

COMMITTEE ON HOUSING
ROBERT C. WHITE, JR., CHAIR
COUNCIL OF THE DISTRICT OF COLUMBIA

December 23, 2025

Johanna Shreve
Chief Tenant Advocate
Office of the Tenant Advocate
899 North Capitol Street, NE
Suite 620
Washington, DC 20002

Dear Chief Tenant Advocate Shreve:

The Committee on Housing has tentatively scheduled a performance oversight hearing on the Office of the Tenant Advocate for **Thursday, January 22, 2026, at 2 PM**. The hearing will be held in hybrid fashion. However, agency leaders are respectfully but strongly encouraged to attend their performance oversight hearings in person and to be present in the hearing room during public witness testimony.

This year, my staff and I intend for our performance oversight engagement with OTA to focus on the following topics:

- OTA's overall performance in advancing tenant protections, education, and outreach
- The continued value of OTA's data collection and policy analysis to inform effective housing policy
- Utilization and outcomes of emergency housing funds
- Internal processes related to constituent communication and case follow-up

The Council's Hearing Management System (HMS), <https://lims.dccouncil.gov/hearings>, is the preferred mechanism for witness registration and the receipt of written testimony. Witnesses who need assistance are also welcome to contact us at housing@dccouncil.gov or 202-727-8270.

It is the practice of the Committee to send each agency a series of written questions in advance of an oversight hearing. Please review the attached list of questions and file responses no later than the close of business on **Tuesday, January 13, 2026**. Please file your responses by email to housing@dccouncil.gov. Please provide an electronic version of your answers with text responses in a single document, with clearly marked attachments where necessary. If the documents are too large to send by e-mail, please contact us to coordinate. Please do not submit sensitive, non-public, or personally identifiable information, as all responsive materials will be available to the public via HMS.

In addition, please note that Council Rule 522(a) requires agency representatives to submit their planned testimony in writing at least 48 hours before the hearing start time. Please limit your testimony at the hearing to 10 minutes.

If you have any questions, please feel free to contact the Committee on Housing at housing@dccouncil.gov. Thank you in advance for your timely response.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R.C. White, Jr.', with a stylized flourish at the end.

Robert C. White, Jr.
Councilmember; At-Large
Chair, Committee on Housing
Council of the District of Columbia

PART 1: AGENCY-SPECIFIC OVERSIGHT AND PERFORMANCE QUESTIONS

1. *OTA provides a range of services, from brief advice to extended representation.*
- a. *How does OTA define a "successful" resolution of a tenant case across its different service types?*

Response: There are four services types and success is defined as follows:

- General or legal advice requested: Providing accurate legal information and advice in a professional manner.
- Document review requested: Thoroughly reviewing and analyzing documents and providing associated guidance.
- Limited representation requested: Providing competent and zealous representation in a limited manner, such as drafting a letter; negotiating a settlement; communicating with a housing provider in another manner to attempt to resolve the tenant's issue.
- Full representation requested: Providing competent and zealous representation in administrative or judicial proceedings, and securing favorable outcomes where possible.

- b. *Based on FY25 and FY26 data to date, what proportion of cases result in:*
- i. *full resolution of the tenant's underlying issue,*
- ii. *partial resolution, or*
- iii. *no resolution?*

Response:

- Full resolution: OTA estimates that 75% of the cases reach full resolution, meaning OTA delivers all the OTA services applicable to the tenant's issue and feasible based on the laws of the District and the resources available to OTA.
- Partial resolution: OTA estimates that 20% of the cases reach partial resolution, meaning OTA refers the tenant to another agency or organization, because OTA is not in a position to resolve the issue.
- No resolution: OTA estimates that 5% of the cases have no resolution, meaning OTA cannot provide assistance, such as a tenant versus tenant matter.

- c. *What types of cases or issues are least likely to reach resolution, and why?*

Response: Tenant-versus-tenant disputes are least likely to reach resolution because OTA is statutorily prohibited from representing one tenant against another.

2. *In cases where tenant issues persist despite initial intervention, how does OTA decide when and how to escalate its involvement?*

Response: OTA's front desk staff and triage team conduct an initial assessment of each intake to determine if they can resolve the issue or it should be escalated to an attorney advisor or another department within OTA. If a triage team member determines that further examination by an attorney advisor is necessary to resolve the issue, he or she will escalate the matter to an attorney advisor.

Likewise, if the attorney advisor determines that the matter warrants full representation, the attorney advisor will escalate the matter to a litigating attorney. Finally, all matters where a tenant requests supervisory intervention are escalated to a supervisory attorney, and to the Chief Tenant Advocate as needed.

a. *What escalation tools does OTA rely on most frequently (e.g., referrals, agency coordination, litigation, public reporting)?*

Response: The attorney advisors and other OTA staff utilize a variety of escalation tools to resolve the tenant's issues. These tools include sending demand letters, legal representation, and connecting the tenant with other relevant DC agencies or legal non profit organizations.

b. *What types of issues or actors most often require escalation?*

Response: Issues that most often require escalation include building-wide housing issues, evictions/displacements, negotiations, and complex lease issues.

c. *Where does OTA lack sufficient authority or leverage to resolve cases even after escalation?*

Response: Matters that fall under another agency's jurisdiction or involve issues beyond OTA's practice scope, such as criminal matters, probate matters, bankruptcy matters, or personal injury claims.

3. *D.C. Official Code §42–3531.07(5)(B) requires OTA to publish its annual report by February 1. OTA's FY24 Annual Report was posted on March 26, 2025, after the statutory deadline.*

a. *What factors contributed to the delay in publishing the FY24 Annual Report?*

Response: The major impediment to meeting the deadline last year was the OTA's move to a new office in the winter of 2024-25. In addition, the OTA's annual report relies on data from multiple internal units. During the FY24 reporting period, additional time was required to reconcile intake (the agency assisted 583 calls/walk-ins, 177 ATDs in January 2025), case outcome, and emergency assistance data to ensure consistency across reporting systems. OTA

also prioritized accuracy over speed to avoid publishing incomplete or conflicting information.

Additionally, competing operational demands, including sustained high intake volume, emergency housing responses, and staff vacancies, limited the capacity available to finalize the report by the statutory deadline.

- b. *What specific staffing, data, or process constraints does OTA face in meeting the February 1 deadline?*

Response: OTA faces several ongoing constraints that affect its ability to consistently meet the February 1 publication deadline:

Staffing limitations: Report preparation is not supported by a dedicated data or reporting staff position and is instead completed by program and management staff in addition to their core operational responsibilities.

Data integration challenges: OTA relies on multiple data sources that require manual reconciliation and validation, including intake systems, financial tracking, and interagency reporting inputs.

Competing statutory and operational priorities: High-volume tenant advocacy work, emergency responses, and Council inquiries often take precedence during the reporting window. The first quarter of any given fiscal year is always especially busy as the Council and other partners return from summer recess. Other factors include fall agency budget preparation on the executive side, peak legislative activity at the Council, followed by performance oversight responsibilities – all of which absorb significant agency bandwidth.

- c. *What changes—if any—has OTA made to ensure timely publication of future annual reports, and what additional resources or statutory changes would be necessary to achieve consistent compliance?*

Response: OTA recommends consideration of an adjustment of the current reporting deadline from February 1st to April 1st to allow sufficient time to finalize accurate and validated data from the prior fiscal year.

In addition to a revised deadline, OTA would benefit from an additional dedicated staff position focused on data management, performance tracking and reporting. This role would be responsible for maintaining agency data, supporting ongoing data collection and analysis, and leading the preparation of required reports, including the Annual Report.¹

¹ We note these duties would complement and overlap with those of an IT specialist position that the agency used to have, but was swept several budget cycles ago.

4. Last year, OTA identified 3 goals for FY25 using the Specific, Measurable, Achievable, Relevant, and Time-bound (SMART) framework.²

- a. For each FY 25 SMART goal, please state whether the goal has been fully achieved, partially achieved, or not achieved to date.

