



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
RENTAL HOUSING COMMISSION**

January 20, 2026

The Honorable Robert White
Chairperson, Committee on Housing
Council of the District of Columbia
1350 Pennsylvania Ave, NW
Washington, DC 20004

SUBJECT: The Rental Housing Commission's responses to pre-hearing questions for performance oversight

Dear Chairperson White:

The Rental Housing Commission ("Commission") has received your questions in preparation for the annual performance oversight hearing scheduled for Thursday, January 29, 2026, at 9:30 A.M. As you requested in your January 5, 2026 letter, the Commission's responses to your questions are attached below. These answers are being sent by email, and supporting charts and documents are attached to that email.

The Commission looks forward to discussing with the Committee and its Members our performance, goals, and outcomes for FY 25 and FY 26. We will provide the Committee with addendums, clarifications, and edits to these answers as additional information may be required.

If you have any further questions or would like any additional information, please contact me at adam.hunter@dc.gov or (202) 442-8949.

Thank you,

/s/

Adam R. Hunter
Chair and Chief Administrative Judge
Rental Housing Commission

COMMISSION SPECIFIC QUESTIONS

1. Please list all current members of the Commission including:

- a. Their date of appointment;**
- b. The date their term expires; and**
- c. The Ward in which they reside.**

Name	Appointed	Expires	Ward
Lisa Gregory	January 20, 2018	July 18, 2026	2
Adam Hunter	April 5, 2022	July 18, 2028	7
Toya Carmichael	March 17, 2023	July 18, 2027	7

In addition, identify any upcoming vacancies within the next 18 months and describe how the Commission anticipates managing quorum, continuity, and decision-making capacity during any transition period.

The Commission does not have any current or anticipated vacancies.

2. Please confirm that the current members of the Commission meet the statutory requirement that the commissioners must “be neither a housing provider nor a tenant” and describe the process used to verify ongoing compliance with this requirement.

All members of the Commission meet the statutory requirements of being neither a housing provider nor a tenant. Annually, the members of the Commission are queried to confirm that they individually continue to meet those statutory requirements. Also, all members are vetted by the Executive Office of the Mayor upon reappointment every 3 years.

3. Last year, the agency identified goals using the Specific, Measurable, Achievable, Relevant, and Time-bound (SMART) framework.¹

a. What is the status of each of these goals?

1. Time to issue decisions under 340 days:

The one decision issued in FY26 to date was issued in 148 days.

i. The Commission has already provided one update to the Committee: Judge Hunter stated at his confirmation hearing on November 20, 2025

¹ They were to, by the end of FY 26: 1) Improve the timeliness of the appeals process so that the average time to issue decisions on appeals does not exceed 340 days, reducing delays in resolution for tenants and housing providers; 2) Ensure that all new legislation referred to the RHC has proposed rules published within 90 days of its effective date, to provide clarity and avoid implementation delays; 3) Increase the efficiency of the appeals process by issuing 80% of non-hearing dispositive orders within 120 days of the filing of the appeal.

that the Commission reduced the average amount of days to issue decisions to 297 days from the previous average of 340 days. How is the Commission working to further reduce the number of days to decisions, and what is the new target?

The Commission's FY24 average was 603 days from argument to decision in all cases, or 353 days dropping one outlier. In FY23, the average was 765 overall, or 320 days dropping one outlier.

The Commission has relied on the Model Time Standards for State Appellate Courts as its authority and methodology for the achievable SMART goal metric. The study was conducted by a committee of judicial organizations, National Bar associations, and state appeals judges. Looking at the historical numbers and making allowances for outliers (cases with longstanding and complicated histories), the Commission reasoned that the appropriate number given the work, staffing, and judicial deliberation, that the 340 number is an achievable targeted number. It may be adjusted again to best reflect the KPI number of 290. These average numbers still fall below the 75% of all appealed civil cases of 390 as published by the Model Standard Times. To further achieve its goal, the Commission has instituted new internal controls and monitoring to meet its target. As the Commission strives to timely render its decisions, the final decision still must go through a rigorous review from all judges, census must be met on the legal reasoning and rationale, and final published opinion must survive a likely appeal to the DC Court of Appeals.

