



501 3rd Street, NW · 8th Floor
Washington, DC 20001
T 202.467.4900 · F 202.467.4949
www.childrenslawcenter.org

Testimony Before the District of Columbia Council
Committee on Transportation and the Environment
February 21, 2025

Public Hearing:
Performance Oversight Hearing
Department of Energy and Environment

Makenna Osborn
Policy Attorney
Children's Law Center

Introduction

Good morning, Chairperson Allen, and members of the Committee. My name is Makenna Osborn. I am a Policy Attorney at Children's Law Center and a resident of Ward 6. 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.

Thank you for the opportunity to testify regarding the performance of the Department of Energy and Environment (DOEE). Conditions in a child's physical environment, especially their home, have a profound impact on their health and well-being.¹ Mold contamination and pest infestations can exacerbate a child's asthma;² ingestion of lead through lead-based paint and dust or lead-contaminated drinking water can inhibit a child's mental and physical development;³ and residential energy insecurity⁴ can expose children to harmful indoor temperatures, unsafe heating sources, and force families to forgo other basic needs.⁵ That is why Children's Law Center works with hundreds of families each year to secure the correction of poor rental housing conditions

and advocates for policies to ensure all DC children can enjoy a safe and healthy living environment.⁶

The District has been a leader in recognizing the connection between conditions in the home and a family's health and establishing laws to remove health-harming environmental hazards from all District homes.⁷ DOEE plays a vital role in ensuring that in practice these laws meet the desired goal of effectively protecting the health of residents and promoting healthy housing throughout the District. For example, DOEE is responsible for implementing and enforcing the District's residential lead and mold laws,⁸ and connecting low-income residents with energy efficiency and utility affordability resources.⁹ Therefore, Children's Law Center appreciates that DOEE staff remain accessible and responsive and are partners in the DC Healthy Housing Collaborative¹⁰ and the Lead Poisoning Elimination and Healthy Homes Advisory Committee.¹¹ DOEE's participation in these groups creates opportunities for stakeholders to stay updated on DOEE's work and provide feedback to the agency. Additionally, we thank the staff in DOEE's Utility Affordability Administration, Urban Sustainability Administration, and Energy Administration for actively engaging with Children's Law Center and the National Housing Trust in the DC Multifamily Affordable Housing Decarbonization Group as we work toward the shared goal of promoting energy-efficient, healthy, and affordable housing for DC families.¹²

My testimony today will discuss how DOEE has helped protect the District's children from health hazards in their home in Fiscal Year 2024 and Fiscal Year 2025, to date, and identify opportunities for DOEE and the Council to further strengthen those protections, specifically as they relate to: (1) lead hazards, (2) mold hazards, and (3) continuity in utility services.

DOEE Must Collaborate with DC Health to Ensure the District's Tools for Preventing and Responding to Lead Hazards in Homes are Effectively Protecting DC Children

The science is clear — there is no safe level of lead exposure for children.¹³ Until at least six years old a child's body is still developing and even low amounts of lead in their blood can cause serious and long-lasting harm including damage to the brain and nervous system, delayed growth and development, and hearing and speech problems.¹⁴ These adverse health effects can result in lower cognitive function and decreased ability to pay attention and control impulses, posing lifelong challenges to a child's ability to learn and thrive. As a result, policies and programs that reduce childhood lead poisoning have consistently been linked to improved educational, economic, and health outcomes in adults and reductions in intergenerational poverty.¹⁵ The effective reduction of childhood lead exposure will help combat poverty and improve the quality of life for District residents.

A proactive and preventive approach to childhood lead poisoning is essential because most children do not have obvious symptoms at the time of initial exposure.¹⁶ DOEE is responsible for the primary prevention strategy of removing lead hazards *before*

children are exposed to them by (1) setting and enforcing lead-safe standards for developers and housing providers operating in the District and (2) providing financial and technical assistance for lead remediation in low-income homes.¹⁷ Prior to October 2024, DOEE also provided secondary prevention — early detection through the Lead-Safe and Healthy Housing Division’s “Twice by Two” childhood lead testing campaign and prompt intervention through the Healthy Housing Program’s lead risk assessments and case management for households with children who have an elevated blood lead level (EBLL).¹⁸

At the start of Fiscal Year 2025, the Healthy Housing Program moved from DOEE to DC Health’s newly created Environmental Health Administration.¹⁹ Prior to the official transition date in October 2024, representatives from DC Health and DOEE reported that the entirety of the Healthy Housing Program would shift agencies and that there would be complete continuity in program services. However, precisely what those services include remains somewhat ambiguous. While at DOEE, the Healthy Housing Program operated within the Healthy Housing Branch of the Lead-Safe and Healthy Housing Division and it is not clear to Children’s Law Center what, if any, responsibilities or services were part of the Healthy Housing Branch but not the Healthy Housing Program.

Children’s Law Center urges the Committee to obtain a detailed breakdown of which responsibilities and services transitioned to DC Health with the Healthy Housing Program, especially around childhood lead poisoning, and which remain with DOEE.