Response:

FY 25 SMART Goals:

1. *Goal:* To finalize a Notice of Assessment (NOA) template for reimbursement of Emergency Housing Assistance Program (EHAP) funding, and securing OAG's approval / green-light of its use in a particular case.

Status: Complete. This goal was achieved in April 2025 when OAG green-lit the agency's draft NOA in the 1433 Columbia Road case.

2. *Goal:* Hold at least 5 citywide or building-wide clinics to address the issue of illegal lease provisions prevalent in rental agreements in the summer of Fiscal Year 2025.

Status: Complete. Ten clinics were held as follows:

1. 2/13/25: The Community Partnership for the Prevention of Homelessness; Lease 101 (*Morning and afternoon sessions*) - virtual
2. 6/12/25: The Community Partnership for the Prevention of Homelessness; Lease 101 (*Morning and afternoon sessions*) - virtual
3. 2/28/25: Dept. of Human Services, Homeless Prevention Program (HPP); Lease 101 - virtual
4. 5/29/25: Lease 101 Clinic at OTA headquarters
5. 6/2/25: Metro Ed Solutions Lease 101 - virtual
6. 6/18/25: Lease 101 Clinic at OTA headquarters
7. 7/1/25: Lease 101 Presentation Coffee & Conversation At Deanwood Library - Ward 5
8. 7/15/25: Lease 101 Clinic at OTA headquarters

² Committee's footnote: Those goals were: 2) Complete a collaborative update of the Tenant Bill of Rights and lead a citywide education and distribution campaign through at least 10 high-impact channels. 3) Develop and publish in the DC Register a rulemaking setting forth the process for exercising its billing and lien authority under the EHAP program and issue at least one NOA, if such a case arises during the year. Note that SMART goal #1 related to assisting tenants with creating Rent Registry accounts, however after the goal was set the registration requirements evolved in ways that narrowed the need for this goal [OTA NOTE: we believe this refers to the elimination of the requirement that a tenant must have an email address in order to register.]. OTA should provide the Committee with an update on any relevant Rent Registry-related activities and propose a new goal for the remainder of FY26. [OTA NOTE: We believe the Committee's footnote mistakenly refers to the OTA's FY 26 SMART Goals as the agency's FY 25 SMART Goals. The response to question 4a discusses the status of each FY 25 and FY 26 SMART Goal.]

3. *Goal:* Identify and propose a legislative solution regarding the increasing number of tenant complaints relating to hidden and unfair utility costs in FY 2024 and FY 2025.

Status: Complete. In May 2025, the OTA submitted to the Committee a comprehensive legislative package consisting of language and a rationale for a raft of provisions in each of three specific problem areas ((a) required legal and other disclosures; (b) fee change and other notice requirements; and (c) billing allocation formula and other lease requirements) – all related to unfair utility billing practices.³

FY 26 SMART Goals:

1. *Goal:* OTA’s first FY 26 SMART goal is to assist elderly tenants and tenants with disabilities that live in rent-controlled units to register with the Rental Accommodations Division (RAD) to receive the benefit of a lower annual rent increase.

Status: Complete. The OTA has assisted tenants with registering via the Rent Registry at the following trainings:

1. 5/6/2025: DHCD Rent Registry Training - virtual
 2. 5/13/2025: DHCD Rent Registry Training at OTA headquarters
 3. 6/2/2025: Chevy Chase Library Rent Registry Training - Ward 3
 4. 6/5/2025: Bernice Fonteau Rent Registry Training - Ward 1
 5. 6/10/2025: Rent Registry Meeting at OTA headquarters
 6. 6/11/2025: Parkland Turner Library Rent Registry Training - Ward 8
 7. 6/11/2025: Anacostia Library Rent Registry Training - Ward 8
 8. 6/17/2025: Rent Registry Training Congress Heights Senior Wellness Center - Ward 8
 9. 6/17/2025: Rent Registry Training Southwest Library - Ward 6
 10. 6/18/2025: Model Cities 1901 Everts St NE Rent Registry Training - Ward 5
 11. 6/25/2025: Northeast Library Rent Registry Training - Ward 6
2. *Goal:* To collaborate with tenant and housing provider advocates to update the Tenant Bill of Rights, issue the revision in the DC Register, educate and inform tenants about the updated document, and distribute it through a minimum of 10 high-impact distribution methods **by Q3 FY26**.

³ Please note that the May 2025 memo referred to a follow-up submission after the OTA and the Office of the People’s Counsel (OPC) could come to a meeting of the minds on the issue of third-party vendors. Due to staffing turnover at OPC, that meeting of minds has not yet materialized. We will continue to reach out to OPC and others to discuss this important aspect of the issue.

Status: In progress. The agency submitted an initial pre-RENTAL Act draft to principal reviewers in May 2025. Anticipating significant eviction and TOPA reforms, the OTA agreed to suspend the project until the RENTAL Act becomes law. The revision process (including some consultation) has resumed and will be completed by April 1st. We will then share the revision with principal reviewers and others. We expect to publish the official revision, and distribute the document through 10 high-impact distribution channels, by the end of FY 26.

3. *Goal:* Develop a billing and lien authority rulemaking for publication in the DC Register **by the end of FY26** setting forth the process for exercising its billing and lien authority under the Emergency Housing Assistance Program; and issue at least one Notice of Assessment (NOA) in a case where a housing provider is found liable, if such a case arises during the year.

Status: In progress. An NOA has been issued, and we are in the process of developing written standard operating procedures.

- b. *For any goal that has not been fully achieved, please explain what specifically prevented completion, whether those barriers were within OTA's control, and what corrective steps have been taken.*

Response: N/A.

5. *OTA testimony and annual reporting consistently identify housing conditions—particularly mold, building security, and elevator outages—as among the top reasons tenants seek assistance.*

- a. *Since last year's oversight hearing, have the types or severity of housing condition issues reported to OTA changed in any meaningful way?*

Response: Since last year's hearing, thousands of tenants have contacted OTA for assistance with their landlord-tenant issues. Their housing conditions complaints remain substantially similar to previous years.

- b. *Which two or three housing condition issues currently consume the most staff time or most often lead to displacement or emergency intervention, and why?*

Response: The three most common complaints are mold, leaks, and rodent/insect infestation, and therefore they collectively require the most staff time to resolve. However, for individual case types, water shut-offs, safety issues, and elevator complaints take the longest to resolve. Those are time consuming because there are limited remedies available for tenants experiencing those situations and solutions are often complex.

The issues that most often lead to tenant displacement - either by an official determination of uninhabitability by the Department of Buildings (DOB) or by a

tenant’s individual determination that they cannot safely remain in the unit - are flooding, severe rodent infestations, and mold.

The issues that require emergency intervention by DOB or the courts are no heat in winter, no water, and flooding.

Top 3 Issues	Most Time to Resolve	Displacement	Emergency Intervention
Mold	Water shut-off	Flooding	No heat
Leaks	Safety issues	Severe rodent infestations	No water
Rodent/insect infestation	Elevators	Mold	Flooding
	Mold		

- c. *Based on OTA’s intake data and case experience, are these issues being resolved more quickly or effectively than in prior years? If not, what are the primary obstacles?*

Response: To the contrary, tenants are waiting longer for satisfactory resolution of the underlying issues. The most common obstacle reported is that housing providers are saying that they cannot afford to make repairs or to maintain the same level of maintenance as in previous years.

- d. *Based on OTA’s intake and case data, does a relatively small number of landlords or properties account for a disproportionate share of tenant complaints or emergency interventions? If so, how does OTA use that information to inform enforcement, policy recommendations, or interagency action?*

Response: In OTA’s experience housing conditions complaints are widespread and cannot be attributed to just a few bad actors. We receive complaints about some housing providers more frequently than others, but the patterns are usually obscured by the volume of intakes the OTA receives. When the agency becomes aware of problem owners or property managers, the agency reaches out to the relevant enforcement agencies, helps the tenants organize, and in some circumstances contacts the housing provider or initiates legal action on the tenant’s behalf. As a matter of course, OTA uses individual cases and collective data to inform new statutory and regulatory reform proposals.

