss below.

Though we believe a separate, quasi-independent tenant protection agency would be the most successful model, we believe our proposed organizational structure would go a long way toward ensuring successful and efficient housing code enforcement for DC's tenants. Attachment 2 is a diagram of the Department of Buildings as currently envisioned by the DOB Act to assist in making the comparison with our proposed changes.

The Problem: DCRA's Housing Inspections and Enforcement regime is neither strategic nor efficient

A. DCRA does not have the ability to gather meaningful data or analyze it

The abomination that was uncovered in the Sanford Capitol¹⁵ cases would never have been allowed to fester for so many years if DCRA had the capacity to be strategic

in its inspections and enforcement. In order to be strategic, DCRA needs to be able to gather reliable data through high quality inspections, to input that data into a system that can track and aggregate data in a meaningful way, and then analyze that data.

An integral function of DCRA should be to collect accurate data that can be used to do thorough enforcement in individual cases, map hotspots of bad housing conditions, find slumlords and contribute to the public health system. Unfortunately, in meetings with advocates, in hearings, and in responses to oversight, DCRA repeatedly admits that it does not consistently track even the most basic data regarding its operations.

Chairperson Mendelson honed in on DCRA's lack of data collection during his many oversight roundtables, and we encourage other members of this Committee to review Director Bolling's frankly shocking responses to his questions, including that DCRA cannot report on the number of enforcement actions it takes, nor can it report on how much money it has collected (or failed to collect) in enforcement proceedings. Also telling, in its responses to FY17 Oversight, DCRA lists about half of its 98 Key Performance Indicators (KPIs) as "not available" for FY16, FY17, and FY18.¹⁶ With such basic data gaps, it is impossible for DCRA to perform even the most basic functions of enforcement in individual cases, never mind execute any form of strategic enforcement.

DCRA lacks the technology to collect good data, which will be addressed more in the next section. However, it is also clear from our years of work with DCRA that

even if they were getting good data to put into their system, the agency does not have the basic technology infrastructure or staff expertise needed to analyze that data. It is our understanding that there are better data platforms for this type of work, and we encourage the Council to provide funding to explore and implement better technology in any new agency.

B. The failure to have a public health lens means that DCRA is not focused on strategic enforcement that can positively impact the health of DC residents

Infestations, mold, and lead paint are just a few of the environmental factors in a home that can impact the health of the family living there. Cockroaches, mold, and mice exacerbate asthma and other respiratory conditions, and lead exposure can cause permanent damage to a child's development. These issues are not just housing conditions issues. A child who ends up in the emergency room for his asthma increases healthcare costs, misses school, and his parents miss work. Nationally in 2013, children with asthma missed 13.8 school days.¹⁷ Asthma is also a leading contributor to missed sleep and illness in children living in urban areas, which can correlate to lower school performance even when children are in school.¹⁸

Yet, despite the serious consequences to children and families, many of these issues are bifurcated between agencies which do little to coordinate or simplify families' ability to access inspections for these issues. For example, if a family wanted an

inspection that covered mold, lead, and infestations, families would have to call at least three agencies (possibly four if they live in subsidized housing), only to find out our city does not conduct mold inspections, and that they'll have to wait for two separate agencies to conduct inspections for the other issues. Moreover, there is no public health lens being used in inspections and enforcement in the housing code context.¹⁹

The Solution: The agency must track and analyze data with the support of a Public Health Division

Children's Law Center, informed by our own work and work with our medical and public health partners, believes that it is critical that we address the public health issues by creating a Public Health Division. It is important to include a Public Health Division within the new agency to ensure that individual inspections, abatement, and the critical systemic work of the agency are informed by a public health perspective. We know there is a direct link between population health and built environment, and a public health perspective infused at a high level into the agency would improve strategic and individual enforcement and outcomes.

The new agency should have some or all inspectors licensed in multiple areas, including housing code enforcement, lead inspection, mold inspection, asbestos inspection, and extermination. This is important not only to ensure that the agency understands the scope of the public health issues, but also for better access to these services for the community.