2. Time to publish proposed rules under 90 days:

One bill has been enacted since the start of FY26 that requires rulemaking (the RENTAL Act, effective December 31, 2025). The Commission is drafting and revising a proposed rulemaking and anticipates publishing proposed rules for public comment before March 31.

3. Time to resolve cases without hearings under 120 days:

The Commission has issued one order disposing of a case, 14 days after the appeal was initiated. The Commission cannot determine yet how many pending cases will not require a hearing, but no motions to dismiss or withdraw are currently pending.

b. For any goal that is not on track for completion, please explain why.

The Commission is on track to complete each goal.

- c. Does the agency propose to update or replace any of its SMART goals for 2026? If so, please describe the proposed change and why it's necessary.**

The Commission does not propose updating or replacing any of the SMART goals.

- d. Please provide suggestions for the Commission's FY 27 SMART goals and the rationale behind the recommendations. High level goals or focus areas are welcome, detailed SMART formatting is not necessary at this stage.**

The Commission FY 27 SMART goals will be to continue to expand its Access to Justice plan. To achieve the Commission's desired outcome of improving litigants understanding of their rights and process, the Commission will do a review of all public documents and information and create a list of additional guidance to be created in FY 27. Note, Access to Justice is a continued effort to better refine and educate the public on the Commission, its function, and the Retal Housing Act of 1985.

- 4. Last year, the Commission attributed delays in issuing decisions to legacy and outlier cases. Using FY25 data, explain how the Commission determines when delays are no longer attributable to outliers but instead reflect systemic capacity constraints. What threshold does the Commission use to distinguish the two, and why is that threshold appropriate?**

The Commission is not experiencing any systemic capacity constraints at this time. The cases we have previously identified as "legacy" are a few specific cases that relate to a particular building and have been in litigation for many years. Judges, with the assistance of staff attorneys, look at the current cases on the clock for decision and prioritize based on the likely number of days it will take to issue a decision. The Commission issued decisions in 297 days in FY 25. Longer term, once the legacy cases are disposed of, it is likely that some cases will nonetheless take longer than the target time (i.e., outlier cases), which is why the Commission's time goals are stated as the average time for 90% to be completed.

- 5. Looking ahead to FY26–FY27, what specific performance outcomes would cause the Commission to conclude that its current structure, staffing, or procedures are insufficient to meet its adjudicatory responsibilities, and what corrective actions would follow?**

Such performance indicators may include significant increases in:

- Number of appeals filed
- Time to issue dispositive orders in non-hearing cases
- Number of cases on the hearing track but unscheduled
- Number of cases pending decision that are over 340 days since the hearing
- Average days to issue decisions in 90% of cases

In response to any or a combination of the above, the Commission would reevaluate its internal case handling procedures, individual employee performance, or staffing levels, as appropriate. A significant increase in the number of appeals filed would likely result in a budget enhancement request to fund an additional staff attorney position.

6. The Commission previously indicated it was developing a three-page plain-language guide on the appeals process and identifying a distribution strategy. Please provide the guide, specify when it was finalized, and explain how the Commission has evaluated whether parties actually receive and understand the information at the point of decision.

See Attachment 1. This guide was published on the Commission's website in January 2024 and revised in May 2025 to reflect new, statutory deadlines. The Commission does not have any information on potential appellants' receipt, understanding, or decision making.

Please describe the continuing education and Access to Justice trainings currently required of commissioners and staff, and explain how the Commission evaluates whether these trainings meaningfully affect decision-writing, treatment of pro se parties, or procedural fairness.

In FY25, the Commission conducted an office-wide training with Kadeem Morris on access Justice. He is Co-Managing Attorney of the Housing Unit of the Community Legal Services of Philadelphia and is co-chair of the Philadelphia Bar Association's Civil Gideon and Access to Justice Task Force. The Commission learned how to better assist and communicate with *pro se* litigants, how to better collaborate with other government agencies and legal organizations, what information resources should be provided, developing a new mission statement that is Access to Justice focused, and developing an Access to Justice plan. The FY25 training, was on the only training available to the Commission do to spending freeze on Training and Travel for the remainder of FY25.

