

Office of Tenant Advocate (“OTA”)
FY15-16 Performance Oversight Hearing Questions
Committee on Business Consumer and Regulatory Affairs
Vincent B. Orange, Chairperson

I. Agency Organization

1. **Have there been any changes to within the agency since last year’s performance review? If so, please provide a complete, up-to-date organizational chart for each division within the agency including, either attached or separately, an explanation of the roles and responsibilities for each division and subdivision.**
 - **Please include a list of the employees (name and title) for each subdivision and the number of vacant positions**
 - **Please provide a narrative explanation of any organizational changes made during the previous year**

Response: See Attachment #1 (“OTA Organizational Chart”)

II. Personnel

2. **Please provide a complete, up-to-date position listing for your agency, which includes the following information (list the information by program and activity):**
 - **Title of position**
 - **Name of employee or statement that the position is vacant, unfunded, or proposed.**
 - **Date employee began in position**
 - **Salary and fringe, including the specific grade, series, and step of position**
 - **Job status (continuing/term/temporary/contract)**

Response: See Budget Attachment #2 (“Schedule A”)

3. **Please provide the number of FY16 full-time equivalents (FTEs) for the agency, broken down by program and activity. Please also note the number of vacancies at the close of FY15, by program and activity, and current vacancy information.**
 - **For each vacant position, please note how long the position has been vacant and whether or not the position has since been filled.**
 - **How many vacancies within the agency were posted during FY15 and FY16, to date?**

Response: See Budget Attachment #3

4. **Please provide a detailed narrative description of the personnel process within the agency. Specifically, please describe how the personnel activity within the agency works**

in coordination with the DC Department of Human Resources to ensure that human resource needs are met.

Response: The OTA is considered to be a “Tier 3 agency” due to its size, and thus receives direct DCHR support on all recruitment, hiring, and termination of employees as well as other related DCHR functions. The OTA Director serves as the HR administrator for all other DCHR functions such as maintaining all personnel records, timekeeping, maintenance of DCHR handbook notices, and processing of administrative tasks as set forth within this area.

5. **Please list and describe all employee training provided in FY15 and FY16, to date. In addition, please list and describe all proposed employee training for the remainder of FY16.**

Response: In FY’15 staff completed the following courses: DC Purchase Card, Ethics, and Microsoft PowerPoint and LGBT Cultural Competency trainings. Additionally, the legal staff participates in seminar/workshops offered through the DC Bar. Trainings that have been approved thus far in FY 2016 are: DC Government Contracting, Effective Statements of Work and Microsoft Excel.

6. **Does the agency conduct annual performance evaluations of all its employees? Who conducts such evaluations? What steps are taken to ensure that all agency employees are meeting individual job requirements?**

Response: Yes the agency does conduct annual performance evaluations. There is a two tier process for the OTA Legal division and all other employees are evaluated by the Director. Each employee sets goals based upon the performance plans developed by the Director. The Director meets with each employee bi-annually to ensure that the goals are attainable and that the employee has the resources necessary to achieve his or her goals. At the end of the performance evaluation period, the Director meets with each employee to review their goals in relationship to the performance plan set forth for each employee and its relationship to the Agency’s overall KPIs and other related priorities,

7. **Last year, the D.C. Council added 2 FTEs to the Office of Tenant Advocate. Have those positions been filled and, if so, when?**

Response: The two 2 FTEs positions were posted and closed on Friday, February 12, 2016. Highly qualified candidates should reach the Agency by Thursday, February 19 and interviews scheduled with a selection made by the first week of March.

8. **What additional results could fairly be attributed to this increase of staffing?**

Response: First, more District tenants will have access to counsel, the need for which is in the legislative findings in the agency’s establishment act. Second, the Legal Division will be able to expand its breadth of services in terms of issues areas and venues.

9. Please list all employees detailed to or from your agency, if any. Please provide the reason for the detail, the detailed employee's date of detail, and the detailed employee's projected date of return.

Response: Not applicable

10. Please provide the Committee with:

- A list of all employees who receive cell phones, personal digital assistants, or similar communications devices at agency expense
- A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned
- A list of employee bonuses granted in FY15 and FY16, to date, if any
- A list of travel expenses, arranged by employee
- A list of the total overtime and workman's compensation payments paid in FY15 and FY16, to date.

INITIATIVE	Detailed description of the program
A List of all employees who receive cell phones, personal digital assistants, or similar communication devices at agency expense	Cell phones: Dennis Taylor; Horace Lassiter; Manuel Bolanos; Delores Anderson; I-pads Dennis Taylor
A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned	NA
A list of employee bonuses granted in FY15 and FY16, to date if any	NA
A list of travel expenses, arranged by employee	NA
A list of the total overtime and workman's compensation payments paid in FY14 and FY15, to date.	\$3,465.55 and \$4,263.90 , respectively (see Budget Attachments #4A & 4B ("FY 2015 & 2016 Overtime Expenditures"))

III. Budget

11. Please provide a chart showing your agency's approved budget and actual spending, by program, for FY15 and FY16, to date. In addition, please describe any variance between fiscal year appropriations and actual expenditures for FY15 and FY16, to date.

Response: See Budget Attachments #5A & #5B

12. Please list any re-programming, in or out, which occurred in FY15 and FY16, to date. For each reprogramming, please list the total amount of the reprogramming, the original purposes for which the funds were dedicated, and the reprogrammed use of funds.

Response – see chart below

FY 2015			
Transferred From:	Transferred To:	Amount	Reason
n/a	n/a	none	n/a
FY 2016			
Transferred From:	Transferred To:	Amount	Reason
n/a	n/a	none	n/a

13. Please provide a complete accounting for all intra-District transfers received by or transferred from the agency during FY15 and FY16, to date.

