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Testimony Before the District of Columbia Council
Committee of the Whole
May 28, 2025

Public Hearing
Budget Oversight Hearing
Department of Buildings

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Introduction

Good afternoon, Chairman Mendelson and members of the Committee, my name is Makenna Osborn. I am a Policy Attorney at Children's Law Center, a resident of the District and a tenant in 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 Mayor's proposed Fiscal Year 2026 (FY26) budget for the Department of Buildings (DOB). An effective housing code enforcement agency is essential for promoting safe, healthy and affordable housing across the District.¹ Each year Children's Law Center works with hundreds of DC families whose pediatrician has identified a non-medical barrier to a child's health and often that barrier is poor housing conditions.² When a family's landlord fails to maintain safe, sanitary housing in compliance with the District's housing code, children can be exposed to harmful conditions like mold, pest infestations, and peeling paint and consequently experience frequent asthma attacks, other respiratory and allergic symptoms, and

elevated blood lead levels. Our clients and other District families deserve a well-funded, properly staffed DOB that can proactively identify housing code violations, promptly secure the correction of health-harming conditions, and effectively incentivize landlords to maintain their properties to prevent violations in the first place.

In addition to the devastating impacts they can have on families with young children, poor housing conditions create long-term costs for the District's economic, education, and health systems.³ Amid difficult decisions about how to allocate the District's limited resources, adequately funding DOB's housing code inspections and enforcement in the FY26 budget is an investment in the health and safety of DC children that will lower costs to the District over time.⁴ Therefore, my testimony will detail why the Council should prioritize 1) investing in the Nuisance Abatement Fund to increase DOB's capacity to correct housing code violations itself; 2) funding the legislation it has already passed to improve DOB's rental housing inspections; and 3) mitigating the harm of proposed cuts to the Offices of Strategic Code Enforcement and Residential Inspection.

The Council Should Prioritize Investing in the Nuisance Abatement Fund to Protect the Health and Safety of Tenant Families

Under DC law, when a landlord fails to correct a housing code violation after reasonable notice, DOB has the authority to use the District's special purpose Nuisance Abatement Fund (Abatement Fund) to abate the violation itself and then assess the actual cost or fair market value of that abatement to the property owner as a special assessment tax against the property.⁵ Despite the law's broad scope authorizing the District

government to “use monies in the [Nuisance Abatement Fund] to correct any housing code violation,” DOB (and its predecessor DCRA) has historically exercised the power in narrow circumstances, primarily to mow “excessive vegetation” at vacant properties.⁶ Therefore, Children’s Law Center has been encouraged to learn, through communications with the agency, that over the past year DOB has made a concerted effort to use the Abatement Fund to correct more “life safety violations” in *occupied* rental housing.⁷ These are violations that “pose a particular danger to the physical health, safety, and well-being” of tenants.⁸ It is our understanding that DOB wants to continue, and hopefully build upon, this approach in FY26.

Children’s Law Center appreciates that the Mayor’s proposed DOB budget appears to maintain the existing levels of funding for the Abatement Fund in FY26.⁹ We ask the Committee to clarify, based on the proposed funding level, how much money would be available for DOB to conduct or contract for the correction of housing code violations in FY26, as well as the number and type of violations the agency anticipates being able to address with those funds. At a minimum, the Committee should ensure that DOB can continue its existing pace and scope of repairs. Further, given that DOB has identified the “extremely limited budget” of the Abatement Fund as the primary constraint on its ability to abate more unaddressed life safety violations itself, we encourage the Committee to investigate how deeper investment in the Abatement Fund in the FY26 budget could amplify the DOB’s impact for DC tenants.¹⁰

The Council Should Fund Already Passed Legislation to Improve the District's Housing Code Inspections and Enforcement

The Residential Housing Environmental Safety Amendment Act of 2020¹¹ and the Proactive Inspection Program Act of 2023¹² would create more effective housing code enforcement and better address the health-harming housing conditions that many DC tenants face. Despite unanimous passage and wide support from housing advocates and tenants, these bills remain unfunded and therefore unimplemented.¹³ Especially in a year where the District is navigating a challenging fiscal environment, Children's Law Center encourages the Council to prioritize funding the laws it has already passed to follow through on its efforts to improve DC tenants' housing conditions, health, and safety.