6. *The Agency sends the Committee monthly data reports detailing five Key Performance Indicators (KPIs): 1) Amount returned to tenants from settlements/damages/savings; 2) Evictions; 3) Emergency Housing Assistance Program expenditures; 4) Online Ask the Director inquiries (“ATDs”); and 5) Intakes (phone and in person). Are these still the right metrics to measure the Agency’s impact and efficacy? What, if any, additions or subtractions to these data reports does the Agency recommend and why?*

Response: We do not have any recommendations as to the monthly reports at this time.

7. *How much did OTA recover for tenants in settlements and damages per month in FY 25 and FY 26, to date?*

Response: FY 25 monthly average: \$16,694 (FY 25 Total = \$200,328)
FY 26 Q1 monthly average: \$47,984 (FY 26 Q1 Total = \$143,952)

8. *OTA plays a key role both in responding to unsafe housing conditions and in coordinating with other agencies when conditions deteriorate to the point of displacement.*

a. *Based on OTA’s intake data and case experience, what housing conditions most often escalate into emergency situations or displacement, and have those escalation patterns changed in FY25 or FY26?*

Response: Based on OTA’s intake data and case experience, the housing conditions most likely to escalate into emergency situations or displacement include prolonged loss of essential utilities (particularly heat and water), severe mold or environmental health hazards, structural integrity issues, fire damage, and building-wide neglect in properties with repeated code violations. These conditions often deteriorate over time due to landlord non-responsiveness or financial distress and are more likely to result in displacement when corrective action is delayed or incomplete.

OTA categorizes emergency displacement primarily as building closures deemed uninhabitable or fire-related incidents. Detailed determinations regarding the specific conditions leading to a closure are made and maintained by the Department of Buildings (DOB), which is therefore the appropriate agency to provide exact numerical breakdowns by cause.

In FY25 and FY26, OTA has observed a continuation—and in some cases an increase—of emergency escalations tied to chronic disinvestment in older multifamily buildings, properties with absentee or deceased owners, and buildings involved in receivership proceedings. OTA has also seen a rise in cases where unsafe conditions persist despite multiple enforcement actions by DOB, increasing the likelihood of sudden displacement once conditions reach a critical threshold, such as in the Sam Razjooyan slumlord cases in which we’ve assisted 13 families.

- b. *Separately, when a building is deemed uninhabitable, how does OTA coordinate with the Department of Buildings and other agencies to protect tenants and enforce accountability—and where does that coordination break down in practice?*

Response: When a building is deemed uninhabitable, OTA coordinates closely with the Department of Buildings (DOB) and other relevant agencies, including the DC Housing Authority (DCHA), the Department of Human Services (DHS), and the Homeland Security and Emergency Management Agency (HSEMA), depending on the circumstances. OTA's role focuses on tenant advocacy, information-sharing, and coordination to ensure tenants understand their rights, the displacement process, and next steps.

In practice, coordination challenges arise when:

- Ownership is unclear or properties are in receivership;
- Landlords are unresponsive or lack financial capacity to remediate conditions;
- Enforcement timelines do not align with the immediacy of tenant displacement;
- Tenants lack renter's insurance, which limits alternative housing options and increases reliance on EHAP-funded temporary shelter.

These challenges can delay repairs, prolong displacement and increase the agency's costs.

- c. *To the extent emergency displacement triggers use of the Emergency Housing Assistance Program (EHAP), what progress has OTA made in identifying repeat buildings or housing providers and recovering costs from responsible parties?*

Response: When an emergency displacement triggers use of the Emergency Housing Assistance Program (EHAP), OTA has taken steps to identify potential patterns associated with repeat emergency housing events by reviewing emergency housing placements alongside intake complaints at the same addresses. This approach allows OTA to identify correlations between emergency displacement and properties that have a history of tenant complaints or unresolved housing conditions.

However, OTA does not systematically track landlord ownership information and does not have the staffing capacity, or data systems necessary to conduct ownership research or proactively identify repeat housing providers. OTA's mission is centered on tenant advocacy and displacement prevention, not landlord investigation or enforcement. Detailed ownership, compliance, and enforcement data are maintained by agencies with regulatory or prosecutorial authority, including the Department of Buildings (DOB), the Office of the Attorney General (OAG), the Department of Licensing and Consumer Protection (DLCP), and the Rental Accommodations Division (RAD). Comprehensive analysis of repeat offenders would require coordinated data sharing or dataset integration across these agencies.

With respect to cost recovery, OTA has initiated the reimbursement program, beginning with delinquent accounts from 2023, and progressing through 2025 and beyond. To date, no funds have been collected, as collections proceedings can last months or even years. However, OTA intends to fully pursue each delinquent account and recover all possible funds on behalf of the District.

9. Please provide a quantitative report on intakes received in FY 25 and FY 26, to date, including at minimum the following issue categories per month, broken down by Ward:

Response:

FY25

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Totals
Ward 1	168	93	79	95	83	119	96	117	77	101	114	90	1232
Ward 2	45	22	24	55	36	21	34	32	27	34	27	30	387
Ward 3	30	17	19	35	36	17	17	17	16	29	15	9	257
Ward 4	28	24	27	32	25	17	17	22	24	34	24	17	291
Ward 5	105	44	60	81	73	78	74	71	63	69	67	70	855
Ward 6	70	24	52	56	57	59	62	54	46	44	51	45	620
Ward 7	84	37	45	59	54	58	46	58	52	59	49	34	635
Ward 8	109	57	85	93	69	80	91	66	57	70	74	56	907
Totals	639	318	391	506	433	449	437	437	362	440	421	351	

FY26

	Oct	Nov	Dec	Q1 Totals
Ward 1	69	56	47	172
Ward 2	19	30	14	63
Ward 3	12	11	5	28
Ward 4	32	21	14	67
Ward 5	53	62	37	152
Ward 6	41	34	32	107
Ward 7	61	36	26	123
Ward 8	67	49	23	139
Totals	354	299	198	

The above charts contain a breakdown of initial phone intakes by ward and month for FY 2025 and Q1 of FY 2026, it does not include internal escalations, intakes from the same tenant regarding different issues, and matters resolved by the front desk or other OTA branches. OTA

does not currently maintain comprehensive data on housing code violations at the level of detail requested.

a. *Housing code violations*

i. *Please describe the most frequent violations in this category:*

Response: Mold, Leaks, Rodent/Pest Infestation

ii. *Please describe how often intakes in this category are related to unfulfilled maintenance or repair requests and the average length of time these requests remain unfulfilled*

Response: OTA does not track this information.

b. *Lease issues*

i. *Please describe the most frequent issues and/or illegal provisions reported*

Response: The lease issues that tenants ask about most frequently are (1) early termination, (2) fees, (3) notices of intent to vacate, (4) joint and several lease clauses, and (5) ratio utility billings/third party utility billers.

The most common illegal or unenforceable lease provisions are (1) noncompliance with rent control registration/disclosures, (2) clauses stating that tenants are responsible for repairs, (3) clauses stating that the tenant waives their right to a notice to vacate, (4) clause requiring tenant's to pay move-out cleaning fees, (5) clauses stating the housing provider can terminate the lease at the end of the initial lease term, and (6) clauses stating the tenant would be responsible for the housing provider's attorney's fees.

ii. *Please describe the nature of hidden or unfair utility costs reported, including dollar amounts from specific cases where possible.*

Response:

- Obscured billing methodology: Housing providers often use formulas to calculate the tenant's monthly utility fees. The formulas are rarely disclosed to the tenants and tenants are rarely told the total utility charges for the building. Tenants in these units have no way of knowing if they are being overcharged.
- Third-party billers: The details about usage and charges are further obscured when housing providers use third party billers like Conservice and Yes Energy Management to assess the utility charges. These companies are often unresponsive to tenant inquiries about the basis for the utility charges.

c. *Evictions*

- i. *Please ensure the report includes executed, canceled, and postponed evictions*

Response: See Attachment #1 for Q#1–9(c)(i) “Eviction Data.”