Response – see chart below

FY 2015			
OTA Buyer			
Agencies	MOU Value	Amount Transferred	Description
OTA & ODR	1,495.00	1,495.00	Sign language interpretation services.
FY 2015			
OTA Seller			
Agencies	MOU Value	Amount Transferred	Description
n/a	n/a	n/a	n/a

FY 2016			
OTA Buyer			
Agencies	MOU Value	Amount Transferred	Description
n/a	n/a	n/a	n/a
FY 2016			
OTA Seller			
Agencies	MOU Value	Amount Transferred	Description
n/a	n/a	n/a	n/a

14. Please identify any special purpose revenue accounts maintained by, used by, or available for use by your agency during FY15 and FY16, to date. For each account, please list the following:

- The revenue source name and code
- The source of funding
- A description of the program that generates the funds.
- The amount of funds generated by each source or program in FY15 and FY16, to date
- Expenditures of funds, including the purpose of each expenditure, for FY15 and FY16, to date

Response: Not applicable

15. Please provide a complete accounting of all federal funds received for FY15 and FY16, to date.

Response: Not applicable

16. What steps have been taken during FY15 and FY16, to date, to reduce the following:

- Space utilization
- Communications costs
- Energy use

Response: All lighting in the agency is motion-sensor lighting. All computers are shut down on weekends at a minimum. These measures reduce the agency's utility costs.

17. Please provide the agency's fixed costs budget and actual spent for FY15, and FY16, to date. Please include a narrative description of any substantial changes in these costs.

Response: Fixed costs are budgeted within DGS

18. Please list and describe all fines and fees that the agency collects. Include the FY15 and FY16, to date totals collected for each. Also indicate the last time that these fees/fines have been adjusted/increased.

Response: See table below

FY 2015			
Category	Description	Amount Collected	Last Increase
Condo Conversion Fees	Fees charged to apartment building owners who wish to	\$2,322,149.95	n/a

(General Fund Revenue)	convert from rental to condo.		
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FY 2016			
Category	Description	Amount Collected	Last Increase
Condo Conversion Fees (General Fund Revenue)	Fees charged to apartment building owners who wish to convert from rental to condo.	\$1,168,647.45	n/a

19. Please identify all legislative requirements that the agency lacks sufficient resources to properly implement.

Response: There are no legislative requirements that the agency lacks sufficient resources to properly implement.

IV. Agency Programs and Policies

20. Please list each policy initiative of your agency during FY15 and FY16, to date. For each initiative please provide:

- A detailed description of the program
- The name of the employee who is responsible for the program
- The total number of FTE's assigned to the program
- The amount of funding budgeted to the program

Response: See chart below:

INITIATIVE	Detailed description of the program	Responsible Employee for the program	Total number of FTEs assigned to the program	Amount of funding budgeted to the program
Expand market base for Tenant Rights training	Expanding tenant markets to include embassy staff, and more Institutes of Higher Learning. Tenant Association Leadership Development Track, a 10 course certificate training program	Delores Anderson	2	\$10,000.00 (NPS)
Promote Tenant Right to Counsel in L&T Court	To develop a program to further a tenant's right to counsel in Landlord/Tenant court; thus striving to reduce homelessness by reducing the number of evictions.	Dennis Taylor	2	\$4,600 (NPS)

OTA lien authority legislation	The agency is working with the Council, OPLA, OAG, DCRA, and others to secure lien authority so that the OTA can recoup emergency housing expenditures incurred when the housing provider is found to be at fault	Joel Cohn	1	\$0 (NPS)
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21. **Please describe any initiatives your agency implemented within FY15 and FY16, to date, to improve the internal operation of the agency or the interaction of the agency with outside parties. Please describe the results, or expected results, of each initiative.**

Response: OTA began dialogue with DOEE on the subject of mold in FY2015 and reviewed pending regulatory implementation on DOEE's part. In FY 2016 the dialogue has continued and an interagency alert program is being designed through our IQ system to send all mold referrals that meet Healthy Homes' criteria. The anticipated result should be an intra-agency referral program that will assist the first 50 complaints received by OTA thus reducing and improving government's response on this issue. (See our chart in the intake section)

22. **Please provide a list of all studies, research papers, and analyses ("studies") the agency prepared, or contracted for, during FY15 and FY16, to date. Please state the status and purpose of each study.**

Response: On March 13, 2014, at the Committee's request an analysis of housing provider petitions was performed. Within three weeks of that initial request we submitted the initial report entitled "The Impact of Housing Provider Petitions on the Affordability of Rent Control Units in the District of Columbia: A Preliminary Report." The OTA continues to track housing provider petition activities and will provide the FY 2015 report at this year's oversight hearing.

23. **If applicable, please explain the impact on your agency of any legislation passed at the federal level during FY15 and FY16, to date.**

Response: Federal legislation has had no direct impact on the agency. However, the OTA monitors federal legislative and budgetary actions that have a direct impact on tenants in subsidized and public housing as well as all changes within the regulatory realm.

24. **Please list all regulations for which the agency is responsible for oversight or implementation. Please list by chapter and subject heading, including the date of the most recent revision.**

Response: The OTA has general rulemaking authority (D.C. Official Code § 42-3531.10), which is most relevant to the agency's Emergency Housing Assistance Program (EHAP) (D.C. Official Code § 42-3531.07(6A)). The OTA collaborates with sister agencies

regarding relative rule-makings that relate to rental housing and other tenant interests. The most relevant regulations include D.C.M.R. Title 14, Housing, and D.C.M.R. Title 12G, the Property Maintenance Code (PMC). Regarding the PMC, the OTA is a voting member of the relevant Technical Advisory Group (TAG) to the Construction Code Coordinating Board (CCCCB).

