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**Testimony of Eleni P. Christidis
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**Before the Committee of the Whole
Council of the District of Columbia**

Budget Oversight Hearing Regarding the Department of Buildings

May 29, 2025

Legal Aid DC¹ submits the following testimony regarding the Department of Buildings (DOB). Every day, Legal Aid attorneys and staff meet with District tenants dealing with unacceptable living conditions like leaks, mold, and pest infestations, and unresponsive landlords who perform superficial repair work or simply ignore tenants' requests for repairs. The burdens of these unsafe and unhealthy living conditions fall hardest on Legal Aid's client population, who must "choose" between two untenable options: continue to suffer for months and years in poor living conditions or attempt to seek other housing (a costly, time-consuming, and stressful experience) in a tight housing market with vanishing affordable options.

A robust agency that effectively and proactively enforces the housing code should eliminate the need for low-income tenants to make this impossible choice. While Legal Aid appreciates DOB's announcement that it intends to "come after landlords who create

¹ 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.

horrific living conditions for tenants,”² it is unclear how the Mayor intends to advance this goal by cutting funds to the two areas most aligned with holding violators to account: the Rental Housing Inspections program (charged with inspecting residential properties and issuing citations of housing code violations) and the Strategic Code Enforcement program (responsible for code enforcement and the collection of fines, as well as providing alternatives to resolving civil infractions).

To ensure that D.C. renters have a safe and sanitary place to call home, and to genuinely advance DOB’s obligation to hold landlords who violate the housing code to account, we ask the Council to reverse the Mayor’s cuts to these programs, fund the Proactive Inspection Program Act of 2023 and, most urgently, fully fund the Residential Housing Environmental Safety Amendment Act of 2020, the unenacted portions of which will lapse if not funded this budget cycle.

The Council Should Maintain Current Funding to DOB’s Housing Inspections and Strategic Code Enforcement Programs

Legal Aid appreciates steps taken in recent years by DOB to better track and report its violation abatement rate (arguably the most meaningful performance measure of DOB’s impact on residents’ wellbeing),³ to perform more housing inspections,⁴ and to transfer millions of dollars in unpaid infraction fines to the Central Collections Unit (CCU).⁵ We are concerned, however, that the Mayor’s proposed budget represents a step backwards in DOB’s progress by reducing the number of rental housing inspectors to a low of 54 Full-

² Scott Taylor, WJLA 7News, “DC is coming after landlords who create horrific living conditions for tenants,” May 22, 2025, available at <https://wjla.com/features/i-team/worst-landlords-in-the-washington-dc-district-who-create-horrific-living-conditions-for-tenants-residents-rat-infestations-dilapidated-apartments-reinspections-enforcement-bad-housing-investigation>.

³ See Department of Buildings, Office of Strategic Code Enforcement, Fiscal Year 2024 Annual Report (RC26-0027) (“DOB Annual Report”), Chart 2 at p. 8, available at <https://lims.dccouncil.gov/Legislation/RC26-0027>.

⁴ See *id.*, at p. 6. The number of instances of an inspector being dispatched for a housing inspection increased from 7,098 in FY23 to 8,170 in FY24.

⁵ 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).

Time Equivalents⁶ and by cutting \$172,000 from the Strategic Code Enforcement program. While some of these cuts may represent unfilled vacancies or staff attrition, we note that the budget also includes a \$257,000 increase to the Third-Party Inspection Program.⁷ Historically, Legal Aid's clients have experienced worse customer service and lower quality of inspections performed by third-party contractors. Ideally, DOB should be investing in training and retaining in-house inspectors to perform this vital function.

The Council Should Fund the Proactive Inspection Program Act

Alternatively, the Committee could reverse these proposed budget cuts by fully funding the Proactive Inspection Program Act of 2023 (B25-0048).⁸ For years, Legal Aid has testified about the need to legislate a proactive inspections program based on national best practices in advancing healthy housing.⁹ A key advantage of a proactive inspection program is that it can catch unsafe properties where tenants with language barriers, with disabilities, or who fear retaliation are being underserved by the existing complaint-based system.¹⁰

The final version of the law represents a compromise that still gives DOB discretion and leaves room for further refinement. It appropriately relies on data and health-related risk

⁶ See Government of the District of Columbia, FY 2026 Proposed Budget and Financial Plan, Volume 4 (Department of Buildings). This is compared to 62.0 FTEs in FY2023, 58.7 FTEs in FY2024, and 59.0 FTEs in approved FY2025.

⁷ See *id.*

⁸ Available at <https://lms.dccouncil.gov/Legislation/B25-0048>

⁹ See, e.g., Written Testimony of Shavannie Braham and Beth Mellen Harrison, Performance Oversight Hearing on the Department of Consumer and Regulatory Affairs (March 8, 2018), available at <https://www.legalaiddc.org/media/675/download>; Written Testimony of Beth Mellen Harrison, Performance Oversight Hearing on the Department of Consumer & Regulatory Affairs (March 3, 2020), available at <https://www.legalaiddc.org/media/561/download>; Written Testimony of Beth Mellen and Eleni P. Christidis, Budget Oversight Hearing on the Department of Buildings, March 24, 2022, available at <https://www.legalaiddc.org/media/273/download>.

¹⁰ See ChangeLab Solutions, "A Guide to Proactive Rental Inspections Programs," at p. 13, available at https://www.changelabsolutions.org/sites/default/files/2022-11/A-Guide-to-Proactive-Rental-Inspections_FINAL_20221031A.pdf.

factors to target properties most likely to have poor housing conditions for more frequent inspection. Finally, it fills the longstanding need to codify a proactive inspection program into law. Funding this law would add positions for approximately seven housing inspectors/managers, five support staff, two attorneys, and a program manager, at an estimated cost of \$2 million in the first fiscal year and \$7.2 million over a four-year period.¹¹ We urge the Council to fund this law, which will ensure an equitable and effective inspection framework and promote the preservation of DC's existing affordable housing stock.

