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**Testimony of Eleni P. Christidis  
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Legal Aid DC**

**Before the Committee of the Whole  
Council of the District of Columbia**

**Performance Oversight Hearing Regarding the Department of Buildings**

**February 25, 2025**

Legal Aid DC<sup>1</sup> submits the following testimony regarding the Department of Buildings (DOB). While DOB has made notable improvements over the Department of Consumer and Regulatory Affairs (DCRA), DOB's housing code enforcement is not doing enough to incentivize landlord compliance and protect DC residents from harmful and potentially fatal housing conditions.<sup>2</sup> In FY24, DOB did more housing inspections<sup>3</sup> and transferred

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<sup>1</sup> Legal Aid DC is the oldest and largest general civil legal services program in the District of Columbia. The largest part of our work is comprised of individual representation in housing, domestic violence/family, public benefits, and consumer law. We also work on immigration law matters and help individuals with the collateral consequences of their involvement with the criminal legal system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation. For more information, visit [www.LegalAidDC.org](http://www.LegalAidDC.org).

<sup>2</sup> See, e.g., Washington News 4 I-Team, "After DC apartment explosion, I-Team finds missed warning signs and no insurance," available at <https://www.nbcwashington.com/investigations/after-dc-apartment-explosion-i-team-finds-missed-warning-signs-and-no-insurance/3754379/>.

<sup>3</sup> See Department of Buildings, Office of Strategic Code Enforcement, Fiscal Year 2024 Annual Report (RC26-0027) ("DOB Annual Report"), p. 6, available at <https://lms.dccouncil.gov/Legislation/RC26-0027>. The number of instances of an inspector being dispatched for a housing inspection increased from 7,098 in FY23 to 8,170 in FY24.

millions in unpaid fines to the Central Collections Unit (CCU).<sup>4</sup> DOB has shown greater transparency and openness to feedback through enhancements to its public dashboard, convening the Built Environment Working Group, and implementing most of the Committee of the Whole’s recommendations for improving the inspections process.<sup>5</sup> DOB also says it is doing community outreach to seniors and Spanish-speaking residents.<sup>6</sup> These are positive signs of an agency that wants to do better.

Yet, DOB’s inadequate housing code enforcement leaves DC residents exposed to health and safety hazards for prolonged periods of time. DOB’s enforcement is too slow, relies too much on landlord self-certification of abatement, and results in too few fines collected to effectively deter bad actors. Landlords do not fear DOB, and tenants feel they cannot count on DOB to protect them or hold their landlords accountable for violating the law.<sup>7</sup> DOB’s failure to enforce the housing code leads to residents being harmed and displaced, to the loss of affordable housing, and to a prevailing sense that slumlords operate with impunity in DC.<sup>8</sup> Instead of contributing to the *loss* of affordable housing, an effective DOB could work to preserve – and *grow* – the availability of affordable housing, by providing inspections (and ensuring the correction of violations)

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<sup>4</sup> See DOB Annual Report, p. 16. DOB increased the fines transmitted to CCU from approximately \$3 million in FY23 (189 NOIs) to over \$20 million in FY24 (1,662 NOIs).

<sup>5</sup> See D.C. Council, Committee of the Whole, “Report on The District’s Housing Code Inspections Process: Broken and In Need of Repair” (January 18, 2023), available at <https://chairmanmendelson.com/wp-content/uploads/2024/01/The-Districts-Housing-Code-Inspection-Process-Broken-and-In-Need-of-Repair-Committee-Report.pdf>.

<sup>6</sup> See Department of Buildings 2025 Performance Oversight Hearing Questions, Response to Question 23 (“DOB is conducting targeted outreach, particularly to seniors and Spanish-speaking communities, by educating residents, tenant associations, and community organizations about DOB’s services.”).

<sup>7</sup> See Katherine Daily and Hamed Ahmadi, Washington City Paper, “D.C. Landlords Owe More Than \$40 Million in Unpaid Housing Violations” (February 12, 2025), available at <https://washingtoncitypaper.com/article/758128/dc-landlords-owe-millions-in-unpaid-housing-violations/>.

