



DOB

DC DEPARTMENT OF BUILDINGS

**FOR RESIDENTS:
LEGAL HELP WITH
PROPERTY DISPUTES**



Introduction

The Department of Buildings (DOB) regulates construction, property use, and safety in the District of Columbia. It enforces certain property-related laws and regulations, conducts inspections, and issues fines to ensure the safety of buildings and protect residents, businesses, and visitors.

However, DOB's powers are limited. DOB can address code violations and unsafe conditions. DOB cannot compensate individuals for personal or property damage; resolve private disputes between neighbors, landlords and tenants, or contractors and homeowners; or enforce contracts or decide fault in disputes.

If you are harmed or experience property damage, you may need to pursue private legal action. While DOB cannot represent you or provide specific legal advice, we can provide valuable support through our violations and abatement data, permitting records, and other public resources.

This Guide Explains:

- When you may need a lawyer or to go to court.
- Where to find legal advice and assistance.
- How to use DOB's records and resources to support your case.

Please consult an attorney to understand your rights and options.

When You Might Need Legal Help

Landlord–Tenant Disputes

Although DOB regulates housing conditions in rental properties, DOB cannot solve business disputes between landlords and tenants. Common issues between landlords and tenants include:

- **Property Damage Responsibility:** Landlords are responsible for maintaining property conditions, but they might claim tenants caused the damage. DOB can issue fines for code violations, but only a court can decide responsibility.
- **Access for Repairs:** If tenants deny access to rental units, landlords can request a court order to inspect and make repairs. DC law allows landlords access with proper notice to tenants for reasonable purposes.
- **Housing Conditions Court:** Tenants dealing with unsafe or unhealthy living conditions (for example, mold, broken utilities) can file cases at the Housing Conditions Court. DOB inspection reports can help support these cases, but only the court can order repairs.
- **Unauthorized Occupants or Squatters:** DOB has the authority to order individuals to vacate a property only if it is unsafe. For squatters or unauthorized occupants, you must file a court case to address the problem.



Neighbor Disputes

DOB has limited ability to intervene in disputes between neighbors. Often, DOB's authority falls short of resolving the concern and the issue becomes a "civil matter":

- **Fences and Property Lines:** If a neighbor's fence or structure encroaches on your property, you'll need a surveyor to confirm the boundaries. DOB cannot force your neighbor to remove it, as only a court can do that.
- **Construction Damage:** If construction next door damages your property, DOB can issue fines for code violations but cannot make the contractor or owner pay for repairs. A lawsuit may be needed to recover damages.
- **Nuisances (such as Noise, Odors, Smoke):** DOB can investigate nuisances but has limited authority over ongoing disturbances. If the issue persists, legal action may be required.

- **Trees and Vegetation:** DOB regulates overgrown weeds and grass but does not handle issues related to tree growth across property lines. Property owners are responsible for trees on their land, while the District Department of Transportation's (DDOT) Urban Forestry Division (ddot.dc.gov/page/ddot-urban-forestry) oversees trees in public space. If you believe a neighbor's tree is causing harm, you may need to seek court action.
- **Easements:** DOB does not typically enforce easements on behalf of private property owners unless it directly impacts another area of DOB authority, such as permitting or zoning. Permit applicants are required to disclose any existing easements of record.

Condominium and Co-Op Disputes

Condominiums and co-ops involve shared responsibilities between owners and associations or boards. DOB cannot resolve disputes between condominium owners and Unit Owners' Associations, or between co-ops and their boards. Common issues include:

- **Responsibilities for Damage:**
 - › Owners are responsible for their units, including interior repairs like plumbing or electrical issues.
 - › Associations or boards handle common areas like roofs, hallways, and shared utilities. Disputes may happen when common area damage affects units (for example, roof leaks damaging an owner's unit).
- **New Condo Warranties:**
 - › Developers must provide two-year warranties for structural defects for individual units and common areas. Claims for structural defects are handled by the Department of Housing and Community Development (DHCD). If DHCD cannot resolve the issue, you may need to sue the developer.

- **Disputes with Boards:**

- › Condo documents (for example, declarations, bylaws) outline responsibilities.
- › Disputes about rules or repairs often require court action to resolve. DOB does not determine liability.

Contractor Problems

DOB neither enforces contracts between property owners and their contractors nor finds fault between those parties and property owners. Common issues include:

- **Poor Workmanship:** DOB inspects contractor work for code compliance but cannot enforce contracts between homeowners and contractors. If your contractor does poor work, under-performs what was agreed upon, or breaches your contract, legal action may be necessary to recover damages.
- **Unlicensed Contractors:** Licensing falls under the [Department of Licensing and Consumer Protection](https://www.dclp.dc.gov) (dclp.dc.gov), not DOB. If you hire an unlicensed contractor, you may be able to recover money or sue for damages in court. However, you are responsible for any code violations at your property.