The Council Should Fund the Residential Housing Environmental Safety Amendment Act

We urge the Council to request an updated FIS and finally fund the subject-to-appropriations portions of the Residential Housing Environmental Safety Amendment Act of 2020 (Law 23-188).¹² Mold remains a pernicious concern for the hundreds of low-income tenants who seek out Legal Aid's help every year. Exposure to mold has been linked to upper respiratory tract symptoms, coughing, and wheezing in otherwise healthy people, as well as a higher risk of developing asthma, and to asthma symptoms in people with asthma.¹³ One in six District residents has asthma.¹⁴ Residents in Wards 7 and 8 — and in particular low-income, children of color — are disproportionately affected.¹⁵ Children living in Ward 8 are 20 to 25 times more likely to visit an emergency

¹¹ Ofc. of the Chief Fin. Ofcr., Fiscal Impact Statement – Proactive Inspection Program Act of 2023, Dec. 18, 2023, available at https://lims.dccouncil.gov/downloads/LIMS/52108/Other/B25-0048-FIS_Proactive_Inspection_Act_of_2023.pdf?Id=182227.

¹² Available at <https://lims.dccouncil.gov/Legislation/B23-0132>.

¹³ See Centers for Disease Control and Prevention, "Mold," available at <https://www.cdc.gov/mold-health/about/index.html>.

¹⁴ World Health Organization, 2022 Health and Climate Change Urban Profile: Washington, District of Columbia, available at https://cdn.who.int/media/docs/default-source/climate-change/55232_o3_who-city-profile_washington_web.pdf?sfvrsn=ee7b4a6b_3&download=true.

¹⁵ See Morgan Baskin, "Doctors Blame D.C.'s High Asthma Rates in Part on Poor Housing," Washington City Paper, May 22, 2019, available at <https://washingtoncitypaper.com/article/180182/doctors-blame-dcs-high-asthma-rates-in-part-on-poor-housing/>.

room and 10 times more likely to be hospitalized for asthma than children living in Northwest DC.¹⁶ Doctors have identified mold and other poor housing conditions as one of the primary factors contributing to the District's asthma epidemic.¹⁷

Mold and its causes, such as leaks or aging building exteriors, are especially prevalent at chronically neglected properties, including several rent-stabilized buildings where Legal Aid has worked closely with tenants in recent years. Local news outlets have highlighted mold as among the conditions driving tenant displacement and ultimately contributing to the elimination of affordable, rent-stabilized units in the District.¹⁸

Legal Aid advocated in strong support of Bill 23-0132, the Indoor Mold Remediation Enforcement Amendment Act of 2019, which required the Department of Consumer and Regulatory Affairs to certify its inspectors in mold assessment and to issue notices of violation and impose penalties when landlords fail to comply with the District's mold law, the Air Quality Amendment Act of 2014.

Although the Council passed this legislation in the form of the Residential Housing Environmental Safety Amendment Act of 2020, sections of the law requiring DOB inspectors to be certified in mold assessment and to issue notices of infraction for mold remain subject to appropriations. The law, which was only partially funded in the FY 2022 budget, was estimated to require \$3.9 million in the first fiscal year and \$14 million in the four-year financial plan.¹⁹ This budget cycle represents the Council's final opportunity to fund this essential legislation, which is subject to repeal if not funded in this year's Budget

¹⁶ *Id.*

¹⁷ *See id.*

¹⁸ See, e.g., Amanda Michelle Gomez, "Landlords Receive Federal Funds for Rental Assistance, Even When Tenants Live in Poor Conditions," Washington City Paper, July 15, 2021), available at <https://washingtoncitypaper.com/article/523476/landlords-receive-federal-funds-for-rental-assistance-even-when-tenants-live-in-poor-conditions/>; Morgan Baskin, "The Next Hottest Rental Strategy? Market to Housing Choice Voucher Holders," DCist.com, March 20, 2023, available at <https://dcist.com/story/23/03/20/sam-razjooyan-housing-choice-voucher-holders-rent/>.

¹⁹ Ofc. of the Chief Fin. Ofcr., Fiscal Impact Statement – Residential Housing Environmental Safety Amendment Act of 2020, Dec. 1, 2020, available at https://lms.dccouncil.gov/downloads/LIMS/41819/Other/B23-0132-FIS_Residential_Housing_Environmental.pdf.

Support Act.²⁰ Along with our partners in the Fair Budget Coalition,²¹ Legal Aid calls on the Council to fully fund this law, which has the potential to translate into improved health outcomes and a better quality of life for District residents, as well as more proactive preservation of the District's existing affordable housing stock.

Conclusion

Thank you for the opportunity to provide this testimony on the proposed budget for DOB. We urge the Council to fund duly enacted legislation that will advance public health and preserve critically needed affordable housing in the District. We look forward to working with this Committee and the Council to pass a budget that prioritizes these goals.

²⁰ See Rules of Organization and Procedure for the Council of the District of Columbia, Rule 736, https://www.dccouncilsecretary.com/_files/ugd/087b9e_f6229fb38eb8406085de0b4d3ce24442.pdf.

²¹ Fair Budget Coalition, FY 26 Budget Platform, https://fairbudget.org/wp-content/uploads/2025/03/Desktop_FBC_FY26-Budget-Platform_spreads-1.pdf.