For FY26, the Commission has one pending in-office training for legal staff and judges on judicial appellate writing. This training is pending additional approval.

The evaluation of training and Access to Justice has been included into individual performance plans and SMART goals. During both mid-year and annual reviews, all Commission employees are asked to assess how their work impacting Access to Justice. However, with the freeze in training expenditures, is limiting the Commission's ability to seek new and additional training.

7. Please provide any available FY 25 and preliminary FY 26 data on the objectives and activities below, which are drawn from the Commission’s FY 26 [Performance Plan](#):

(Objective: Resolve Administrative Appeals Efficiently)

a. Average number of business days between filing of an appeal and preliminary case review

<u>FY25</u>	<u>FY26</u>
1 day	1 day

b. Average number of days between hearing and decision

<u>FY25</u>	<u>FY26</u>
297 days	148 days

i. Please describe why the FY26 target (340 days) is unchanged despite the Commission reportedly exceeding the target in FY25.

See answer to question 3. The Commission met the target in FY 25. This is a rolling average and is in line with the Model Time Standards.

c. Percentage of RHC decisions reversed or remanded by the DC Court of Appeals (FY26 target: 0%)

<u>FY25</u>	<u>FY26</u>
25% (1 case)	0%

d. Percentage of cases awaiting decision more than 340 days since hearing (FY26 target: 10%)

<u>FY25</u>	<u>FY26</u>
25% (1 case)	33% (1 case)

(Objective: Issue, amend, and rescind rules and procedures for the administration of the Rental Housing Act (Act) and for the resolution of disputes arising under the Act)

e. Average number of days from effective date of new legislation necessitating rulemaking to publication of notice of proposed rulemaking (FY26 target: 90 days)

<u>FY25</u>	<u>FY26</u>
77 days	(pending)

(Activity: Case Mediation)

- f. Average number of business days from parties' agreement to mediate to completion of mediation**

<u>FY25</u>	<u>FY26</u>
54 days	26 days

- g. Average number of mediation sessions per case mediated**

<u>FY25</u>	<u>FY26</u>
1	1

- h. Number of cases actually mediated**

<u>FY25</u>	<u>FY26</u>
2	1

- i. Number of cases resolved through mediation**

<u>FY25</u>	<u>FY26</u>
1	1

- j. Number of cases noticed or ordered to mediation**

<u>FY25</u>	<u>FY26</u>
2	4

- k. Number of cases scheduled for hearing without mediation**

<u>FY25</u>	<u>FY26</u>
2	2

- l. After eliminating the mediator position, how does the Commission determine whether mediation is occurring at sufficient volume and timeliness to meaningfully reduce appeals and delays? Have cases mediated by outside parties been resolved on timelines similar to those mediated by the internal mediator position in years past?**

The number of cases in which parties agree to mediate and the number of mediated cases that reach settlements have not significantly changed since eliminating the full-

time mediator position. Mediation through OAH has generally expedited scheduling of mediation.

(Activity: Appellate Resolution)

m. Percent of parties without an attorney

<u>FY25</u>	<u>FY26</u>
42%	25%

n. Cases awaiting decision

<u>FY25</u>	<u>FY26</u>
4	3

o. Case hearings held

<u>FY25</u>	<u>FY26</u>
3	0 (2 scheduled)

p. Cases dismissed voluntarily (includes settlements)

<u>FY25</u>	<u>FY26</u>
3	1

q. Cases dismissed involuntarily

<u>FY25</u>	<u>FY26</u>
0	0

r. Motions filed (all types)

<u>FY25</u>	<u>FY26</u>
7	1

s. Open cases (total)

8; 5	
<u>FY25</u>	<u>FY26</u>
8	5

t. Opinions rendered

<u>FY25</u>	<u>FY26</u>
6	1

u. Orders rendered

<u>FY25</u>	<u>FY26</u>
17	4

(Activity: Update and Clarify Rental Housing Act Implementing Regulations)

v. Bills enacted that necessitate rulemaking

<u>FY25</u>	<u>FY26</u>
1	1

w. Emergency/proposed/final rulemakings published

<u>FY25</u>	<u>FY26</u>
5	0 (1 pending)

x. Public comments received on notice(s) of proposed rulemaking

<u>FY25</u>	<u>FY26</u>
8	(pending)

y. When legislative changes necessitate rulemaking, how does the Commission prioritize among adjudication, guidance development, and regulatory drafting when capacity is constrained? How does the Commission plan to mitigate the impact of delayed rulemakings on tenants and housing providers?