25. **Did the agency meet the objectives set forth in the performance plan for FY15? Please provide a narrative description of what actions the agency undertook to meet the key performance indicators or any reasons why such indicators were not met. Please submit a copy of your performance plan for FY16.**

Response: See Non-Budget Attachment #6 (“FY 2016 Performance Plan”)

The OTA met all of its Key Performance Indicator benchmarks for FY2015. Please see the chart below:

	KPI	KPI	FY 2015 YE Target	FY 2015 YE Actual	FY 2015 YE Rating	Budget Program
●	1.1	% of tenant intake cases resolved	89%	100%	112.36%	Legal Representation
●	1.2	# of rental housing case abstracts to be included in database	240	248	103.33%	Legal Representation
●	1.3	% of identified tenant associations to be represented in tenant summit.	50%	91.3%	182.61%	Administrative Services
●	1.4	% of households eligible for housing assistance for whom OTA made emergency housing available within 24 hours, if funding was available	90%	100%	111.11%	Emergency Housing

26. Please list and describe any ongoing investigations, studies, audits, or reports on your agency or any employee of your agency, or any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed during FY15 and FY16, to date.

Response:

There were none.

27. Please identify all electronic databases maintained by your agency, including the following:

- A detailed description of the information tracked within each system
- Identification of persons who have access to each system, and whether the public can be granted access to all or part of each system
- The age of the system and any discussion of substantial upgrades that have been made or are planned to the system

Response:

Name of Database	A detailed description of the information tracked within each system	Identification of persons who have access to each system, and whether the public can be granted access to all or part of each system	The age of the system and any discussion of substantial upgrades that have been made or are planned to the system
Tenant Petition Tracking Database	Allows OTA to electronically store, search and view all petitions received from the Rental Accommodations Division prior to FY15, as well as to export spreadsheet reports on petitions collected. Tracks the following informational fields: Date Entered into Database, Staff Name that Entered Petition,	All staff has access. The database is not accessible by the public.	The database is maintained on a shared drive.

Name of Database	A detailed description of the information tracked within each system	Identification of persons who have access to each system, and whether the public can be granted access to all or part of each system	The age of the system and any discussion of substantial upgrades that have been made or are planned to the system
	Case Number, Date Filed, Address, ZIP Code, Ward, Actual Date Received by OTA. The petitions are searchable and sortable by all of the information fields		
Housing Provider Petition Database	Allows the OTA to electronically store, search and view all petitions received by the Rental Accommodations Division prior to FY15, as well as to export spreadsheet reports on petitions collected. Tracks the following informational fields: Date Entered into Database, Staff Name that Entered Petition, Case Number, Date Filed, Address, Zip Code, Ward, Petition Type, Number. Of Units in Building, Actual Date OTA Received. The petitions are searchable and sortable by all of the information fields.	All staff has access. The database is not accessible by the public.	The age of the database is not an issue.
Tenant Association Database	Ongoing update of tenant associations in the District containing the following	Public has access through OTA website.	The age of the database is not an issue.

Name of Database	A detailed description of the information tracked within each system	Identification of persons who have access to each system, and whether the public can be granted access to all or part of each system	The age of the system and any discussion of substantial upgrades that have been made or are planned to the system
	information: Name of Association, Ward, Contact Person, Contact Address, Zip.		
IQ Case Intake Database	Allows OTA to electronically store, search and view key information for each client that meets with case management specialist. Information recorded includes client contact information, rental property information, information on the issue (as it relates to DCMR 14), actions taken on the case by OTA staff, and demographic information.	All staff has access. Discussion is currently underway regarding access to information that is maintained by the OTA Legal division. The question on the table relates to lawyers ethics.	Phase One of the system was developed in FY14. Faze Two, providing increased functionality such as the Interagency Alert System, will be developed and launched during FY16.
Emergency Housing	Memorializes and tracks each request for emergency housing and tenant relocation assistance; stores key information including: identifiers for the tenant, property, and housing provider; the circumstances of the request; OTA action items and agency expenditures; the housing status of each client through temporary and permanent relocations;	All staff has access.	The age of the database is not an issue.

Name of Database	A detailed description of the information tracked within each system	Identification of persons who have access to each system, and whether the public can be granted access to all or part of each system	The age of the system and any discussion of substantial upgrades that have been made or are planned to the system
	and other key information.		
Rental Housing Commission Database	Serves as an archive of rental housing decisions by the Rental Housing Commission and the Office of Administrative Hearings prior to FY15, and is an archive of abstracts of Court of Appeals decisions in appeals from Rental Housing Commission decisions	The public has access through OTA website.	The age of the database is not an issue

28. **How has the agency built partnerships that have helped to increase public transparency and communication, including partnerships in the building industry, non-profit housing advocates, community associations, and ANC's? Please provide a summary of the feedback these partners have given regarding the agency's efforts, as well as the agency's opinion regarding what might be done to improve upon them.**

Response:

Bi-Monthly Stakeholder Meetings: The OTA regularly apprises advocates and other members of the rental housing community of legislative and regulatory developments, and provides opportunities to participate in the development of policy goals and proposals. Stakeholder meetings are open to anyone and are advertised in local community newspapers.

On-line agency information: The web allows the OTA to share more information with more District residents. For those stakeholders without computer access we routinely send information via postal mail. Information on all agency programs is offered online.

On-line Newsroom & On-line Chat: The tenant community may also use the OTA website newsroom to stay up-to-date on developing tenant issues as well as OTA events and services. One of those services is a monthly On-Line Chat, through which the public may receive answers to their rental housing questions "in real time."

Surveys: Periodic surveys (e.g., pre- and post-Summit surveys and Stakeholder surveys) allow the agency to better understand the tenant community's needs.

Technology: Enhanced case management technology allows our office to efficiently document and report our services rendered to the public. We are able to periodically report on each program within the agency, whether it be for the annual performance plan, the annual report to the Mayor and Council, or a report to our Stakeholders on programmatic updates.

Washington Post "Ask the Advocate" column: The Washington Post Express regularly publishes OTA's column "Ask the Advocate" in its Friday "Ready to Rent" section. The column addresses common questions that may have been posed to the Post or to the OTA directly. Please see attached a recent example.

29. **The agency conducts periodic stakeholder surveys and engages in many partnering opportunities. Are there other ways in which the activities of the agency and information retained by the agency could be made more transparent?**

Response: See response to #28 above.