The Council Should Fund the Residential Housing Environmental Safety Amendment Act of 2020 to Require DOB Inspectors to Enforce the District's Mold Laws

Unaddressed residential mold contamination is a prominent health equity issue in DC. Mold contributes to significant allergy and respiratory problems,¹⁴ and is a primary driver of the District's childhood asthma epidemic.¹⁵ Low-income households and people of color are more likely to live in rental housing with indoor mold, causing disproportionate harm to their health.¹⁶ Despite the District's early recognition of indoor mold exposure as a health hazard and corresponding laws setting remediation standards, mold remains one of the top housing condition complaints for low-income tenants and a continued barrier to controlling childhood asthma in the District.¹⁷

In 2014, the Council charged the Department of Energy and Environment (DOEE) with implementing the Air Quality Amendment Act.¹⁸ Under this authority, DOEE licenses mold professionals to operate in the District, sets indoor mold remediation standards, and responds to residential mold complaints from District residents.¹⁹ Despite DOEE's best efforts, the agency has lacked a sufficient number of mold inspectors²⁰ and any enforcement structure,²¹ leaving the District unable to effectively address the health inequities of mold. Of particular note in the District's current financial circumstances, DOEE has yet to adopt the regulations required for the agency to issue fines to property owners who violate the District's mold laws.²² That means landlords who earn a profit by operating as a housing provider in the District face no financial consequences for failing to adhere to our legal standards for remediating mold in their properties and the District is foregoing an entire category of fines to which it is entitled.

Moreover, placing responsibility for residential mold enforcement solely with DOEE has created a duplicative and unnecessarily confusing process for tenants seeking assistance to address poor conditions in their rental housing. The District messages to tenants that if they are concerned about unsafe or unsanitary conditions in their rental housing, they should contact DOB.²³ However, DOB inspectors do not inspect for mold during housing code inspections or issue housing code violations related to mold. Similarly, the Housing Conditions Court within the DC Superior Court relies almost

exclusively on DOB inspections, leaving mold under-addressed in the legal avenue available to District tenants affirmatively seeking correction of housing code violations.²⁴

Recognizing these shortcomings, in 2020 the Council unanimously passed the Residential Housing Environmental Safety Amendment Act (RHESAA) to expand responsibility for mold inspections and enforcement to DOB.²⁵ Specifically, the RHESAA requires DOB rental housing inspectors to 1) become licensed mold assessors and 2) issue notices of violation for indoor mold and penalties to landlords who fail to do so.²⁶ Children's Law Center strongly supported this legislation to leverage DOB's existing enforcement infrastructure for a more efficient use of District resources and a streamlined experience for tenants.²⁷ Yet, the bill remains unfunded and unimplemented.²⁸ If the RHESAA is not funded in this budget, it could be repealed under Council Rule 736, forcing Council to start from scratch on the bill and further delaying crucial protections for tenants.²⁹

The Fiscal Impact Statement (FIS) prepared for the RHESAA found that DOB would require an allocation of \$3.5 million in the first fiscal year and a total of \$12.4 million over the four-year financial plan to implement the requirements of the bill.³⁰ Along with our partners in the Fair Budget Coalition, Children's Law Center calls on the Council to fully fund the RHESAA in the FY26 budget to fulfill the Council's commitment to protect tenants from the long-lasting harms of mold.³¹

The Council Should Fund the Proactive Inspection Program Act of 2023 to Require DOB to Proactively Identify and Inspect Rental Properties with Health-Harming Conditions

In 2024, the Council unanimously passed the Proactive Inspection Program Act to bring DOB's proactive inspections program in line with nationally-recognized best practices for promoting healthy housing and preserving naturally-occurring affordable housing stock.³² Children's Law Center has strongly supported this legislation to better protect the health and safety of District tenants who are unlikely to request a complaint-based inspection due to a number of barriers.³³ More specifically, the law rewards landlord voluntary compliance with the housing code through a tiered and staggered inspection timeline. The law also requires more frequent inspection of rental properties that are most likely to have health-harming conditions, including properties where children are more likely to be exposed to lead hazards and asthma triggers.³⁴

Proactive inspections are an important tool for improving the health of tenants, protecting housing stock, and providing significant savings to the District over time. For example, in the seven years following the establishment of Los Angeles' proactive rental inspection program, more than 90 percent of the city's multifamily housing stock was inspected and more than [1.5 million] habitability violations [were] corrected. The result [was] an estimated \$1.3 billion re-investment by owners in the city's existing housing stock."³⁵ Without funding and implementing the Proactive Inspection Program Act, the District and its residents are unable to benefit from these long-term investments.