The Commission's performance metric of publishing proposed rules within 90 days guides staff and Commissioners' prioritization of work and helps assure that rulemakings are not significantly delayed.

8. Please identify any data the Commission does not currently collect that would materially improve oversight of fairness, delay, or access to justice, and explain what would be required to collect it.

The Commission is not aware of any such data. Its performance metrics are primarily based on filings received, orders issued and other actions taken, and the time between those events. The

Commission reviews its performance metrics annually to assure that the reported numbers reasonably assess agency performance. The Commission also consults with the Office of Administrative Hearing on the number and types of housing cases filed and the final orders issued. This information is used to better understand potential trends, review evidentiary decisions, and to better forecast potential increases in future appeals.

9. FY25 data showed that 50% of new appeals involve parties without legal representation. How does the Commission assess whether its procedures, timelines, and written decisions disproportionately disadvantage pro se tenants, and what evidence informs that assessment?

The Commission is acutely aware of the difficulties faced by pro se litigants in any legal setting. As such, the Commission affords great flexibility and leniency with timing and formatting requirements and gives careful consideration to legal arguments that may not be articulated clearly.

This is generally a qualitative assessment, and the Commission's performance should not be judged on the success rate of particular kinds of parties. Nonetheless, of the 5 decisions issued in FY25 and FY26 to date in which one party was pro se and the other represented, the pro se party prevailed in 3, and partially in a 4th cross-appeal. This result suggests the Commission's procedures are not disproportionately disadvantaging pro se parties, either housing providers or tenants.

10. Beyond individual case resolution, how does the Commission evaluate whether its decisions deter related future unlawful conduct or clarify rights under the Rental Housing Act? What indicators would demonstrate success or failure in this regard?

Significant indicators may include the number of petitions filed making particular claims, the amount of time required for OAH to decide cases raising particular legal issues, and the number of OAH decisions reversed or remanded on particular grounds.

11. Please provide a response and/or update on the policy recommendations from the Committee's FY26 budget report:

- a. The Committee recommends that the RHC assess the current backlogs in DC Superior Court and propose a way that the RHC can be helpful in reducing the backlogs and related delays.**

The Commission's understanding is that backlogs in the Landlord-Tenant Branch of Superior Court are primarily a capacity issue arising from judicial vacancies. The Commission does not have the capacity, by statute or staffing, to take on eviction cases though administrative proceedings (which itself would require parties to waive jury trial

rights). Several changes were made to the eviction process by the RENTAL Act, and to the extent those affect the Commission's regulations of notices to vacate, the Commission is working to issue revised rules expeditiously. However, those rules only indirectly impact Superior Court caseloads.

b. The Committee recommends that the RHC consider whether the time and resources used to provide interagency mediation services could be used to support internal mediation instead, rather than contracting internal mediation needs out.

The Commission does not believe there is a trade-off in resources between its judges mediating OHR cases and OAH mediating Commission cases. First, Commission judges cannot mediate Commission cases, as the Commission decides cases as a panel and judges would be conflicted out if mediation does not result in a settlement. Second, the number of cases involved is relatively small in both situations. See Q.23 below regarding costs of each MOU, which are based on estimated time spent by Commission judges. Third, mediating an OHR case typically requires at most 2 days of work for one Commission judge, include review/preparation and actual mediation. This does not cause substantial delays in any other Commission business. The Commission's capacity to perform these mediations is reviewed each Fiscal Year when the MOU expires.

For each recommendation, identify whether the Commission believes it has sufficient authority to act independently or requires Council action to implement meaningful change.

12. Please describe any initiatives the Commission has undertaken or plans to undertake to solicit employee feedback on office culture and to make improvements based on that feedback.

