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Testimony Before the District of Columbia Council
Committee on Judiciary and Public Safety
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Office of the Attorney General

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Good afternoon Chairman Pinto and members of the Committee, thank you for the opportunity to submit written testimony for this hearing. My name is Kathy Zeisel. I am a resident of the District and the Director of Special Legal Projects at Children's Law Center. I am testifying today on behalf of Children's Law Center. Children's Law Center believes every child should grow up with a strong foundation of family, health and education and live in a world free from poverty, trauma, racism and other forms of oppression. Our more than 100 staff – together with DC children and families, community partners and pro bono attorneys – use the law to solve children's urgent problems today and improve the systems that will affect their lives tomorrow. Since our founding in 1996, we have reached more than 50,000 children and families directly and multiplied our impact by advocating for city-wide solutions that benefit hundreds of thousands more.

At Children's Law Center, we work with hundreds of families each year who are referred to us or contact us because the housing conditions in their home are impacting their child's health. Healthy Together, our medical legal partnership, becomes involved in these cases through the placement of attorneys throughout the city at primary care pediatric clinics with Children's National, Unity Health Care, and Mary's Center . Through these partnerships, we are referred many families where the medical staff identify health harming legal needs of their patients, including many housing conditions cases where the landlord has refused to make the needed repairs and the health of the child is being severely impacted as a result. Often, medications are unable

to control their child's asthma because the mold, mouse, and/or roach infestations in their units are so significant that they must bring their children to the emergency room to be treated. Sometimes, families report an infestation is so severe that mice are eating through a child's medical equipment or are getting inside a child's bed or crib.

It is through these cases that we forged a relationship with the Office of Attorney General's (OAG) Social Justice Section. We have testified many times before the Council that DCRA lacked systematic housing code enforcement and, unfortunately, we have not seen improvement at DOB. With that gap in enforcement at the agency level still there, we are grateful that the Attorney General has stepped in to handle some of the most egregious cases. This year has been consistent with our experience in prior years. The Social Justice Section has continued to be open to hearing from tenant attorneys about where we see serious issues on properties and has kept us informed, to the extent possible, so that in turn we can keep tenants up to date on relevant information. In addition to working with tenant attorneys, the Social Justice Section attorneys work by really getting out into the community and talking to the tenants to understand the issues faced in the different buildings. It is no exaggeration to say that at this time the Social Justice team in the Office of the Attorney General is the only part of the government doing meaningful housing code enforcement work in DC, as has been the case for years.

In the past year, OAG has settled and filed new litigation and continued litigation against some of the worst landlords in the District, including cases at the Hawaii-Webster Apartments and 2724 11th St NW.¹ They also went to trial just last week against Eads LLC to obtain the back rent owed to tenants under the Consumer Protection Act as the final part of an extensive case against a landlord we first brought to their attention in 2018.² Although cases that go to court can take years, the increased focus on prelitigation settlements means more tenants are getting repairs earlier in cases.

Children's Law Center also supports OAG's increased focus on ensuring that landlords are held accountable for toxic lead on their properties. Lead paint is the main cause of lead poisoning for children in the District, and housing built before 1978 is a leading cause of that lead exposure. We must do more to ensure that landlords protect children from lead paint exposure in their own home.

The work of the Civil Rights Section in investigating and prosecuting source of income discrimination as well as other housing discrimination issues deserves recognition. Our clients frequently report how difficult it is to rent with a subsidy and that landlords do not want to rent to them. We need the power of the OAG to hold landlords accountable in order for laws like the source of income discrimination and reasonable accommodation provisions to really be meaningful.

We hope that OAG will continue this work under the new attorney general and will join with Children’s Law Center in advocating to strengthen some of the laws that impact the residents we are all working to protect, including modernizing DC’s lead laws this Council session and working to improve and reform DC’s housing code enforcement system. We look forward to continuing to collaborate with OAG this year, and we hope that they will have the opportunity to grow these teams in the new fiscal year.

Thank you for the opportunity to provide this written testimony.

¹ Office of the Attorney General, *How Can OAG Help*, last accessed February 21, 2023, available at: <https://oag.dc.gov/tenant-resources/how-oag-can-help>.

² See DC Superior Court Case No. [2018-CA-005830-B](#).