30. **Please identify any statutory or regulatory impediments to your agency's operations.**

Response: A critical statutory impediment -- financially if not operationally -- is the lack of OTA lien authority. The OTA's Emergency Housing Assistance Program (EHAP) provides hotel stays and other financial assistance to tenants who have been displaced as a result of fires, government closures and other related emergencies. EHAP funding is almost always depleted prior to the end of the fiscal year. It is the OTA's belief that the government is entitled to reimbursement when the owner's dereliction has caused the emergency and would then be in conformance with four other District agencies (DCRA, DOEE, DPW, and DC Water & Sewer Authority).

31. **Please identify all recommendations identified by the Office of the Inspector General or the D.C. Auditor since last year. Please note what actions have been taken to address these recommendations.**

Response:

Not applicable.

V. Tenant Support

A. Legal Representation and Technical Assistance

32. **Please state the number of tenants or tenant groups that have sought OTA assistance for new matters in FY15 and FY16, to date, in each of the following categories, followed by the number of open cases in each category.**

- Rent control
- Rent increases and hardship petitions
- Conversions
- Capital improvement assessments
- Housing code violations
- Security deposits
- Lease violations/rental payment disputes
- Evictions/foreclosures
- Legislative or policy advocacy
- Other (please identify and describe)

Response:

	FY14	FY15	FY16
Rent Increase/Rent Control and Hardship petitions	472	276	76
Conversions	N/A	N/A	N/A
Capital Improvement assessments	N/A	N/A	N/A
Housing Code Violations	954	1232	690
Security Deposits	474	202	58
Lease violations/rental payment disputes	400	1076	436
Eviction/foreclosures	368	621	149
Legislative or policy advocacy	N/A	N/A	N/A

33. **Based on the number of tenant complaints and/or other considerations, please identify the top five issues facing tenants today. Have there been any significant changes since FY15, and is there anything the agency plans to do differently give these changing needs?**

Response:

The five most common issues reported to OTA in FY 2015 are: Housing Conditions/Housing Code Violations, Lease issues, Evictions, Rent Increases/Security Deposit issues, TOPA issues. This compares to the top five reported at last year's Oversight Hearing: Housing Conditions/Housing Code Violations; Rent Increases/Security Deposit issues; Evictions; Pest Infestations; and TOPA issues.

34. **Has the bedbug problem continue to be a major health issue for tenants? Is the problem abating or worsening? The Committee recognizes that the agency has worked with the Department of Health in the past to address the issue, but what is the "cure" for the problem and what role can the agency play in implementing a solution?**

Response:

As noted last year, while the OTA is not aware of a recent increase in the bedbug problem, a recent article published regarding this subject focused on analysis performed by the Orkin Corporation which indicated that the District was #3 in the nation for bedbug issues. This is in sharp contrast to our intake data. The Department of Health is primarily responsible for educating tenants about bedbug infestation. When a tenant has a bedbug complaint, OTA provides them with relevant information as a matter of first recourse.

The keys to controlling this scourge include:

- (a) Education and outreach: the OTA has participated with DOH and others at various forums and conferences;
- (b) Early detection and notification: the OTA and DOH participate in DOEE's "Lead-free and Healthy Homes" program, which involves comprehensive home inspections and may include bedbug detection.
- (c) Clarity regarding the respective "pest extermination" responsibilities of landlords and tenants and others: In 2014, the "pest extermination" provision in the Property Maintenance Code (12G DCMR 309) was revised to do just this. In our capacity as a voting member of the PMC TAG (see response to question #24), the OTA proposed the revision in collaboration with other TAG members during the previous construction code cycle. The TAG and the CCCB approved the revision, and it became law in March 2014 pursuant to the Council's approval of the construction code revisions.

Additionally, the OTA has researched model legislation regarding notice to rental applicants about bedbug infestations and is currently reviewing New York law on this subject.

35. **Please discuss any ongoing contracts for legal services, the scope of each contract, how it is being monitored, and the number of tenant cases referred in FY15 and FY16, to date under each contract.**

Response:

In FY 2015, OTA had contracts with four legal service providers – Legal Counsel for the Elderly, Zouaoui Law Firm, DC Law Students in Court Program, and Legal Aid Society of DC. All legal contracts are monitored through the monthly invoice process. The legal agreement made between the OTA and all legal service providers requires a monthly accounting of all activities taken to protect tenant rights. The report includes but is not limited to the following information: the number of clients seen; the number of hours associated with each client intake; the ward of the city in which the client resides; and the client's primary language. A review of all invoices is handled by the Supervisory Attorney in the Legal Division, who signs off on the invoice before it is passed on for payment processing. The language data is compiled and then reported out on the quarterly Language Access report. Additionally, OTA is also holding quarterly meeting with these providers on a rotation basis.

The Office of Contracts and Procurement, in consultation with OTA, has renewed the contracts of each of the four providers.

The list of FY2016 Purchase Orders under the current contracts consists of:

PO NUMBER	VENDOR	EXPIRATION
PO531188	Legal Aid Society of DC	September 30, 2016
PO532440	DC Law Students in Court Program	September 30, 2016
PO531209	Legal Counsel for the Elderly	September 30, 2016
PO531607	Law Office of Jamil Zouaoui	September 30, 2016

36. How many new cases were assigned to each attorney in FY15 and FY16, to date?

Response:

	FY15: *	FY16 (to date): *
Amir Sadeghy –	189	115
Ramona Quillet –	268	120
Aaron Polkey –	259	104
William Mundy –	265	91

* These numbers include representation in Court, drafting of legal documents, and one-on-one legal consulting.

37. Please describe your strategy to expand legal representation with the addition of litigating attorneys, law school students, and pre-law college undergraduates. What function will each have?