In FY26, the Commission will begin to take blind surveys of employees to learn how the culture of the office impacts their day-to-day job, work culture, how the office affects their work, does the work/office support professional development, and any changes to office policies that would improve the work environment. After surveying the employees, there will be review of office policies and determine what changes could be made.

13. Please describe any major activities and accomplishments in FY25 and FY26, to date, that are not addressed above.

At the start of FY25, all staff were required to establish individual SMART goals aligned with the Commission's priorities. These goals focused on three key areas:

1. Access to Justice: advancing initiatives that improve equitable access to legal resources and services.
2. Professional Development (training): engaging in targeted training and skill-building to strengthen staff capabilities.
3. Job-Specific Measurable Goal: setting clear, role-based objectives to enhance accountability and performance.

The process included a mid-year review, followed by a comprehensive evaluation in October 2025, ensuring progress was tracked and feedback provided. Staff then developed new goals for FY26, continuing the emphasis on measurable outcomes and alignment with the Commission's mission.

This initiative represents a major step toward fostering a culture of accountability, continuous improvement, and professional growth within the Commission.

14. Even absent formal legislative proposals, identify any statutory ambiguities, procedural gaps, or structural constraints that materially limit the Commission's ability to deliver timely and fair adjudication.

The Commission does not believe at this time that statutory, procedural, or structural issues are materially limiting its adjudicatory function.

15. From an oversight perspective, what does the Commission view as the greatest institutional risk to fulfilling its mandate over the next two years, and why?

The Commission understands the difficult budget situation for the District government as a whole. The greatest risk to the Commission is that across-the-board cuts are made without accounting for the nature of the Commission's small size and lack of significant non-personnel services expenditures.

GENERAL QUESTIONS (COUNCIL BUDGET OFFICE PERFORMANCE TEAM)

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:

16. 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;**
- b. A description of the roles and responsibilities for each division and subdivision;**
- c. A narrative explanation of any changes to the organizational chart made in the last calendar year; and**
- d. An indication of whether any positions in the chart are vacant.**

See Attachment 2. Senior personnel include the Commission members listed in response to Q.1 and General Counsel Daniel Mayer. The Commission does not have divisions or subdivisions. One position, Mediator, was eliminated in a reduction-in-force in January 2025 due to lack of work. No positions are currently vacant.

17. 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.**

The Commission does not have any contract workers.

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

FY25

January: 1 separated

19. 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?

Yes, the Commission does conduct annual performance evaluations. The performance evaluations are conducted by the Chief Administrative Judge.

Starting in FY25, the Commission initiated annual performance review for the Commission staff. In the first year (October 2024), all employees were required to provide individual SMART goals for FY25 to include a training, a goal on Access to Justice, and an additional goal for the year. Each employee met individually with the Chief Administrative Judge on their proposed SMART goals. The goals were accepted and a mid-year review was conducted to track performance. In October 2025, one-on-ones were conducted to review and assess FY25 goals and to set new goals for FY26. A written annual review was provided to all employees. Note, administrative staff evaluations are monitored through PeopleSoft and legal staff are written memorandums that follow the evaluation guidelines as outlined by the Mayor's Office of Legal Counsel.

20. 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.**

The Commission is a party to one collective bargaining agreement:

- a. American Federation of Government Employees ("AFGE") Local 2725, AFL-CIO
- b. Working conditions agreement effective December 13, 1988 through September 30, 1990
- c. 2 covered employees
- d. The agency and union are not currently bargaining
- e. n/a
- f. Countee Gilliam, President, AFGE Local 2725, cgilliam@afge2725.com
- g. See Attachment 3.

21. Please list all employees currently detailed to or from your agency. For each detailed employee, include:

- a. The reason for the detail;**
- b. The job duties if detailed to your agency;**
- c. The start date of detail;**
- d. The agency the employee is detailed to/from; and**
- e. The projected date of return.**

No employees are currently detailed to or from the Commission.

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

See Attachment 4.

