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Testimony Before the District of Columbia Council  
Committee on Judiciary and Public Safety  
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Public Hearing:  
Performance Oversight Hearing  
Office of the Attorney General

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Children's Law Center

Good afternoon Chairman Allen and members of the Committee. My name is Elizabeth Oquendo. I am a Policy Attorney of Children's Law Center.<sup>1</sup> I am testifying today on behalf of Children's Law Center, which fights so every DC child can grow up with a loving family, good health and a quality education. With nearly 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. Children's Law Center has partnered with the Office of the Attorney General (OAG) throughout FY19 and 20 on issue areas including improving housing conditions for low-income tenants and also on addressing human trafficking in the District. I appreciate this opportunity to testify about our successful partnership this past year.

The OAG's Public Advocacy Division Social Justice Unit works with our attorneys when our tenant clients live in multi-unit buildings that are in serious disrepair. If a landlord is a bad actor who chooses to let a whole building slip into substandard housing conditions, there is often very little we can do to help an individual tenant family. Thankfully, the OAG has been able to successfully bring actions on behalf of tenants in some of the District's most uninhabitable buildings. We have seen first the excellent work that the OAG's office has undertaken in receivership cases on behalf of the Districts most aggrieved tenants.

The first receivership case OAG took on in 2016, Sanford Capital, uncovered the truth behind the Districts larger slumlord problem. By going after Sanford Capital, the OAG's office has been able to get their renters an average of \$8,000.00 per tenant and were able to stop Sanford Capital from operating in the DC market.<sup>2</sup> Since 2016, the Social Justice Section has been able to file ten Receivership Act cases and obtained over three million dollars in Superior Court to make repairs to these badly damaged properties.<sup>3</sup> Further, the OAG has demonstrated a sustained commitment to low-income tenants in the district, and we applaud the new addition of Ms. Jennifer Berger, formerly from the Legal Counsel for the Elderly, to the sections leadership team. Ms. Berger is an outstanding civil legal aid attorney with deep experience in housing issues and we are thrilled to see her join the leadership team at the OAG where she will undoubtedly carry on the mission of ensuring tenants can access safe and habitable housing.

However, it is not just the dedication of the strong leadership of the OAG's Public Advocacy Division Social Justice Unit which has created this harmonious partnership with legal services agencies who represent low-income tenants. We would like to take a moment to highlight the individual staff who work on these cases day in and day out and are key partners to the legal services community. Children's Law Center has benefited from their knowledge, skill, and the compassion they show to our tenants, especially those families with young children and our clients with disabilities.

The Social Justice Unit meets regularly with legal services advocates to accept referrals of problem properties and to discuss current cases and updates from the field. We believe this type of sustained communication and partnership with organizations like Children's Law Center will continue to improve the health and safety conditions of housing for low income tenants.

The OAG's office has used the Receivership Act as a useful tool to obtain results for tenants. However, there are improvements to the Act that could make its reach more powerful. Children's Law Center supports the Abatement and Condemnation of Nuisance Properties Act of 2019 (The Act), which is currently before the Council for consideration and would expand the OAG's power to better serve aggrieved tenants.<sup>4</sup> The Act would give the OAG's office pre-suit authority to conduct discovery before the Receivership Act case is filed which would speed up the time between when the case is filed and when tenants could be made whole.<sup>5</sup> It would also allow the Superior Court to standardize the amount of back rent paid to tenants – at least half and up to two thirds of back rent paid for the three years preceding the receivership action.<sup>6</sup> The Act would require that building owners or managers also pay monies over rents due in order to have funds needed for receivers to make needed and urgent repairs to the property as litigation progresses.<sup>7</sup> Also, this act clarifies the conditions for appointing a receiver and allows for the Superior Court to enjoin landlords to continue their pattern of neglect of rental units at other properties that they own or control.<sup>8</sup> We urge the Council to move

this Act out of committee and to mark up, as we know it will have substantive and positive effects on the low income children and families that we serve.

In FY19 and 20 to date, Children's Law Center has also had the opportunity to participate in the great work being done by the DC Human Trafficking Taskforce. Co-Chaired by the U.S. Attorney's office and OAG, the Task Force brings together advocates, non-profit organizations, and government agencies to coordinate trainings and resources, and provide policy updates to the community. This past year, we were encouraged to learn that since September 2019, the OAG's office has conducted outreach and training to 20 local schools and community centers about how to identify the signs of trafficking and what resources exist for trafficking survivors in the District.<sup>9</sup> Providing additional training to youth, students, and community members about resources may be key in ensuring that we identify all children and youth who are trafficked and are at risk of being trafficked. We are looking forward to our continued partnership with the DC Human Trafficking Taskforce and the OAG's office as they continue to provide training and resources to children and youth at risk of trafficking.

We are also looking forward to partnering with the new Civil Rights Unit as it looks to tackle issues related to our clients, including housing discrimination. We appreciate the extensive community outreach and community orientation of this unit, and we look forward to seeing its work this coming year.

Children’s Law Center is thankful to have had the opportunity to partner with the OAG’s office during FY 19 and 20 to date on these important initiatives. Thank you for the opportunity to testify and I look forward to answering any questions you may have.

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<sup>1</sup> Children’s Law Center fights so every child in DC can grow up with a loving family, good health and a quality education. Judges, pediatricians and families turn to us to advocate for children who are abused or neglected, who aren’t learning in school, or who have health problems that can’t be solved by medicine alone. With almost 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC’s poorest neighborhoods – more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

<sup>2</sup> Testimony of Mr. Rock *available at* [https://oag.dc.gov/release/testimony-abatement-and-condemnation-  
nuisance](https://oag.dc.gov/release/testimony-abatement-and-condemnation-nuisance).

<sup>33</sup> *Id.*

<sup>4</sup> The Act received a hearing before the Committee of the Whole on January 28, 2020 where attorneys from Legal Aid DC and Children’s Law Center testified about our support for the expansion of authority granted to the OAG by the proposed legislation. *Available at* <http://lims.dccouncil.us/Download/43297/B23-0456-Introduction.pdf>.

<sup>5</sup> *Id.* at 3.

<sup>6</sup> *Id.* at 4.

<sup>7</sup> *Id.* at 4.

<sup>8</sup> *Id.* at 4. This provision is especially important as receivership cases are currently handled property by property. We know that many of the worst landlords own multiple properties that are in similar states of disrepair. This would allow the OAG’s office to address the housing conditions issues at multiple properties during litigation.

<sup>9</sup> Office of the Attorney General. *Fighting Human Trafficking*. January 2020. *Available at* <https://oag.dc.gov/blog/fighting-human-trafficking>.