- ii. *Please describe OTA’s role in preventing evictions, including how many evictions were canceled or postponed with OTA’s assistance.*

Response: OTA is instrumental in the prevention of unlawful evictions. DC law requires housing providers to initiate the eviction process by serving tenants with a legal notice to vacate. OTA informs tenants of this legal prerequisite and regularly reviews notices to vacate for legal sufficiency. If a housing provider gives a tenant an unenforceable notice to vacate, OTA will counsel the tenant on their rights and, at the tenant’s request, contact the housing provider or the relevant regulatory authority.

With regards to eviction proceedings in DC Superior Court, OTA helps unrepresented tenants navigate the judicial process, present their technical and substantive legal defenses, and meaningfully engage in settlement negotiations. OTA also provides in-court representation for some tenants.

OTA also prevents housing providers from using “eviction by neglect” to circumvent the judicial process. OTA helps tenants secure housing code violation abatements for habitability issues that could result in their displacement.

10. *How many individuals contacted OTA for assistance using the following methods in FY 25 and FY 26, to date?*

- a. *Calling the Tenant Phone Hotline;*

Response: FY 25: 8,156
FY 26 Q1: 2,147

- b. *Visiting OTA’s office in person; and*

Response: FY 25: 363
FY 26 Q1: 193

- c. *Submitting Ask the Director Inquiries.*

Response: FY 25: 1,905
FY 26 Q1: 364

11. *Of the tenants served in FY25 and FY26, to date, how many were provided the following forms of assistance?*

Response:

- a. Non legal services:
FY25 - 6,042
Q1 FY26 - 1,876
- b. Legal information or advice:
FY25 - 4,382
Q1 FY26 - 828
- c. Extended legal representation: OTA began detailed tracking of the subtypes for legal representation in August 2025 when OTA reorganized the legal branch intake system.
Q4 FY25 through Q1 FY26 - 194
- d. Legal representation in an administrative hearing: OTA began detailed tracking of the subtypes for legal representation in August 2025 when OTA reorganized the legal branch intake system.
Q4 FY25 through Q1 FY26 - 2
- e. Legal representation in a court proceeding. OTA began detailed tracking of the subtypes for legal representation in August 2025 when OTA reorganized the legal branch intake system.
Q4 FY25 through Q1 FY26 - 3

12. *Timely response to tenant inquiries is central to OTA's mission and directly affects tenant outcomes.*

- a. *What performance standards does OTA currently use to measure responsiveness to intake calls and other tenant inquiries?*

Response: OTA's standard is to respond to each new intake—whether by telephone or in writing—within 24 hours or by the next business day.

- b. *Since last year's oversight, what changes—if any—has OTA made to improve response times and follow-up consistency?*

Response: OTA has extended the time period to 48 hours due to staffing limitations and high demand.

- c. *Where does OTA still fall short in meeting its own responsiveness goals, and what limits further improvement?*

Response: OTA continues to prioritize prompt follow-up as a core service commitment. Additional staffing resources would enable OTA to consistently meet or exceed its responsiveness standards, even during peak demand periods.

13. *OTA administers the Tenant Association Peer Mentorship Program to support tenant associations in navigating organizing, enforcement, and housing stability challenges.*

- a. *What specific outcomes is the Tenant Association Peer Mentorship Program designed to achieve for participating tenant associations (e.g., improved organization, faster resolution of housing issues, reduced displacement, or stronger engagement with enforcement agencies)?*

Response: TAPMP is designed to assist tenants with forming and sustaining Tenant Associations (TAs) by providing a public forum that facilitates the exchange of ideas, best practices, knowledge and experiences. TAPMP also helps connect TAs with necessary government, non-governmental and mutual aid organizations. Member TAs also have stronger engagement with OTA and continue to contact OTA when challenges arise.

- b. *Based on OTA's experience in FY25 and FY26 to date, what evidence does OTA have that participating tenant associations are better positioned or more effective as a result of the program?*

Response: OTA has anecdotal evidence that TAPMP has assisted tenants in the formation and sustainment of their TAs. For example, after TAPMP meeting discussions, tenant association board members have stated that they will amend their bylaws, incorporate a nonprofit, require continual education for TA board members or simply feel more encouraged to continue their organization. TAPMP member TAs have also been able to tackle long-standing challenges, in part, due to the information gained from TAPMP meetings.

Another measure of success is the program's replication. Several TAPMP member TAs have created larger tenant collectives in their wards to mutually assist each other's endeavors. Lastly, TAPMP meetings are continuously well attended and the number of TAs registered with TAPMP has grown.

- c. *How does OTA determine whether the program is a good use of staff time and resources compared to other tenant support strategies, and has OTA made—or considered—any changes to the program based on those assessments?*

Response: OTA staff administers this program in response to TA feedback and tenant concerns. While OTA staff schedules meetings, drafts meeting agendas and selects guest speakers, TAPMP's most unique factor is the knowledge brought to the quarterly meetings by the tenants themselves. TAPMP also partners TAs with each other creating a TA support network and braintrust of knowledge available to all members.

Similarly, OTA directly benefits from TAPMP. E&O uses TAPMP members as force multipliers to regularly disseminate important information to the greater tenant community and also receives information from member TAs. Bottomline, the TAPMP return on investment is significant.

14. *Attorney caseloads affect both the quality and timeliness of tenant representation.*
- a. *What has been OTA's average caseload per attorney in FY25 and FY26 to date, and how has that changed over time?*

Response:

FY 25 - OTA attorney advisors received on average 70 new cases per month.
Q1 FY26 - OTA attorney advisors received on average 60 new cases per month.
Because litigation and negotiations can last several months, the total case load is higher than just the number of new intakes because it includes open cases from previous months.

- b. *At current staffing levels, what caseload does OTA believe is sustainable without compromising service quality?*

Response: In August of 2025, OTA reorganized the intake system of the Legal Branch to allow the attorney advisors to focus on providing more in-depth representational services to tenants. The agency is still evaluating the impact of the reorganization to determine the most effective and sustainable caseload for the attorneys and the community.

- c. *How do current caseloads affect OTA's ability to provide extended representation versus brief advice?*

Response: The August 2025 intake reorganization has greatly expanded our capacity to offer representation to the tenant community, but this capacity is still limited by the high volume of tenants we serve. To address this tension between providing extended representation for some tenants and free legal services to all tenants, OTA is launching a dedicated litigation practice within the Legal Branch. The attorney who joined the agency on Monday, January 12, 2026 will focus on impact litigation and in court representation. The addition of the litigation practice will further expand OTA's capacity to provide extended representation to tenants.

15. *OTA has emphasized expanding outreach to underserved tenant populations and using feedback to improve services.*

- a. *Since last year's oversight, which tenant populations has OTA identified as being under-reached or underserved?*

Response: Senior tenants, especially those aging in place alone and in units subject to rent-control, are underserved and hard to identify. Our senior tenants face challenges ranging from technological know-how gaps to navigating owner/management accounting errors.

As exacerbated by the current hostile climate, Limited English Proficient (LEP) or Non-English Proficient (NEP) immigrant communities are under-reached and as a result underserved. These communities are reluctant to reach out to OTA and/or

attend in-person classes or events. Lastly, tenants with housing subsidies or vouchers continue to be underserved, and a difficult demographic to reach.