According to the Proactive Inspection Program Act's FIS, funding this legislation would require the allocation of an additional \$2 million to DOB in FY26 and a total of \$7.2 million over the four-year financial plan.³⁶ Along with our partners in the Fair Budget Coalition, Children's Law Center calls on the Council to fund the Proactive Inspection Program Act in the FY26 budget to better promote the maintenance and preservation of DC's housing stock in the long run.³⁷

The Council Should Mitigate the Harm of Proposed Cuts to DOB's Housing Code Inspection and Enforcement Programs

As this Committee has previously noted, "even the most well-designed programs cannot reach their full potential" without adequate staff support.³⁸ That is why Children's Law Center has greatly appreciated the Council's work since DOB's creation to increase the number of housing inspectors employed by DOB and improve the efficacy of their services through Council oversight and budget investments.³⁹

Thankfully, the Mayor's proposed FY26 budget does not make wide-sweeping cuts to DOB's housing code inspection personnel and programs. However, it does include a decrease of \$172,000 and/or two Full Time Equivalents (FTEs) from the Office of Strategic Code Enforcement and \$614,000 and/or five FTEs from the Rental Housing Inspection Division of the Office of Residential Inspection.⁴⁰ These Offices are responsible for promptly responding to all housing code complaints, conducting proactive housing code inspections, securing timely repairs of housing code violations, and assessing fines to landlords who have violated the District's housing code.⁴¹

We urge the Committee to ask DOB for details on what services and positions the proposed cuts would apply to and how they would impact DOB's ability to conduct complaint-based and proactive inspections, and secure abatement of housing code violations in FY26.⁴² The Committee should make any funding restorations necessary for DOB to maintain the mission-critical housing code inspection and enforcement efforts.

Conclusion

Thank you for the opportunity to testify. Children's Law Center looks forward to working with the Committee to ensure that DOB has the resources and oversight necessary to meaningfully enforce the District's housing code and protect the health and safety of DC's tenant families.

¹ See Change Lab Solutions, *Up to Code: Code Enforcement Strategies for Healthy Housing*, 2015, p. 3, available at: https://www.changelabsolutions.org/sites/default/files/Up-to-Code_Enforcement_Guide_FINAL-20150527.pdf ("Local code enforcement programs are often the first line of defense in ensuring safe and healthy housing for residents."). See also Kathy Zeisel, Testimony Before the District of Columbia Council, Committee of the Whole (December 10, 2019), <https://childrenslawcenter.org/wpcontent/uploads/2021/07/Zeisel-OIG-DOBTestimony-Before-the-District-of-Columbia-Council-12.10.19final.pdf>; Christina M. Simpson, Testimony Before the District of Columbia Council, Committee of the Whole (September 21, 2022), https://childrenslawcenter.org/wpcontent/uploads/2022/09/Simpson_9_21_22_DOB_Roundtable_Testimony_Final.pdf; Kathy Zeisel, Testimony Before the District of Columbia Council, Committee of the Whole (February 23, 2023), <https://childrenslawcenter.org/wp-content/uploads/2023/02/Childrens-Law-CenterTestimony-DOB-2023-Oversight-final.pdf>.

² 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/our-impact/health/>. When unaddressed housing code violations are harming a child's health, our attorneys represent clients in the Housing Conditions Calendar of the DC Superior Court, where tenants may sue landlords for housing code violations on an expedited basis and seek the limited relief of enforcing compliance with the housing code. See Housing Conditions Calendar, <https://www.dccourts.gov/services/civil-matters/housing-conditions-calendar>.

³ See, e.g., Health Impact Project, *10 Policies to Prevent and Respond to Childhood Lead Exposure: An Assessment of the Risks Communities Face and Key Federal, State, and Local Solutions*, p. 8 (August 2017),

available at: [hip_10-policies-to-prevent-and-respond-to-childhood_lead_exposure_english.pdf](https://www.nchh.org/sites/default/files/hip_10-policies-to-prevent-and-respond-to-childhood_lead_exposure_english.pdf) (nchh.org) (every dollar invested in removing lead-based paint hazards from homes returns approximately \$1.39 in future benefits to society due to health and education cost savings and increased tax revenue from higher earning); Veronica Gaitán, *How Housing Affects children's Outcomes*, Housing Matter, an Urban Institute Initiative (January 02, 2019), available at: <https://housingmatters.urban.org/articles/how-housing-affects-childrens-outcomes> (healthy homes make for healthier children and stronger foundations for their future stability and economic well-being).