<sup>8</sup> See Alex Koma, Washington City Paper, “How Can D.C. Make Life Harder for Landlords Like Sam Razjooyan? The City Has the Tools, But It’s Not Using Them.” (January 31, 2025), available at <https://washingtoncitypaper.com/article/757244/how-can-d-c-make-life-harder-for-landlords-like-sam-razjooyan-the-city-has-the-tools-but-its-not-using-them/>.

for tenants seeking to lease units through the Family Re-Housing Stabilization Program (Rapid Rehousing), for example.

To get to that point, though, DOB must impose meaningful incentives for landlords to comply with the housing code. To ensure those incentives exist, the Council must pass the Do Right by DC Tenants Amendment Act of 2023 (B25-0574).<sup>9</sup> In addition, DOB and the Council should study the possibility of bringing more of DOB's enforcement activities in-house. DOB should rely more on in-person re-inspection to verify abatements, and it should make its enforcement process transparent to tenants through an online portal or complaint clearinghouse. If DOB is incapable or unwilling to take these steps on its own, the Council must legislate solutions.

### **DOB is Not Doing Enough to Enforce the Housing Code**

Legal Aid's Housing Law Unit meets with hundreds of tenants every year dealing with housing code violations like leaks, overflowing sewage, broken elevators, mice, mold, and lack of heat and hot water. These conditions can persist for years, even for units where DOB has conducted an inspection and issued a Notice of Infraction (NOI).

One tenant helped by Legal Aid had a DOB inspection in June 2024. DOB issued NOIs for the housing code violations it found, including emergency violations that had to be corrected within 24 hours.<sup>10</sup> The landlord did not correct the violations. The DOB inspector told this tenant that if she wanted repairs, she should file a housing conditions case in D.C. Superior Court. This is a troubling thing for a tenant to hear from the agency that is supposed to enforce the housing code – essentially, “We can't make them do it, you are on your own.” If DOB's own inspectors lack of faith in DOB's ability to get landlords to correct violations, why should a tenant even bother to call DOB? In this case, the NOIs from the June 2024 inspection are still pending at the Office of Administrative Hearings, and the conditions the tenant is experiencing – including mold, sewage leaks, and mice and cockroach infestations – continue.

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<sup>9</sup> Available at <https://lims.dccouncil.gov/Legislation/B25-0574>.

<sup>10</sup> See Department of Buildings, “Lifecycle of a Housing Code Inspection,” available at <https://dob.dc.gov/node/1616631>.

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## **DOB's Failures Hurt Tenants, Drive Displacement, and Accelerate the Elimination of Affordable Housing in DC**

DOB's ineffectual response once it identifies housing code violations prolongs tenants' suffering and contributes to their displacement and the elimination of affordable housing. Tenants can be displaced both rapidly by emergency conditions and those that stem from prolonged neglect. Both scenarios could be prevented if DOB was better at getting landlords to take seriously and promptly respond to DOB enforcement.

With respect to the first scenario of displacement, Legal Aid worries that landlords are increasingly using DOB's placarding of units as an end-run around the eviction process. Even though landlords are obligated to correct life-safety hazards that can result in placarding, we have encountered landlords who simply refuse to repair the life-safety violations once the tenant is out of the unit, or who refuse to provide alternative housing to a displaced tenant. While it is good policy for DOB to refer displaced tenants to the Red Cross (via the Office of the Tenant Advocate) for temporary emergency housing,<sup>11</sup> that assistance is time-limited, and we are concerned that landlords are not working to correct violations quickly enough to reinstate a displaced tenant to their unit before their emergency housing runs out. DOB's ineffectual enforcement could allow this illegal and troubling practice to spread.

Displacement from poor housing conditions also happens when tenants eventually give up and move out after months or years of waiting for repairs that never come. A steady churn of tenants in rent-stabilized properties permits vacancy increases that raise rents higher than what would otherwise be the case if the units remained continuously occupied.<sup>12</sup> Over time, this chips away at the affordability of DC's limited stock of rent-stabilized housing.

Legal Aid has also seen the tremendous cost to tenants and the DC government when landlords let entire buildings fall into disrepair. When conditions get that bad, it necessitates costly and disruptive interventions like receiverships, bankruptcy, and drawn-out demolition or rehab projects that risk permanently displacing tenants. When there are insufficient financial or legal incentives for landlords to responsibly maintain their properties, eventually it is the tenants, the District, and taxpayers who foot the bill.