- b. *What specific changes has OTA made to its outreach or education efforts in response to tenant or partner feedback?*

Response: To better reach senior tenants, OTA has increased its collaboration with DACL to include the placement of OTA informational advertisements in The Beacon (the DACL monthly printed newspaper) and will participate in the Senior Zone podcast. We have also worked with OCTO to assist senior tenants with technology gaps. E&O will continue to expand its efforts to reach senior tenants through collaborative efforts with DACL and other senior service providers such as Legal Counsel for the Elderly.

In response to the concerns of Limited English Proficient (LEP) or Non-English Proficient (NEP) immigrant tenants, E&O has strengthened its relationships with CARECEN, MOLA, and other organizations to conduct outreach as well as educational classes. Additionally, OTA's metrobus shelter advertising campaign included many Spanish language advertisements placed in target areas to help better reach Hispanic tenants. Some of these ads are still in place in bus shelters throughout the city.

To reach tenants with subsidies we've partnered with DHS, Community of Hope, The Community Partnership for the Prevention of Homelessness and MORCA to provide training to their staff on how to refer tenants to OTA, as well as Renter's Rights and Lease 101 trainings to tenants.

- c. *How is OTA measuring whether these changes are actually improving access or outcomes for those populations?*

Response: E&O measures its success by the increased number classes taught, listening sessions hosted, and community events attended by OTA staff. In FY25 we hosted or participated in 50 senior-specific events in all 8 wards, and in 14 Spanish-language specific events.

16. *How does OTA use constituent surveys to collect data from tenants and from service providers such as housing counselors and case managers?*

- a. *Please provide a summary of data collected from constituent surveys during FY25 and FY26, to date, and how the agency uses the data to measure improvement over time.*

Response: OTA uses constituent feedback to inform service improvements and assess the effectiveness of its tenant advocacy efforts. At present, OTA primarily collects feedback through informal and qualitative methods, including direct tenant communications, Ask the Director inquiries, follow-up conversations with

tenants, and input from service providers such as housing counselors and case managers during case coordination and outreach activities.

OTA has submitted a request to enhance its Amazon Web Services (AWS) phone system to include an automated caller survey component. Once implemented, this enhancement would allow OTA to systematically collect feedback from tenants immediately following phone interactions, including data related to accessibility, responsiveness, clarity of information provided, and overall satisfaction with services received.

17. *How many tenant associations are currently participating in the Tenant Association Peer Mentorship Program? How many total have participated in FY 25 and FY 26, to date?*

Response: 67 tenant associations were registered with TAPMP in FY2024, and an additional 31 have joined the program in FY25 and FY26, for a total of 98.

Approximately 10-15 tenants attend each of the meetings, in representation of hundreds of tenants across the District.

18. *OTA plays a unique role in shaping tenant protections through litigation and policy advocacy.*

a. *What criteria does OTA use to decide when to file or join amicus briefs or engage in impact litigation?*

Response:

Pursuant to D.C. Code § 42-3531.07(5)(A), the OTA shall “[r]epresent tenants, at its discretion and as it determines to be in the public interest, in Federal or District judicial or administrative proceedings.” Several factors are evaluated in determining whether a case is in the public interest. These factors include, but are not limited to, (a) whether the case involves a large number of tenants, (b) whether the decision would set a precedent that would benefit tenants throughout the District (c) the likelihood of success, and (d) the availability of OTA Attorney-Advisors.

In terms of *amicus* briefs, criteria for OTA participation as *amicus* include cases that (1) are on appeal; (2) would have a significant public impact; and (3) present questions of statutory or regulatory interpretation, especially cases of first impression.

b. *In FY25 and FY26 to date, how have OTA’s amicus or litigation efforts advanced broader tenant protections beyond the individual cases involved?*

Response:

OTA successfully argued *Potomac Place Associates LLC v. Mendez* before the DC Court of Appeals. 333 A.3d 885 (D.C. 2025). The case took six years to work its way through the courts, but ultimately set precedent that clarified the eviction

protections afforded to all low income elderly tenants and tenants with a disability after a condominium conversion.

19. *In its FY26 Budget Report, the Committee made several policy and operational recommendations to OTA. For each recommendation below, please state whether it has been fully implemented, partially implemented, or not implemented, and provide concrete evidence of progress or barriers:*

- a. *Public reporting on building condition and repair complaint patterns to identify chronic violators;*

Response:

Not implemented. The Office of the Tenant Advocate (OTA) appreciates the committee's recommendation regarding standardized public reporting on building conditions and repair complaint patterns. We fully support the goal of enhancing transparency and accountability, particularly in addressing chronic violations of tenant protections.

While OTA receives a significant volume of repair-related complaints through our tenant intake process, we are not routinely provided with follow-up data on inspections or enforcement outcomes. Additionally, the Department of Housing and Community Development (DHCD), while a key partner in housing development and preservation, is not involved in housing code inspections or enforcement.

Given these limitations, we believe that the type of reporting proposed, particularly the tracking of outcomes and identifying chronic bad actors, would be best led by DOB, which already has inspection authority and direct access to enforcement data.

- b. *Expanded outreach to underserved tenant populations through non-governmental and community-based partners;*

Response: This recommendation has been fully implemented yet OTA's E&O continues exploring additional methods to better reach underserved populations.

OTA's E&O has engaged several new organizations to better reach underserved tenants. E&O has partnered with appropriate community-based organizations, including, CARECEN, the National Alliance of Concerned Veterans, Horton's Kids, SOME, Metro Ed Solutions, Faunteroy Center, FEDCAP, AARP, Legal Counsel for the Elderly, DACL, Salvation Army Senior Choice Market among others. Importantly, these engagements include routine resource tabling and educational classes to tenants, but also trainings for partner organization staff so that they may better serve their constituents. Through these efforts we have expanded OTA's reach in underserved communities and have reinforced our professional relationships with community-based service providers.

Barriers include the current political climate making direct in-person outreach to Limited English Proficient (LEP) or Non-English Proficient (NEP) immigrant tenants much more difficult. Simply put, these populations fear contacting government authorities. To overcome this significant barrier, we have partnered with CARECEN to provide tenant educational materials, increased our translation of educational/informational documents and invested in Spanish language metrobus shelter advertisements strategically placed to enhance our agency's footprint and to inform Spanish speaking tenants of our statutory mandate and services.

- c. *Publication of annual Emergency Housing Assistance Program performance data, including demographics, causes of displacement, and repayment outcomes;*

Response:

Partially implemented. OTA has made progress toward increased transparency around Emergency Housing Assistance Program (EHAP) activity but faces statutory, data, and systems-related limitations that prevent full implementation of this recommendation at this time.

OTA currently tracks and reports aggregate EHAP activity, including the number of households served and total expenditures, through internal reporting and in response to Council inquiries. In addition, OTA provides the Committee with a monthly EHAP report that includes demographic information at the ward level, as well as information on the cause of displacement, such as whether assistance was triggered by a fire or a government closure.

At this time, however, OTA does not publish a public-facing dataset that includes more detailed demographic information, condition-specific causes of displacement, or repayment outcomes.

Several factors limit full implementation:

- **Data ownership and authority:** Detailed determinations regarding causes of displacement—such as specific housing code violations or habitability failures—are made and maintained by the Department of Buildings (DOB). OTA categorizes emergencies at a high level (e.g., building closures or fire-related incidents) and does not maintain condition-specific datasets suitable for publication.
- **Demographic data constraints:** OTA collects limited demographic information necessary to administer EHAP but must balance transparency with privacy protections for displaced tenants.
- **Repayment and cost recovery:** Although OTA has begun its attempts to seek recovery from delinquent housing providers, no reimbursement has

been received to date.

- Systems limitations: OTA's current data systems require manual reconciliation across multiple sources, which constrains the agency's capacity to produce consistent, publicly published performance reports.

