



Written Testimony Before the District of Columbia Council  
Committee on Government Operations and Facilities  
March 25, 2022

Budget Hearing:  
*Office of Administrative Hearings*

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Good afternoon Chairperson White and members of the Committee on Government Operations and Facilities. My name is Kathy Zeisel and I am a DC resident and a Senior Supervising Attorney at Children's Law Center, which fights so every DC child can grow up with a stable family, good health and a quality education. With almost 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. Thank you for the opportunity to provide this written testimony for your budget hearing on the Office of Administrative Hearings.

As this Committee is aware, the Council established the new Department of Buildings and that agency is expected to open its doors in FY23. It is everyone's hope that the new agency will be more effective than the Department of Consumer and Regulatory Affairs (DCRA) was at ensuring that tenants live in safe and healthy housing. However, part of doing that will be bringing enforcement actions against landlords who fail to fix housing code violations. In the past, DCRA inspected only a small number of the problem properties. And, of the properties it did inspect, DCRA failed to ensure that most repairs were made. The DCRA Oversight Answers show that in complaint based inspections, there were 4017 inspections resulting in violations in FY21 and only 861 self-reported repairs occurred in the same year; and, an additional 230 repairs from prior fiscal years.<sup>i</sup> In FY22, 1321 complaint based inspections have resulted in violations and only 245 violations were abated in the same fiscal year, with

an additional 127 abatements from prior fiscal years.<sup>ii</sup> This means that even with the option to self-report abatement by landlords, DCRA was unable to confirm that the repairs were made for the vast majority of violations found.<sup>iii</sup>

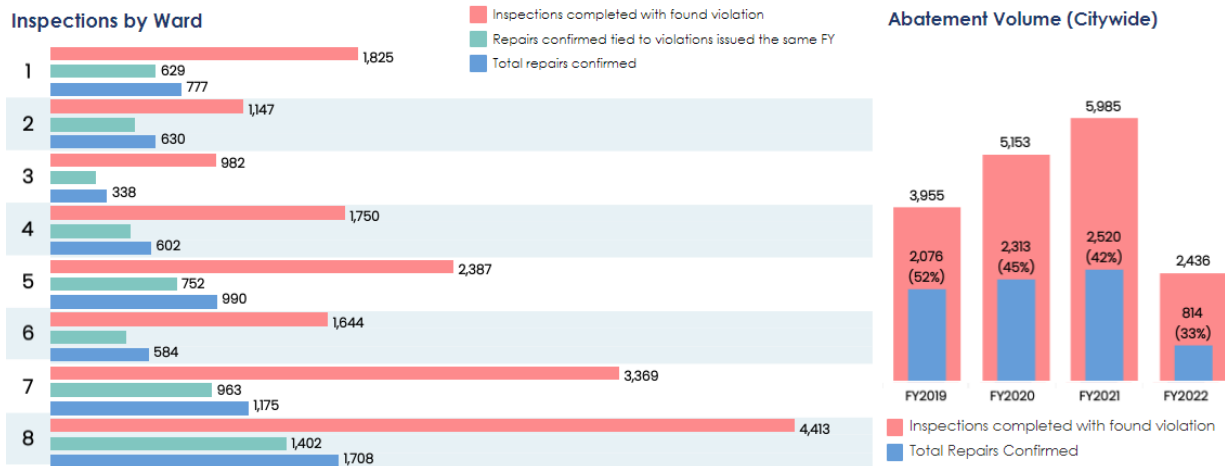
Yet, DCRA also failed to bring enforcement actions against the landlords who did not make repairs. DCRA failed to provide enforcement data in the FY22 oversight answers, but in the FY21 oversight answers, the enforcement numbers were bleak.<sup>iv</sup> The most recent available aggregate data, from FY20, shows that although most of the repairs cited in FY2020 were apparently not made, DCRA collected only \$72,000 of the over \$10 million in fines issued on the Notices of Infraction.<sup>v</sup> There is no reason to believe that the current enforcement numbers are different as there has been no increase in the number of inspectors or enforcement staff, the number of repairs reported by DCRA has not increased, and DCRA has not reported that fines have increased.

If the new Department of Buildings begins to bring enforcement actions at a more appropriate level, then we are very concerned that the Office of Administrative Hearings will not have sufficient resources to manage the increased volume of cases. We are aware that OAH has been monitoring the development of the Department of Buildings (DOB). However, we are hopeful that the DOB will receive significantly more inspectors and enforcement staff in the FY23 budget. A more highly functioning agency should generate substantially more cases at OAH. We ask that this Committee work with the Office of Administrative Hearings and the Committee of the Whole to find the

resources necessary to ensure that the Office of Administrative Hearings have the resources it needs to ensure a functioning inspections and enforcement system.