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<sup>11</sup> See DOB Annual Report, Chart 7 at p. 13 (DOB Referrals to Sister Agencies, including the Office of the Tenant Advocate).

<sup>12</sup> See D.C. Code § 42-3502.13.

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## **Years-Long Delays and Millions in Uncollected Fines Undermine DOB's Enforcement Efforts**

DOB reports that (as of October 31, 2024) it had \$39 million in fines still in the “pre-adjudication” stage, including for NOIs dating back as far as 2018. DOB’s dashboard shows (as of February 22, 2025) over \$65 million in uncollected fines for housing violations (complaint-based and proactive) alone.<sup>13</sup> Years of delay and millions in uncollected fines speak to the brokenness of DOB’s enforcement process. Violators are not feeling the consequences of DOB’s enforcement, and the District is being shorted tens of millions of dollars owed to it by neglectful landlords, while tenants continue to suffer in substandard housing.

## **The Council Should Pass the Do Right by DC Tenants Act and Push DOB and DLCP to Not Renew Business Licenses for Serious Housing Code Violators**

We hope DOB is looking at these outcomes and coming to the same conclusion that we are: continuing down the same path of filing NOIs at OAH will not fix DOB’s broken enforcement system. DOB must use business license non-renewal as an additional enforcement tool, so that it need not rely exclusively on the attenuated fine collection process to coerce landlord compliance. License non-renewal is already doable under DC’s existing “clean hands” law, which prohibits the issuance or renewal of a basic business license where a housing provider has outstanding fines above a certain threshold.<sup>14</sup> While this would require coordination with the Department of Licensing and Consumer Protection (DLCP), Legal Aid has yet to hear from DOB what, if any, are the specific hurdles it sees, legal or logistical, to making this happen. If DOB has identified challenges currently preventing it from working with DLCP to enforce the clean hands law against landlords who owe fines for housing code violations, it should explain what those challenges are so the Council can address them through legislation or oversight.

The Do Right by DC Tenants Amendment Act of 2023 (B25-0574) would disallow the renewal or issuance of a new basic business license to any person or entity with an ownership or member interest in a rental property that has been cited for more than five

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<sup>13</sup> See Attachment A (chart based on screenshots taken from the DOB Public Dashboard, “Enforcement” table), available at <https://dob.dc.gov/page/agency-performance-dob>. These figures do not include fines for zoning, vacant building, or illegal construction violations.

<sup>14</sup> See D.C. Code § 47-2862(a)(1)(D).

Class 1 or Class 2 infractions in any twelve-month period.<sup>15</sup> In other words, landlords repeatedly cited for the most serious housing code violations would not be able to renew or receive a basic business license unless and until they showed that the infractions are cured. The need to maintain a valid basic business license is a strong incentive for landlords to abate violations by making repairs. In addition, because implementing this legislation would not require DOB or DLCP to undertake new functions, but simply to better coordinate their pre-existing functions, we hope that the fiscal impact of this bill would be small, while its effect on enforcement and on residents' quality of life would be large.

Similarly, Legal Aid has repeatedly called on DOB to work with the Rental Accommodations Division of the Department of Housing and Community Development (DHCD) to enforce existing law that prohibits landlords of rent-stabilized properties from increasing rents on units with substantial housing code violations.<sup>16</sup> While it appears DOB has a memorandum of understanding with DHCD to verify housing provider information, it does not appear to encompass sharing data on rent-stabilized properties with known violations.<sup>17</sup> DOB and DHCD should expand their data-sharing memorandum to include this data, which will permit both agencies to effectively monitor landlords' compliance with rent-stabilization laws.

### **DOB and the Council Should Explore Ways for DOB to Adjudicate NOIs and Impose Fines Directly**

Councilmember Frumin has reportedly expressed interest in finding a way for DOB to impose fines directly and bypass OAH.<sup>18</sup> Legal Aid agrees that the possibility of more efficient adjudication of NOIs and issuance of fines merits greater study, given the years-

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<sup>15</sup> Available at <https://lims.dccouncil.gov/Legislation/B25-0574>.

