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Testimony Before the District of Columbia Council  
Committee of the Whole  
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Public Oversight Hearing:  
“Housing Code Inspections and Rental Property Conditions”

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## Introduction

Good morning, Chairperson Mendelson, and members of the Committee. My name is Patrick Cothorn, and I am a Policy Attorney at 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 one hundred staff, together with D.C. 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 citywide solutions that benefit hundreds of thousands more.

Children's Law Center thanks the Committee of the Whole and the wider Council for the attention given to housing conditions over the last several years,<sup>1</sup> increasingly so in the last several months. In October 2025, the Committee on Public Works and Operations held a hearing on legislation that could ease the DOB housing code enforcement process.<sup>2</sup> That same month, the Committee on Housing held a roundtable to discuss housing conditions and housing code enforcement,<sup>3</sup> and in January 2024, this Committee held a hearing to discuss its findings from a monthslong review of DOB's housing inspection process.<sup>4</sup>

This oversight is necessary to ensure that the Department of Buildings (“DOB”), whose authorizing statute will soon celebrate its fifth anniversary,<sup>5</sup> meets its intended mission.<sup>6</sup> The Council has repeatedly found that DOB (and its predecessor agency, the Department of Consumer and Regulatory Affairs, “DCRA”) has long fallen short in achieving that mission, which affirms our clients’ experiences with DOB and our long-held concerns of ineffective enforcement of the District’s housing code. While DOB has taken steps to address concerns, additional improvements and Council support are essential.

My testimony today will identify challenges in D.C.’s current housing code enforcement system and offer suggestions to achieve these needed changes. An overview of the DOB process, from inspection to enforcement action, to collection, demonstrates the implications for District residents (our client base) and highlights areas of necessary improvements to support D.C. families and better fulfill DOB’s mission. We suggest the Council continue to monitor District housing conditions and the housing code enforcement, while also recognizing that this systemic issue will necessitate a systemic approach involving agencies beyond DOB. We also suggest DOB and its partner agencies collaborate to discover what is necessary for an effective housing code enforcement environment and inform this Council of what resources are necessary to more fully serve District residents. Next, about the housing code enforcement process, we suggest this Council prioritize improvements in the adjudication phase of enforcement because that

is where the bottleneck is forming. Third, we will describe the difficulties burdening the fine collection process and provide suggestions on how existing resources can be better coordinate to minimize that issue and improve collections.

### **D.C.'s Housing Code Enforcement System Needs Urgent, Systemic Improvement to Meaningfully Protect District Families from Unsafe Conditions**

Children's Law Center believes that the current situation is largely the same as what this Committee assessed in January 2024, that these systemic delays and gaps show the enforcement process is "broken and in need of repair."<sup>7</sup> We have recently testified on the need for DOB to implement changes,<sup>8</sup> and we have testified to the need for the Council to adjust and increase the funding provided to DOB to ensure they are best equipped and best positioned to meet expectations and to successfully protect the health and safety of District residents and their families.<sup>9</sup>

To fully understand the impact of DOB's shortcomings, consider the broader housing context in which our clients live, and how our clients are particularly vulnerable to failures in enforcement. Families we serve face extremely limited housing options across the District. The lack of affordable, healthy, and stable units leaves many with limited choices other than substandard or unsafe housing. They are not choosing poor conditions—they are forced into them because the only units they can access are those that landlords have allowed to deteriorate. This reality magnifies the harm when DOB's enforcement systems do not function as intended.

Based on the experiences of our clients, when tenants report hazardous housing conditions, inspections are often delayed for extended periods—sometimes weeks, sometimes months—and in some cases, they do not occur despite repeated requests. Residents frequently receive no acknowledgement that their complaint was recorded, and they are offered no updates or timelines. For families living with mold, pests, leaks, outages, or structural hazards, this silence is not an inconvenience but a threat to their health.

Even when inspections do take place, they too often do not lead to meaningful outcomes. Tenants commonly report that they receive no information about whether violations were found, what enforcement actions were taken, or whether landlords were directed to make repairs. The process is opaque, and in too many cases, it appears to stop at the inspection stage—with no visible follow-up, no clear next steps, and no improvement in conditions.

When DOB does identify violations and refers matters to the Office of Administrative Hearings (OAH), the pace of adjudication is far too slow. Case processing times often stretch into months, not days or weeks. For families facing unhealthy living environments, this delay effectively denies them the protection the housing code promises.

Even when fines are assessed, they are frequently uncollected, and most troubling of all, the underlying violations often remain unaddressed. Enforcement that does not

result in repaired conditions leaves families trapped in dangerous environments and allows landlords to continue neglecting their legal obligations without consequence.

Taken together, these failures demonstrate that the District’s housing enforcement system—inspection, communication, adjudication, and compliance—is deeply troubled and in urgent need of systemic, structural improvement. The families we serve cannot wait for incremental change; they need an enforcement system that protects them promptly, transparently, and effectively; and they need that system now.

### **DOB Does Not Perform Enough Quality Inspections.**

The challenges within the District’s inspection system begin long before an inspector arrives at a property. Residents often struggle to file complaints, receive little information once they do, and in many cases are discouraged from engaging with a process that delivers inconsistent results. Limited proactive inspections and ongoing staffing shortages further undermine the system’s effectiveness. To address these problems, we propose solutions to simplify the complaint process, improve communication with residents, and ensure DOB has sufficient staffing and resources to carry out timely and thorough inspections. Improvements to the DOB inspection process will benefit DOB’s ability to carry out its mission and will facilitate conditions for a more responsive and thorough code enforcement environment.

*Many Residents Find It Burdensome to Make a Housing Code Complaint.*

DOB's current rental housing complaint intake system is not fully accessible to the tenants who rely on it to obtain safe and healthy housing. In January 2024, CLC testified before this Committee that the online reporting process is difficult for many residents to navigate; that information on how to file a complaint is inconsistent across DOB's website, with different pages directing tenants to different phone numbers, email addresses, and instructions.<sup>10</sup> From my review of the DOB website, each of these issues persists today.<sup>11</sup> As a result, many tenants, particularly those without legal assistance, struggle to determine the correct path for reporting violations.<sup>12</sup>

As CLC testified before, tenants who attempt to report problems by phone face additional barriers because the primary number DOB provides is not dedicated to rental housing issues, includes a confusing menu without references to tenant services, and is available only in English.<sup>13</sup> These issues again persist nearly two years later.<sup>14</sup>

Beyond the ensuing difficulties for tenants, it is not clear that the current complaint intake process is an improvement from this Committee's January 2024 finding that "[c]omplaint intake information from tenants is often limited and inconsistent."<sup>15</sup> This is likely still the case for DOB, as the above stated difficulties limit a tenant's ability to thoroughly and accurately complete the form. For example, on the first page of the housing complaint form, when prompted to provide the address of the complaint, two additional fields appear: a dropdown menu to select an apartment or unit number, and a yes-no response to the question "is your unit number listed?"<sup>16</sup> If the given property has

no units (i.e., is a single-family home) the dropdown menu automatically states “the address has no apartment or unit number,” but the yes-no question about whether the unit number is listed remains present. The question would be inapplicable in the situation described, but someone filling out the form is required to answer either yes or no before they may proceed to the next portion of the complaint. This confusing requirement at just the first step alone of the complaint form will surely lead to inconsistent information and could push away potential complainants who do not know how to answer a question inapplicable to their situation.

