



The Committee on Housing

Testimony of David Marlin on Behalf of the Committee of 100

Performance Oversight Hearing on the Office of Tenant Advocacy

February 8, 2024

My name is David Marlin and I am testifying on behalf of the Committee of 100 to provide our support for the Office of Tenant Advocacy (OTA), one of the jewels in the District's government.

OTA's mission is to educate and provide legal advice to District tenants, to be their advocate and to inform the executive and legislative branches as well as the community at large of matters affecting tenant protection laws and policies. Our 1985 rent control law is complex and was enacted without an agency to provide essential assistance to tenants who comprise 45 percent of our residents. We remedied that in 2005 by creating OTA.

OTA's accomplishments are impressive. One example is OTA's completion last July of a demonstration database mandated since 2015, which was sent to the Department of Housing and Community Development so that DHCD could complete this important resource and make it available to all. Sadly, the database is not yet available from DHCD. The database will provide tenants and the rental housing community with a user-friendly, internet-searchable research tool for all documents that housing providers are required to submit to the Rent Administrator's office.

We hope that users will be able to access and crunch data for policy use, to learn, for example, what size units are in the rent-stabilized portfolio, and the distribution of rent-stabilized units by ward. We also support synchronizing the database with Department of Buildings records. Decision-making by the city must be fact based.

For years, OTA has recommended that the City Council should hold hearings in order to address needed reforms in the District's rent control law, as has the Committee of 100. Marathon hearings were held in November 2020 and dozens of tenants testified, as did OTA, DCRA, the Legal Aid Society, and others. It was in vain as the Council failed to enact reforms.

We would like to take this opportunity once again to urge serious consideration of improvements in the statute. Two provisions need to be repealed outright and there are two pending bills that would accomplish that, one by CM Anita Bonds to repeal Voluntary Agreements and the other by CM Christina Henderson to repeal Certificates of Assurance. Both legislative items have been subjected to repeated moratoria.

We also believe landlords should be required to maintain replacement reserve funds and not be permitted to seek annual rent increases unless they do. We also recommend that when a rent increase is permitted due to the cost-of-living, the two-percent bonus be eliminated as is the case for non-disabled and elderly tenants.

There are other needed reforms and we urge this Committee to let the affected parties testify so that the Council can perform its responsibilities.

Thank you.