For example, which agency has responsibility for the “Twice by Two” campaign and which agency will be responsible for producing the annual Childhood Lead Screening Report moving report? This information is necessary to ensure there is a smooth transition for the agencies and that the Council and both agencies are using the transition period to thoughtfully assess and improve the District’s childhood lead poisoning prevention system.

DOEE Must Support the Successful Transition of Responsibilities for Childhood Lead Poisoning Detection and Intervention to DC Health

This continuity of Healthy Housing Program services is especially important for effective childhood lead poisoning prevention because the program offers DC families a lead risk assessment of their home and ongoing case management for education on lead poisoning, care coordination, and assistance securing appropriate remediation of lead hazards.²⁰ To facilitate this, it was Children’s Law Center’s understanding that *all* program staff from DOEE’s existing Healthy Housing Program would be moved to DC Health. However, according to DOEE’s pre-hearing responses, seven DOEE employees “detailed” to DC “to ensure continuity of operations” in the Healthy Housing Program will be returning to DOEE in April 2025.²¹ Children’s Law Center encourages the Committee to get clarification on exactly what the responsibilities of these employees are and why their detail to DC Health was only temporary. It is important to ensure that DC Health has the necessary staff capacity and subject-matter expertise to continue carrying out the essential services provided by the Healthy Housing Program. Additionally, it

would be helpful to understand what, if any, mechanisms will be in place for these DOEE staff to collaborate with and continue providing support to DC Health as needed.

DOEE's pre-hearing responses also include some data that raise concerns about whether the District has been effectively detecting and intervening in cases of childhood lead exposure in recent years. The Committee, DOEE, and DC Health should investigate this data and use this period of transition to make any necessary improvements to program operations. For example, in the Childhood Lead Screening Report for FY23 — published in January 2025 — DOEE reported that 67 children under six years old were newly identified as having an EBLL in FY23.²² Yet according to DOEE's pre-hearing responses, only four EBLL referrals were made to the Healthy Housing Program in the same year.²³ It has been Children's Law Centers understanding that the Healthy Housing Program receives referrals of all new cases of EBLs in DC so it can provide lead risk assessments and case management to those families. If so, the number of EBLL referrals to the Healthy Housing Program each year should closely track the number of newly identified EBLL cases. We urge the Committee to work with DOEE to understand the large discrepancy between the number of new EBLL cases and EBLL referrals to the Healthy Housing Program in FY23. For example, is there something discordant in how these metrics were collected and reported, or was there a genuine breakdown in the District's system for referring EBLL cases to the Healthy Housing Program?

DOEE Must Establish Systems for Collaboration and Information Sharing with DC Health to Connect Eligible DC Families with Lead Hazard Remediation Assistance

The most common source of lead poisoning in children is exposure to lead-based paint, which may be present in any home built before 1978, through the ingestion of contaminated dust, paint chips, or soil.²⁴ Residential lead-based paint hazard reduction is especially important in DC where 75% of housing was built prior to 1978.²⁵ However, most low-income residents in the District cannot afford the high costs of proper lead remediation²⁶ and/or have to rely on their landlord to perform remediation. To help address these barriers, DOEE's Residential Services Division operates the Lead Reduction Program — making use of a Lead Hazard Reduction Grant from the federal Department of Housing and Urban Development (HUD) — to provide financial and technical assistance for lead remediation in low-income households with children under six years old.²⁷

In its pre-hearing responses, DOEE reported that the Healthy Housing Program's case management includes a technical assistance report with recommendations for appropriate remediation of hazards and support "to obtain successful hazard remediation."²⁸ The pre-hearing responses suggest that the Healthy Housing Program is struggling to obtain successful remediation of lead-based paint hazards. According to the agency's pre-hearing responses, only 7 of the 60 lead-based paint hazards identified by DOEE in FY24 have been abated.²⁹ Children's Law Center urges the Committee to ask DOEE for an explanation of the seemingly very low number of identified lead-based

paint hazards that were abated in FY24. For example, are abatements not being captured in DOEE's data collection and/or have more abatement projects been started but not completed?

If the data reflects barriers to the successful remediation of lead-based paint hazards, the Committee should seek to understand what those barriers are and how they can be mitigated. DOEE should review whether the Healthy Housing case managers for families with identified lead-based paint hazards discussed applying for assistance from the Lead Reduction Program with the families and their landlords. DOEE should assess what information about the Lead Reduction Program is shared with families and their landlords, and whether they are directly connected to Lead Reduction Program staff or otherwise supported in completing an application. Where possible, Healthy Housing Program practices should be adjusted to support more successful referrals to the Lead Reduction Program and clear lines of communication should be in place between the programs even though they are now in two different agencies. If the Lead Reduction Program is not an effective source of assistance for most families enrolled in the Healthy Housing Program, DOEE and DC Health should collaborate to identify alternate ways to increase the percentage of lead-based paint hazards identified through home lead risk assessments that are successfully eliminated.

