



501 3rd Street, NW · 8th Floor
Washington, DC 20001
T 202.467.4900 · F 202.467.4949
childrenslawcenter.org

Testimony Before the District of Columbia Council
Committee on Judiciary and Public Safety
March 4, 2021

Public Hearing:
Performance Oversight Hearing
Office of the Attorney General

Kathy Zeisel, Senior Supervising Attorney
Children's Law Center

Good afternoon Chairman Allen and members of the Committee. My name is Kathy Zeisel. I am a resident of the District and I am a Senior Supervising Attorney at Children's Law Center.¹ 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 almost 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. I am an attorney in Healthy Together, our medical legal partnership, where we place attorneys throughout the city at primary care pediatric clinics with Children's National, Unity Health Care, and Mary's Center. Through these partnerships, we are referred many families where the medical staff identify health harming legal needs of their patients, including many housing conditions cases where the landlord has refused to make the needed repairs and the health of the child is being severely impacted as a result.

It is through these cases that we forged a relationship with the Office of Attorney General's (OAG) Social Justice Section. We have testified many times before the Council before that DCRA is lacking systematic housing code enforcement, and that gap is still there, so we are grateful that the Attorney General stepped in to fill that gap in some of the most egregious cases. This year has been consistent with our experience in prior years in that the Social Justice Section has been open to hearing from tenant attorneys about where we see serious issues on properties and has kept us informed, to the extent

possible, so that we can keep tenants informed. In addition to working with tenant attorneys, the Social Justice Section attorneys work by really getting out into the community and talking to the tenants to understand the issues faced in the different buildings they are working in.

In the past year, they have made enormous progress on a property that has been one of our most frequently referred since I started at Children's Law Center over twelve years ago, what was formerly known as Forest Ridge/The Vistas and is now Skyline. Our clients there experienced rats, mice, sewage floods, horrific mold, and even in one instance, raccoons living in her unit – all of which it often took extended court battles to resolve. Because it is a Project Based Section 8 property, our clients were choosing between homelessness or remaining on the property because they had no other affordable housing options. The property has hundreds of units, and it simply was not possible for us to go tenant by tenant to solve the problem and DCRA was of no help. OAG stepped in and was able to get a change of ownership and to get a monetary award for tenants.² The new owners are in the process of a renovation of the property, and we are hopeful that we will see significant changes on the property under the watchful eye of the Social Justice Section. In addition to this case, OAG also obtained judgments against other landlords and have numerous cases pending.

Another positive development from this section this year has been the integration of the Environmental Justice Unit, a unit with the Social Justice Section, into

the housing cases. The Environmental Justice Unit is focused on lead issues within the homes and allows another legal enforcement avenue to be brought for many of these cases where the housing was built before 1978. In 2020, the OAG forced a Ward 4 landlord to clean up toxic lead paint in his apartment buildings that endangered children living in those buildings, and was also able to recover monetary damages for the families who had to live exposed to these dangers.³ As a medical legal partnership, we are particularly focused on these health harming issues, and we applaud OAG for focusing on lead in particular since lead exposure in children can cause irreversible harm.

We also applaud the work of the Civil Rights Section in investigating and prosecuting source of income discrimination and other housing discrimination issues in particular. Our clients frequently report how difficult it is to rent with a subsidy and that landlords do not want to rent to them. We need the power of the OAG to hold landlords accountable in order for laws like the source of income discrimination and reasonable accommodation provisions to really be meaningful. In 2020, the Civil Rights Division protected the rights of tenants by filing litigation against real estate companies and professionals who discriminated against people with disabilities, people who use housing vouchers to rent apartments, and against a person's race. We hope they continue this work and look forward to collaborating with them in the future.

We hope that OAG will join with Children’s Law Center in advocating to strengthen some of the laws that impact the residents we are all working to protect, including modernizing DC’s lead laws this Council session and working to improve and reform DC’s housing code enforcement system. We look forward to continuing to collaborate with OAG this year, and we hope that they will have the opportunity to grow these teams in the new fiscal year.

Thank you for the opportunity to provide this testimony.

¹ 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.

² See *AG Racine Announces Castle Management to Pay \$3.5 Million to Ward 8 Tenants and the District Over Deplorable Housing Conditions*, July 15, 2020, <https://oag.dc.gov/release/ag-racine-announces-castle-management-pay-35>

³ *AG Racine Announces Neglectful Landlord Must Clean Up Toxic Lead at Ward 4 Apartment Buildings*, Mar. 4, 2020, <https://oag.dc.gov/release/ag-racine-announces-neglectful-landlord-must-clean>