Despite these barriers, OTA continues to document EHAP usage, participate in interagency coordination related to emergency displacement, and explore opportunities to improve data sharing and reporting. Full implementation of this recommendation would require enhanced data integration across agencies, and additional staff capacity.

d. *Formalization of OTA's policy consultation and amicus strategy.*

Response: The Policy Branch consults broadly with attorneys and advocates both upon request and upon the Branch's initiative. We occasionally decline a request for agency participation as amicus based on the criteria enumerated in the response to question #18a. We do not believe the criteria has proven to be problematic, however we welcome discussing the criteria with the Committee.

20. *Based on OTA's casework, data, and policy analysis, what are OTA's top three legislative priorities for calendar year 2026? For each priority, please briefly describe:*

- The specific problem it seeks to address; and*
- How it would materially improve tenant protections or outcomes.*

Response:

Eliminating the 2% from the CPI+2% standard annual rent increase cap under rent control

Problem: Currently, the standard annual increase under rent control for non-elderly tenants without a disability is the annual change in the CPI, *plus an additional two percent*. This additional two percent has an exponential compounding impact on rent levels and contributes to the loss of housing affordability in the District.

Solution: The additional two percent on top of the CPI should be eliminated.

Requiring landlords to maintain replacement reserve accounts

Problem: The purpose of a replacement reserve account is to set aside an appropriate amount of a building's current revenue to provide for the foreseeable costs of its replacement and repair needs. The absence of a replacement reserve fund likely means that relevant costs will be unfairly shifted to the tenants one way or another. In the agency's experience, a significant amount of deferred maintenance and code violations that impact life, health, and safety, occur because the property owner did not set aside adequate property revenues to address foreseeable repair and replacement needs.

Solution: As a starting point, I recommend initiating a pilot program for a replacement reserve account requirement for a certain category or categories of buildings, for example: (1) rent controlled buildings as a pre-condition for government consideration of any housing provider petition; and/or (2) properties placed in the highest-risk tier for DOB proactive inspections, coupled with a mechanism for the automatic redirection of rental revenue into the reserve account as may be necessary to meet the minimum statutory amount.

Expanding Section 501(f) of the Rental Housing Act to give tenants the opportunity to avail themselves of associated rights in emergency displacement scenarios

Problem: Section 501(f) of the Rental Housing Act of 1985 permits a landlord to evict a tenant where the landlord intends to make alterations or renovations to the unit that cannot be safely accomplished with the tenant present. However, this process-laden provision is inapt to emergency circumstances causing instantaneous tenant displacement.

For context, section 501(f) currently requires a lengthy landlord application process through the Rental Administrator's office before they can serve on the tenants 120-day notices to temporarily vacate until the renovations have been completed. Tenant rights include relocation assistance; the right to return to the unit when the work is complete; and the right to do so at the same rent if the work is necessary to correct housing code violations.

In an emergency situation such as a fire or sudden building closure, where tenant relocation is immediately necessary, there is no time for either the application process or the 120-day notice period. Therefore, tenant 501(f) rights do not exist in such scenarios. The Rental Accommodations Division (RAD) once interpreted relevant case law to mean that 501(f) rights apply to emergency situations as is reasonable under the circumstances. However, this is no longer RAD's standard operating procedure.

Solution: The agency has developed legislation, which we have shared with the Committee, to address this gap in the 501(f) law. The OTA legislative proposal would amend section 501(f) to specify which tenant rights under 501(f) apply to emergency situations, where the application and Notice to Vacate processes do not apply.

21. *Based on OTA's casework and experience, what are the most significant limitations on the agency's ability to protect tenants under current law or administrative structure?*

Response:

Currently, the public interest impact the agency can make through litigation is limited by (1) the small number of attorneys and (2) the fact that the agency represents only individual tenants or tenant associations. The OTA is exploring ways to litigate on behalf of larger groups of similarly situated tenants using existing vehicles like (a) class action and (b) "expansion of scope" in the rent control context.

- a. *Which tenant problems does OTA encounter repeatedly that it lacks sufficient authority to resolve.*

Response: The agency sometimes receives complaints from tenants about the behavior of other tenants. However, the agency cannot represent or advise in “tenant versus tenant” matters due to our statutory limitation to advise and represent tenants in “tenant versus landlord” matters; and the inherent conflict of interest in favoring the interests of certain tenants over any other tenants whose interests are in conflict with that tenant.

- b. *How do those limitations affect tenant outcomes in practice?*

Response: The OTA’s small staff size limits our ability to provide our clients with anything more than brief legal services, or a referral to outside counsel. Additional resources are always an important budget consideration for the agency. The OTA recently filled a new litigator position (for which we once again thank the Committee).

- c. *What specific statutory or interagency changes would most improve OTA’s ability to prevent displacement or resolve unsafe housing conditions?*

Response:

Bifurcation of DOB’s Order to Abate and Assessment of Fine components of a Notice of Infraction (NOI): We have a recommendation regarding a potential statutory or regulatory change that we would like to discuss with DOB as well as the Committee. Where a DOB inspector cites a code violation, DOB currently issues an NOI including both the assessment of a fine and an order to abate the violation. Where the owner appeals the NOI, or combined infraction, fine assessment, abatement, the housing provider is given an excuse for not abating the violation. This is of course frustrating to the tenant and more generally to the cause of prompt abatement of housing disrepairs.

Given that the abatement is generally the higher order of public interest concern, the OTA recommends a statutory or regulatory change such that the appeal of the NOI’s fine component and abatement NOT be considered part and parcel of its abatement component. This bifurcation would clear the way for the housing provider to comply with its duty to abate the violation – as is almost always the case – while not compelling the housing provider to admit liability (or fault) for the violation.

PART 2: STANDARDIZED PERFORMANCE & ACCOUNTABILITY QUESTIONS

Note: this year the Council Office of the Budget Director's Performance Initiative developed a set of standard questions that Council committees may use to help standardize data collection and analysis from office to office and year to year. Departures from the standard questions are noted in brackets.

Governance and Personnel:

1. *Please provide a complete and current organizational chart for the agency and each division and subdivision within the agency, including:*
 - a. *The names and titles of all senior personnel;*

Response: See Organizational Chart attached

Attachment #2 for Q#2-1 "OTA Organizational Chart."

- b. *A description of the roles and responsibilities for each division and subdivision;*

Response:

- Legal Branch
 - Primary Role: Provides legal advice and representation to tenants.
 - Responsibilities:
 - Advise tenants on their legal rights and obligations.
 - Represent tenants in judicial and administrative proceedings when criteria are met.
 - Assist with filing tenant petitions and drafting legal documents.
 - Engage in mediation and alternative dispute resolution.
 - Respond to inquiries through the Tenant Hotline and "Ask the Director" platform.
- Policy Branch
 - Primary Role: Advocates for tenant protections in legislative, regulatory, and judicial contexts.
 - Responsibilities:
 - Work closely with government and community partners to identify and fill gaps in tenant protection laws.
 - Engage in policy and litigation consultations, provide Council testimony, comment on sister agencies' proposed regulations, file amicus curiae briefs with administrative and judicial courts, and keep stakeholders apprised of legislative and regulatory developments.
- Education & Outreach Branch

- Primary Role: Educates tenants and community stakeholders about rental housing rights.
- Responsibilities:
 - Conduct educational seminars, workshops, and public campaigns.
 - Distribute resources such as the Tenant Bill of Rights and guides.
 - Manage outreach initiatives targeting underserved tenant populations.
- Emergency Housing Assistance Program (EHAP) Branch
 - Primary Role: Provides financial assistance and relocation support for displaced tenants.
 - Responsibilities:
 - Administer emergency housing funds for tenants displaced by fires, floods, or government closures.
 - Coordinate temporary housing and relocation logistics.
 - Implement OTA’s lien recovery responsibilities by recovering EHAP expenses from owners whose housing condition delinquencies resulted in a building closure and OTA EHAP expenditure.

c. *A narrative explanation of any changes to the organizational chart made in the last calendar year; and*

Response: During the past calendar year, OTA experienced one personnel change within the Legal Branch: an attorney departed the agency, and OTA subsequently hired a new attorney to fill that vacancy. This change ensured continuity of legal services and maintained the branch’s capacity to meet tenant needs.