Ultimately, more information is needed to fully understand the scope and status of the transition of the Healthy Housing Program from DOEE to DC Health and how the

agencies are sharing responsibility for the detection, intervention, and prevention of childhood lead exposure in the District. To this end, we ask this Committee to convene a hearing on the topic jointly with the Committee on Health, inviting both DOEE and DC Health to testify and answer questions. Together, we hope the Committees can bring clarity to which services and responsibilities will be owned by which agency, how they the agencies will maintain open communication and collaboration, and where there are opportunities to strengthen the District's childhood lead exposure prevention systems during this period of transition.

DOEE Mold Inspectors are a Valuable Resource for Low-Income Tenants, But They Do Not Have the Capacity or Authority to Fully Enforce the District's Mold Law

Exposure to mold in homes has been linked to increased incidence and severity of respiratory problems and doctors have identified indoor mold as one of the primary factors contributing to the District's childhood asthma epidemic.³⁰ To protect DC residents from the harms of residential mold, the Council passed the Air Quality Amendment Act of 2014 (Air Quality Amendment Act) formally recognizing mold as a significant health hazard and implementing protections for tenants with mold in their homes.³¹ DOEE is charged with implementing these important requirements by licensing mold professionals to operate in the District, setting indoor mold remediation standards, and responding to residential mold complaints from District residents.³²

Under the Air Quality Amendment Act, residential property owners must inspect tenant mold complaints within seven days and appropriately remediate any indoor mold

within 30 days.³³ When there is less than 10 square feet of mold, the property owner must “clean and remove the indoor mold from the contaminated surface in accordance with [DOEE] guidelines.”³⁴ When there is more than 10 square feet of mold, the property owner must ensure it is remediated by a DOEE-licensed “indoor mold remediation professional.”³⁵ However, DOEE has never had enough qualified mold inspectors nor the enforcement infrastructure required to ensure the law effectively protects low-income tenants in practice. As a result, mold continues to be one of the most common health-harming conditions in our clients’ homes and we regularly work with tenants whose landlord has flouted District law by failing to respond to tenant complaints in a timely manner, disregarding DOEE guidance for how to clean and remove less than 10 square feet of mold, or using general contractors instead of licensed specialists to remediate mold contamination over 10 square feet.

DOEE Does Not Have the Capacity to Meet the Need for Public Mold Inspections in the District

The mold inspectors that work within DOEE’s Licensing and Certification Branch are currently the only enforcement resource for tenants living with unaddressed residential mold who cannot afford a costly private mold assessor or litigation against their landlord.³⁶ That is why Children’s Law Center is concerned that according to the agency’s pre-hearing responses, two of the five inspector positions are unfilled.³⁷ Operating with only three mold inspectors may explain why, based on the number of inspections conducted in the first quarter of FY25, DOEE is on track to complete only half

as many mold inspections in FY25 as it did in FY24.³⁸ While Children’s Law Center appreciates the hard work that we have observed from DOEE’s inspectors, even fully staffed, we do not believe they can meet the true level of need for their services. In FY24 DOEE conducted 459 mold inspections, but based on Children’s Law Center’s experience, we believe that only reflects a small portion of the true need for public³⁹ mold inspections in the District.⁴⁰

At Children’s Law Center, at least half of the families we assist with housing conditions matters have mold in their home. For example, in 2023, 216 out of 406 families came to us with concerns about indoor mold or had it identified during a housing conditions inspection.⁴¹ When asked, most of these families indicated that they had not filed a mold complaint with DOEE, so their need is not captured in DOEE’s current mold complaint numbers. Children’s Law Center is just one of several legal services organizations in DC that support tenants and mold is among the most common housing problems reported to other organizations as well.⁴² Further, mold is so prevalent in cases in the District’s Housing Conditions Court (HCC)⁴³ that, at the Court’s request, DOEE is exploring making its mold inspectors available to provide expertise and inspection services in HCC cases.⁴⁴ Therefore, Children’s Law Center believes the Chief Financial Officer’s estimate that the District should have the capacity to respond to 3,000 mold complaints per year — included in the Fiscal Impact Statement prepared for the Residential Housing Environmental Safety Amendment Act of 2020 — is a more accurate

reflection of the actual need than the number of mold complaints DOEE currently receives.⁴⁵ DOEE would need far more mold inspectors, plus additional supervisors and administrative support positions, to respond to this level of mold complaints.

Lack of Authority Prevents DOEE from Fully Enforcing the District's Mold Law

Once a mold inspection is completed, DOEE also lacks the authority to penalize landlords who do not comply with the District's mold law. DOEE takes essentially no enforcement action when property owners fail to clean and remove less than 10 square feet of mold within 30 days; inspectors merely provide the tenant and property owner with written guidance on how to safely address the mold.⁴⁶ If a property owner fails to hire a licensed mold professional to abate 10 or more square feet of indoor mold within 30 days, DOEE's mold inspectors can issue a Notice of Violation (NOV) to property owners but those NOV's are merely a "warning."⁴⁷

According to the agency's pre-hearing responses, an NOV is the only enforcement DOEE currently takes following mold inspections because "the regulations establishing a schedule of fines are not yet finalized."⁴⁸ Those regulations — which would empower DOEE to issue Notices of Infraction (NOI) with corresponding fines — have still not been finalized even though they were introduced two and a half years ago in August 2022.⁴⁹ According to the agency, the current status of the regulations is "under review" by the Mayor's office.⁵⁰ Children's Law Center encourages the Committee to ask for a more detailed update on the mold fine regulations and the agency's projected timeline for their

finalization. DOEE should prioritize the expeditious publication of these regulations so their mold inspectors can begin holding landlords accountable for their failure to remediate harmful residential mold. Additionally, we hope the Committee will work with DOEE to identify other tools or enforcement mechanisms the agency's mold inspectors could use to incentivize greater landlord compliance with the residential mold law.