Second, as part of DC's Build Health community²⁰, 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, it has become clear to us that DC is behind other cities in our ability to use inspection data to target public interventions.²¹ This type of mapping, utilizing reliable underlying data, is important to be able to do public health and legal interventions in properties with particular conditions. To this end, we believe this bill should legislatively require highly detailed annual reporting requirements specific to housing code enforcement.²²

Finally, there should be participation by relevant DC Agencies that touch rental housing, including DC Health, DCHCD, DOEE, OTA and OAG in both setting up the agency and in the ongoing work of the agency through formal partnerships and staffing. Eventually, it is our hope that a Tenant Protection Agency could absorb some of these functions to streamline and increase the efficacy of these other programs

The Problem: DCRA's Housing Inspections and Enforcement Regime is Under-staffed and Under-resourced.

DCRA lacks the resources to do quality inspections, enforcement or abatement, but has declined year after year to request those resources. On a basic staffing level, DCRA employs approximately 15 housing code inspectors²³ to handle the inspection needs of DC's approximately 180,000 occupied rental units, or approximately one inspector for every 12,000 units. By way of comparison, Baltimore employs

approximately 95 residential housing inspectors for their approximately 130,000 occupied rental units, or approximately one inspector for every 1400 units.^{24, 25} We believe DCRA similarly employs inadequate staff for enforcement following a failed re-inspection. These inadequate staffing levels mean that tenants wait for inspections to occur and when they do occur, they are often perfunctory and fail to find serious violations. Even if the first inspection happens, the lack of resources means that re-inspections rarely happen.²⁶

DCRA also uses outdated technology to do its inspections and acknowledges that archaic technology has contributed to its lack of transparency.²⁷ Until very recently, if not currently, DCRA's housing inspectors created inspection reports using pencil and paper.²⁸

Inspectors should be able to document and issue citations onsite as seamlessly as DPW's process for issuing parking tickets.²⁹ When a citation is issued, each of the violations should be recorded in a database that alerts inspectors and enforcement personnel when important deadlines are approaching, for example for re-inspection or issuance of fines. Because DCRA collects very little data from inspections, and what little data it does collect is unreliable, real enforcement depends entirely on the self-driven organizational skills of individual inspectors who are currently expected to perform 1,000 housing inspections annually. It is no surprise that it is virtually impossible for DCRA personnel to do any meaningful enforcement.

We would also note here that DCRA could be revenue generating in this area if it did collect fines and place liens on properties, as it should be doing when landlords fail to make repairs. That revenue could be used to finance some of the important investments for which we are advocating.³⁰

Solution: DC must Commit to Adequately Fund Housing Code Enforcement in the Replacement Agency

Whether we establish a Tenant Protection Division within the Department of Buildings or create a separate tenant protection agency, adequate funding will be necessary to create an entity that implements the following: strategic enforcement, transparency, efficient inspections with strong follow-through, data collection, and investment in IT³¹ to support all of these goals.

Furthermore, given the years of failure of this and prior mayors to effectively address these issues, we must legislatively mandate certain aspects of these functions, including by requiring a specific ratio of inspectors to residential housing units, and a specific ratio of enforcement personnel to residential housing units, in line with the practices of comparable jurisdictions. That legislative mandate for staffing must come with sufficient funds to do that staffing. In addition to the additional inspectors within the agency, we also request funding for inspectors specifically detailed to the Housing Conditions Calendar and Landlord-Tenant Calendar.³²

Our proposal (at Att. 1) also substantially restructures enforcement to ensure that the Tenant Protection Division's inspections unit and the General Counsel's office have appropriate support, and that all are working in conjunction with the Strategic Enforcement Division. In order to ensure that re-inspections which find unabated violations result in enforcement, inspectors must have support from, and be integrated with, enforcement personnel.