⁴ *Id.*

⁵ DC Code § 42-3131.01(a)(1).

⁶ Council of District of Columbia Committee of the Whole, Report on Bill 22-317, the "Department of Consumer and Regulatory Omnibus Amendment Act of 2018" (December 4, 2018), p. 8, available at: https://lims.dccouncil.gov/downloads/LIMS/38265/Committee_Report/B22-0317-CommitteeReport1.pdf?Id=62306. See 2024 Department of Buildings Performance Oversight Responses, response to Q30, available at: <https://lims.dccouncil.gov/Hearings/hearings/241>

⁷ See, e.g., Department of Buildings Office of Strategic Code, Fiscal Year 2024 Annual Report (February 2025), p. 11, 21, available at: <https://dob.dc.gov/sites/default/files/dc/sites/dob/DOB%20FY2024%20Strategic%20Enforcement%20Report.pdf>,

⁸ *Id.*

⁹ Compare FY 2025 Approved Budget for the District of Columbia Government, Department of Buildings, Schedule 80, F-21, https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/cu_dob_tables_2025j.pdf (the amount in the Nuisance Abatement Fund approved for the start of FY 25 was approximately \$6,756,000) with FY 2026 Proposed Budget for the District of Columbia Government, Department of Buildings, Schedule 80, F-21, https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/cu0_dob_tables_2026m.pdf (the amount in the Nuisance Abatement Fund proposed for the start of FY 26 is \$7,069,000).

¹⁰ Department of Buildings Office of Strategic Code, Fiscal Year 2024 Annual Report (February 2025), p.12, available at: <https://dob.dc.gov/sites/default/files/dc/sites/dob/DOB%20FY2024%20Strategic%20Enforcement%20Report.pdf>. Additionally, during his answers to questions during a January 2024 interim oversight hearing, DOB's Strategic Code Enforcement Administrator stated that while DOB has legal authority to proactively conduct abatement of open housing code violations, it is constrained by financing. Specifically, he said "the problem [of why it does not conduct more abatements] is fiscal." 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 3:40:40, available at: https://dc.granicus.com/MediaPlayer.php?view_id=4&clip_id=8618.

¹¹ D.C. Law 23-188. Residential Housing Environmental Safety Amendment Act of 2020; 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://lims.dccouncil.gov/downloads/LIMS/41819/Hearing_Record/B23-0132-HearingRecord1.pdf?Id=58377; Makenna Osborn, Children's Law Center, Testimony Before the District of Columbia Council Committee of the Whole (February 22, 2024), available at: <https://childrenslawcenter.org/wp-content/uploads/2024/02/DOB-Performance-Oversight-Childrens-Law-Center-Written-Testimony-02.21.2024.pdf>.

¹² DC Law B25-0048, Proactive Inspection Program Act of 2023; Kathy Zeisel, Children's Law Center, Testimony Before the District of Columbia Council Committee of the Whole (November 3, 2022) available at: https://lims.dccouncil.gov/downloads/LIMS/52108/Committee_Report/B25-0048-Committee_Report1.pdf?Id=183287.