DOEE Should Not be the Only Agency Responsible for Enforcing Mold Standards in Rental Housing

Recognizing the significant gaps left by DOEE's capacity and enforcement limitations, the Council already determined that it is not in the best interest of District tenants for DOEE to have sole responsibility for enforcing the District's residential mold law. In 2020, the Council unanimously passed the Residential Housing Environmental Safety Amendment Act, to require DOB inspectors to become licensed mold assessors who enforce the District's mold laws against landlords who do not voluntarily comply.⁵¹ Children's Law Center supported this law because we believe it is more efficient for tenants and District resources for residential mold to be addressed through DOB's housing code inspection process rather than being siloed in a separate agency and process.⁵²

However, the relevant provisions were passed subject to appropriation and remain unfunded, so they have not taken effect.⁵³ When DOB's rental housing inspection team observes mold or receives a tenant complaint about mold, they still only refer it to

DOEE.⁵⁴ As a result, a family may have two inspection and enforcement processes going on at once with two separate agencies and sets of staff. The unnecessary duplication created by keeping mold separated from other housing code enforcement is further illustrated by the fact that the Housing Conditions Court, which has a dedicated DOB housing code inspector assigned to the Court, has had to request that a DOEE inspector perform the same function just for mold.⁵⁵

DOB already has a built-in infrastructure for enforcement against landlords. It would be a better use of District resources for DOEE to help train DOB housing code inspectors to incorporate enforcement for violations of the District's mold laws into their existing inspection and enforcement processes instead of continuing to wait on DOEE to separately implement the same mechanisms before there will be truly meaningful enforcement of DC's mold laws.⁵⁶ To fulfill the Council's intention of protecting tenants from exposure to health-harming mold and make improvements in the prevalence and severity of childhood asthma in the District, the Committee should prioritize funding the remaining provisions of the Residential Housing Environmental Safety Amendment Act in the upcoming budget season and work with DOEE and DOB to identify the steps the agencies will need to take to swiftly implement the bill.

DOEE Should Coordinate with Sister Agencies to Streamline the Connection of Low-Income Residents to Utility Assistance

DOEE's Utility Affordability Administration helps low-income residents maintain essential utilities by 1) reducing their utility costs through energy efficiency measures

and 2) providing direct subsidies and discounts for utility bills.⁵⁷ These are crucial resources for protecting the health and stability of DC children and families. When low-income households are faced with high utility bills or threatened with utility shut offs for nonpayment, they may sacrifice paying for other essentials like rent, food, and medical care, in order to keep their lights and water on.⁵⁸ If families do experience utility shutoffs, they end up in unsanitary and unsafe conditions that put their health at risk.⁵⁹ Lack of running water, refrigeration, and heat and air conditioning are especially dangerous for vulnerable populations like pregnant and post-partum people and young children.⁶⁰

Children’s Law Center’s regularly works with families who report being behind on one or more utility services. The deep level of need for utility assistance among District families has been confirmed by data from the 211 Warmline (Warmline). In October 2023, the Child and Family Services Agency (CFSA) “soft launched” the Warmline as a unified social service resource and referral line for low-income District residents and just this month.⁶¹ During its twelve-month soft launch (when the Warmline was operational but not proactively marketed), the Warmline received 12,671 calls from District residents and families seeking help and one of the common needs reported was utility assistance.⁶² An evaluation of data from the first 90 days found that the primary reason for nearly 20% of Warmlines calls was a request for utility assistance.⁶³ The Warmline officially launched in February 2025. It is Children’s Law Center’s understanding that CFSA will now be widely promoting the Warmline to the public – engaging in community outreach,

awareness campaigns through social media, and issuing promotional materials – all of which is likely to increase the volume of calls to the Warmline, including requests for utility assistance.

While the Warmline is a means of increasing access to vital government and community-based resources, services, and programming, increased access alone is insufficient to meet needs. As the Warmline operators and Community Responders work to identify families in need and match them with resources, government programs — like DOEE’s utility assistance programs — must have sufficient capacity and be effective at meeting families’ needs. Both the Executive and the Council must buy into this vision and support this shift towards coordination and integration for it to take hold and make a difference in how DC families in need experience their government and community. We urge this Committee to collaborate with CFSA, DOEE, and the Committee on Facilities and Family Services to make this vision a reality.

Conclusion

Thank you again for the opportunity to testify and this Committee’s commitment to promoting healthy housing for all DC residents. I am happy to answer any questions you may have.