Increased enforcement will allow the new agency to be revenue generating. We recommend that any revenues generated be designated for abatement rather than go to the General Fund (as happens currently with DCRA enforcement). This will help generate additional renewing funds for abatement of the worst, unhealthiest properties, aligning with our recommendation that the new agency should expand use of the nuisance abatement fund to quickly remediate violations which pose a substantial threat to the health and/or safety of tenants. Strategic use of this fund should be informed by the input of the public health division we have also proposed.

Conclusion

In conclusion, we look forward to continuing to work with you, Mr. Chairman, and the members of this Committee, toward maximizing this new Department's ability to truly enforce DC's residential housing code by incorporating these important specifications into the bill.

Thank you for this opportunity to testify. We welcome any questions.

¹ 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 advocate 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 more than 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.

² B22-0669 – Department of Buildings Establishment Act of 2018, *introduced* Jan. 23, 2018. Available at <http://lims.dccouncil.us/Download/39619/B22-0669-Introduction.pdf>.

³ According to 2010 census data, Baltimore had approximately 130,000 occupied rental units. The population of Baltimore has not changed since that time (still approx. 620,000), so we assume the number of rental units, 130,740, also has not changed significantly. (Use <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml>, and input “Baltimore city”). 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.)

⁴ CLC’s DCRA 2018 Performance Oversight Testimony, *available 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>; July 2017 testimony, *at* <http://www.childrenslawcenter.org/testimony/testimony-dcra-inspection-and-enforcement-housing-code-violations>;

⁵ Here are just a few examples of conditions our clients have had to live with because DCRA is ineffective: a child who repeatedly visits the ER for out of control asthma because their landlord has not addressed the mold coating the walls and carpeting in their home, with mushroom growth; an infant who was bitten by a rat in her crib after a landlord ignored her mother’s pleas for an exterminator; and young children living in a home with raw sewage leaking in to their living room.

⁶ DCRA has many additional functional problems for which we do not provide solutions for here. However, we do advocate for addressing some of those problems legislatively. They include, for example, particulars around the timelines for inspection and enforcement, and requirements to inspect *all* rental units in DC (subsidized and unsubsidized housing).

⁷ When Adrian Fenty became mayor in 2007, he pledged to turnaround what he called a poorly run agency. *Muriel Bowser making weeklong review of DC Department of Consumer and Regulatory Affairs*, Aug. 2016, *available at* https://www.bizjournals.com/washington/breaking_ground/2016/08/muriel-bowser-making-weeklong-review-of-d-c.html.

⁸ See *Id.* A 2007 post article details why “The District has purchased a new six-bedroom house for \$1.5 million in an affluent upper Northwest Washington neighborhood, and will now pay even more to demolish the building after officials admitted that they allowed its construction by mistake.” *Oops: DC Must Raze Luxury Home* 1/10/2007, *available at* <http://www.washingtonpost.com/wp-dyn/content/article/2007/01/09/AR2007010901753.html>. See also, *Permit Expediter Accused of Paying Off*

DCRA Staffers with 'Lunch Money,' 8/11/2015, available at <https://www.washingtoncitypaper.com/news/loose-lips/blog/13135503/permit-expediter-accused-of-paying-off-dcra-staffers-with-lunch-money>.

⁹ Of the five “top priorities” DCRA lists in its FY2017 oversight question responses, only one relates to residential housing inspections and enforcement, and it is not a goal that meaningfully addresses our broad-reaching and systemic concerns related to DCRA’s long-time failure to enforce the housing code. Rather, it is a goal related to improving the transparency of Housing Inspection enforcement. While lack of transparency is certainly an ongoing problem at DCRA, we are distressed to learn that DCRA is 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.