In addition, OTA hired a litigating attorney who began his tour of duty on Monday, January 12, 2026, further strengthening the branch’s capacity to provide extended representation.

d. *An indication of whether any positions in the chart are vacant.*

Response: There are currently no vacant positions

2. *Please provide a complete, up-to-date list of contract workers working directly for your agency, ordered by program and activity, and including the following information for each position:*

- a. *Title of position;*
- b. *Indication that the position is filled or vacant;*
- c. *Date employee began in the position;*
- d. *Whether the position must be filled to comply with federal or local law;*
- e. *If applicable, the federal or local law that requires the position be filled;*
- f. *The entity from which they are contracted; and*
- g. *The contracted annual cost.*

Response: N/A.

3. *Please provide, for each month of FY25 through FY26 to date, the net number of personnel separated from and hired to the agency.*

Response: During the past calendar year, OTA experienced one personnel change within the Legal Branch: an attorney departed the agency, and OTA subsequently hired a new attorney to fill that vacancy. The agency also hired a litigating attorney to fill our last remaining vacancy this fiscal year.

4. *Does the agency conduct annual performance evaluations of all its employees? If so, who conducts such evaluations? What steps are taken to ensure that all office employees are meeting individual job requirements?*

Response: OTA recently implemented individual performance meetings with staff. These meetings are conducted by agency leadership to ensure consistency, fairness, and alignment with agency priorities. In these meetings we review employee performance, discuss expectations, identify areas for improvement, and assess any concerns or challenges staff may be experiencing. The meetings also provide an opportunity for employees to raise issues related to workload, resources, or operational barriers that may affect performance.

Key discussion points, agreed-upon action items, and follow-up steps from these meetings are documented and used to guide ongoing supervision, training, and performance improvement efforts.

These ongoing, individualized performance discussions allows OTA to address performance issues proactively, support employee development, and maintain accountability across the agency.

5. *Please provide the following for each collective bargaining agreement that is currently in effect for agency employees:*
- a. *The bargaining unit (name and local number);*
 - b. *The start and end date of each agreement;*
 - c. *The number of employees covered;*
 - d. *Whether the agency is currently bargaining;*
 - e. *If currently bargaining, anticipated completion date;*
 - f. *For each agreement, the union leader's name title and contact information; and*
 - g. *A copy of the ratified collective bargaining agreement.*

Response: N/A.

6. Please list all employees currently detailed to or from your agency. For each detailed employee, include:
- The reason for the detail;
 - The job duties if detailed to your agency;
 - The start date of detail;
 - The agency the employee is detailed to/from; and
 - The projected date of return.

Response: N/A.

7. Please provide a copy of your agency's Schedule A, as of the date of receipt of this questionnaire.

Response: See Attachment #3 for Q#2-7 "OTA Schedule A."

8. Please provide a list and description of all memorandums of understanding and memorandums of agreement in effect during FY25 and FY26, to date.

Response: See Attachment #4 for Q#2-8 "OTA FY25 & FY26 MOU's."

Finance and Budget:

9. Please provide a status report, including timeframe of completion, for all projects for which your agency currently has capital funds available.

Response: N/A.

10. Please provide copies of all budget enhancement requests (The Form B or similar form) submitted in the formulation of the FY25 and FY26 proposed budgets.

Response:

See Attachment #5 for Q#2-10 "OTA FY25 Budget Enhancement Requests"

See Attachment #6 for Q#2-10 "OTA FY26 Budget Enhancement Requests"

Also note that the OTA requested and received from the Council an FY 26 enhancement to EHAP in the amount of \$200,000. This brought the total FY 26 appropriation for EHAP to \$770,000. In FY 26 to date, the agency has spent \$282,243 of that amount.

11. Please list all budget enhancements in FY26 and provide a status report on the implementation of each enhancement.

Response: See Attachment #7 for Q#2-11 "OTA FY26 Budget Enhancement Status"

12. Please fill out the attached spreadsheet titled “Question 12 Grants Received,” and list all federal and/or private grants received by your agency in FY25 and FY26 to date, current balances, and indicate any that lapsed during or at the end of [previous fiscal year].
- Please submit the completed document in both Excel and PDF formats.
 - Please include your Agency Code in the filename (e.g., question_12_AB0_2026.xls).

Response: N/A.

13. List all grants issued by your agency in FY25 and FY26, to date in the attachment labeled “Question 13 Grants Issued”.
- Please submit the completed document in both Excel and PDF formats.
 - Please include your Agency Code in the filename (e.g., Question_13_AB0_2026.xls).

Response: N/A.

Operations:

14. Please provide the Committee with a list of all vehicles owned or leased by the agency; the purpose of the vehicle; the division the vehicle is assigned to, if applicable; and whether the vehicle is assigned to an individual employee.

Response: N/A.

15. For each objective and activity in the agency’s FY25 Performance Plan, please list:
- The measure of greatest improvement for the agency, and the actions the agency took to improve that measure’s outcome, efficiency or quantity; and
 - For all measures with missed targets (if any), explain the actions the agency is taking to improve that measure’s outcome, efficiency, or quantity.

Response: N/A.

16. List all new objectives, activities and projects in the agency’s [current fiscal year] Performance Plan and explain why they were added.

Response:

New Activity: Formalization of EHAP Reimbursement Process

OTA identified a need to standardize and accelerate recovery of emergency housing costs from property owners whose negligence caused tenant displacement. This activity was added to improve fiscal accountability and ensure EHAP sustainability.

17. Describe problems and challenges, including chronic maintenance issues and design flaws, in agency-owned or leased facilities.
- a. What capital or operating projects arose from these issues in FY25 and FY26 to date, including cost and actions taken?

Response: N/A.

18. Please list each new initiative implemented by the agency during FY25 and FY26 to date. For each new initiative, please provide:

- a. A description of the initiative;

Response: Establish a clear, step-by-step process for recovering EHAP expenditures from negligent property owners, including tenant verification, documentation, demand letters, Notice of Assessment (NOA) preparation, and enforcement actions such as lien placement and collection.

- b. Actual start date;

Response: December 2025. The OTA has revived a previous working draft SOP, and is currently developing a revised version.

- c. Actual or anticipated end date;

Response: Ongoing

- d. The funding required to implement the initiative;

Response: Implemented within existing EHAP and Legal resources; no additional funding required.

- e. Whether the initiative was mandated by legislative action;

Response: Authorized under D.C. Official Code § 42–3531.11.

- f. Problems or challenges faced in the program's implementation;

Response:

- The need for multiple relevant staff to coordinate on the development of the SOP which involves factual grounding in the EHAP program, administrative and logistical expertise, as well as legal and policy expertise.
- The OTA's need for additional staff to handle the administrative burden of preparing a complete collections package for every case.

- g. The metrics the agency is collecting to measure the initiative's success; and

Response:

- Number of reimbursement packages prepared and mailed within 30 days of service completion.
- Amount of EHAP funds recovered from property owners.
- Reduction in outstanding EHAP receivables.

- h. An assessment of the initiative's success thus far.

Response: SOP implementation has standardized documentation and improved tracking. OTA anticipates measurable improvements in cost recovery.

19. Please list any legislation that impacts your agency from FY25 and FY26 and provide a status report on the agency's implementation related to each piece of legislation.

Response: N/A. Note that the OTA is designated as a "Tenant Support Provider" under the RENTAL Act. However, the associated provisions are subject to funding and not yet applicable. Nonetheless, we do not anticipate the non-applicability of those provisions affecting the OTA's ability to assist tenants in forming Tenant Associations and navigating the TOPA process, as we have continued to do.