<sup>16</sup> See, e.g., Written Testimony of Eleni P. Christidis, Budget Oversight Hearing Regarding the Department of Buildings (April 24, 2024); D.C. Code § 42–3502.08(a)(1).

<sup>17</sup> See Department of Buildings 2025 Performance Oversight Hearing Questions, Response to Question 11.

<sup>18</sup> See Katherine Daily and Hamed Ahmadi, Washington City Paper, “D.C. Landlords Owe More Than \$40 Million in Unpaid Housing Violations” (February 12, 2025), available at <https://washingtoncitypaper.com/article/758128/dc-landlords-owe-millions-in-unpaid-housing-violations/>.

long backlog of DCRA and DOB NOIs at OAH.<sup>19</sup> DOB already has an Alternative Resolution Team (ART) that works closely with landlords to resolve NOIs. DOB could formalize ART into a more structured hearing process that includes tenant participation, mediation, and possibly a rent escrow where tenants could safely withhold rent pending abatement of all NOIs. An in-house DOB informal hearing process could lead to faster adjudication, faster repairs, greater customer satisfaction and trust in DOB, and safer living conditions for tenants in the short- and long-term.

### **DOB Must Ensure Repairs Are of High Quality, and Deter Fraud, By Relying More on In-Person Re-Inspections to Verify Abatement**

We commend DOB for reporting its abatement data on its public dashboard and in its Annual Report. It is hard to imagine a more significant measure of whether DOB's work is translating into improved living conditions for DC residents than the number of cited violations that are completely abated. Yet, DOB's self-reported abatement rate (for complaint-based housing violations) was 38.00% for FY23 and 39.47% for FY24.<sup>20</sup> Achieving less-than-half-compliance for complaint-based inspections, and around 50% in the aggregate when considering all types of violations (housing complaint, proactive, illegal construction, vacant property, and zoning) still falls far short of where an effective enforcement agency should be. In addition, because DOB continues to rely mostly on landlord-submitted proof of abatement via an online portal, DOB's reported abatement rate almost certainly does not reflect reality.

To ensure high-quality repairs and a reliable means of verifying abatements, Legal Aid agrees with the Committee of the Whole's recommendation that DOB verify abatements via in-person re-inspection. As the Committee noted, the ability of landlords to submit misleading photos or faked invoices makes falsifying proof of abatement easy to do and hard to detect.<sup>21</sup> Another jurisdiction that relies on this method of verification found that

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<sup>19</sup> Last year, OAH reported that DCRA and DOB cases accounted for nearly 38% of OAH's identified case backlog. See Office of Administrative Hearings, Performance Oversight FY2023-2024 Pre-Hearing Questions, at pp. 18, 40.

<sup>20</sup> DOB Annual Report, Chart 2 at p. 8.

<sup>21</sup> D.C. Council, Committee of the Whole, "Report on The District's Housing Code Inspections Process: Broken and In Need of Repair" (January 18, 2023), pp. 28-29, available at <https://chairmanmendelson.com/wp-content/uploads/2024/01/The->



nearly a third of all audited certifications were false.<sup>22</sup> If the same is true of DC, then the *true* abatement rate would be an abysmal 13%. In addition to relying more on in-person verification of abatement, DOB should also impose harsher consequences, or make referrals to the Office of Attorney General, when it determines that a landlord has falsified proof of abatement.

### **DOB Should Create a More User-Friendly Portal or Clearinghouse for NOIs**

Among the many complaints that Legal Aid hears from tenants about DOB is the lack of communication and follow-up once an inspection has been done. Tenants do not have an easy way of knowing what enforcement steps DOB is taking once a DOB inspector finds housing code violations. Tenants do not always get a copy of the inspection report or the resulting NOI. Tenants do not know whether their landlord has responded to the NOI, admitted it, or appealed it. Tenants do not know if a landlord has submitted “proof of abatement,” let alone what the proof is or how they might contest it, if that proof appears to be falsified. Tenants do not know if DOB is engaging in “deferred enforcement” or if DOB’s Alternative Resolution Team is working with their landlord to correct the violations. To Legal Aid’s knowledge, tenants are not notified once an NOI associated with their complaint is filed at OAH, and they are not invited to testify or submit evidence at the OAH hearing stage. The DOB enforcement process is largely a black box to tenants, which leaves them feeling confused, frustrated, and without faith in DOB’s ability or desire to help them.