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- ¹³ The Office of the Budget Director, District of Columbia Council, Legislation Passed Subject to Appropriation (April 2025), available at: <https://dccouncil.gov/wp-content/uploads/2025/04/2025-04-15-Subject-to-Funding-Legislation-quarterly-report.pdf>.
- ¹⁴ Tiina Reponen et al., *Infant Origins of Childhood Asthma Associated with Specific Molds*, PubMed Central (July 11, 2012), available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3432137/>; *Mold*, Centers for Disease Control and Prevention (CDC), <https://www.cdc.gov/mold/>, (Last Updated November 14, 2022).
- ¹⁵ 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/>.
- ¹⁶ David E. Jacobs, *Environmental Health Disparities in Housing*, American Journal of Public Health 101, Suppl. 1, S115-22 (2011), available at: <https://ajph.aphapublications.org/doi/pdf/10.2105/AJPH.2010.300058>; *Opportunity Starts at Home, Racial Inequities in Housing Fact Sheet* (2020), available at: <https://www.opportunityhome.org/resources/racial-equity-housing/>; Christina M. Pacheco et al., *Homes of Low-Income Minority Families with Asthmatic Children Have Increased Condition Issues*, Allergy & Asthma Proceedings (2014), available at: <https://pmc.ncbi.nlm.nih.gov/articles/PMC4210655/>. In the District, a child with asthma living in Ward 7 or 8 — the areas of DC with the highest proportions of Black and low-income households — is 20 times more likely to end up in the emergency room due to their asthma than a child living in Ward 3. Jess Arnold, *DC clinic says Black and African American kids still reporting most asthma cases*, WUSA9, February 27, 2022, available at: [https://www.wusa9.com/article/life/holidays/black-history-month/dc-clinic-black-african-american-kids-reporting-most-asthma-cases/65-eee708a6-7c3f-486a-859d-04101975f193#:~:text=Dr.%20Shilpa%20Patel%2C%20the%20clinic%27s%20medical%20director%2C%20said,coincide%20with%20the%20largest%20Black%20populations%20in%20D.C.](https://www.wusa9.com/article/life/holidays/black-history-month/dc-clinic-black-african-american-kids-reporting-most-asthma-cases/65-eee708a6-7c3f-486a-859d-04101975f193#:~:text=Dr.%20Shilpa%20Patel%2C%20the%20clinic%27s%20medical%20director%2C%20said,coincide%20with%20the%20largest%20Black%20populations%20in%20D.C;); BUILD HEALTH DC, available at: https://childrenslawcenter.org/wp-content/uploads/2021/07/CLC_BUILD_Brochure_IndvPgs.pdf.
- ¹⁷ At Children's Law Center, over half of the families we assisted with housing conditions matters in 2023 – 216 out of 406 families – reported having mold in their home. 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. Mold is also one of the most common housing problems reported to other legal service organizations in the District. See 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>.
- ¹⁸ D.C. Law 20-135. Air Quality Amendment Act of 2013.
- ¹⁹ D.C. Law 20-135. Air Quality Amendment Act of 2013. Sec. 304(a)-(d). Certification of mold assessment and remediation professionals.
- ²⁰ 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 FIS prepared for the RHESAA – reflects the actual need. Fiscal Impact Statement – Residential Housing Environmental Safety Amendment Act of 2020, District of Columbia Office of the Chief Financial Officer (November 9, 2020), https://lims.dccouncil.gov/downloads/LIMS/41819/Committee_Report/B23-0132-Committee_Report2.pdf?Id=113438. DOEE would need far more mold inspectors to conduct that number of mold inspections per year. For example, in FY23 the agency's mold inspectors received 456 mold complaints and

conducted 173 inspections based on those complaints. FY2023 DOEE Performance Oversight Responses, responses to Q53 and Q54(d), *available at*: <https://lims.dccouncil.gov/Hearings/hearings/299> (In addition to the 152 in-person mold inspections reported in Table 2, DOEE indicated that there were 21 virtual mold inspections conducted in FY23).

²¹ See Makenna Osborn, Children’s Law Center, Testimony Before the District of Columbia Committee on Transportation and the Environment (February 29, 2024), p. 10-11, <https://childrenslawcenter.org/wp-content/uploads/2024/03/2024-DOEE-Performance-Oversight-Hearing-Childrens-Law-Center-Written-Testimony-03.07.2024.pdf>:

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. 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 NOVs are only a “warning.” According to the agency’s pre-hearing responses, “[DOEE’s] mold program cannot issue Notices of Infraction (NOI) until regulations establishing the fine amounts are in place.” The regulations DOEE requires to issue NOIs were proposed in August of 2022 and reportedly scheduled for adoption by the Director of DOEE but subsequently stalled with the Mayor’s office. In DOEE’s pre-hearing responses, they reported that an updated version of the regulations is again “under review by the Office of the Mayor.”

In Children’s Law Center’s experience representing tenants with poor housing conditions, we have observed that the worst landlords are motivated by profit margins above all else, including tenant well-being and compliance with District laws. They will not invest in costly mold assessment and remediation unless they face a meaningful financial penalty for inaction. (Citations omitted).

²² 2025 Performance Oversight Responses, Department of Energy and Environment, Response to Q53(2), <https://dccouncil.gov/wp-content/uploads/2025/02/DOEE-2025-POH-Pre-Hearing-Responses.pdf> (“Currently, a Notice of Violation (warning) is issued since the regulations establishing a schedule of fines are not yet finalized.”).