Response:

OTA currently has four litigating attorneys, and OTA is in the process of hiring two additional litigating attorneys for FY16. The number of matters that OTA has been asked to address has grown considerably. (See the Response to question 32.) Because OTA's current number of litigating attorneys is fixed, OTA is increasingly forced to decline opportunities to further the public interest through litigating on behalf of deserving citizens. While a 50% increase in litigating attorneys will not completely close the gap, it will significantly aid OTA in being more responsive to the District's needs. Because OTA's representation consistently returns more funds to District tenants than the funds appropriated for the task, the increase in litigating attorneys will help to continue this expansion on the demonstrated return on the District's investment.

Through our relationship with DC Law Students we are supporting the training and legal understanding of the laws that relate to real estate transactions. As we move to develop

our 'Right to Legal Counsel Program' law school students and pre-law college undergraduates, will be of tremendous assistance in our contracted Legal Service Program. What these students can do is assist in the legal research, client communications, and administrative responsibilities inherent in providing legal representation. OTA's litigators only benefit from the students' presence if the litigators are also mentoring the students in District law. Fortunately, experience has proven that students who are mentored in the District's rental housing law are more likely to become practitioners in the field. The time-investment is returned in the form of a future generation of attorneys with the expertise and temperament to practice law to the benefit of the District's tenants.

38. **What number of front-line employees are deployed to handle customer inquiries in person and on the phone on a given day? Please break down the numbers for each segment of the agency and describe each employee's function. Is the agency adequately staffed with front-line employees?**

Response:

OTA currently has two (2) Case Management Specialists who handle detailed front-line case-intake and in-person and telephone customer inquiries. In addition to the CMS staff, four (4) Attorney Advisors, one (1) Supervisory Attorney, and one (1) Paralegal, are on standby at all times and frequently handle detailed front-line case-intake and in-person and telephone customer inquiries. The Director, the Legislative Director, the Legislative Analyst, and the Outreach and Education Coordinator also handle general inquiries on an as-needed basis, and direct case-specific matters to case managers as appropriate.

The Case Management Specialists perform intake protocols on the property, assist the tenant in narrowing the focus of their issues, give any available any non-legal oriented advice, and present the facts to OTA attorneys for formal legal advice. In addition, each Case Management Specialist has community outreach, public relations, office administration, and inter-agency liaison responsibilities.

In addition to legal research and writing duties, the Paralegal (who is also a license attorney) performs public relations, office administration, and inter-agency liaison responsibilities. More importantly, he is the front-line responder to all "Ask the Director" inquiries and all "Ask the Mayor" inquiries forwarded to the agency. He is also the primary correspondent in the monthly OTA Live Q&A Chat sessions. When he is on leave or the volume exceeds capacity, the Education Coordinator (who holds a JD and PHD serves as his back-up).

39. **Have any changes in the protocols for tenant intake been implemented since FY15?**

Response:

The tenant service protocols remain intact.

40. **Is there anything else that can be done to improve the agency's efficiency and performance from a customer service perspective?**

Response:

The Chief Tenant Advocate is searching to secure a customer kiosk, similar to what one finds at many medical offices. Once located, installed, and enabled, customers would be allowed to enter their own “directory information” and issues in to the system. These entries would be transmitted automatically into the IQ system, and the information would be immediately available to the front-line staff providing service. Such a system would be expected to greatly reduce wait-times and repetition.

B. Inter-Agency Coordination

41. **In the past, the agency has described the lack of interagency coordination as a “chronic problem that results in a loss of District revenue; as well, as deprivation of tenant rights.” Please describe what efforts have been done to mitigate this problem.**

Response: See response to Question #42 below.

42. **OTA’s planned “interagency alert” system will check for housing provider noncompliance within licensing and registration requirements and homestead deductions claims, and will generate and transmit the violations to the relevant agency. Can the system be expanded to encompass housing code and other violations or are those needs met through other systems? What else can be done to facilitate better interagency coordination?**

Response:

The “interagency alert” system is designed to verify housing provider compliance with regulatory requirements involving the payment of a fee to the District, or, in the case of the homestead deduction, the withholding of a payment to the District. “Non-compliance” is readily determined on the basis of a current filing, or the lack of such, with the relevant agency. That is not the case regarding a housing code violation, which requires a “pro-active” determination by a DCRA inspector.

It should be noted that in the second quarter of FY2016, the OTA has entered into an informal agreement with DOEE regarding tenants with mold infestations. Under the terms of that agreement, DOEE will send an inspector to the residence of the first fifty qualified tenants who report a mold infestation. This agreement is being incorporated into the “interagency alert” system.

43. **Previously, you noted that OTA employees only had access to the FileNet system from their desk computers and only five OTA employees had access to the CPMS system from their desk computers. Do these challenges remain unchanged?**

Response:

DCRA no longer provides access to the CPMS system.

DCRA is willing to provide access to the FileNet system. The hurdle appears to be one of network connectivity. OCTO has been consulted and has been unable to resolve the issue. The issue might be that the OCTO and the DCRA systems are not integrated. Based on that theory, OTA and DCRA have an informal agreement in place. Under that agreement, OTA will compile a list of the IP addresses of each computer located within OTA, and DCRA will make adjustments in its system to allow those IP addresses to access the FileNet system.

A challenge that still remains is that no employee may access these systems from locations other than their desks, although the solution described above might allow OTA employees to access FileNet from OTA's Client Interview Rooms. A second challenge remaining is the backlog of information not being entered into FileNet. OTA has been told that the Department of Housing and Community Development is creating its own FileNet system. When that new system comes online, OTA is expected to be able to access much more up to date government records of rental housing properties. In addition, when the database that is the subject of the Rent Control Housing Clearinghouse Amendment Act of 2015 (D.C. ACT 21-148, Title II, Subtitle V) becomes operational, OTA employees should have a more easily accessible source for more accurate information.