To ensure all tenants can report violations and obtain timely inspections, DOB must update its public-facing guidance, improve the usability of both the phone and online reporting systems, and provide accessible, multilingual options for residents across the District.

*DOB Needs to Offer More Robust Communication with the Public About Inspections and Any Ensuing Developments.*

It should not be as difficult as it currently is for residents to learn the status of their housing complaints. At a community listening session this past October, DOB suggested that tenants who have not received an update should file another complaint.<sup>17</sup> That approach places the burden of system shortcomings back onto residents who are already living in unsafe conditions. Tenants who report hazardous conditions deserve to be treated with the respect and dignity that comes from clear, consistent information about



the steps DOB is taking in response to their concerns and the ultimate resolution of their complaint.

*There Are Not Enough Inspections Occurring and There Are Not Enough Inspectors at DOB.*

Proactive inspections are currently insufficient to address the scale of unsafe and substandard housing conditions across the District, and DOB does not have the resources it needs to conduct inspections at an appropriate level. The agency faces both a shortage of inspectors,<sup>18</sup> and limitations in the scope of inspections. Currently, inspectors are restricted to their specific areas of responsibility—for example, housing code inspectors can only address housing code violations, while illegal construction inspectors are limited to construction issues.<sup>19</sup> This approach creates inefficiencies, as inspectors may observe violations outside their assigned scope but cannot cite them, or multiple inspections by different inspectors are required to fully assess a single property. Complicating the restriction on resources is DOB's practice of only inspecting for the specific issue identified in the complaint, rather than assessing the entire property when on site,<sup>20</sup> a concern CLC has previously raised.<sup>21</sup> This Committee has found in its own observation of a DOB inspector that inspections were performed without reference to inspection checklists.<sup>22</sup>

DOB could resolve this inefficiency by having their inspectors address any issue within the agency's purview during a single inspection.<sup>23</sup> However, DOB's budget establishes different program and activity entries for each of the different types of

inspections.<sup>24</sup> This means that while DOB has 149 approved full-time-equivalent positions available for inspections, that group is divided into subgroups of limited inspections.<sup>25</sup> There are twenty-three inspectors for vacant and blighted properties, and three for construction compliance; all of whom must call a colleague to come inspect and cite a housing code violation should they uncover one.<sup>26</sup> A table displaying this budget information is provided as Appendix IV. Expanding inspectors' authority in this way, combined with sufficient staffing, would increase the number of proactive inspections, and ensure that inspections are more comprehensive, timely, and effective in protecting residents. This would also align the District's inspection process with the process used by the New York City Department of Housing Preservation and Development, which we have previously identified as a potential model for the District.<sup>27</sup> We suggest the Committee consider a different budgetary approach in the future, and allow DOB discretion to distribute inspectors as it sees fit, and to allow DOB to adjust that distribution throughout the year as conditions change.

### **Code Enforcement Actions Are Not Prompting the Resolution of Housing Code Violations.**

*The Classes of Housing Code Violations Need to be Adjusted to Better Reflect Life-Safety Concerns.*

To effectively protect residents' health and safety, the highest code violations should encompass housing code violations that threaten the safety of tenants, and mold and lead-related violations. Critical hazards such as mold and lead are significant health

concerns in the District, yet they are not thoroughly regulated under the housing code. Mold and lead are excluded from the housing code entirely, and we suggest that they be included within the code and that DOB inspect for and cite violations of mold and lead standards.<sup>28</sup> The housing code also categorizes violations into several classes on the basis of the severity of that violation.<sup>29</sup> However, the categories do not accurately reflect the safety and health risks a given violations presents to a tenant. For example, a missing room occupancy limit sign would be treated as a most serious violation requiring urgent remediation, while an exterior door without an operational lock would be treated as a minor violation.<sup>30</sup> While both concerns are important, we believe that District residents would feel a greater immediate safety risk regarding an unlockable exterior door. We suggest that the Committee coordinate with DOB to revise the classifications of housing code violations to ensure that the classes of code violations reflect a prioritization of tenant health and safety, with attention to how a given violation would affect the lived experience of a resident, as we have previously testified, and a suggestion to which DOB has affirmatively stated they have no objection.<sup>31</sup> Including violations related to mold, lead, and relevant property maintenance code provisions within the Act would align enforcement with the goal of reducing life-safety risks in rental housing. Doing so would incentivize property owners to remediate these hazards proactively, promote consistency and fairness in enforcement outcomes, and encourage collaboration among the agencies responsible for distinct aspects of housing regulation. Specific violations recommended

for inclusion are detailed in Appendices II and III of this document, and we have previously testified about how changes in this respect would benefit tenants<sup>32</sup> We suggest the Committee to work with DOB to ensure these regulatory changes are made.

*Afford OAH and DOB the Resources Necessary for Them to Process Cases in a Timely Manner and Clear its Backlog.*

The public dashboard provided by DOB shows a staggering backlog in processing cases after an inspection uncovers a violation.<sup>33</sup> In January 2024, this Committee found that housing code violations were not abated within required timeframes and thousands of cases were pending adjudication at OAH, with processing times stretching into months rather than weeks.<sup>34</sup> Data provided within DOB's strategic enforcement report for FY 2024 measures this backlog in dollars:

**Chart 4: Fines Assessed Versus Fines Collected by DOB Year Over FY 2023 Versus FY 2024 Showing How Final Order Issuance Time Shifts Fine Collection**