¹⁰ Advocates and tenants have known for years about the rampant conditions violations on Sanford Capital properties. Yet, it took the Mayor’s intervention for DCRA to inspect and issue fines. Even then, they did not conduct building-wide inspections. *See*, for example, “Sanford Capital Faces \$539,500 in Fines after DC Inspects Some of its Buildings,” 4/3/2017, available at https://www.washingtonpost.com/local/dc-politics/sanford-capital-faces-539500-in-fines-after-dc-inspects-its-buildings/2017/03/31/10237796-0f21-11e7-9d5a-a83e627dc120_story.html.

¹¹ In our experience, this only happens through unrelenting advocacy by the tenant or their representative or in high-profile cases. Even in those cases, it is very rare for a landlord to be issued a Notice of Infraction ordering them to pay fines for unmitigated conditions.

¹² As we noted in our DCRA Performance Oversight Testimony, the Housing Conditions Court docket has become increasingly overburdened. Tenants now have to wait several months for an initial hearing, and it can take more than a year to see results. Another downside to dependence on this court is that suing landlords is far more costly (to both landlords and tenants) and adversarial than having an agency step in to inspect. Available at <https://www.childrenslawcenter.org/testimony/testimony-performance-oversight-dcra>.

¹³ *See* Director Bolling’s testimony during this Committee’s 10/2/2017 DCRA Oversight Roundtable. *See also*, The Kojo Nnamdi Show, Director Of D.C.’s Department of Consumer And Regulatory Affairs. October 16, 2017, available at <https://thekojonnamdishow.org/shows/2017-10-16/director-of-d-c-s-department-of-consumer-and-regulatory-affairs-dcra>.

¹⁴ The director of this agency should be quasi-independent so they are not beholden to mayoral politics and competing interests. We also propose an Ombudsperson in the model of the Health Care Finance or Education Ombudspersons to help address tenant concerns and ensure that there is meaningful access to the agency by DC residents.

¹⁵ *See*, for example, Fenit Nirappil, *Tax Dollars Keep Flowing to Landlord DC is Suing over Housing Conditions*, 2/26/2017, available at https://www.washingtonpost.com/local/dc-politics/tax-dollars-keep-flowing-to-landlord-dc-is-suing-over-housing-conditions/2017/02/26/541bb0b2-b8af-11e6-959c-172c82123976_story.html?utm_term=.6efc88d2eec9.

¹⁶ Also telling, in its responses to FY17 Oversight, DCRA lists about half of its 98 Key Performance Indicators (KPIs) as “not available” for FY16, FY17, and FY18. For FY18, DCRA reported data for only 5 of its 15 KPIs related to housing code enforcement. Of these 98 KPIs, DCRA has 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%). How can an agency simply not collect or report on half of its “key” performance data? In FY18, DCRA reported data for only 5 of its 15 KPIs related to housing code enforcement. *See* DCRA Oversight Question Responses at 61-62. DCRA also removed 13 inspections and enforcement-related KPIs since 2014 without meaningfully explaining their removal as this Committee requested. *See Id.* at 57-60.

¹⁷ CDC, Asthma-related Missed School Days among Children aged 5–17 Years, available at: https://www.cdc.gov/asthma/asthma_stats/missing_days.htm.

¹⁸ Daniels, Boerger, Kopen & Mitchell, Missed sleep and asthma morbidity in urban children, *Annals of Allergy, Asthma and Immunology*, July 2012, available at [http://www.annallergy.org/article/S1081-1206\(12\)00389-4/pdf](http://www.annallergy.org/article/S1081-1206(12)00389-4/pdf).

¹⁹ DOEE has the DC Partnership for Healthy Homes, which does look at housing from a public health perspective, but there is no enforcement linked to these reports and they are not used to systemically address housing conditions at properties. <https://doee.dc.gov/service/dc-partnership-healthy-homes>

²⁰ See <http://buildhealthchallenge.org/communities/2-healthy-together-medical-legal-partnership/>.

²¹ Many other cities and counties have the capacity to map their housing code data, including Baltimore (http://www.baltimorehousing.org/code_enforcement), Cincinnati (<http://cagismaps.hamilton-co.org/cagisportal/online/cincinnati>), Boston (<https://data.boston.gov/>, <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>).