An experienced user of DOB’s public dashboard might be able to locate a particular NOI by filtering through a list of hundreds of options for property addresses or landlord names. But finding information in the dashboard this way is not intuitive or easy, and it sheds no light on the aspects of DOB enforcement not captured by the limited information in the dashboard (typically only the unit address, landlord, code violation, fine amount, status of filing at OAH, and whether or not a final order has issued).

DOB’s original Strategic Enforcement Plan (SEP) called for the creation of “an authoritative housing complaint clearinghouse, District-wide, where tenant complaints can be logged with DOB and then referred to the property owner or management

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[Districts-Housing-Code-Inspection-Process-Broken-and-In-Need-of-Repair-Committee-Report.pdf](#).

<sup>22</sup> *Id.* at p. 28.



company for resolution.”<sup>23</sup> The SEP noted the numerous potential benefits of such a clearinghouse, including integrating communications between DOB, the property owner, and the tenant; establishing that property management had been notified of a tenant complaint and given a chance to correct it; and allowing DOB to follow up on violations before adjudication to streamline the abatement and resolution process.<sup>24</sup> DOB’s FY24 Annual Report, however, notes that, “[a]fter review and pre-development the housing complaint clearinghouse project has been cancelled in favor of smaller efforts that DOB hopes will accomplish similar goals.”<sup>25</sup> Legal Aid wants to know why such a potentially useful and powerful tool has been scrapped, what “smaller efforts” DOB is undertaking instead, and why and how DOB believes those efforts will “accomplish similar goals.”

## Conclusion

While Legal Aid appreciates DOB’s improvements in transparency, DOB has many more enforcement tools and potential solutions at its disposal but is either unwilling or unable to use them. Legal Aid looks forward to working with DOB and the Council to study and implement better enforcement strategies and tenant-centered systems that have the power to improve the quality of life for DC families, hold bad actors accountable for the harms they cause, and make good and efficient use of taxpayer dollars.

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<sup>23</sup> Department of Buildings, Strategic Enforcement Plan FY23-FY25, “Strategy 9: Developing a District-wide Housing Complaint Clearinghouse,” at p. 12, available at <https://lims.dccouncil.gov/downloads/LIMS/52491/Introduction/RC25-0026-Introduction.pdf?Id=157566>.

<sup>24</sup> *Id.*


<sup>25</sup> DOB Annual Report, p. 18.

## Attachment A

Outstanding Housing Violation Fines (as displayed on DOB Public Dashboard)	
Pre-adjudication	\$34,905,277
Post-adjudication	\$6,663,529
Transferred to CCU	\$23,760,891
<b>Total</b>	<b>\$65,329,697</b>

Screenshots from DOB Public Dashboard – Enforcement (February 22, 2025)

Pre-adjudication fines for Housing Violations (\$34,905,277)


**ENFORCEMENT - NOI PENDING BALANCE**
RELEASE NOTES    FEEDBACK

<b>8,853</b> HOUSING-COMPLAINT	<b>2,429</b> HOUSING-PROACTIVE	<b>644</b> VACANT PROPERTY	<b>968</b> ILLEGAL CONSTRUCTION
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NOI SERVED

NOI WITH PENDING BALANCE

SPECIAL ASSESSMENT

TRANSFER TO DISTRICT CENTRAL COLLECTIONS

PRE-ADJUDICATION

POST-ADJUDICATION

To select a specific or multiple year(s), business unit(s), owner(s), case number(s) and/or enforcement address(es):  
Select dropdown, uncheck "ALL", enter/select year(s), business unit(s), owner(s), case number(s) and/or enforcement address(es), click checkbox(es) and click "APPLY"

**Select** (All)

☒ Housing-Complaint  
☒ Housing-Proactive  
☐ Illegal Construction  
☐ Vacant Property