FY QTR	Adjudication Status	Assessed Amount		Invoiced Amount		Paid Amount		Number of NOIs	
		2023	2024	2023	2024	2023	2024	2023	2024
Q1	PRE-FINAL ORDER AND/OR RESOLVED	2,492,154	5,733,631	270,560	370,714	221,676	130,442	837	2,260
Q2		4,254,312	8,069,714	301,465	721,212	222,739	259,928	1,327	2,833
Q3		4,420,403	9,172,425	205,997	574,261	219,231	229,414	1,681	2,724
Q4		5,689,739	10,954,533	220,194	497,180	165,100	259,187	2,402	3,452
	Totals	16,856,608	33,930,303	998,216	2,163,368	828,746	878,972	6,247	11,269
Q1	FINAL ORDER RECEIVED	6,657,162	3,171,609	2,787,233	4,478,463	483,571	380,852	861	1,713
Q2		3,688,589	2,961,064	6,321,020	5,471,904	447,031	669,408	919	2,601
Q3		3,272,654	1,750,593	2,638,828	5,965,684	407,026	292,943	1,465	2,847
Q4		3,520,342	595,631	3,330,142	2,350,067	584,783	401,876	1,982	2,090
	Totals	17,138,747	8,478,897	15,077,223	18,266,118	1,922,410	1,745,079	5,227	9,251
	Combined Totals	33,995,355	42,409,200	16,075,440	20,429,486	2,751,156	2,624,050	11,474	20,520

Figure 1: The report defines "Assessed Amount" to be the collective face value of all issued NOIs. "Invoiced Amount" is the collective amount DOB sought to collect after a Final Order was issued in a case or the amount agreed upon in a pre-hearing settlement. "Paid Amount" is the collective amount respondents paid.

In FY 2024, DOB assessed 42.4 million dollars in fines, while invoicing only 20.4 million dollars. This processing backlog directly delays collections which, thereby, minimizes the repercussions of enforcement, and leaves families in unsafe housing. That backlog indicates that both DOB and OAH need expanded resources to provide timely resolutions. To do so, DOB needs funding and staff to facilitate a case processing pace matching the pace of cases generated by their inspectors. Having additional ALJs at OAH to hear housing code cases will facilitate efficiency as well.<sup>35</sup> We suggest the Committee address these resource shortages when performing future budget planning for the relevant agencies.

*DOB and DOEE Should Take a More Active Role in Regulating Mold.*

Unaddressed residential mold contamination is a serious health equity issue in the District, contributing to respiratory problems and driving the city's childhood asthma epidemic.<sup>36</sup> Low-income households and people of color are more likely to live in rental housing with indoor mold, causing disproportionate harm to their health.<sup>37</sup> Despite longstanding recognition of indoor mold as a health hazard and existing remediation laws, mold remains one of the top housing condition complaints and continues to pose a barrier to protecting children's health.<sup>38</sup>

Currently, responsibility for mold enforcement rests with the Department of Energy and Environment (DOEE), which regulates licensure services for mold professionals, sets remediation standards, and responds to complaints.<sup>39</sup> However, DOEE lacks sufficient staffing and an enforcement structure, including the ability to issue fines, leaving landlords largely without consequence for failing to address mold.<sup>40</sup> Placing mold enforcement with DOEE has also created a confusing and duplicative process for tenants, as the public is directed to contact DOB for housing concerns, yet DOEE regulates mold. Similarly, legal avenues for tenants, such as the Housing Conditions Court, rely on DOB inspections, leaving mold under-addressed through that path as well.

In response, the Council passed D.C. Law 23-188 in 2020,<sup>41</sup> which would require DOB rental housing inspectors to become licensed mold assessors and to issue notices of violation and penalties for mold hazards. Children's Law Center strongly supports this

legislation to leverage DOB's existing enforcement infrastructure and create a streamlined process for tenants.<sup>42</sup> Yet, the RHESAA remains unfunded and unimplemented.<sup>43</sup> Without funding in the FY26 budget, the law may have been repealed under Council Rule 736, further delaying critical protections.<sup>44</sup> The Fiscal Impact Statement estimates that implementing the RHESAA would require \$3.5 million in the first year and \$12.4 million over four years. Children's Law Center and its partners call on the Council to fully fund the RHESAA to ensure tenants are protected from the serious, long-term harms of residential mold; or, if Council Rule 736 operated to repeal the law, we then suggest the Council to again pass the lapsed provision and to timely provide funding.

*Adapt Existing Resources to Better Focus on Housing Conditions and Support Related Legislation.*

Across several recent hearings, we have advocated for augmenting the existing housing enforcement paradigm with innovative approaches. These include:

- Directing DLCP to collect information on the actual natural person beneficial owners so that they, not their shell companies, can be held accountable.<sup>45</sup>
- Empowering OAG to dissolve LLCs if it is in the public interest, to hold the true bad actors more directly held accountable.<sup>46</sup>
- Give OAH the authority to include within its Final Orders injunctive relief mandating abatement of code violations.<sup>47</sup>
- Allow for tenant-initiated escrow accounts wherein tenants may deposit their rent with a third party if a landlord does not timely rectify code violations.<sup>48</sup>

The Council can implement many of these suggestions by passing recently introduced legislation including the Housing with Integrity Amendment Act of 2025 (B26-287), and the Strengthening Tenant Receivership and Oversight for Neighborhood Growth Homes Amendment Act of 2025 (B26-0493). We suggest the members of this Committee to collaborate with their fellow Councilmembers to pass versions of these bills that consider CLC's suggestions for each.

**Improve the Collection Rate on Fines Imposed for Housing Code Violations to Restore the Deterrent Effect of Citations for a Housing Code Infraction.**

The deterrent effect of housing code enforcement depends not only on identifying violations and issuing fines but on ensuring those fines are collected. When penalties remain unpaid, landlords learn that noncompliance carries little consequence, perpetuating unsafe conditions for tenants. Unfortunately, the District's current collection rate for housing code fines is low, undermining the integrity of the enforcement system and eroding public confidence in DOB's ability to protect residents. There are several ways to address this.

*Increase Funding Within the Nuisance Abatement Fund to Permit DOB to Resolve More Housing Infractions Themselves.*

The District government is authorized use its special purpose nuisance abatement fund to abate the condition 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.<sup>49</sup> Despite the law's broad scope authorizing DOB to use the fund to "correct *any* housing



code violation,” the fund has not been given sufficient resources to allow DOB to make effective use of it, as it most commonly uses that resource to abate trash violations.<sup>50</sup>

One item this Council could do that would significantly aid DOB is ensure that some or all the fines collected by DOB go to the nuisance abatement fund. Doing so would enable DOB to perform more abatements themselves without the need for additional budgetary expenditures, and the expenses of such abatement would be recoverable through a property lien.<sup>51</sup> DOB reports that it performs more abatements than owners do (despite funding limitations) and does them significantly faster than owners do.<sup>52</sup> DOB is more efficient when performing abatement, as it would not need to review proof of the quality of a landlord’s work, instead DOB will know whether their own work is sufficient to meet code requirements. We ask that DOB be permitted to retain more, if not all, of the fines and liens that they recover so that the nuisance abatement fund can be expanded; and that the Council consider providing additional budgetary resources to the Nuisance Abatement Fund. This approach prioritizes tenant health and safety while maintaining pressure on property owners to comply with the law.