44. ***Has OTA faced any challenges in coordinating inspections, re-inspections, enforcement, and collecting fees and fines with DCRA, including building-wide inspections?***

Response:

The OTA works closely with DCRA regarding the coordination of inspections and re-inspections. Through its inter-agency alert program, OTA will be notifying DCRA, DHCD, DCHA, and OTR of suspected non-compliance issues that are both preventing appropriate government protections of District citizens and depriving the District citizens of a fully funded government.

It should be noted that DCRA discontinued building-wide inspections as of mid-2010. Currently, DCRA administers a Pro-Active Inspection Program, which inspects a percentage of units. That percentage is based on the number of units in the property. In addition, OTA has no role in the collection of fees and fines assessed by other administrative agencies. However, OTA assists tenants who have won judgments at the Office of Administrative Hearings (OAH) but have not received those awards from their housing providers. The typical remedy in such situation is a Motion in Superior Court in which the Court adopts the OAH Order as its own Order.

It should also be noted that DCRA has been extremely cooperative in regard to the closures of buildings deemed uninhabitable. DCRA has consistently provided advance notice of the closures, and, where appropriate, coordinated with OTA in the wording of the building closure notices them.

45. **Have there been any issues coordinating tenant assistance with any other agencies?**

Response: There are no issues in regards to emergency housing as it pertains to coordinating with other agencies. The OTA actively works with DCRA, DHS- Strong Families, DHS- Emergency Management Team, the American Red Cross, as well as hotels throughout the city.

C. Online Services and Information Technology

46. **Please provide an update on the status of information systems technology at the agency, specifically its case management systems.**

Response:

The OTA made a significant upgrade in its case management system technology during FY2014. It has provided a huge improvement in the everyday intake process, as well as the reporting for our agency. It should be noted that OTA has entered into a contract to refine the system during FY 2016.

47. **How have you expanded the agency's online services over the past fiscal year, and how do you plan to further expand in FY16? What new online services are being offered or can be offered to facilitate tenant services?**

Response: The internet continues to play a significant role in outreach for the OTA. Our agency assists thousands of tenants every year using the Ask the Director, which allows the public to submit questions and receive answers to legal questions online; and Live Chat sessions, which allow the public to submit questions and receive answers "in real time" at an online forum. We also ensure that the website has up to date information.

D. Workshops and Outreach Programs

48. **Please identify each education and outreach program the agency held in FY15 and FY16, to date.**

Response:

10/16/2014	DC Retired Teachers Association Community Health, Wellness and Information Fair 4006 16 th Street, NW
10/22/2014	OTA Stakeholder Meeting 2000 14 th Street, NW – Suite 300N
11/05/2014	IONA's Active Wellness Program 3001 Wisconsin Avenue, NW

11/10/2014	Paul Laurence Dunbar Apartments Community Health, Wellness and Information Fair 2001 15 th Street, NW
11/12/2014	Overlook Apartments Community Health, Wellness and Information Fair 3700 9 th Street, SE
12/3/2014	Affordable Housing Public engagement Forum 441 4 th Street, NW
12/10/2014	Mayor's Annual Senior Holiday Celebration DC Armory
12/12/2014	OTA Annual Open House and Holiday Celebration 2000 14 th Street, NW – Suite 300N
1/14/2015	OTA Presentation – Office on Human Rights 441 4 th Street, NW
1/20/2015	Outreach meeting with Canadian Embassy 1835 18 th Street, NW
1/21/2015	Office of Human Rights Presentation – OTA 2000 14 th Street, NW – Suite 300N
1/28/2015	Catholic University's Off-Campus Housing Fair 620 Michigan Avenue, NW
1/28/2015	George Washington University's Off-Campus Housing Fair 800 21 st Street, NW
2/11/2015	Washington Senior Wellness Center Community Health, Wellness and Information Fair 3001 Alabama Avenue, SE
2/23/2015	Sevilla Apartments 2231 Ontario Road, NW
3/3/2015	Georgetown Law School Off-Campus Housing Fair 120 F Street, NW
3/16/2015	Paul Laurence Dunbar Apartments Tenant Rights Presentation 2001 15 th Street, NW
3/18/2015	American University's Off-Campus Housing Fair

4400 Massachusetts Avenue, NW

3/26/2015 Gallaudet University Tenant Rights Presentation
800 Florida Avenue, NE

4/1/2015 Howard University Off-Campus Housing Fair
2397 6th Street, NW

4/2/2015 Mayfair Mansion III Tenant Association Presentation
3744 Hayes Street, NE

4/7/2015 Howard University Renter 101 Presentation
2205 4th Street, NW

4/13/2015 Sevilla Apartments
2231 Ontario Road, NW

4/15/2015 City Council Constituent Staff Training
1350 Pennsylvania Avenue, NW

4/22/2015 OTA Stakeholder Meeting
2000 14th Street, NW

5/2/2015 Annual Tenant Town Hall
16th and Harvard Streets, NW

5/12/2015 OTA Renters 101 Training
2000 14th Street, NW

5/13/2015 4th Annual Senior Symposium
999 9th Street, NW

5/30/2015 TOPA Training
2907 Martin Luther King, Jr. Avenue, SE

6/1/2015 Paul Laurence Dunbar Apartments
2001 15th Street, NW

6/12/2015 Office of Human Rights Training
2000 14th Street, NW

6/24/2015 OTA Stakeholder Meeting
2000 14th Street, NW – Suite 300N

7/11/2015 Resurrection Church Community Health, Wellness and Information
Fair

3501 Martin Luther King Jr. Avenue, SE

7/25/2015 ANCD502 Tenant Rights Presentation
130 Childers Street, NE

8/12/2015 Tenant Association Presentation
3627 Wheeler Road, SE

8/15/2015 Mayor's Back to School Block Party
2498 Alabama Avenue, SE

8/20/2015 Tenant Association and Services/Facilities Petition Presentation
2109 Maryland Avenue, NE

8/25/2015 TOPA Training for Anacostia Realty
2000 14th Street, NW – Suite 300N

9/10/2015 Housing Opportunities Limited Tenant Rights Presentation
155 L Street, NW