20. Customer feedback

a. How does the agency solicit feedback from customers (i.e., District residents served)? Please describe.

Response: OTA primarily solicits customer feedback through direct, ongoing engagement with tenants during intake and case work, Ask the Director inquiries, follow-up conversations, and feedback shared by service providers (including housing counselors and case managers) during coordination and outreach. OTA has submitted a request to enhance its AWS phone system to include an automated caller survey to collect structured feedback immediately following phone interactions.

b. What has the agency learned from this feedback?

Response: Feedback consistently emphasizes the need for timely responses, clear and plain-language communication, consistent follow-up, and early intervention, particularly for tenants facing eviction risk or emergency displacement.

c. How has the agency changed its practices because of such feedback?

Response: OTA has used feedback to refine intake triage and internal case routing, improve communication and follow-up with tenants, and strengthen coordination with partner agencies. OTA anticipates the caller survey will further support continuous improvement by enabling trend tracking and performance measurement over time.

Laws, Audits, and Reports:

21. Please identify any legislative modifications that would enable the agency to better meet its mission.

Response: Please see the response to Question #1–21 above. We will be sure to consult the Committee if and when any legislative challenges arise regarding the agency's deployment of legal mechanisms such as class action and "expansion of scope" in the rent control context.

22. Please identify any regulatory impediments to your agency's operations.

Response: None at this time.

23. Please list and describe any ongoing investigations, 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 FY25 and FY26 to date.

Response: In 2024 the DC Auditor conducted an audit of the Rent Control Clearinghouse Database ("RCCD") designed and developed by OTA and turned over to DHCD in 2023. The purpose of the audit was to determine the cause for the delays in the RCCD's implementation. In 2025 the District Auditor published the attached report; OTA was not named as a causal factor in the delay.

See Attachment #8 for Q#2-23 "Audit Report."

24. Please identify and provide an update on what actions have been taken to address all recommendations made during the previous three years by:

- a. Office of the Inspector General;
- b. D.C. Auditor;
- c. Internal audit; and
- d. Any other federal or local oversight entities.

Response: N/A.

25. Please list all pending lawsuits in which the agency, or its officers or employees acting in their official capacities, are named as defendants, and for each case provide the following:

- a. The case name;
- b. Court where the suit was filed;
- c. Case docket number;
- d. Case status; and
- e. A brief description of the case

Response: OTA can report that the twelve years of litigation, alleging a wrongful termination of a former employee, appears to have reached a conclusion. Thus, the OTA is not named as a defendant in any pending lawsuit. To close the loop regarding the years of litigation in this matter, OTA submits the final developments in both the Superior Court and the Court of Appeals. Also, according to the records of the Supreme Court of the United States, no relevant Petition for a Writ of Certiorari has been timely filed.

- a. Caption: Linda Sun v. D.C. Office of Employee Appeals
- b. Venue: D.C. Superior Court
- c. Case number: 2023-CAB-000998
- d. Disposition: Dismissed

- e. Note: This is the last of a series of cases alleging an employee’s wrongful termination. On August 28, 2023, the Court entered judgment. Various Motions followed; on September 22, 2025, the last of these Motions was denied.
- a. Caption: Linda Sun v. D.C. Office of Employee Appeals and D.C. Office of the Tenant Advocate as Intervenor
 - b. Venue: D.C. Court of Appeals
 - c. Case number: 24-CV-1051
 - d. Disposition: Dismissed
 - e. Note: This appeal followed the Superior Court’s disposal of post-decisional motions in 2023-CAB-000998. On August 28, 2025, the Court of Appeals denied the August 1, 2025 Request for Rehearing En Banc regarding the Court’s earlier denial of the former employee’s Appeal. On September 19, 2025, the Court of Appeals denied the August 28, 2025 Motion to Stay Issuance of the Mandate Pending the Filing of a Petition for a Writ of Certiorari with the U.S. Supreme Court.

26. *Please list the total amount of money the agency or the District, on behalf of the agency, expended to settle claims against it, or its officers or employees acting in their official capacities, in FY25 and FY26 to date.*

Response: N/A.

27. *Please list each settlement the agency or the District, on behalf of the agency, entered into in FY25 and FY26 to date that involved claims against the agency, or its officers or employees in their official capacity, including any settlements covered by D.C. Code § 2-402(a)(3). For each settlement, provide:*

- a. *The amount of the settlement;*
- b. *If related to litigation, the case name and brief description; and*
- c. *If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).*

Response: N/A.

28. *Please list all administrative complaints or grievances that the agency received in FY25 and FY26 to date. For each complaint, list:*

Response: OTA has received one grievance in which one employee is complaining about personal interactions with another employee. The matter is still subject to confidentiality.

- a. *The source of complaint;*

Response: The source is an OTA employee.

- b. *The process utilized to respond to the complaint or grievance;*

Response: The complaint is being addressed by the Chief of Staff, working in conjunction with the General Counsel. The complaint will be fully investigated, after which a decision will be made or the matter will be scheduled for mediation. In the event of a decision, affected employees will be notified and informed of any rights to appeal.

- c. *Any changes to agency policies or procedures that resulted from the complaint or grievance; and*

Response: The matter is still in the investigatory stage. Any changes to agency policies or procedures will need to be determined after the investigation has been completed and facts have been determined.

- d. *If resolved describe the resolution.*

Response: N/A

29. *Is the agency currently party to any active non-disclosure agreements? If so, please provide all allowable information on all such agreements, including:*

- a. *The number of agreements;*

Response: One.

- b. *The department(s) within the agency associated with each agreement; and*

Response: The Administrative branch is associated with the agreement.

- c. *Whether any agreements are required for specific positions (please list each position by division and program and indicate whether the position is contracted)*

Response: No, the agreement does not require a specific position.

Data

30. *In filterable and sortable spreadsheet, please list all electronic databases maintained by your agency, including the following:*

- a. *A detailed description of the information tracked within each system;*
b. *The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and*
c. *Whether the public can be granted access to all or part of each system.*

Response: See Attachment #9 for Q#2–30 “Agency Maintained Databases.”

31. Please provide a list of all studies, research papers, and analyses (“studies”) the agency or an agency’s employee requested, prepared, presented or contracted for during FY25. For each study please list:
- The status;
 - The purpose; and
 - A link (if published) to the study, research paper or analysis.

Response: The OTA prepared a Housing Closures Summary Report to provide a breakdown of closures by month, ward, property construction decade, and rent control status, in order to assess the causes of building closures.

See Attachment #10 for Q#2–31 “FY 25 Housing Closures Summary Report.”

32. Please list contracts and procurements awarded, entered into, extended, or for which an option year was exercised, by the agency during FY25 and FY26, to date in the attached spreadsheet titled “Contracts and Procurements”.
- Please include your Agency Code in the filename (e.g., AB0_2026_Contracts and Procurements.xls)
 - You may add additional lines to the sheet but please do not change any other formatting.

Response: Attachment #11 for Q#2–32 “Contracts and Procurement.”

Misc.

33. Please list any statutory mandates that the agency lacks sufficient resources to fully implement.

Response: We are meeting all of our statutory mandates in our four programmatic areas of legal assistance, policy advocacy, and education and outreach; as well as publishing the annual report.

However, we could better meet all statutory mandates with more staff. While we take pride in our ability to multi-task and do more with less, the reality is that all four of the agency’s programmatic branches need more staffing and resources to truly fulfill the high demand for these services.

34. What are three areas, programs, or initiatives within your agency where you see the most opportunity to make progress toward racial equity?

Response: N/A.

35. *Please list any task forces, committees, advisory boards, or membership organizations in which the agency participates.*

Response:

1. The Property Maintenance Technical Advisory Group (PM TAG) under the Construction Codes Coordinating Board (CCCB).
2. The National Low-Income Housing Coalition (NLIHC).
3. DC Eviction Prevention Co-Leaders Group.