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Testimony Before the District of Columbia Council
Committee on Housing
January 13, 2026

Public Hearing:
Green Housing Coordination Amendment Act of 2025 (B26-0541) and Powering Local Utility
Guidance in Housing Act of 2025 (B26-0542)

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Introduction

Good morning, Chairperson White, and members of the Committee. My name is Makenna Osborn. I am a Senior Policy Attorney at Children's Law Center and a tenant in the District of Columbia. 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 on the Green Housing Coordination Amendment Act of 2025 and the Powering Local Utility Guidance in Housing Act of 2025.¹ Housing security – having a safe, healthy and stable place to call home – is a key part of the foundation children need to develop and thrive.² Through Children's Law Center's work representing children in foster care³ and families navigating barriers to their children's health and education,⁴ we see first-hand how difficult it is for low-income families in DC to access housing security. The gap between their income and market rent is simply too big⁵ and the resources to help cover that gap, like vouchers and emergency rental assistance, are limited.⁶ We also see how housing insecurity harms DC children:

- Children stuck in poor quality rental housing that is making them sick because it is the only option their family can afford;⁷

- Children who miss school and have a harder time learning when they are there because of frequent moves, stress, and food insecurity;⁸ and
- Children who become involved in the child welfare system while their family is struggling to maintain adequate housing.⁹

The pervasiveness of housing insecurity among Children's Law Centers clients reflects a systemic lack of sufficient affordable housing options in the District's housing ecosystem. There are approximately 189,000 renter households in the District and 218,000 rental units but the rent of most of those units is out of reach for the lowest income DC families.¹⁰ As a result, while many DC families are wrestling with higher costs of living, families with very and extremely low-incomes (those with incomes at 0-30% Area Median Income (AMI) and 31-50% AMI respectively) are uniquely and deeply burdened by housing costs. 65% of very low-income renter households and 87% extremely low-income renter households in DC are rent-burdened, meaning they are spending more than 30% of their income on housing costs, compared to just 39% of low income households (51-80% AMI) and 32% of middle income households (81-100% AMI).¹¹ A staggering 43,830 extremely low-income renter households in DC are spending *more than half* of their income on housing costs.¹² When families are forced to devote so much of their income to housing costs each month, they have little left for other necessities like food and healthcare and are one pay check or unexpected expense from falling behind on rent and facing displacement or eviction.

To give DC children in very and extremely low-income families a foundation of housing stability, the District must significantly increase the amount of housing that is available and affordable to those families. Currently, there are only 59 available and affordable units for every 100 very low-income households in DC and just 32 available and affordable rental units for every

100 extremely low-income households. In recognition of the urgency of closing this gap for our clients and their communities, Children's Law Center has been compelled to expand its advocacy to support the preservation and production of more dedicated affordable and deeply affordable housing in the District. We appreciate Chairperson White's leadership on the Housing Acceleration bill package, which seeks to remove barriers to affordable housing development and preservation.

Children's Law Center therefore supports the passage of both the Powering Local Utility Guidance in Housing Act to minimize costly delays in utility connections in affordable housing projects and the Green Housing Coordination Amendment Act's (GHCAA) exemption of projects to substantially rehabilitate existing affordable housing from the District's new net-zero requirements. My testimony today will detail the reasons for our support for these two bills, and identify critical factors the Committee should take into account before finalizing the energy efficiency standards for new construction housing projects under the GHCAA to balance the District's interests to urgently foster new affordable housing development and ensure equitable access to housing with healthy indoor air quality and low utility costs.

The PLUG In Housing Act Will Help Reduce Costly Delays in Bringing New Affordable Housing Units Online by Streamlining Utility Connections for Affordable Housing Projects

Children's Law Center supports the Powering Local Utility Guidance In Housing Act (PLUG in Housing Act). In recent years, affordable housing developers in the District and other cities across the country have identified lengthy delays and shifting requirements in the utility connection process as an issue adding time and costs to their projects.¹³ Developers can wait weeks to months for a utility company to carry out a necessary inspection only to be told changes

or additional work are required before the property can be approved for connection – often despite the fact that the developer followed guidance from the utility company in their pre-development planning.¹⁴ These issues with utility connection add unpredictability and costs to the development process which threatens the feasibility of current and future affordable housing projects, postpones access to housing for families in need, and drives up rental costs.