9/12/2015 AAPI Fair
Washington Conference Center

9/15/2015 Education Metro Solutions Tenant Rights Presentation
1800 Good Hope Road, SE

9/16/2015 DC Chapter National Association of Residential Property Managers
Tenant Rights Presentation
1428 U Street, NW

9/26/2015 8th Annual Tenant and Tenant Association Summit
800 Florida Avenue, NE

10/1/2015 Tenant Rights Presentation Faircliff Apartments
1424 Clifton Street, NW

10/2/2015 LGTBQ Training
2000 14th Street, NW – Suite 300N

10/8/2015 Shaolm House Tenant Association Presentation
1876 4th Street, NE

10/9/2015 Election Monitoring
1424 Clifton Street, NW

11/5/2015 Ward 4 Senior Day

501 Riggs Road, NE

12/8/2015	Fairmont I & II Tenant Association Consultation 2000 14 th Street – Suite 300N
12/14/2015	Tenant Association Presentation 1649 Good Hope Road, SE
12/28/2015	Tenant Association Presentation 611 Edgewood Street, NW
1/14/2016	Parkside Civic Association Tenant Rights Presentation 650 Anacostia Avenue, NE
2/3/2016	Tenant Association Presentation 1400 Florida Avenue, NE
2/9/2016	Tenant Association Presentation 1301 U Street, NW
2/10/2016	Tenant Association Presentation 600 Barnes Street, NE
2/22/2016	Ward 1 Forming a Tenant Association and Sustainability 2000 14 th Street, NW – 2 nd Floor Community Room
2/23/2016	Hayes Senior Wellness Center Community Health, Wellness and Information Fair 500 K Street, NE
2/24/2016	OTA Stakeholder Meeting 2000 14 th Street, NW – Suite 300N
2/4/2016	Office on African Fairs Information Fair 2000 14 th Street, NW

49. **How do you measure the effectiveness of your tenant education programs? What has been the feedback on the programs you conducted in FY15 and FY16, to date? What were your top five attended/utilized programs?**

Response: The OTA measures the effectiveness of our tenant education programs in a number of ways, including: evaluations; comments from participants; referrals from government agencies, nonprofit organizations, and tenants. We generally receive excellent feedback from participants. Participants in our outreach efforts referred

numerous tenants, tenant associations, and others to the OTA to schedule presentations and for assistance.

The top five attended/utilized programs engaged in by the OTA are:

- a. Mayor's Annual Senior Holiday Celebration (12/10/2014)
- b. Tenant Town Hall (5/2/2015)
- c. Mayor's Back to School Block Party (8/15/2015)
- d. Annual Tenant and Tenant Association Summit (9/26/2015)
- e. Mayor's Annual Holiday Celebration (12/10/2015)

50. **Please summarize the outreach programs that the agency plans to implement this year.**

Response:

Public Service Announcements

Channels 7 and 8 are currently running a PSA regarding OTA services, and will run three more regarding the OTA's educational training schedule; the emergency housing assistance program; and the tenth-year anniversary Summit in September. We are also in discussions with Channel 16 regarding PSAs on other topics.

Tenant Education Institute (TEI)

OTA will continue to add materials to the resource center, which is part of the institute. Concerted efforts will be taken to publicize the resource center and encourage its use by tenants and tenant associations. OTA will continue to develop and offer courses through the institute.

Elderly/Disabled Rent Control Registration Program

The OTA will continue to expand the program to reach more eligible tenants and assist with completing and filing the Notice of Elderly and/or Disables Status. We will continue to visit apartment buildings, senior service centers, and other locations to conduct on-site registration.

Outreach Program for College and University Students Living Off-Campus

The OTA will continue to expand our outreach efforts in this area to include on-campus events for each individual institution in the consortium of colleges and universities: George Washington University, American University, Howard University, Trinity College Georgetown University, Catholic University, Gallaudet University and the University of the District of Columbia. We will develop additional materials specifically for students.

Tenant Associations Empowerment

OTA will continue to develop a tenant association kit that will include materials such as the Articles of Incorporation, By-laws as well as other documents to ensure tenant association are in compliance with changes in the business organization laws. OTA will continue its concerted effort to assist more tenants in forming tenant associations. Course

offerings through the Tenant Education Institute will assist tenant associations in achieving and maintaining sustainability. We will continue efforts to invite tenant association representatives to attend the OTA stakeholders meetings, the Annual Summit, training events, and other programs.

Embassies

OTA will work with the staff of embassies to assist staff assigned to the District by providing information on tenant rights and assistance in resolving landlord/tenant issues. OTA will develop resource materials specifically aimed at this population.

51. **How does the agency identify the tenants that are most in need of information and notify them of course offerings? What outreach can you provide to tenants who are not computer literate or otherwise technically inclined?**

Response: The OTA requests an email address on forms such as the complaint form, summit registration form, sign-in sheets for stakeholder meetings and other events. If the tenant does not have email access, we send announcements, materials, flyers, etc. via the U.S. Post Office. We also use other forms of communication to reach a wider audience, including announcements in newspapers, flyers and radio. We utilize paid advertisements in selected newspapers and on Metro buses for the annual tenant summit. Our public relations strategy recognizes that there are many tenants without computer access, thus we utilize as many means as possible to publicize OTA services, programs, and activities

52. **How does the agency solicit feedback from tenants? Please describe.**

- What has the agency learned from this feedback?
- How has the agency changed its practices as a result of the feedback?

Response: The OTA conducts periodic surveys on the tenant community to better serve them. Some of these surveys include feedback and topic suggestions for stakeholder meetings and, regarding the Annual Summit, a pre-event survey to solicit subject matter ideas and post-event “customer satisfaction” surveys.

VII. Internal Auditing

53. **Please provide a detailed description of the operation of the Service Integrity Unit, including: personnel, mission, operations conducted in FY15 and FY16, to date, any misconduct uncovered, programs monitored, number and outcomes of investigations, and trainings provided.**

Response: The agency does not have a Service Integrity Unit. All employees must participate in ethics training.