¹ Center on the Developing Child, Harvard University, *Place Matters: The Environment We Create Shapes the Foundations of Healthy Development*, (2023), *available at*: <https://developingchild.harvard.edu/place-matters-the-environment-we-create-shapes-the-foundations-of-healthy-development/>; Schmeer KK, Yoon AJ. Home sweet home? Home physical environment and inflammation in children. *Soc Sci Res.*

2016 Nov; 60:236-248. doi: 10.1016/j.ssresearch.2016.04.001. Epub 2016 Apr 6. PMID: 27712682; PMCID: PMC5116303.

² National Institute of Health, Household Molds Linked to Childhood Asthma, (August 20, 2012), available at: <https://www.nih.gov/news-events/nih-research-matters/household-molds-linked-childhood-asthma#:~:text=For%20a%2010%2Dpoint%20increase,Aspergillus%20unguis%20and%20Penicillium%20v%20ariabile>; Berkley Public Health, New research shows link between childhood exposure to mold and asthma, (April 7, 2021), available at: <https://publichealth.berkeley.edu/news-media/research-highlights/new-research-shows-link-between-childhood-exposure-to-mold-and-asthma>; Maria Godoy, *When landlords won't fix asthma triggers like mold, doctors call in the lawyers*, NPR, November 20, 2023, available at: <https://www.npr.org/sections/health-shots/2023/11/20/1213555737/asthma-mold-housing-medical-legal-partnership>.

³ Centers for Disease Control and Prevention, National Center for Environmental Health, *Preventing Lead Exposure in Children*, available at: <https://www.cdc.gov/nceh/features/leadpoisoning/index.html#:~:text=windowsills%2C%20and%20wells.Exposure%20to%20lead%20can%20seriously%20harm%20a%20child's%20health%2C%20including.and%20hearing%20and%20speech%20problems>; Harvard T.H. Chan School of Public Health, *Study finds link between childhood lead exposure and mental illness*, (2019), available at: <https://www.hsph.harvard.edu/news/hsph-in-the-news/childhood-lead-exposure-mental-illness/>; Centers for Disease Control and Prevention, Childhood Lead Poisoning Prevention, *Health Effects of Lead Exposure*, available at: <https://www.cdc.gov/nceh/lead/prevention/health-effects.htm>.

⁴ Energy insecurity is generally defined as the “inability to adequately meet basic household energy needs” and measured by whether a household pays (or more accurately, struggles to pay) a disproportionate share of their income toward energy bills, cuts back on other necessities like food and medicine to pay their energy bill, or keeps their home at an unsafe temperature because of energy cost concerns. Diana Hernandez, *Understanding ‘Energy Insecurity’ and Why it Matters to Health*, Soc. Sci. Med., Vol. 167 (October 2016), available at: <https://www.sciencedirect.com/science/article/pii/S0277953616304658?via%3DIihub>; see also *Households of Color Continue to Experience Energy Insecurity at Disproportionately Higher Rates*, Office of Energy Justice and Equity, US Department of Energy (July 6, 2023), <https://www.energy.gov/justice/articles/households-color-continue-experience-energy-insecurity-disproportionately-higher>.

⁵ See *Unhealth Consequences: Energy Costs and Child Health*, Child Health Impact Working Group of Boston, Massachusetts (April 2007), <https://www.pewtrusts.org/media/assets/2018/07/childhiaofenergycostsandchildhealth.pdf>; *Energy Insecurity is a Major Threat to Child Health*, Children’s HealthWatch (February 2010), <https://childrenshealthwatch.org/energy-insecurity-is-a-major-threat-to-child-health/>.

⁶ Children’s Law Center’s innovative medical legal partnership, Healthy Together, places attorneys at primary care pediatric clinics throughout the city with Children’s National, Unity Health Care, and Mary’s Center to receive referrals from pediatric providers for assistance with non-medical barriers to a child’s health and well-being. See Children’s Law Center, available at: <https://childrenslawcenter.org/ourimpact/health/>.

⁷ See D.C. Law 20-135. Air Quality Amendment Act of 2013; D.C. Law 17-0381. Lead Hazard Prevention and Elimination Act of 2008; D.C. Law 25-189. Healthy Homes and Residential Electrification Amendment Act of 2024.

⁸ D.C. Law 20-135. Air Quality Amendment Act of 2013. See also FY2022 DOEE Performance Oversight Responses, response to Q53, available at: <https://lims.dccouncil.gov/Hearings/hearings/299>.

⁹ Department of Energy & Environment, Utility Affordability Administration, available at: <https://doee.dc.gov/service/utility-affordability-administration>. (“The Utility Affordability

Administration (UAA) is a resource for energy efficiency, utility affordability, and residential services for District residents. The UAA provides direct financial assistance and discounts to low-income residents to help off-set their utility bills. The UAA also administers residential programs to improve the overall comfort, energy efficiency, and safety of single and multifamily dwellings throughout the District.”).

¹⁰ DC Health Housing Collaborative, *available at*: <https://www.dchealthhousingcollaborative.org/>.