*Direct the Central Collections Unit to Prioritize Collection of Outstanding Housing Code Fines.*

When DOB is successful at OAH and obtains a final order imposing a fine, DOB will attempt to collect that fine for a period of ninety days. If the fine is not collected or otherwise addressed within this time, the debt is referred to the Central Collections Unit (“CCU”).

The CCU plays a critical role in recovering unpaid fines,<sup>53</sup> yet housing-related debts often languish without resolution. Figure 1, the table indicating dollar amounts of NOIs sorted by their procedural posture, shows that of 20.4 million dollars invoiced for collection, only 2.6 million dollars was collected, a third of which was collected by DOB itself. This means that CCU is collecting only a small portion of the outstanding fines owed to DOB.

CCU is not effectively collecting outstanding fines for housing code violations, but the reasoning for this gap is not clear. Their annual reports are short on details and do not breakdown the dollar amounts any given agency, such as DOB, referred to them for collection.<sup>54</sup> The Council should require CCU to treat housing code fines as a top-tier priority and to report regularly on collection outcomes. This includes providing data on the total amount of outstanding fines disaggregated by agency, the age of those debts, and the steps being taken to pursue recovery. Such transparency will help identify systemic barriers and ensure accountability. A public accounting of the obstacles to effective collection will enable the Council to craft targeted solutions. If CCU lacks the tools or authority to enforce payment, those gaps must be addressed through legislative or budgetary action.

*Direct the Office of Tax and Revenue to Rigorously Apply the Clean-Hands Requirements.*

Under existing District law, entities with unresolved debts to the District should not receive certifications or licenses, this is referred to as the “clean hands” requirement<sup>55</sup>

OTR must enforce this principle by denying business certifications to landlords who have outstanding Notices of Infraction (NOIs) or unpaid housing code fines. Doing so will create a powerful incentive for compliance and prevent bad actors from continuing to operate unchecked, as a certificate of clean hands is a necessary item for many other required forms, including business registration.<sup>56</sup>

Taken together, these measures will restore the deterrent effect of housing code enforcement, protect tenants from prolonged exposure to unsafe conditions, and reaffirm the District's commitment to holding landlords accountable. Without meaningful collection, the enforcement process is incomplete—and the health and safety of thousands of families remain at risk.

## **Conclusion**

The District's housing enforcement system remains flawed, leaving too many families in unsafe and unhealthy homes. As this testimony has indicated, the problems span every stage of the process, from complaint intake and inspection delays to enforcement gaps and ineffective fine collection. These failures are not abstract. They have real and harmful consequences for children and families.

The Council created the Department of Buildings with a mission to protect health, safety, and quality of life by enforcing housing standards. That mission cannot be fulfilled without systemic improvements. The recommendations offered today (1) strengthening inspections, (2) accelerating enforcement, and (3) restoring the deterrent effect of fines are

practical steps that will make a tangible difference for residents. They also align with the Council's own findings that the current system is "broken and in need of repair."

Every day that these shortcomings persist is another day that families live with mold, leaks, pests, and structural hazards that threaten their health and stability. Incremental change is insufficient in this situation. The Council must act boldly to ensure that housing enforcement works as intended to promptly, transparently, and effectively address housing code violations. By implementing these reforms, the District can move closer to a future where every child grows up in a safe and healthy home and where landlords are held accountable when they fall short of their responsibilities. Children's Law Center is ready to assist the Council in drafting legislation or providing technical input. Thank you for this opportunity to testify.

# Appendix I

## Screenshot of DOB Online Complaint Form with Example Entry Mentioned in Note Thirteen and Accompanying Text

Get An Inspection | dob

DC Department of Buildings

Spanish (Español) French (Français) Vietnamese (Tiếng Việt) Amharic (አማርኛ) Chinese (中文) Korean (한국어)

Step 1 of 4

### Housing Inspection and Property Maintenance Request Form

The Department of Buildings (DOB) supports a thriving community of residents, businesses, and visitors through diligent protection of health and safety and equitable administration of regulation and compliance in the District. It is the mission of the DC Department of Buildings (DOB) to ensure your building and your unit is healthy and safe. Please use the form below to complete an inspection request.

If you are experiencing an emergency, please call 911.

Is the property vacant? \*

☐ Yes

☐ No

☒ Unsure

Tell us who you are

Other

Details

Enter your details

### Complaint Details

Inspection requests submitted through this webform will be automatically scheduled, and you will receive a email notification of your scheduled inspection. If there are any issues processing your inspection request, our team will review your request and reach out to you for more information.

Address \*

17 17TH STREET SE

Change

Apartment or Unit No

The address has no apartment or unit no

Is your unit number listed? \*

☒ Yes

☐ No

Next

## Appendix II

### *Suggested Housing Code Violations Outside Classes One and Two That Go to Life-Safety*

D.C. MUN. REG. Citation	Description of Violation
16 D.C. MUN. REG. § 3305.3(c)	renting or offering to rent a habitation that is not clean, safe, and free of vermin and rodents
16 D.C. MUN. REG. § 3305.3(d)	owner fails to provide and maintain the required facilities, utilities and services
16 D.C. MUN. REG. § 3305.3(k)	failure to comply with the requirements of this section when altering any building in existence prior to June 9, 1960
16 D.C. MUN. REG. § 3305.3(l)	areaways constructed on buildings erected after June 9, 1960, does not comply with requirements of the International Code Council (ICC) International Building Code and Title 12 of the District of Columbia Municipal Regulations, the Construction Codes Supplement of 2003 and Zoning Regulations
16 D.C. MUN. REG. § 3305.3(m)	failure to properly or safely install, or maintain in a safe and working condition, a required facility
16 D.C. MUN. REG. § 3305.3(o)	providing a heating facility that does not permit the temperature to be maintained at or below the maximums established by 14 D.C. MUN. REG. § 501.3
16 D.C. MUN. REG. § 3305.3(t)	failure to provide required natural or mechanical ventilation for each habitable room
16 D.C. MUN. REG. § 3305.3(u)	failure to comply with a requirement concerning the ventilation of habitable rooms