The PLUG In Act seeks to mitigate the harms utility connection issues are currently causing affordable housing providers in DC by requiring the Department of Housing and Community Development (DHCD) to 1) offer qualifying affordable housing projects assistance from experienced “utility design consultants” and “utility permitting liaisons” to navigate the utility set up process and 2) collaborate with relevant sister agencies and stakeholders to increase transparency in the utility connection process for residential developers.¹⁵ These are important steps toward identifying, understanding, and minimizing delays and unplanned costs associated with utility connections and ensuring the District’s housing ecosystem maximally supports the development of new affordable housing units. We urge the Committee to move this bill forward expeditiously.

Exempting Substantial Rehabilitation Projects from Mandatory Energy Efficiency Requirements is Necessary to Preserve the District’s Existing Affordable Housing Stock

Regarding the Green Housing Coordination Amendment Act (GHCAA), Children’s Law Center strongly supports the provisions of the bill that exempt the “substantial rehabilitation” of affordable housing properties from both the net-zero requirements set by the Greener Government Buildings Act of 2022 and the lesser, interim standards the GHCAA proposes applying to *new* affordable housing construction projects. Children’s Law Center is a member of

the DC Healthy Housing Collaborative¹⁶ and the Coalition,¹⁷ and a partner of the National Housing Trust.¹⁸ Through these relationships, we have heard consistently from affordable housing developers, owners, and financers that compliance with rigid, mandatory energy efficiency standards is not financially or technically feasible for the rehabilitation projects they need to complete to physically preserve their affordable properties. The preservation of existing affordable housing is significantly faster and more cost-effective than new construction.¹⁹ It is also critical to closing the severe affordable housing supply gap that is making so many families rent-burdened or forcing them out of DC entirely. Applying strict energy efficiency standards to substantial rehabilitations of these requirements risks discouraging necessary physical preservation efforts and creating a net loss of affordable units in DC.

At the same time, we know that many affordable housing developers in the District are committed to sustainability and *want* to make their properties as green and energy efficient as possible for the health and economic stability of their tenants.²⁰ Therefore, while we support the Committee's decision to exempt rehabilitation projects from mandatory energy efficiency standards, we also strongly encourage the Council to support local programs that offer financial and technical assistance so owners of affordable multifamily buildings can undertake electrification and weatherization upgrades and energy retrofits without passing costs onto their current or future tenants.²¹

The Committee Should Consider Whether the GHCAA's Proposed Energy Standards for New Construction Will Effectively Promote Equitable Access to Healthy, Efficient Energy Homes Without Unduly Constraining the Production of Affordable Housing in the District

On the provisions of the GHCAA that apply to new affordable housing construction projects that receive District-financing, Children's Law Center recognizes

that newly built properties will provide homes for low-income DC families for decades to come. We want these homes to provide clean indoor air and low utility costs for families like our clients. At the same time, we recognize that even modest increases in construction costs can decrease the number of units and depth of affordability included in a new affordable housing project or even prevent projects from moving forward at all.²² Therefore, Children’s Law Center supports the underlying goal of the GHCAA to balance equitable access to healthy, energy-efficient housing with the urgent need to increase the supply of affordable housing. However, we wish to raise several questions about the clarity, administrability, and efficacy of the GHCAA’s proposed standards for new affordable housing construction projects for the Committee to consider before moving forward with the legislation.

First, as written, the GHCAA would split the provisions covering energy efficiency requirements for affordable housing projects that receive District financing between the sections of the DC Code governing the Housing Production Trust Fund (HPTF) and those covering green building requirements.²³ And these legislative provisions are on top of the section of the District’s energy code that includes the details of applicable net zero energy standards (Appendix Z) and DHCD’s annual consolidated request for proposals (RFP) for affordable housing projects, which includes green building design and construction criteria that projects must.²⁴ In affordable housing development, uncertainty about which regulations apply and what they require adds costs to projects, so this seems like an unduly confusing approach to setting standards. Children’s Law Center encourages the Committee to revisit whether there is a way to more clearly establish which energy standards apply to which residential projects. For example, placing all legislative

provisions related to green building standards for residential projects in the same section of the DC Code.