Thank you for the opportunity to offer this testimony.

<sup>i</sup> DCRA 2021-22 Oversight Answers, p79. The DCRA Dashboard online is missing numbers and seems to reflect different inspections (perhaps including proactive NOIs), so it is difficult to give exact comparisons. But, from the bar graph comparisons, it is evident that the same year repairs lag behind the total repairs, and that the unrepaired violations are a far greater total.



<sup>ii</sup> DCRA 2021-22 Oversight Answers, p79.

<sup>iii</sup> Landlords can self-certify about abatement using this form:

<https://dcra.kustomer.help/contact/abatement-tracking-BJbZLthgw>

<sup>iv</sup> In prior years, DCRA’s Dashboard showed the amount of fines collected from enforcement, but the current online dashboard only allows searches by individual landlords, not a total amount collected by the agency.

From [DCRA Summary Dashboard](https://eservices.dcrd.dc.gov/DCRAAgencyDashboard/index) <https://eservices.dcrd.dc.gov/DCRAAgencyDashboard/index>, March 17, 2021.

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Category	FY2017	FY2018	FY2019	FY2020	FY2021
Housing Code Inspections	280	1883	2510	1698	
Illegal Construction	569	743	307	45	
NOI	4	3			
Office of Chief Administrative Officer	230	323	386		
Regulatory Investigations	70	154	224		
Vacant Property		15	18		
Vending Services					
Weights and Measures					
<b>Grand Total</b>	<b>1172</b>	<b>3271</b>	<b>3444</b>	<b>2024</b>	

19-00004	NOI Served - Mail	YOUSSEF ENNACIRI	500 INDEPENDENCE	18,306
19-00005	NOI Approved	STARBUCKS CORPORATION	901 NEW YORK AVE	509
19-00006	NOI Served - Mail	MAGDY RAMZY	700 BLOCK 12TH ST	1526
19-00008	NOI Approved	ROCK CREEK PETROLEUM LLC	3200 BLADENSBURG	12,204
19-00009	NOI Approved	BEN D BACCHUS	422A IVERINGTON BL	20,000
19-00010	NOI Approved	VERONICA BAXTER (BACCHUS)	4214 IVERINGTON BL	7,000
19-00018	Case in Process	ANTHONY JONES	489 25TH ST NE	5,917
19-00020	NOI Served - Mail	ATEF MAHIAN	0 3RD & MARYLAND	400
19-00021	NOI Served - Mail	ATEF MAHIAN	0 3RD & MARYLAND	400
19-00025	NOI Served - Mail	ATTA U KHAN	0 7TH ST NW	2,075
19-00029	NOI Paid	ADEL RHAZ	0 3RD & JEFFERSON	2,127
19-00029	NOI Served - Mail	KASHF ALI	0 7TH ST NW	2,127
19ENFH005-00013	NOI Created	THEODORE A MEES	3029 20TH ST NE	2,782
19ENFH005-00055	NOI Created	CORPORATION SERVICE COMPANY	2000 S ST NW	2,056
19ENFH005-00063	NOI Created	THOMAS R GAINES	1900 MINNESOTA AVE	1,222
19ENFH005-00025	NOI Created	MARCUS LITTLE	1512 MILES PL NE	4,871
19ENFH005-00087	NOI Created	FEKADUT BEYENE AND	AMSALEY 889 MELLOW ST SE	5,196

If you think that the displayed debt for you or your company is incorrect, you can dispute the accuracy of the information by emailing [dca.collector@dc.gov](mailto:dca.collector@dc.gov). Please submit any supporting documentation with your submission.

	FY2017	FY2018	FY2019	FY2020	FY2021
Total Infraction Amount	\$4,685,355.00	\$7,890,643.00	\$16,933,701.00	\$1,796,701.00	\$5,839,002.00
Total Amount Due*	\$2,944,970.50	\$6,819,862.38	\$13,753,495.82	\$10,932,645.54	\$5,785,247.00
Total Paid	\$952,474.00	\$1,175,403.00	\$1,955,821.00	\$72,250.00	
Balance	\$1,992,496.50	\$5,644,459.38	\$12,587,674.82	\$10,860,394.54	

\*includes adjudicated and non-adjudicated assessed fines

**Notice of Infraction Fine Amounts**  
By Fiscal Year and DCRA Administration

<https://dcrd.dc.gov>