16 D.C. MUN. REG. § 3305.3(v)	failure to provide or maintain required openable area in case of mechanical ventilation failure
16 D.C. MUN. REG. § 3305.3(w)	permitting a prohibited recirculation of air
16 D.C. MUN. REG. § 3305.3(x)	permitting air from prohibited locations to be drawn into a habitable room
16 D.C. MUN. REG. § 3305.3(y)	permitting a prohibited obstruction of ventilation
16 D.C. MUN. REG. § 3305.3(z)	failure to properly install each facility, utility, or fixture
16 D.C. MUN. REG. § 3305.3(aa)	failure to maintain in a safe and good working condition a facility for cooling, storing, or refrigerating food
16 D.C. MUN. REG. § 3305.3(bb)	failure to comply with a requirement concerning plumbing facilities
16 D.C. MUN. REG. § 3305.3(cc)	failure to provide a lavatory, water closet and bathing facilities for each dwelling unit
16 D.C. MUN. REG. § 3305.3(dd)	failure to provide a sufficient number of bathing facilities
16 D.C. MUN. REG. § 3305.3(ee)	failure to comply with a requirement concerning water heating facilities
16 D.C. MUN. REG. § 3305.3(ff)	failure to maintain all structures located on a premise in a sanitary and structurally sound condition
16 D.C. MUN. REG. § 3305.3(gg)	failure to maintain a roof so that it does not leak, and so that rain water is properly drained there from
16 D.C. MUN. REG. § 3305.3(hh)	Failure to provide a flue opening with a flue cock, or with a metal or masonry thimble
16 D.C. MUN. REG. § 3305.3(ii)	permitting to exist on premises a window, window frame, door, or door frame which

	does not completely exclude rain and substantially exclude wind
16 D.C. MUN. REG. § 3305.3(jj)	failure to comply with a requirement concerning stairways, steps, guardrails, or porches
16 D.C. MUN. REG. § 3305.3(ll)	premises creates a danger to the health, welfare or safety of the occupants, public and/or constitute a public nuisance
16 D.C. MUN. REG. § 3305.3(nn)	serious accumulation of trash, rubbish, or garbage in or on any premises shall constitute an insanitary and unhealthy condition
16 D.C. MUN. REG. § 3305.3(oo)	failure to afford protection against accident to a person in or about premises on which there is an unoccupied or uncompleted building
16 D.C. MUN. REG. § 3305.3(pp)	failure to submit fire inspection report or correct cited violations
16 D.C. MUN. REG. § 3305.3(qq)	permitting the accumulation of combustible junk
16 D.C. MUN. REG. § 3305.3(rr)	failure to properly notify the Fire Department of a fire
16 D.C. MUN. REG. § 3305.4(c)	failure to provide required occupant access to a bathroom or sleeping room
16 D.C. MUN. REG. § 3305.4(d)	failure to comply with a requirement concerning the ventilation of bathrooms
16 D.C. MUN. REG. § 3305.4(e)	failure to maintain a mechanical ventilation system in safe and good working condition or in constant operation
16 D.C. MUN. REG. § 3305.4(i)	failure to provide a required lock or key to a habitation door, or to maintain a lock in good repair



16 D.C. MUN. REG. § 3305.4(j)	failure to maintain a walkway in good repair, free of holes, and safe for walking purposes
16 D.C. MUN. REG. § 3305.4(o)	failure to keep a masonry wall pointed
16 D.C. MUN. REG. § 3305.4(s)	failure to construct or maintain a basement hatchway so as to prevent the entrance of rodents, rain, or surface drainage water into a dwelling
16 D.C. MUN. REG. § 3305.4(v)	failure to maintain an exit directional sign

### Appendix III

#### *Suggested Property Maintenance Code and Lead Violations*

<b>D.C. MUN. REG. Citation</b>	<b>Description of Violation</b>
16 D.C. MUN. REG. § 3309.1	class 1 property maintenance code violations
16 D.C. MUN. REG. § 3309.2	class 2 property maintenance code violations
16 D.C. MUN. REG. § 3309.2.1(a)	failure to maintain exterior property and premises in clean, safe and sanitary condition
16 D.C. MUN. REG. § 3309.2.1(b)	failure to maintain sidewalk, walkway, driveway, stairs or other walking surface safe for walking purposes
16 D.C. MUN. REG. § 3309.2.1(d)	failure to maintain structures and exterior property free from rodent harborage and infestation
16 D.C. MUN. REG. § 3309.2.1(k)	failure to maintain foundation wall
16 D.C. MUN. REG. § 3309.2.1(l)	failure to maintain exterior walls in a structurally sound condition
16 D.C. MUN. REG. § 3309.2.1(r)	failure to maintain windows, skylights and door frames
16 D.C. MUN. REG. § 3309.2.1(s)	failure to maintain exterior doors
16 D.C. MUN. REG. § 3309.2.1(t)	failure to maintain basement hatchway
16 D.C. MUN. REG. § 3309.2.1(u)	failure to provide proper basement hatchway lock
16 D.C. MUN. REG. § 3309.2.1(v)	failure to maintain interior surfaces in good repair
16 D.C. MUN. REG. § 3309.2.1(z)	operator of a housing business permitting the accumulation of rags, waste paper, broken furniture or any combustible junk

16 D.C. MUN. REG. § 3309.2.1(kk)	failure to correct condition that cause infestation of non-residential structure
16 D.C. MUN. REG. § 3309.2.1(mm)	failure of owner to provide required extermination services
16 D.C. MUN. REG. § 3309.2.1(rr)	failure to provide proper natural or artificial ventilation*
16 D.C. MUN. REG. § 3309.2.1(ss)	failure to provide proper ventilation for bathroom or toilet room*
16 D.C. MUN. REG. § 4003.1	class 1 lead-based paint violations
16 D.C. MUN. REG. § 4003.2	class 2 lead-based paint violations
16 D.C. MUN. REG. § 4003.3	class 2 lead-based paint violations
16 D.C. MUN. REG. § 4003.4(c)	failure to prevent dispersal of paint dust, chips, debris, or residue, or increasing the risk of public exposure to lead-based paint
16 D.C. MUN. REG. § 4003.4(d)	failing to comply with residential property renovation requirements under 40 C.F.R. § 745.80 through 745.92
16 D.C. MUN. REG. § 4003.4(j)	failure to perform a clearance examination following work that required a renovation permit
16 D.C. MUN. REG. § 4003.4(k)	failure to have a clearance examination conducted by a required person
16 D.C. MUN. REG. § 4003.4(q)	failure to disclose information about lead-based paint, lead-based paint hazards, and pending actions to a purchaser or tenant of a dwelling unit constructed before 1978
16 D.C. MUN. REG. § 4003.4(r)	failure to provide required disclosures to a purchaser or tenant to purchase or lease a dwelling unit as required
16 D.C. MUN. REG. § 4003.4(s)	failure to provide lead disclosure form and clearance report for units that will be occupied or regularly visited by a child under the age of six (6) or pregnant

	woman, before tenant is signs a lease for the unit
16 D.C. MUN. REG. § 4003.4(t)	failure to timely provide clearance report for a dwelling unit for which a tenant has notified the owner that a person at risk resides or regularly visits
16 D.C. MUN. REG. § 4003.4(u)	failure to provide tenants with notice of their rights whenever a tenant executes or renews a lease or the owner provides notice of a rent increase
16 D.C. MUN. REG. § 4003.4(v)	failure notify a tenant within ten (10) days of the presence of lead-based paint and to provide a Lead Warning Statement or lead hazard information pamphlet
16 D.C. MUN. REG. § 4003.4(y)	failure to provide a prospective tenant with a clearance report, if tenant informs property owner that the household will include a pregnant individual or a child under six (6) years of age
16 D.C. MUN. REG. § 4003.5(b)	failure to provide, upon written request by a tenant who is pregnant or has a child under six (6) years of age, a clearance report issued within twelve (12) months of the request
16 D.C. MUN. REG. § 4003.5(f)	failure by owner of “lead-free unit” to disclose the presence of enclosed lead-based paint
16 D.C. MUN. REG. § 4003.5(k)	undertaking the raze or demolition of a pre-1978 building without a lead abatement permit as required
16 D.C. MUN. REG. § 4003.5(l)	failure to use approved encapsulation products