²² This would also be useful for agency oversight.

²³ Interestingly, 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>.

²⁴ 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>.

²⁵ Director Bolling has testified that each of her housing inspectors performs 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 all of their follow up work and other duties.

²⁶ As discussed earlier, DCRA is unable to report on any data regarding its inspections and enforcement.

²⁷ 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.

²⁸ 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.”

²⁹ These processes should also prioritize transparency with consumers, such as making key documents readily available online.

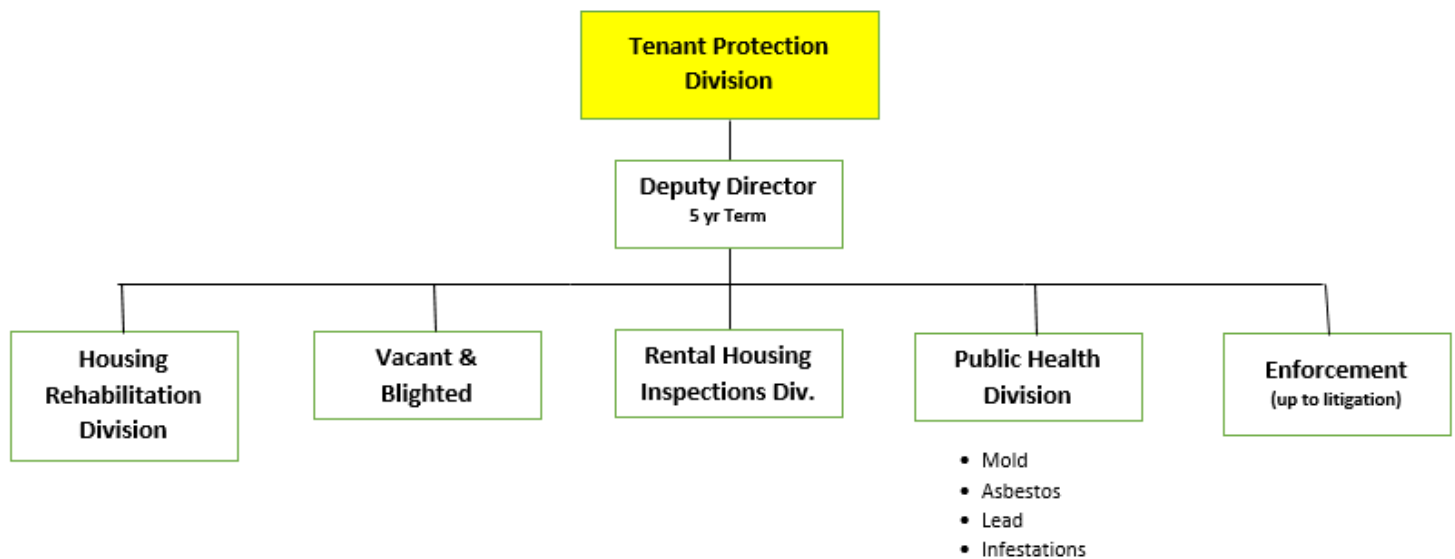
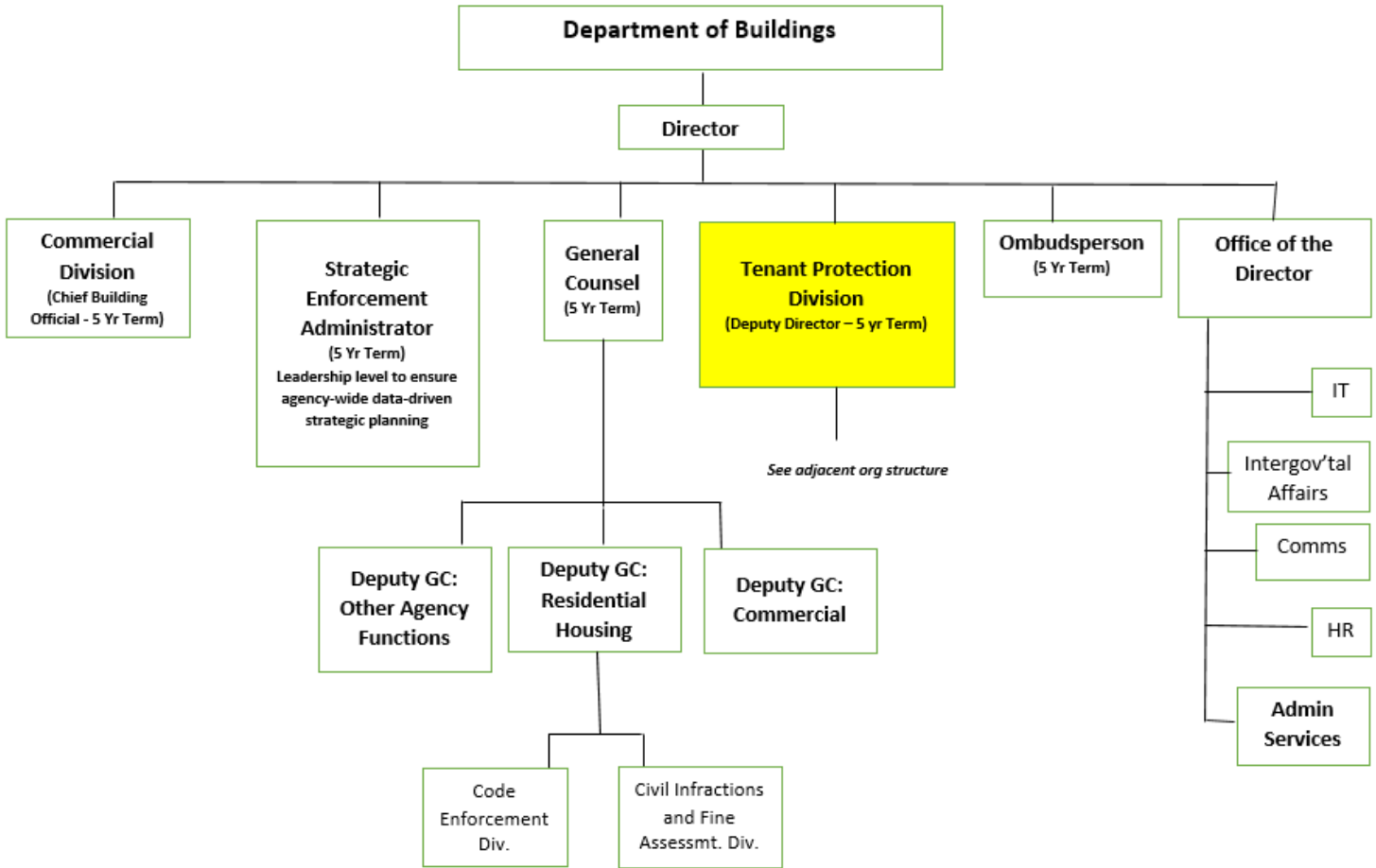
³⁰ Currently, any fines collected by DCRA go to the general fund. We would ask that fines collected by the new agency be dedicated to an abatement fund within the new agency.

³¹ Issuance of NOVs and NOIs should be as streamlined as DPW's process for issuing parking tickets. These processes should also prioritize transparency with consumers, such as making key documents readily available online.

³² Although DCRA declines to do any enforcement based on her excellent reports, the DCRA inspector detailed to DC Superior Court's Housing Conditions Calendar is really the backbone of that court.

Advocates believe that a similarly staffed inspector to Landlord-Tenant would aid in resolving serious housing code violations in that court as well.

Advocates' Vision for Org Structure of Department of Buildings



Org structure currently envisioned by Department of Buildings Establishment Act of 2018