²³ See e.g., *Housing Code Inspections*, District of Columbia Department of Buildings, <https://dob.dc.gov/node/1616616> (“It is the mission of the Department of Buildings (DOB) to ensure your building and your unit is healthy and safe. DOB needs tenants to report any suspected housing violations. District of Columbia law requires your landlord to provide apartments that are in safe, habitable, and livable condition.”).

²⁴ The Housing Conditions Court is a problem-solving court of limited jurisdiction that allows DC tenants to sue their landlord for violations of the housing code and seek a remedy of repairs of those violations on an expedited basis. Housing Conditions Court, District of Columbia Courts, <https://www.dccourts.gov/services/civil-matters/housing-conditions-calendar>.

²⁵ D.C. Law 23-188. Residential Housing Environmental Safety Amendment Act of 2020.

²⁶ D.C. Law 23-188. Residential Housing Environmental Safety Amendment Act of 2020. Sec. 2. The Quality Amendment Act of 2014. (e)(1), (c)(1)-(2).

²⁷ D.C. Law 23-188. Residential Housing Environmental Safety Amendment Act of 2020; 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://lims.dccouncil.gov/downloads/LIMS/41819/Hearing_Record/B23-0132-HearingRecord1.pdf?Id=58377; Makenna Osborn, Children’s Law Center, Testimony Before the District of Columbia Council Committee of the Whole (February 22, 2024), *available at*:

<https://childrenslawcenter.org/wp-content/uploads/2024/02/DOB-Performance-Oversight-Childrens-Law-Center-Written-Testimony-02.21.2024.pdf>.

²⁸ The Office of the Budget Director, District of Columbia Council, Legislation Passed Subject to Appropriation (April 2025), *available at*: <https://dccouncil.gov/wp-content/uploads/2025/04/2025-04-15-Subject-to-Funding-Legislation-quarterly-report.pdf>.

²⁹ RULES OF ORGANIZATION AND PROCEDURE FOR THE COUNCIL OF THE DISTRICT OF COLUMBIA, COUNCIL PERIOD 26, Section 736. REPEAL OF LAWS SUBJECT TO APPROPRIATION, p. 88, <https://dccouncil.gov/wp-content/uploads/2025/01/CP-26-Council-Rules-FINAL-12-31-24.pdf>.

³⁰ Fiscal Impact Statement – Residential Housing Environmental Safety Amendment Act of 2020, District of Columbia Office of the Chief Financial Officer (November 9, 2020), https://lims.dccouncil.gov/downloads/LIMS/41819/Committee_Report/B23-0132-Committee_Report2.pdf?Id=113438.

³¹ Fair Budget Coalition, *Choose DC: A Budget For Our People, By Our People* (2025), p. 30, https://fairbudget.org/wp-content/uploads/2025/03/Desktop_FBC_FY26-Budget-Platform_spreads-1.pdf.

³² D.C. Law 25-141. Proactive Inspection Program Act of 2024.

³³ In Children’s Law Center’s experience, tenants with limited English proficiency, low-income tenants, and tenants of color who fear retaliation from their landlord and are understandably hesitant to bring the District government into their home, are often unaware of the complaint process, cannot successfully file a complaint, or do not wish to file a complaint. These tenants are underserved by the complaint-based inspection system. *See also*, ChangeLab Solutions, *A Guide to Proactive Rental Inspections*, p. 10 (2022), https://www.changelabsolutions.org/sites/default/files/2022-11/A-Guide-to-Proactive-Rental-Inspections_FINAL_20221031A.pdf; Makenna Osborn, Children’s Law Center Testimony before the DC Council Committee of the Whole, p. 14 (February 22, 2024), *available at*: <https://childrenslawcenter.org/wp-content/uploads/2024/02/DOB-Performance-Oversight-Childrens-Law-Center-Written-Testimony-02.21.2024.pdf>; Kathy Zeisel, Children’s Law Center Testimony before the DC Council Committee of the Whole (February 23, 2023), *available at*: <https://childrenslawcenter.org/wp-content/uploads/2023/02/Childrens-Law-Center-Testimony-DOB-2023-Oversight-final.pdf>; Kathy Zeisel, Children’s Law Center Testimony before the DC Council Committee of the Whole (November 3, 2022), *available at*: <https://childrenslawcenter.org/wp-content/uploads/2022/11/Zeisel-CLC-PROACTIVE-INSPECTION-PROGRAM-ACT-OF-2022-Testimony-1.pdf>.