Similarly, Children's Law Center encourages the Committee to consider whether the approach proposed in the GHCAA —applying a separate and lower mandatory energy efficiency standard to District-financed affordable housing than all other District-owned or financed construction projects — will be more effective at promoting equitable access to energy efficient housing without constraining affordable housing production and preservation than other tactics. For example, the Council could apply the same net-zero requirements to all District owned and financed buildings (as envisioned by the Greener Government Buildings Act) and add clear, narrow exceptions from those requirements for standards that are plainly prohibitively expensive or complex for affordable housing projects to meet. For example, non-fossil fuel emergency generators are “not yet cost-effective at the scale needed” to make sense for multifamily residential properties and industry leaders agree that currently it is “appropriate” to create an exemption from any net zero requirements to allow emission producing emergency generation.²⁵ The GHCAA's proposed language actually incorporates this exemption but does so in a confusing way, through the definition of “all-electric” in the provisions the GHCAA adds to the laws governing the Housing Production Trust Fund.²⁶ Would it not be clearer include the exception for emergency backup power in the title related to net-zero building standards? And if so, would it then be more streamlined to implement one overarching net-zero standard for affordable housing projects? with that and other clearly enumerated exceptions?

Finally, Children's Law Center takes seriously that several important affordable housing providers in DC have expressed that the GHCAA still does not alleviate one of their primary

concerns with the Greener Government Buildings Act: that it subjects affordable housing to stricter energy efficiency requirements than market-rate housing because unlike most affordable housing projects, market-rate developments to not rely on District-financing to come to fruition. Nonprofit affordable housing developers in particular have raised that such a two-tiered system will create an environment where projects that are completely impossible for them to complete, will remain feasible for for-profit developers and thus restrict development of precisely the kind of new units District tenant's most need.²⁷ Could the Committee address these concerns by raising the threshold that brings affordable housing projects under the Greener Government Buildings Act, which is currently set at 15% of financing being from the District, so the net-zero requirements apply to fewer affordable housing projects and only when there is a more substantial investment of District money?²⁸ If the Committee chooses to amend the Greener Government Buildings Act so it applies to fewer District-financed projects or to go a step further and exempt all residential buildings from the Greener Government Buildings Act, Children's Law Center strongly encourages the Committee to pair that approach with incentives for the adoption of clean and energy efficient practices that 1) promote clean indoor air for children to breathe and 2) keep families' utility costs low in both affordable and market rate housing. We would be happy to discuss options for those incentives with the Committee.

Conclusion

Thank you for the opportunity to submit this testimony. Children's Law Center appreciates the Committee's attention to reducing barriers to the production and preservation of much-needed affordable housing in the District and we welcome the opportunity to partner with

Councilmember White and the Committee on moving forward the Housing Acceleration package.

¹ B26-0541, *Green Housing Coordination Amendment Act of 2025*, available at:

<https://lims.dccouncil.gov/Legislation/B26-0541>; B26-0542, *Powering Local Utility Guidance in Housing Act of 2025*, available at: <https://lims.dccouncil.gov/Legislation/B26-0542>.

² See Sonya Acosta, "Stable Housing is Foundational to Children's Well-Being," Center on Budget and Policy Priorities (Feb. 15 2022), available at: <https://www.cbpp.org/blog/stable-housing-is-foundational-to-childrens-well-being>; Megan Sandel et al., "Housing as a Healthcare Investment," Children's Health Watch (Mar. 2016), available at: <https://childrenshealthwatch.org/wp-content/uploads/Housing-as-a-Health-Care-Investment.pdf>.

³ Children's Law Center's Guardian ad Litem attorneys represent over half of the children in foster care in DC and we work to help families prevent and navigate involvement in the child welfare system. *See Our Impact: Family*, Children's Law Center, <https://childrenslawcenter.org/our-impact/family/>.

⁴ 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 Our Impact: Health*, Children's Law Center, <https://childrenslawcenter.org/ourimpact/health/>.

⁵ The average monthly income of a single parent in DC working a full-time minimum wage job is \$3,033, is barely enough to cover Fair Market Rent for a two-bedroom apartment in DC and would leave the family almost no money for other expenses like healthcare, transportation, and childcare. *See Out of Reach: District of Columbia State Report*, National Low Income Housing Coalition (NLIHC), 2025, available at: <https://nlihc.org/oor/state/dc>. (accessed January 27, 2025).