Finding Legal Help

DOB cannot help you navigate the legal system, but plenty of other resources are available:

- **[DC Bar Pro Bono Center](https://dcbar.org/pro-bono/free-legal-help)**: Free or affordable legal help | dcbar.org/pro-bono/free-legal-help
- **[Legal Aid DC](https://legalaiddc.org)**: Support for low-income residents | legalaiddc.org
- **[Office of the Tenant Advocate](https://ota.dc.gov/service/ota-legal-representation)**: Help with rental housing issues | ota.dc.gov/service/ota-legal-representation
- **[DC Refers](https://dcrefers.org)**: Qualified legal professionals willing to represent modest-means clients at below-market rates | dcrefers.org
- **[LawHelp DC](https://lawhelp.org/dc)**: Legal resources and guidance | lawhelp.org/dc
- **[Legal Counsel for the Elderly](https://aarp.org/legal-counsel-for-elderly)**: For District residents 60 years of age or older | aarp.org/legal-counsel-for-elderly
- **[DC Office of the Attorney General – Office of Consumer Protection](https://oag.dc.gov/consumer-protection)**: They may be able to assist in some circumstances, particularly for consumer and tenant complaints | oag.dc.gov/consumer-protection



District Government Resources for Evidence Gathering

District government provides tools to help gather evidence for your case:

- **[DOB Public Dashboard](#)**: Information on violations, fines, vacant properties | dob.dc.gov/page/agency-performance-dob
- **[eRecords](#)**: Access permits, building plans, and certificates of occupancy, and other official records | accessdc.dcr.dc.gov
- **[PropertyQuest](#)**: Look up property zoning, boundaries, and ownership using an interactive map | propertyquest.dc.gov
- **[Scout](#)**: permitting, inspections, licensing, enforcement, and compliance information | scout.dcr.dc.gov/

- **SurDocs:** Review digital land records and surveys, assessment and taxation plats, condominium books, wall checks | dcraonline-rms.dkra.dc.gov/SurDocsPublic
- **Office of Tax and Revenue Real Property Search:** Database with property tax records, tax status, assessment, and classification for every property in the District | mytax.dc.gov
- **CorpOnline:** Information about business entities such as a corporation or limited liability company | corponline.dkra.dc.gov
- **Occupational and Professional Licensing Lookup:** Database of occupational and professional licenses | govservices.dkra.dc.gov/oplaportal/Home/GetLicenseSearchDetails
- **District of Columbia Land Records:** Official repository of all land records and recorded instruments for the District | countyfusion4.kofiletech.us/countyweb/loginDisplay.action?countyname=WashingtonDC

Subpoenas

A subpoena is a legal request for documents, records, or testimony. If you have already filed a lawsuit and are seeking documents and records from DOB, you or your attorney may be able to obtain this information through a subpoena, as follows:

- **Subpoena for Records**
 - › Used to request DOB documents like inspection reports or permits.
 - › Email the subpoena to DOB.filing@dc.gov. DOB usually accepts email service but may object if the subpoena is not valid.

- **Subpoena for Testimony**

- › Used to request testimony from an official DOB representative.
- › Email a draft of the subpoena, using the subject line in all capitals “30(b)(6) SUBPOENA” to DOB.filing@dc.gov.

- **Subpoena for Records and Testimony**

- › This combines requests for documents and live testimony. Serve these subpoenas in person at DOB’s Office at 1100 4th Street SW, Washington, DC. Witness fees are required, and DOB encourages advance notice by email at DOB.filing@dc.gov, with the subject line in all capitals “REQUEST FOR DECLARATION.”

Freedom of Information Act (FOIA) Requests

If you are unable to locate the documents or information after using the above resources, you may submit a [FOIA Request](#) to DOB through the [District of Columbia Freedom of Information Act Public Access Portal](#) (foia.dc.gov), in writing via mail, fax, or email.

How to File a Complaint with DOB

- **Problems in Residential Buildings/Units:** Go to dob.dc.gov/insp/pm or call 202.671.3500.
- **Illegal Construction:** Call 311 or go to dob.dc.gov/insp/ic
- **Vacant or Blighted Properties:** Call 311 or go to dob.dc.gov/insp/vb



Your Project

Take advantage of our Homeowner's Center: 202.671.3500 or dob.dc.gov/page/homeowners-center.

Conclusion

DOB is ready to assist you within the scope of our regulatory authority. We also provide a longer guide on our [Tenant Resources web page](#) geared toward legal professionals that goes into more detail.



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GOVERNMENT OF THE
DISTRICT OF COLUMBIA

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