¹¹ DOEE Lead Poisoning Elimination and Healthy Homes Advisory Committee, notes on file with Children’s Law Center.

¹² National Housing Trust, Ensuring Healthy, Green and Affordable Housing in D.C., *available at*: <https://nationalhousingtrust.org/sites/default/files/documents/nht-d.c.-hga-housing-project.pdf>.

¹³ World Health Organization, Lead Poisoning, (August 11, 2023), *available at*: <https://www.who.int/news-room/fact-sheets/detail/lead-poisoning-and-health>.

¹⁴ Centers for Disease Control and Prevention, Childhood Lead Poisoning Prevention, *Health Effects of Lead Exposure*, *available at*: <https://www.cdc.gov/nceh/lead/prevention/health-effects.htm>.

¹⁵ *Reducing Intergenerational Poverty*, National Academies of Science, Engineering, and Medicine (2024), *available at*: <https://nap.nationalacademies.org/catalog/27058/reducing-intergenerational-poverty>.

¹⁶Centers for Disease Control and Prevention, Childhood Lead Poisoning Prevention, *Health Effects of Lead Exposure*, *available at*: <https://www.cdc.gov/nceh/lead/prevention/health-effects.htm>.

¹⁷ FY2022 DOEE Performance Oversight Responses, response to Q53, *available at*:

<https://lims.dccouncil.gov/Hearings/hearings/299>; DOEE Lead Related Regulatory and Legislative Affairs, *available at*: <https://doee.dc.gov/service/lead-related-regulatory-and-legislative-affairs>. DOEE is also responsible for making sure there is lead-safe drinking water in child-occupied facilities and partnering with DC Water to replace lead service lines in the District. *See* DOEE, Lead Pipe Replacement and Safer Drinking Water, *available at*: <https://doee.dc.gov/service/lead-pipe-replacement-and-safer-drinking-water>; DOEE Lead in the District – Children & Families, *available at*: <https://doee.dc.gov/service/lead-pipe-replacement-and-safer-drinking-water>.

¹⁸ For information on the Healthy Housing Program *see* Healthy Homes: DC Partnership for Healthy Homes [also known as the Healthy Housing program], Department of Energy & Environment (2016), https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service_content/attachments/Healthy%20Homes%20Brochure%202016.pdf. For information on the “Twice by Two” campaign *see* Every Child. Twice by Two., Department of Energy & Environment, <https://doee.dc.gov/twicebytwo> and Washington DC Lead Poisoning Prevention Week 2023: “Twice by Two” Toolkit, Department of Energy & Environment (October 2023), <https://app.box.com/s/aic1n63wk3wnypdr26l52hhejj4vmk8m>.

¹⁹ *See* DC Health Launches Environmental Health Administration to Strengthen Public Health and Safety, DC Health (October 24, 2024), <https://dchealth.dc.gov/release/dc-health-launches-environmental-health-administration-strengthen-public-health-and-safety>; Environmental Health Administration, DC Health, <https://dchealth.dc.gov/page/environmental-health-administration>.

²⁰ *See* Healthy Housing Program, DC Health, <https://dchealth.dc.gov/service/healthy-housing-program-0> (Describing how all “children less than 6 years old with a blood lead level of concern” are eligible to enroll in the program and how a coalition of “front-line responders” across DC identify and refer families with a child “in distress due to lead poisoning” to the program); District of Columbia Lead Screening Report: Fiscal Year 2023, Department of Energy & Environment (January 24, 2025), p. 16-17, https://doee.dc.gov/sites/default/files/dc/sites/doee/service_content/attachments/DOEE%20Annual%20Report%20Fiscal%20Year%202023%20Childhood%20Lead%20Screening%20Report.pdf (“The Healthy Housing Branch is responsible for receiving all lead tests for children under six years of age in the District.”).