⁶ According to recent estimates from the Urban Institute, to help every very low income renter household in DC access and maintain housing security, the District would need to invest *an additional* \$380 million/year in deep rental subsidies (like permanent vouchers), \$153 million/year in shallow rental subsidies (like DC Flex), and \$76 million - \$108 million/year (at least in the near term) in emergency rental assistance (ERAP) above current funding levels. Without such investments there are simply not enough resources for the number of families eligible for and in need of assistance. Elizabeth Burton, Leah Hendey, and Peter A. Tatian, *Combating Rising Evictions in the District of Columbia with Housing Subsidies*, Urban Institute (June 2024), available at: https://www.urban.org/sites/default/files/2024-06/Combating_Rising_Evictions_with_Housing_Subsidies_0.pdf.

⁷ Families with very low incomes are more likely to live in physically inadequate rental housing with conditions like mold, rodents, inadequate heating and cooling, and broken appliances that cause and exacerbate childhood asthma and other health risks. *See Irene Lew, Housing Inadequacy Remains a Problem for the Lowest-Income Renters*, Joint Center for Housing Studies of Harvard University (JCHS) (May 19, 2016), <https://www.jchs.harvard.edu/blog/housing-inadequacy-remains-a-problem-for-the-lowest-income-renters>; Chima Anyanwu, Kirsten M.M. Beyer, *Intersections Among Housing, Environmental Conditions, and Health Equity: A Conceptual Model for Environmental Justice Policy*, Social Sciences & Humanities Open, Vol. 9 (2024), available at: <https://www.sciencedirect.com/science/article/pii/S2590291124000421#bbib92>.

⁸ See Brendan Chen, *How Housing Instability Affects Educational Outcomes*, Urban Institute: Housing Matters (February 28, 2024), <https://housingmatters.urban.org/articles/how-housing-instability-affects-educational-outcomes>.

⁹ See Amy Dworsky, *Families at the Nexus of Housing and Child Welfare*, First Focus and State Policy Advocacy Reform Center (SPARC) (November 2014), <https://firstfocus.org/wp-content/uploads/2014/12/Families-at-the-Nexus-of-Housing-and-Child-Welfare.pdf>.

¹⁰ According to data from the American Community Survey (ACS), there are a total of 368,736 housing units in DC, of which 41% are owner-occupied, meaning the remaining units (217,554) are rental housing. QuickFacts: Washington city, District of Columbia, People: Families & Living Arrangements: Households, 2019-2023, U.S. Census Bureau,

<https://www.census.gov/quickfacts/fact/table/washingtoncitydistrictofcolumbia/HSD410223> (accessed January 27, 2025) (summarizing data from the U.S. Census Bureau, American Community Survey, 5-Year Estimates, 2019-2023).

¹¹ *The Gap: A Shortage of Affordable Homes* State Data for the District of Columbia, National Low Income Housing Coalition (NLIHC) (March 2025), <https://nlihc.org/gap/state/dc> (accessed January 27, 2026).

¹² *Id.* (According to The Gap's data for DC there are 54,788 extremely low income renter households in DC, 80% of whom (43,830) are severely cost-burdened).

¹³ See e.g., Carla Rognier, *Frustration Over Delay in Connecting Utilities to New Homes*, Properties in Monroe County, 13 WHAM (July 1, 2022), <https://13wham.com/news/local/frustration-over-delay-in-connecting-utilities-to-new-homes-properties-in-monroe-county> (on delays in Rochester, NY); Adhiti Bandlamudi, *How PG&E Adds Months-Long Delays, Costs to New Housing*, KQED (March 10, 2023), <https://www.kqed.org/news/11943157/how-pge-adds-months-long-delays-costs-to-new-housing> (on delays in San Francisco and other California cities); Asia Mieleszko, *These Delays Are Making Housing Less Affordable*, Strong Towns (August 21, 2025), <https://www.strongtowns.org/journal/2025-8-13-these-delays-are-making-housing-less-affordable> (on delays in Lafayette, Louisiana).

¹⁴ *Id.*

¹⁵ B26-0542, *Powering Local Utility Guidance in Housing Act of 2025*, available at: <https://lims.dccouncil.gov/Legislation/B26-0542>.

¹⁶ The DC Healthy Housing Collaborative (DCHHC) is a multi-sector coalition made up of policy experts, tenant advocates, healthcare professionals, affordable housing providers, and government representatives seeking to address substandard housing conditions that contribute to significant health issues affecting District of Columbia residents. To learn more, visit:

<https://www.dchealthyhousingcollaborative.org/>.