IX. Legislation and Regulation

54. **Please discuss in detail any legislation or rulemaking that became final in FY15 and FY16, to date that has affected either tenants or the agency.**

Response:

- Law 20-147, the “Tenant Bill of Rights Act of 2013” (effective December 17, 2014) requires the OTA to produce a DC Tenant Bill of Rights document and requires housing providers to provide the Tenant Bill of Rights to tenants at the time that the lease is first presented.
- Law 20-135, the “Air Pollution Amendment Act of 2013” (effective September 14, 2014) requires disclosure by residential property owners to tenants of indoor mold contamination; authorizes the Dept. of Energy and the Environment to set a threshold of indoor mold beyond which professional remediation is required, and to issue standards and certifications for indoor mold assessment and remediation.
- Law 21-49, the “Rent Control Hardship Petition Limitation Temporary Amendment Act of 2015” (effective from January 9, 2016, to Aug 21, 2016) limits the amount of a hardship petition conditional rent increase to 5% of the rent charged, and requires that a rent adjustment be repaid by a housing provider to a tenant within 21 days of a conditional increase being amended.
- Law 21-26, the “TOPA Bona Fide Offer of Sale Clarification Temporary Amendment Act of 2015” (effective from September 23, 2015, to May 5, 2016) clarifies that a *bona fide* offer of sale for a housing accommodation with 5 or more units, for purposes of demolition or discontinuance of housing use, is based on current, applicable, matter-of-right zoning regulations or laws.
- Law L21-19, the “Jubilee Maycroft TOPA Notice Exemption Temporary Act of 2015” (effective from July 22, 2015, to March 3, 2016) exempts, on a temporary basis, Jubilee Maycroft, LLC from the notice requirements of the Tenant Opportunity to Purchase Act of 1980 with respect “The Maycroft” located at 1474 Columbia Road, NW.
- Resolution 20-648, “Chief Tenant Advocate of the Office of the Tenant Advocate Johanna Shreve Confirmation Resolution of 2014” (effective October 28, 2014).
- Resolution 20-699, the “Rental Housing Commission Peter Szegedy-Maszak Confirmation resolution of 2013” (effective December 2, 2014).
- March 5, 2014, DCRA / Construction Code Coordinating Board (CCCCB) final rulemaking for “construction code revisions” (DCMR Title 12A through 12 L) deemed approved (see response to Q#19 above).

- January 29, 2016, DC Rental Housing Commission order establishing the adjustment of general applicability at zero (0) percent, effective for the “rent control year” starting on May 1, 2016, and ending on April 30, 2017. This figure is used to calculate the maximum standard rent increase for a unit under rent control.

55. What are the agency’s legislative priorities for FY16?

Response: In addition to OTA lien authority as discussed in the response to Q#30 above, the OTA’s legislative priorities include the following:

- Bill 21-146, the “Rent Control Hardship Petition Limitation Amendment Act of 2015” (makes permanent the 5 percent cap on “conditional hardship” rent increases that currently applies under temporary legislation);
- Bill 21-173, the “Elderly and Tenant with Disabilities Protection Amendment Act of 2015” (adds affordability protections for qualified tenants and makes it easier for affected tenants to register their status at the Rent Administrator’s office);
- Bill 21-420, the “Residential Lease Omnibus Amendment Act of 2015” (addresses common lease issues, for example: mandatory fees that violate rent control; unreasonable landlord entry into rental units; ‘hidden terms’ like extended tenant move-out notice requirements; and others); and
- Further reforms to the “housing provider petition” provisions in the rent control law.

X. Spending Pressures

56. Please answer the following related to spending pressures:

- Please identify and explain any and all spending pressures for the current fiscal year.
- Please explain your plans to curtail spending to remedy these pressures.
- Will this plan result in a balanced agency budget?
- For potential spending pressures, please identify how the agency will curb spending.
- Please explain how any current or potential spending pressures will affect services to the public.

Response: The agency has no spending pressures in the current fiscal year.

XI. Contracting and Procurement

57. Please list each contract, procurement, lease, and grant (“contract”) awarded or entered into by your agency during FY15 and FY16, to date. For each contract, please provide the following information, where applicable:

- The name of the contracting party
- The nature of the contract, including the end product or service

- The dollar amount of the contract, including budgeted amount and actually spent
- The term of the contract
- Whether the contract was competitively bid or not
- The name of the agency's contract monitor and the results of any monitoring activity
- Funding source
- Indicate whether or not the vendor is a certified business enterprise

Response:

Please see Attachment #7 ("FY 2015 OTA Contracting and Procurement")

58. **Please provide a list of all MOUs currently in place and any MOUs planned for the coming year.**

Response:

The OTA has no MOUs in place with other government agencies. An MOU may be required with the Department of Human Resources in order for that department to provide its usual level of guidance. It should be noted that OTA is in negotiations with the Department of Disability Services to provide sign language interpretation during FY 2016. Additionally, DOEE has agreed to take up to 50 OTA referrals of "mold" cases through the DOEE Healthy Homes program. Referrals have already started and the agreement may be reflected in an upcoming MOU

59. **Please describe the steps taken by the agency to provide oversight and management for contracts. Specifically, how does the agency ensure that its programmatic needs are being met? How does the agency ensure that contracting actions are standardized across various programs? How have these standards changed since FY15?**

Response:

See the responses to Questions #35 and #61 regarding oversight and management of contracts. Regarding standardization, this mostly applies to legal service providers who receive most of the agency's contracting dollars. Each year the General Counsel in consultation with the Director refines the standard legal service contract to be used for all such contracts in the coming fiscal year. These contracts were issued four years ago. No standards have changed since FY2015.

XII. Additional Comments

60. **Please take the opportunity to provide the committee with any additional comments, concerns or suggestions that you feel the committee should be aware of that have not been addressed in this questionnaire.**

Response: None at this time.