-
- ²¹ 2025 DOEE Performance Oversight Responses, response to Q4, *available at*: <https://lims.dccouncil.gov/Hearings/hearings/669>.
- ²² District of Columbia Lead Screening Report: Fiscal Year 2023, Department of Energy & Environment (January 24, 2025), p. 8, https://doee.dc.gov/sites/default/files/dc/sites/doee/service_content/attachments/DOEE%20Annual%20Report%20Fiscal%20Year%202023%20Childhood%20Lead%20Screening%20Report.pdf (In FY23, there were 146 children tested in DC confirmed to have an EBLL, 67 of whom were new cases.).
- ²³ 2025 DOEE Performance Oversight Responses, response to Q73(c), *available at*: <https://lims.dccouncil.gov/Hearings/hearings/669>.
- ²⁴ Mayo Clinic, Lead poisoning, *available at*: <https://www.mayoclinic.org/diseases-conditions/lead-poisoning/symptoms-causes/syc-20354717>.
- ²⁵ District of Columbia, 2022 Healthy Housing Fact Sheet, *available at*: https://nchh.org/resource-library/fact-sheet_state-healthy-housing_dc.pdf.
- ²⁶ Center for American Program, *Get the Lead Out* (Jan 17, 2019), *available at*: <https://www.americanprogress.org/article/get-the-lead-out/>. Utilities One, Research on the cost of lead paint and asbestos remediation (July 18, 2023), *available at*: <https://utilitiesone.com/research-on-the-cost-of-lead-paint-and-asbestos-remediation>. (“Lead paint remediation can cost between \$8 and \$15 per square foot, including inspection, removal, replacement, cleanup, and clearance testing.”)
- ²⁷ Department of Energy & Environment Lead Reduction Program, *available at*: <https://doee.dc.gov/service/lrp>; FY2022 DOEE Performance Oversight Responses, response to Q55(d), *available at*: <https://lims.dccouncil.gov/Hearings/hearings/299>.
- ²⁸ 2025 DOEE Performance Oversight Responses, response to Q73(g), *available at*: <https://lims.dccouncil.gov/Hearings/hearings/669>.
- ²⁹ *Id.* at Q54(c).
- ³⁰ Morgan Baskin, *Doctors Blame D.C.’s High Asthma Rates in Part on Poor Housing Conditions*, Washington City Paper (May 22, 2019), *available at*: <https://washingtoncitypaper.com/article/180182/doctors-blame-dcs-high-asthma-rates-in-part-on-poor-housing/>. See also Kayla Benjamin, *The Air Inside the House: The Connection Between Our Homes and Asthma*, The Washington Informer (December 12, 2022), *available at*: <https://www.washingtoninformer.com/the-air-inside-the-house-the-connection-between-our-homes-and-asthma/>; Maria Godoy, *When landlords won’t fix asthma triggers like mold, doctors call in the lawyers*, NPR (November 20, 2023), *available at*: <https://www.wunc.org/2023-11-20/when-landlords-wont-fix-asthma-triggers-like-mold-doctors-call-in-the-lawyers>.
- ³¹ D.C. Law 20-135. Air Quality Amendment Act of 2013.
- ³² D.C. Law 20-135. Air Quality Amendment Act of 2013. Sec. 304(a)-(d). Certification of mold assessment and remediation professionals
- ³³ D.C. Law 20-135. Air Quality Amendment Act of 2013. Sec. 305(a). Indoor mold remediation obligations at residential properties.
- ³⁴ Department of Energy & Environment, Mold Information for Tenants, *available at*: <https://doee.dc.gov/service/mold-information-tenants>.
- ³⁵ *Id.*
- ³⁶ Average mold inspection cost \$650. *Mold Inspection Costs in Washington DC*, Restoration, (February 23, 2023), *available at*: <https://restoration1.com/washington-dc/blog/mold-inspection-costs-in-washington-dc-2/#:~:text=Forbes%20estimates%20the%20average%20mold,demolitions%20and%20construction%20debris%20removal>.

³⁷ 2025 DOEE Performance Oversight Responses, response to Q53(b), *available at*: <https://lims.dccouncil.gov/Hearings/hearings/669>. At the start of FY24, DOEE had five full time mold inspectors but by the end of FY24 and currently, it only had 3.

³⁸ *Id.* at Q53(d). DOEE conducted 459 mold inspections in FY24 and conducted 57 mold inspections in the first quarter of FY25. If DOEE conducts the same number of inspections in the remaining quarters of FY25, the inspections for FY25 will total 228 – less than half of the number conducted the previous year.

³⁹ Public meaning the public service provided by the District compared to private mold inspectors that a tenant would have to hire and pay.

⁴⁰ 2025 DOEE Performance Oversight Responses, response to Q53(d), *available at*: <https://lims.dccouncil.gov/Hearings/hearings/669>.

⁴¹ Data compiled internally by Children’s Law Center using reporting from our case management software. An explanation of how we tracked and collected this information is available upon request.

⁴² Beth Mellen, Legal Aid Society of the District of Columbia, Testimony before the District of Columbia Council Committee of the Whole, (March 24, 2022), *available at*: <https://www.legalaiddc.org/media/273/download>; Eleni P. Christidis, Legal Aid Society of the District of Columbia, Testimony before the District of Columbia Council Committee of the Whole, (January 18, 2024), *available at*: <https://www.legalaiddc.org/media/3833/download?inline>.

⁴³ The Housing Conditions Court is a special branch within the Civil Division of the DC Superior Court that allows tenants to sue landlords for DC Housing Code violations on an expedited basis. For more information on HCC *see* D.C. Courts, Housing Conditions Court,: <https://www.dccourts.gov/services/civil-matters/housing-conditions-calendar>.

⁴⁴ Children’s Law Center is part of a group of practitioners that regularly appear in Housing Conditions Court working with the Superior Court’s Civil Division to improve the procedures and efficacy of the Housing Conditions Court.

⁴⁵ Office of the Chief Financial Officer, Bill 23-132, Committee Print provided to the Office of Revenue Analysis on November 23, 2020, (December 1, 2020), *available at*: http://app.cfo.dc.gov/services/fiscal_impact/pdf/spring09/FIS%20Residential%20Housing%20Environmental.pdf.

⁴⁶ FY2023 DOEE Performance Oversight Responses, response to Q54(a)(i) and (ii), *available at*: <https://lims.dccouncil.gov/Hearings/hearings/299>.