16 D.C. MUN. REG. § 4003.5(n)	failure to conduct a timely clearance examination and repeat examination until a passing clearance report is issued
16 D.C. MUN. REG. § 4003.6(c)	failure to address underlying condition of the property that has caused the failure of the clearance examination

## Appendix IV

Table Depicting DOB FY 2026 Budget For Inspector Positions

**Table CU0-4**

(dollars in thousands)

Division/Program and Activity	Dollars in Thousands					Full-Time Equivalents				
	Actual FY 2023	Actual FY 2024	Approved FY 2025	Approved FY 2026	Change from FY 2025	Actual FY 2023	Actual FY 2024	Approved FY 2025	Approved FY 2026	Change from FY 2025
<b>(EC0057) INSPECTION</b>										
(R05701) Vacant and Blighted Property	2,184	2,457	2,584	2,437	-148	21.0	18.0	25.0	23.0	-2.0
(R05702) Rental Housing Inspections Program	5,063	5,573	6,885	6,444	-440	62.0	58.7	59.0	56.0	-3.0
(R05703) Housing Rehabilitation Program	2,267	2,207	2,897	4,119	1,223	17.9	17.0	17.0	18.0	1.0
(R05704) Construction Compliance Program	513	601	629	557	-72	3.0	2.8	3.0	3.0	0.0
(R05706) Building Inspection Program	3,613	3,614	5,083	4,137	-946	37.1	41.9	39.0	37.0	-2.0
(R05707) Third-Party Inspection Program	1,032	1,396	1,493	1,749	257	10.6	10.1	12.0	12.0	0.0
<b>SUBTOTAL (EC0057) INSPECTION</b>	<b>14,671</b>	<b>15,848</b>	<b>19,570</b>	<b>19,444</b>	<b>-126</b>	<b>151.5</b>	<b>148.5</b>	<b>155.0</b>	<b>149.0</b>	<b>-6.0</b>

<sup>1</sup> The Council dissolved the predecessor of the Department of Building (“DOB”) predecessor, the Department of Consumer and Regulatory Affairs (“DCRA”) because, among other concerns, DCRA was “not adequately focused on protecting tenants” from negligent landlords and consistently failed to effectively enforce the District’s housing code. Council of the District of Columbia, Committee of the Whole, Report on Bill 23-91, “Department of Buildings Establishment Act of 2020,” p. 4-6 (Dec. 1, 2020), *available at* [https://lims.dccouncil.gov/downloads/LIMS/41724/Committee\\_Report/B23-0091-Committee\\_Report2.pdf?Id=115311](https://lims.dccouncil.gov/downloads/LIMS/41724/Committee_Report/B23-0091-Committee_Report2.pdf?Id=115311).

<sup>2</sup> Patrick Cothorn, CHILDREN’S LAW CENTER, Testimony Before the District of Columbia Council, Committee on Housing (Oct. 22, 2025), *available at* <https://childrenslawcenter.org/resources/testimony-housing-with-integrity-amendment-act-of-2025/>.

<sup>3</sup> Patrick Cothorn, CHILDREN’S LAW CENTER, Testimony Before the District of Columbia Council, Committee on Housing (Oct. 30, 2025), *available at* <https://childrenslawcenter.org/resources/testimony-roundtable-on-raising-the-standard-for-dc-housing/>.

<sup>4</sup> Makenna Osborn, CHILDREN’S LAW CENTER, Testimony Before the District of Columbia Council, Committee of the Whole (Jan. 18, 2024), *available at* <https://childrenslawcenter.org/wp-content/uploads/2024/01/DOB-Rental-Housing-Code-Inspection-Hearing-Childrens-Law-Center-Written-Testimony-With-Attachments-1.17.2024.pdf>.

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<sup>5</sup> DOB was established by an Act with an effective date of April 5, 2021. 68 D.C. REG. 004174 (Apr. 23, 2021).

<sup>6</sup> The Council established DOB’s mission to be the promotion of “the health, safety, and quality of life of residents and visitors in the District of Columbia by ... inspecting the built environment, ... and enforcing the regulations and codes governing building construction, rental housing conditions, building maintenance, building safety, and zoning.” D.C. CODE § 10-561.02(b). DOB’s functions, according to the same statute, include ensuring “that the habitability and sanitary condition of all rental housing units in the District of Columbia meet all applicable regulations and codes,” and that buildings “meet adequate health, safety, and environmental standards.” D.C. CODE § 10-561.02(c).

<sup>7</sup> Council of the District of Columbia, Committee of the Whole, Report on the District’s Housing Code Inspection Process: Broken and in Need of Repair (hereafter “Report: Broken and in Need of Repair”) (Jan. 18, 2024), *available at* <https://lims.dccouncil.gov/Hearings/hearings/211>.

<sup>8</sup> Osborn, *supra* n. 4, Cothorn, *supra* nn. 2-3.

<sup>9</sup> Cothorn, *supra* nn. 2-3; Makenna Osborn, CHILDREN’S LAW CENTER, Testimony Before the District of Columbia Council, Committee of the Whole (May 28, 2025), *available at* <https://childrenslawcenter.org/wp-content/uploads/2025/06/DOB-FY26-Budget-Hearing-Childrens-Law-Center-Written-Testimony-05.28.2025.pdf>.

<sup>10</sup> Osborn, *supra* n. 4 at 3-6.

<sup>11</sup> Based on the author’s review of the DOB website over several days in mid- to late-November 2025.

<sup>12</sup> This conclusion is made based on statements CLC clients provided to CLC’s direct services attorneys, and on the author’s observations of public hearings and community organizing sessions where tenants voiced their experiences.

<sup>13</sup> Osborn, *supra* n. 4 at 3-6.

<sup>14</sup> Based on the author’s review of DOB’s website for a contact number, and the author’s experience in calling that number, (202)-671-3500.

<sup>15</sup> Report: Broken and in Need of Repair, *supra* n. 7 at 2.

<sup>16</sup> A screenshot of DOB’s online complaint form showing this information, filled out with the information that the example goes on to provide, is provided as Appendix I.