**Business Unit**

**Select Owner**

**Select Case Number**

**Search Enforcement Address**

CLEAR

## Post-adjudication fines for Housing Violations (\$6,663,529)

**ENFORCEMENT - NOI PENDING BALANCE**
RELEASE NOTES
FEEDBACK

<b>583</b> HOUSING-COMPLAINT	<b>77</b> HOUSING-PROACTIVE	<b>404</b> VACANT PROPERTY	<b>128</b> ILLEGAL CONSTRUCTION	<b>1</b> ZONING
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NOI SERVED
NOI WITH PENDING BALANCE
SPECIAL ASSESSMENT
TRANSFER TO DISTRICT CENTRAL COLLECTIONS

PRE-ADJUDICATION
POST-ADJUDICATION

To select a specific or multiple year(s), business unit(s), owner(s), case number(s) and/or enforcement address(es):  
Select dropdown, uncheck "ALL", enter/select year(s), business unit(s), owner(s), case number(s) and/or enforcement address(es), click checkbox(es) and click "APPLY"

Select Fiscal Year: (All)
Select Business Unit: (Multiple values)
Select Owner: (All)
Select Case Number: (All)

Search Enforcement Address: (All)

☐ (All)
☒ Housing-Complaint
☒ Housing-Proactive
☐ Illegal Construction
☐ Vacant Property
☐ Zoning

Cap Id
Business Unit
Filed With Oah?

Full Address
Balance

<b>Total Balance</b>						<b>\$6,663,529</b>
21ENF-HOUS-02485	Housing-Complaint	YES	YES	LEAH INVESTMENT LLC	6006 CLAY ST NE, UNIT# 101, WASHINGTON, DC 20019	\$50,179
20ENF-HOUS-00851	Housing-Complaint	YES	YES	ANTHONY EVANS	4532 EADS ST NE, WASHINGTON, DC 20019	\$3,172
21ENF-HOUS-00362	Housing-Complaint	YES	YES	ADOLPHE J EDWARDS	2429 ALABAMA AVE SE, APT# 304, WASHINGTON, DC 20020	\$8,479
21ENF-HOUS-00854	Housing-Complaint	YES	YES	EDUCA ASSOCIATES LIMITED PARTNERSHIP	340 ANACOSTIA DR SE, UNIT# 400, WASHINGTON, DC 20003	\$44,704

## Fines for Housing Violations transferred to CCU (\$23,760,891)

**ENFORCEMENT - TRANSFER TO COLLECTIONS**
RELEASE NOTES
FEEDBACK
Home

<b>1,973</b> HOUSING-COMPLAINT	<b>31</b> HOUSING-PROACTIVE	<b>157</b> ILLEGAL CONSTRUCTION	<b>576</b> VACANT PROPERTY
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NOI SERVED
NOI WITH PENDING BALANCE
SPECIAL ASSESSMENT
TRANSFER TO DISTRICT CENTRAL COLLECTIONS

To select a specific or multiple year(s), owner(s), case number(s) and/or enforcement address(es):  
Select dropdown, uncheck "ALL", enter/select year(s), owner(s), case number(s) and/or enforcement address(es), click checkbox(es) and click "APPLY"

Select Fiscal Year: (All)
Select Business Unit: (Multiple values)
Select Owner: (All)
Select Case Number: (All)
Select Fiscal Year (Sent to CCU): (All)
Select Fiscal Quarter (Sent to CCU): (All)

Search Enforcement Address: (All)

☒ Housing-Complaint
☒ Housing-Proactive
☐ Illegal Construction
☐ Vacant Property

Cap Id
Business Unit
Filed With Oah?
Final Order Issued?

Owner Full Name
Full Address
Balance

<b>Total Balance</b>						<b>\$23,760,891</b>
20ENF-HOUS-00003	Housing-Complaint	YES	YES	1300 MORRIS LLC	1300 - 1302 MORRIS RD SE, WASHINGTON, DC 20020	\$101,460
19ENF-HOUS-03356	Housing-Complaint	YES	YES	MARCUS LITTLE	1262 MEIGS PL NE, APT# 1	\$92,770
20ENF-HOUS-03618	Housing-Complaint	YES	YES	KINGSLEY CHINEME	1834 NORTH CAPITOL ST NW, UNIT# A, WASHINGTON, DC 20002	\$87,327