⁴⁷ *Id.*

⁴⁸ 2025 DOEE Performance Oversight Responses, response to Q53, *available at*: <https://lims.dccouncil.gov/Hearings/hearings/669>.

⁴⁹ *See* District of Columbia Register, Vol. 69 – No. 32, D.C. Reg. 010407 (August 12, 2022).

⁵⁰ 2025 DOEE Performance Oversight Responses, response to Q53(g), *available at*: <https://lims.dccouncil.gov/Hearings/hearings/669>.

⁵¹ D.C. Law L23-0188. Residential Housing Environmental Safety Amendment Act of 2020. Voting record available at B23-0132 - Indoor Mold Remediation Enforcement Amendment Act of 2019 (now known as "Residential Housing Environmental Safety Amendment Act of 2020"), <https://lims.dccouncil.gov/Legislation/B23-0132>.

⁵² Evan Cass, Children’s Law Center, Testimony before the District of Columbia Council Committee of the Whole and Committee on Transportation and the Environment, (December 9, 2019), *available at*: <https://childrenslawcenter.org/wp-content/uploads/2021/07/CLC-Testimony-for-Dec-9-Hearing-on-Indoor-Mold-Bill-B23-132.pdf>.

⁵³ D.C. Law L23-0188. Residential Housing Environmental Safety Amendment Act of 2020; DC Council Budget Office, Legislation Passed Subject to Appropriation – 2024 Quarterly Reports, (January 2024),

available at: <https://dccouncil.gov/wp-content/uploads/2024/01/2024-01-18-Subject-to-Funding-Legislation-quarterly-report.pdf>.

⁵⁴ See Department of Buildings, *Office of Strategic Code Enforcement: Fiscal Year 2023 Annual Report* (submitted to the Council of the District of Columbia on February 22, 2024), available at: <https://lims.dccouncil.gov/downloads/LIMS/54819/Introduction/RC25-0157-Introduction.pdf?Id=185273>; Council of the District of Columbia, Public Oversight Hearing “The District’s Rental Housing Code Inspection Process: Broken and In Need of Repair” (January 18, 2024) at 3:39:00, available at: https://dc.granicus.com/MediaPlayer.php?view_id=4&clip_id=8618.

⁵⁵ See Washington Council of Lawyers, Superior Court Housing Conditions Court, (September 22, 2023), <https://wclawyers.org/housing-conditions-court/#:~:text=A%20housing%20inspector%20from%20the,and%20reports%20on%20their%20findings> (“A housing inspector from the D.C. department of Buildings is assigned to the Housing Conditions Court... the inspector attends all regularly scheduled hearings in the case and reports on their findings.”).

⁵⁶ The Air Quality Amendment Act establishing requirements for property owners to remediate indoor mold and authorizing DOEE to create and enforce standards for indoor mold abatement was passed and became effective in 2014. B20-0368, Air Quality Amendment Act of 2013, <https://lims.dccouncil.gov/Legislation/B20-0368>.

⁵⁷ Department of Energy & Environment, Utility Affordability Administration, available at: <https://doee.dc.gov/service/utility-affordability-administration>.

⁵⁸ Kenneth W. Costello, *Making Utility Assistance to Low-Income Households More Effective*, Kleinman Center for Energy Policy, (November 23, 2021), available at: <https://kleinmanenergy.upenn.edu/news-insights/making-utility-assistance-to-low-income-households-more-effective/>.

⁵⁹ Maria Castillo and Caitlin Odom, *What Do We Know About Utility Shutoffs of Vulnerable Families during COVID-19?*, RMI, (March 16, 2022), available at: <https://rmi.org/what-do-we-know-about-utility-shutoffs-of-vulnerable-families-during-covid-19/#:~:text=Prior%20studies%20have%20suggested%20that%20utility%20shutoffs%20can,the%20finances%2C%20health%2C%20and%20safety%20of%20vulnerable%20families>; Diana Hernández and Jennifer Laird, *Surviving a Shut-Off: U.S. Households at Greatest Risk of Utility Disconnections and How They Cope*, American Behavioral Scientist (2021), available at: <https://housingmatters.urban.org/research-summary/which-americans-face-greatest-risk-utility-shut-offs-and-how-do-they-cope#:~:text=The%20health%20and%20financial%20consequences,at%20times%20with%20fatal%20consequences>.

⁶⁰ *Id.* See also Low Income Housing Energy Assistance Program, Disconnect Policies, available at: <https://liheapch.acf.hhs.gov/Disconnect/disconnect.htm>.

⁶¹ FY2023 Child and Family Services Agency Performance Oversight Responses, response to Q113(c), available at: <https://lims.dccouncil.gov/Hearings/hearings/253>.

⁶² CFSA Nov. 7, 2024 Pop-Up Briefing Slide, slide 7, on file with Children’s Law Center.

⁶³ 2025 CFSA Performance Oversight Responses, Response to Q135(a), available at: <https://lims.dccouncil.gov/Hearings/hearings/698>.