

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

**DEPARTMENT OF BUILDINGS**



Secure Apartments for Everyone (SAFE) Regulation Amendment Act of 2024

Testimony of  
Keith Parsons  
Strategic Enforcement Administrator  
Department of Buildings

Before the Committee of the Whole  
Council of the District of Columbia  
The Honorable Phil Mendelson, Chairman

John A. Wilson Building  
1350 Pennsylvania Avenue NW  
Washington, DC 20004

December 10, 2024  
11:00 a.m.

Good morning, Chairman Mendelson, fellow Councilmembers, and staff. I am Keith Parsons, Strategic Enforcement Administrator for the Department of Buildings (DOB). I am pleased to appear before you today to discuss the Secure Apartments for Everyone (SAFE) Regulation Amendment Act of 2024.

Before I delve into DOB's views on this legislation, I will outline the agency's responsibilities. DOB's mission is to protect the safety of residents, businesses, and visitors, and to advance the development of the built environment in the District through permitting, inspections, and code enforcement. We operate in pursuit of three overarching goals: to help keep the District's built environment safe, make it as green and sustainable as possible, and keep it moving forward.

To advance these goals, DOB's housing and property maintenance inspectors can and do already issue infractions for broken locks, windows, or lights at properties in the District. Any existing safety infrastructure at a multi-unit rental property is already required to be maintained under the current code. Where locks, doors, lights, or similar infrastructure is broken, DOB issues a Notice of Infraction and requires those items to be repaired. Ultimately the owner must choose to repair or face the associated fine.

With this as background, DOB is always grateful for the opportunity to engage with the Council and other District stakeholders to enable the creation of legislation that helps to advance DOB's mission.

### **Secure Apartments for Everyone (SAFE) Regulation Amendment Act of 2024**

The legislation before us today would alter the District's building code to mandate on-site **security assessments** performed by DOB for any property that meets certain criteria and task DOB with issuing a **security report** detailing affirmative safety measures that should be taken

by the property owner. These assessments would happen whenever the Metropolitan Police Department (MPD) tells DOB about:

- Two seizures of controlled substances within three months;
- Two seizures of firearms within six months; or
- Two arrests for crimes of violence or dangerous crimes within six months at a property.

The legislation would also expand the scope of the Nuisance Abatement Act to include crimes of violence and would require all rental properties with five (5) or more units to maintain self-closing and self-locking exterior doors and meet certain exterior lighting standards.

As explained a moment ago, DOB's current role in promoting safety in the District's built environment includes housing and property maintenance inspections, but these inspections are not specifically designed to focus on proactive changes to improve building security. DOB does not conduct security assessments in the sense that this legislation considers.

Accordingly, **DOB has concerns with the legislation as currently written.** The concerns are based on the need for resources and training, ambiguity in definitions, and the triggers for security assessments.

While the proposed criteria for action – based on police seizure of narcotics or guns, or on arrests – sound reasonable, these would trigger DOB review of a significant number of properties. While MPD can address questions about the appropriateness of the criteria, I will share that MPD provided a conservative estimate based on just one factor – crimes of violence or dangerous crimes – and determined that in the first six months of 2024, at least 85 properties would meet that criteria. This means that if the other criteria extended to a similar number of

properties, over the whole year, that DOB would be required to do more than 500 security assessments per year.

As a result, this legislation would create a need for DOB to develop position descriptions and hire a new team, develop new training, data retention policies, and operational procedures to create the security assessment process. Operationalizing this program may result in heavy administrative and fiscal impacts that could complicate DOB's existing workload. Several private sector companies already perform the security assessments contemplated in the legislation. In light of this private sector resource, DOB wonders about the utility of training and equipping publicly funded staff to perform these assessments.

The largest hurdle that DOB has identified in the legislation is the requirement for these security assessments to be triggered by certain crimes and associated arrests by MPD. As drafted, the bill does not say where the data would come from, but the bill appears to assume it is tracked by MPD. For DOB to know when and where to conduct these security assessments, MPD and DOB would need to create a new information sharing agreement. Based on the agencies' preliminary conversations, MPD may need to make significant changes in their data tracking apparatus.

In addition, as DOB has expressed in past hearings, changes to the District's building code are best tasked to the Construction Codes Coordinating Board (CCCB), as the members of the CCCB are experts in their respective fields and the CCCB is the body specifically designated to address code changes. DOB recommends the entirety of section 3 of this bill be sent to the CCCB to evaluate.

Further, DOB recommends that section 3(c) of the legislation set the threshold to “three (3) or more dwelling units” instead of “five (5) or more dwelling units” to align with international code standards. Not only would this capture more properties, but DOB could more easily incorporate security assessments into our existing proactive housing code inspection process, if applicable. Small, but significant code conformity challenges like this one also emphasize why CCCB is a better way to get the right answer for all code updates.

Finally, DOB also suggests security assessments be tracked and triggered by distinguishing property using Square Suffix Lot (SSL) as opposed to addresses. This would ensure that these assessments would be triggered, without waiting for a complex with multiple buildings to have sufficiently documented issues in one building.

## **Conclusion**

We urge the Council to consider these proposed adjustments in the markup period for this legislation. A continued dialogue about responsibilities and code updates—in collaboration with the Council and other agencies—is critical to ensure the District becomes an even better place to live, work, and play for residents, businesses, and visitors.

Thank you for inviting me to testify, and I look forward to addressing any questions today and continuing this valuable dialogue together.