<sup>17</sup> Empower D.C., *Empower D.C. Tenants Meeting with Dept. of Buildings*, YOUTUBE (Sep. 29, 2025), <https://www.youtube.com/watch?v=HIDQNsY4tZs&t=5415s>.

<sup>18</sup> For DOB, it has been an ongoing strategic goal to hire and retain additional housing code inspectors. 4 Department of Buildings, Office of Strategic Code Enforcement, Fiscal Year 2024 Annual Report, 17, *available at* <https://dob.dc.gov/sites/default/files/dc/sites/dob/DOB%20FY2024%20Strategic%20Enforcement%20Report.pdf>; Department of Buildings, Strategic Enforcement Plan FY 23-25, 4, (Mar. 13, 2023) *available at* <https://lims.dccouncil.gov/downloads/LIMS/52491/Introduction/RC25-0026-Introduction.pdf?Id=157566>. *See also* Osborn, *supra* n.9 at 9, n. 42:

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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 D.C. 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 D.C. is based on the D.C. Policy Center’s estimate that there are currently 207,421 rental units in D.C.. [internal citation omitted].

<sup>19</sup> This limitation was described by DOB at a community meeting. Empower D.C., *Empower D.C. Tenants Meeting with Dept. of Buildings*, YOUTUBE (Sep. 29, 2025), <https://www.youtube.com/watch?v=HIDQNsY4tZs&t=5415s>.

<sup>20</sup> District tenants raised concerns of this practice to DOB at the same community meeting. Empower D.C., *Empower D.C. Tenants Meeting with Dept. of Buildings*, YOUTUBE (Sep. 29, 2025), <https://www.youtube.com/watch?v=HIDQNsY4tZs&t=5415s>.

<sup>21</sup> Osborn, *supra* n. 4 at 6 – 8.

<sup>22</sup> Report: Broken and in Need of Repair, *supra* n. 7 at 20.

<sup>23</sup> This potential solution was raised by the government in DOB’s oral testimony provided during a hearing on the proposed Housing With Integrity Amendment Act of 2025. Recording: Legislative Hearing on the Housing with Integrity Amendment Act of 2025, held by the District of Columbia Council, Committee on Public Works and Operations, at 07:48:00, (Oct. 22, 2025) *available at* [https://dc.granicus.com/ViewPublisher.php?view\\_id=58](https://dc.granicus.com/ViewPublisher.php?view_id=58).

<sup>24</sup> District of Columbia Office of the Chief Financial Officer, FY 2026 Approved Budget and Financial Plan, vol. 4 \*F-7 to F10, tbl. CU0-4, (Oct. 3, 2025) *available at* <https://app.box.com/s/5b05117f8x8xk5734szz63fi0iz1txga>

<sup>25</sup> *Id.*

<sup>26</sup> *See id.*

<sup>27</sup> Osborn, *supra* n. 4 at 7.

<sup>28</sup> The statutory provisions are within chapters 2A (lead) and 2B (mold) of title 8 of the D.C. Code, and the implementing regulatory provisions are spread throughout the D.C. Municipal Regulations but are not within the Housing Code at title 14 of the D.C. Municipal Regulations.

<sup>29</sup> “Life-safety” is not a term defined within District regulations and is not a term that has a clear relationship with the classes of housing code violations. *See* 14 D.C. MUN. REG. § 105; 16 D.C. MUN. REG. § 3101 (omitting such definitions). DOB’s website indicates that it issues “emergency” Notices of Infraction (“NOIEs”) for life-safety concerns (DOB, Notice of Infraction, *available at* <https://dob.dc.gov/noi>), but NOIEs is also not a defined term within District regulations. *See* 14 D.C. MUN. REG. § 105; 16 D.C. MUN. REG. § 3101 (omitting such definitions). The housing code is organized according to classes of violations,



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and District regulation defines the severity of each class. 16 D.C. MUN. REG. § 3200.1. Health and safety are items mentioned within classes one through five (with severity decreasing as the class number rises).

<sup>30</sup> 16 D.C. MUN. REG. §§ 3305.3(ss), 3305.4(i).

<sup>31</sup> Cothorn, *supra* n. 2 (prior CLC testimony); District of Columbia Committee on Public Works and Operations, *Legislative Hearing on Housing with Integrity Amendment Act of 2025*, (District of Columbia 2025), [https://dc.granicus.com/ViewPublisher.php?view\\_id=58](https://dc.granicus.com/ViewPublisher.php?view_id=58) (link leads to a list of recording testimony, scroll to the hearing held October 22, 2025. DOB's testimony begins near 07:48:00).

<sup>32</sup> Cothorn, *supra* n. 3.

<sup>33</sup> Council of the District of Columbia, Committee of the Whole, Committee Report, Report on The District's Housing Code Inspection Process: Broken and In Need of Repair (Jan. 18, 2024), 1, *available at* <https://lims.dccouncil.gov/Hearings/hearings/211> (Committee of the Whole report listing findings that the current housing code inspection process contains "unnecessary delays," and that violations "are not abated within the time frames required by notices of infraction."); Morgan Baskin, DCIST, 'Broken and in Need of Repair': D.C. Council Audit Finds Fault in Housing Inspections System, (Jan. 19, 2024) *available at* <https://dcist.com/story/24/01/19/dc-council-audit-housing-inspections/> (news article reporting on the report cited immediately prior and adding additional context); Anne Cunningham, Children's Law Center, Testimony Before the District of Columbia Council Committee of the Whole (Oct. 31, 2018), *available at* [https://childrenslawcenter.org/wp-content/uploads/2021/07/CLC-Testimony-Housing-Code-Enforcement-Dahlgreen-Courts-Case-Study-by-ODCA\\_0.pdf](https://childrenslawcenter.org/wp-content/uploads/2021/07/CLC-Testimony-Housing-Code-Enforcement-Dahlgreen-Courts-Case-Study-by-ODCA_0.pdf) (testimony that DOB's predecessor agency, DCRA, experienced the same issues).

<sup>34</sup> Report: Broken and in Need of Repair, *supra* n. 7 at 2.