³⁴ D.C. Law 25-141. Proactive Inspection Program Act of 2024. Sec. 3. Program; purpose. (c)(1)(K),(L).

³⁵ ChangeLab Solutions, *A Guide to Proactive Rental Inspections*, p. 5 (2022) (citing Harvard Kennedy School, ASH Center for Democratic Governance and Innovation, *Systemic Code Enforcement Program* (January 1, 2005), *available at*: <https://ash.harvard.edu/news/systematic-code-enforcement-program>).

³⁶ Fiscal Impact Statement – Proactive Inspection Program Act of 2023, District of Columbia Office of the Chief Financial Officer (December 18, 2023), https://lims.dccouncil.gov/downloads/LIMS/52108/Other/B25-0048-FIS_Proactive_Inspection_Act_of_2023.pdf?Id=182227.

³⁷ Fair Budget Coalition, *Choose DC: A Budget For Our People, By Our People* (2025), p. 33, https://fairbudget.org/wp-content/uploads/2025/03/Desktop_FBC_FY26-Budget-Platform_spreads-1.pdf.

³⁸ Council of the District of Columbia, Committee of the Whole, Fiscal Year 2023 Committee Budget Report, p. 74 (April 21, 2023), *available at*: <https://static1.squarespace.com/static/5bbd09f3d74562c7f0e4bb10/t/62606a3fc640af181295a34f/1650485824377/COW+FY23+Report+-+Draft++4.20.22.pdf>.

³⁹ Council of the District of Columbia Committee of the Whole, Report and Recommendations of the Committee of the Whole on the Fiscal Year 2023 Budget and Corresponding Budget Support Act – Draft 4/20 (April 21, 2023), p. 81-82, *available at*: <https://static1.squarespace.com/static/5bbd09f3d74562c7f0e4bb10/t/62606a3fc640af181295a34f/1650485824377/COW+FY23+Report+-+Draft++4.20.22.pdf>; Council of the District of Columbia Committee of the Whole, Report and Recommendations of the Committee of the Whole on the Fiscal Year 2024 Budget and Corresponding Budget Support Act (April 27, 2023), p. 77-79, *available at*: <https://static1.squarespace.com/static/5bbd09f3d74562c7f0e4bb10/t/6449b0d8272ca0042663d43d/1682551006257/COW+FY2024+Proposed+Budget+Report+Recommendations.pdf>.

⁴⁰ FY 2026 Proposed Budget for the District of Columbia Government, Department of Buildings, Table CU0-4, Subtotal (EC0058) Strategic Code Enforcement and (R05702) Rental Housing Inspections Program, https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/cu0_dob_chapter_2026m.pdf.

⁴¹ At a time when the District is facing significant budget pressures, it is especially important that DOB not leave tens of millions of dollars in possible revenue on the table. This is money the District is rightfully owed by landlords that have earned a profit as a housing provider while flouting our laws. The Committee should ensure DOB has the capacity to pursue these fines to the fullest extent. *See* Makenna Osborn, Testimony Before the District of Columbia Council, Committee of the Whole, p. 14-16 (February 22, 2024), <https://childrenslawcenter.org/wp-content/uploads/2024/02/DOB-Performance-Oversight-Childrens-Law-Center-Written-Testimony-02.21.2024.pdf>.

⁴² As a reminder, Children’s Law Center believes the District’s goal should be a ratio of one housing code inspector for every 2,000 to 3,500 rental units and to get to that point, DOB should ideally employ between 59 and 104 full-time professional inspectors dedicated to inspecting rental housing units. A survey of comparable jurisdictions conducted by Children’s Law Center and Legal Aid DC determined that those jurisdictions have the following ratios of housing inspectors to rental units: Montgomery County, Maryland (1:3,500); Cleveland, Ohio (1:3,359); Des Moines, Iowa (1:2,221); Trenton, New Jersey (1:2,063); Syracuse, New York (1:2,577); Rochester, New York (1:1,390). The recommended number of housing code inspectors for DC is based on the DC Policy Center’s estimate that there are currently 207,421 rental units in DC. D.C. Policy Center, *Appraising the District’s Rentals – Landscape of Rental Housing*, (April 1, 2020), *available at*: <https://www.dcpolicycenter.org/publications/appraising-the-districts-rentals-chapter-ii/>.