¹⁷ The Coalition, formerly Coalition for Nonprofit Housing and Economic Development (CNHED), is a DC-based non-profit that convenes cross-sector stakeholders to advance equitable community economic development in DC. Children's Law Center participates in the Coalition's work to promote homelessness prevention and affordable housing options. To learn more, visit: <https://thecoalitiondc.org/>

¹⁸ Children's Law Center has partnered with the National Housing Trust to launch the DC Healthy, Green, and Affordable Housing Program aimed at helping owners of multifamily properties with affordable housing implement healthy, energy-efficient, and resilient housing upgrades. To learn more, visit: <https://nationalhousingtrust.org/dc-hga-housing-program>.

¹⁹ See Priya Jayachandran (CEO of NHT), *In the Rush to Build, Existing Affordable Housing is Falling Apart*, Shelterforce (May 9, 2024), <https://shelterforce.org/2024/05/09/in-the-rush-to-build-existing-affordable-housing-is-falling-apart/>; *The Role of Rehabilitation in Housing Preservation*, National Housing Trust (June 12, 2025), <https://nationalhousingtrust.org/news/role-rehabilitation-housing-preservation>.

²⁰ See e.g., Jonathan Rose Companies, Somerset Development Company and Housing Up Celebrate Grand Opening of The Faircliff: The Greenest Multifamily Affordable Housing Development in Washington, D.C., BLDUP, <https://www.bldup.com/posts/jonathan-rose-companies-somerset-development-company-and-housing-up-celebrate-grand-opening-of-the-faircliff-the-greenest-multifamily-affordable-housing-development-in-washington-d-c>; Mi Casa Secures \$25 Million for the Renovation of Permanently Affordable Rental Housing, Mi Casa Inc (October 2024), <https://micasa-inc.org/mi-casa-secures-25-million-for-the-renovation-of-permanently-affordable-rental-housing/>; Cycle House: DC's First Mixed-Use Net Zero Energy Building, Heleos (January 2, 2024), <https://www.heleos.co/projects/cycle-house>.

²¹ For example, the programs operated by the DC Sustainable Energy Utility (DCSEU) and DOEE that provide multifamily owners with rebates, incentives, and technical support to implement energy efficiency updates. Property Managers, Owners, & Developers, DCSEU, <https://www.dcseu.com/property-managers-owners>.

²² See *The Cost of Affordable Housing: Does it Pencil Out?*, Urban Institute and National Housing Conference, <https://apps.urban.org/features/cost-of-affordable-housing/> (accessed January 27, 2026); Patrick McAnaney, *Why Affordable Housing Can't Pay for Itself*, Greater Greater Washington (January 25, 2024), <https://gwwash.org/view/92306/why-affordable-housing-can't-pay-for-itself>.

²³ Compare Section 2 of the GHCAA (lines 5-6) with Section 4 of the GHCAA (lines 81-99), B26-0541, *Green Housing Coordination Amendment Act of 2025*, available at: <https://lims.dccouncil.gov/Legislation/B26-0541>.

²⁴ See *District of Columbia Energy Conservation Code: Appendix Z* (2017), https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service_content/attachments/2017%20DC%20Energy%20Conservation%20Code_Appendix%20Z.pdf; Fall 2024 Consolidated Request for Proposals for Affordable Housing Projects, DHCD (August 2024), https://dhcd.dc.gov/sites/default/files/dc/sites/dhcd/publication/attachments/DHCD%20Consolidated%20RFP%20Fall%202024%20%28update%29%2009.25.24_0.pdf.

²⁵ See, e.g., Marshall Duer-Balkind, *IMT Response to US Department of Energy (DOE) Request for Information Related to Proposed Zero Emissions Building Definition*, Institute for Market Transformation (February 5, 2024), p. 5 (response to Question 10), available at: <https://imt.org/wp-content/uploads/2024/02/IMT-Response-to-DOE-RFI-on-Zero-Emissions-Building-Definition.pdf>.

²⁶ B26-0541, *Green Housing Coordination Amendment Act of 2025*, lines 52-54, available at: <https://lims.dccouncil.gov/Legislation/B26-0541>.

²⁷ See e.g., Patrick McAnaney, Testimony Before the Council of the District of Columbia Housing Committee, January 13, 2026, available at: <https://lims.dccouncil.gov/Hearings/hearings/2082>.

²⁸ D.C. Code § 6-1451.02(a)(1)(B).