<sup>35</sup> Department of Building Office of Strategic Code Enforcement, Fiscal Year 2024 Annual Report, 9, *available at* <https://dob.dc.gov/sites/default/files/dc/sites/dob/DOB%20FY2024%20Strategic%20Enforcement%20Report.pdf> (stating that because of the routine duration of OAH, "collection takes many months if not longer"); Department of Building Office of Strategic Code Enforcement, Fiscal Year 2023 Annual Report, 5, (Feb. 24, 2024) *available at* <https://dob.dc.gov/sites/default/files/dc/sites/dob/2024-02-26%20OSCE%20Yearly%20Enforcement%20Report.pdf> (stating that "the issuance of additional final orders [by OAH] will move the collections process further and increase recovery," and that "when the adjudication process moves more quickly, DOB's fine collections increase"). Additionally, both DOB and OAH need the resources to obtain and implement an effective case/docket management system with streamlined filing procedures. As it stands now, it is a laborious process for DOB to send a complete record to OAH, and the filing system is reliant on emails. Hearings are often conducted by telephone—not virtually or in person. This creates a degree of inaccessibility compared to other District Courts, such as Housing Conditions Court (which is available to view online) and that relative inaccessibility makes it difficult for the public and impacted residents to observe proceedings, whether they are personally impacted by the case or be an interested party.

<sup>36</sup> Council of the District of Columbia Committee of the Whole, Report on Bill 23-132, Residential Housing Environmental Safety Amendment Act of 2020 (Dec. 1, 2020), p.4, *available at* [https://lims.dccouncil.gov/downloads/LIMS/41819/Committee\\_Report/B23-0132-Committee\\_Report3.pdf?Id=115313](https://lims.dccouncil.gov/downloads/LIMS/41819/Committee_Report/B23-0132-Committee_Report3.pdf?Id=115313) ("Indoor mold is a threat to the health and well-being of tenants in the

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District, particularly tenants with asthma and other chronic respiratory conditions. This bill will strengthen the District’s enforcement of indoor air quality by requiring housing code inspectors to be certified in indoor mold assessment and establishing penalties for when property owners fail to remediate indoor mold.”). *See also* 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/>, (Nov. 14, 2022).

<sup>37</sup> 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 D.C. 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, *D.C. 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-historymonth/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-historymonth/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](https://childrenslawcenter.org/wp-content/uploads/2021/07/CLC_BUILD_Brochure_IndvPgs.pdf).

<sup>38</sup> 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*, (Mar. 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*, (Jan. 18, 2024), *available at* <https://www.legalaiddc.org/media/3833/download?inline>.

<sup>39</sup> D.C. Law 20-135. *Air Quality Amendment Act of 2013*.

<sup>40</sup> Makenna Osborn, *CHILDREN’S LAW CENTER, Testimony Before the District of Columbia Committee on Transportation and the Environment* (Feb. 29, 2024), 10-11, *available at* <https://childrenslawcenter.org/wpcontent/uploads/2024/03/2024-DOEE-Performance-Oversight-Hearing-Childrens-Law-Center-WrittenTestimony-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-

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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 ... [landlords] will not invest in costly mold assessment and remediation unless they face a meaningful financial penalty for inaction. (Internal citations omitted).

<sup>41</sup> D.C. Law 23-188, Residential Housing Environmental Safety Amendment Act of 2020.

<sup>42</sup> 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 (Dec. 9, 2019), *available at* [https://lims.dccouncil.gov/downloads/LIMS/41819/Hearing\\_Record/B23-0132-HearingRecord1.pdf?Id=58377](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 (Feb. 22, 2024), *available at* <https://childrenslawcenter.org/wp-content/uploads/2024/02/DOB-Performance-Oversight-Childrens-LawCenter-Written-Testimony-02.21.2024.pdf>.

<sup>43</sup> D.C. Council Budget Office, Legislation Passed Subject to Appropriation – 2025 Quarterly Reports, 21, (Apr. 2025) *available at* <https://dccouncil.gov/wp-content/uploads/2025/04/2025-04-15-Subject-to-Funding-Legislation-quarterly-report.pdf>.

<sup>44</sup> Council of the District of Columbia, Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 26 § 736, *available at* <https://dccouncil.gov/wp-content/uploads/2025/01/CP-26-Council-Rules-FINAL-12-31-24.pdf>.

<sup>45</sup> The proposed B26-0287, would deny a basic business license to landlords who allow an excessive number of health and safety code violations to pile up at their properties. B26-0287, Housing with Integrity Amendment Act of 2025 § 2, line 31. The recommendations we made in our recent testimony on B26-0287 included expanding the Act to including license renewal within its scope, amending the District’s business registration requirements to prevent landlords from hiding behind shell companies, a suggestion that we suggest the Council to act upon. Cothorn, *supra* n. 2

<sup>46</sup> The recently introduced B26-0493, Strengthening Tenant Receivership and Oversight for Neighborhood Growth Homes Amendment Act of 2025, would grant the Superior Court authority to dissolve an LLC or a LP upon petition of OAG and a finding that it is in the public interest. B26-0493, Strengthening Tenant Receivership and Oversight for Neighborhood Growth Homes Amendment Act of 2025 § 4, lines 309-410.

<sup>47</sup> This proposal has not been included in any recent legislation, but we have advocated for it in the past. Cothorn, *supra* nn. 2-3.

<sup>48</sup> This proposal has not been included in any recent legislation, but we have advocated at a recent roundtable. Cothorn, *supra* n. 3.

<sup>49</sup> D.C. CODE 42-3131.01(a)(1).

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<sup>50</sup> 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](https://lims.dccouncil.gov/downloads/LIMS/38265/Committee_Report/B22-0317-CommitteeReport1.pdf?Id=62306). For a list of DOB's Abatement Fund expenditures in FY24 and FY25 so far, which were largely correcting trash and debris violations, see DOB Nuisance Abatement Fund Expenditure FY24-FY25, available at: <https://lims.dccouncil.gov/Hearings/hearings/657>.

<sup>51</sup> The DOB website describes this process in clear language and provides citations. District of Columbia Department of Buildings, *Enforcement Action*, <https://dob.dc.gov/page/enforcement-action> (last visited Dec. 2, 2025).

<sup>52</sup> Department of Building Office of Strategic Code Enforcement, Fiscal Year 2024 Annual Report, 6, available at <https://dob.dc.gov/sites/default/files/dc/sites/dob/DOB%20FY2024%20Strategic%20Enforcement%20Report.pdf>.

<sup>53</sup> "The CCU operates within the Office of Finance and Treasury (OFT) of the Office of the Chief Financial Officer (OCFO). The CCU's primary responsibility is to collect all delinquent debts, i.e., debts older than 90 days, owed to the District of Columbia government, except those excluded by law (taxes, child support, water, and sewer debts), and deposit the collections into the Delinquent Debt Fund (Fund). The CCU also collects dishonored checks (NSF) deposited through the General Fund of the District of Columbia (General Fund)." District of Columbia Office of the Chief Financial Officer, FY 2022 Annual Activity Report for the Central Collections Unit, 1, available at [https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/page\\_content/attachments/CCU%20Annual%20Report%202022.pdf](https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/page_content/attachments/CCU%20Annual%20Report%202022.pdf).

<sup>54</sup> See *id.*

<sup>55</sup> D.C. CODE § 47-2862.

<sup>56</sup> *Id.*