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

FY25:

- DCHR: Personnel processing, service, and support to RHC; (\$12,362)
- OHR: Mediation of cases by RHC; \$12,000
- OAH: Mediation of cases by OAH; (\$8,000)

FY26:

- DCHR: Personnel processing, service, and support; (\$6,181)
- OHR: Mediation of cases by RHC; \$6,000
- OAH: Mediation of cases by OAH; (\$8,000)
- OCTO: Develop searchable decision and order database; (\$24,500)

Finance and Budget:

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

None.

25. 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.

See Attachment 5. For FY26, no enhancement forms were submitted.

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

IT Refresh, \$15,000

All significant purchases completed
Total cost \$11,230

Decision Database, \$30,000

MOU executed with OCTO, development planning meeting held
Total cost \$24,500

Staff Training, \$17,000

Staff training is pending exemption approval.

Language Access, \$13,000

Currently there are no new language access programs in place.

27. 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].

- a. Please submit the completed document in both Excel and PDF formats.
- b. Please include your Agency Code in the filename (e.g., question_12_AB0_2026.xls).

None.

28. List all grants issued by your agency in FY25 and FY26, to date in the attachment labeled “Question 13 Grants Issued”.

- a. Please submit the completed document in both Excel and PDF formats.
- b. Please include your Agency Code in the filename (e.g., Question_13_AB0_2026.xls).

None.

Operations:

29. 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.

None.

30. For each objective and activity in the agency’s FY25 Performance Plan, please list:

- a. The measure of greatest improvement for the agency, and the actions the agency took to improve that measure’s outcome, efficiency or quantity; and**

The greatest improvement was the reduction of the average time to issue decisions from 603 days to 297 days. The Commission cleared multiple “legacy” cases in FY24, freeing up time to work on current cases, and instituted internal controls and targeting.

- b. For all measures with missed targets (if any), explain the actions the agency is taking to improve that measure’s outcome, efficiency, or quantity.**

The Commission missed its target for the number of cases awaiting decision that are over the 340-day target at the close of the fiscal year (25% vs. 10% target). This was only one case, so the missed percentage mostly represents a low number of undecided cases. The Commission intends to prioritize this “legacy” case for decision as soon as possible.

The Commission missed its target for the percent of cases reversed or remanded by the District of Columbia Court of Appeals (25% vs. 0%). This was only one case, but the goal is have no reversals. The 10-year average is 10%, with the one other remand being a procedural issue in the same case based on a 2006 order. This remand was not on the merits of the substantive law but on a procedural matter, sent back to decide several issues that were not addressed previously, based on a briefing order issued in 2022. The Commission maintains its commitment to full and detailed review of all issues raised in appeals.

31. List all new objectives, activities and projects in the agency’s FY26 Performance Plan and explain why they were added.

The Commission’s FY26 Performance Plan makes several changes tracking case mediation:

- “Average number of days from receipt of case record to agreement or rejection of mediation by parties” was removed from Objectives because the process was changed to no longer await the certified record before referring a matter to mediation, and the time taken by parties is not an appropriate measure of agency performance.
- Three new measures were added to track the utility of the mediation program:
 - “Number of cases resolved through mediation”
 - “Number of cases noticed or ordered to mediation”
 - “Number of cases scheduled for hearing without mediation”

32. 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?

None.

33. 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;**
- b. Actual start date;**
- c. Actual or anticipated end date;**
- d. The funding required to implement the initiative;**
- e. Whether the initiative was mandated by legislative action;**
- f. Problems or challenges faced in the program's implementation;**
- g. The metrics the agency is collecting to measure the initiative's success; and**
- h. An assessment of the initiative's success thus far.**

A) Access to Justice

B) October 1, 2025

C) Ongoing

D) Funding is connected the training budget.

E) The initiative is not mandated by legislation

F) Consider using resources in the devel

G) The Commission is still considering how to measure success.

H) The Commission has successfully completed training and the development of plain language documents.

A) Online Searchable Database

B) October 1, 2025

C) September 30, 2026

D) In FY 26, \$30,000 was allocated in the budget for the development of the online database.

E) The Commission is required to make opinions under DC Code § 2-536(a) & (b) and § 42-3502.02(e).

F) The project is currently ongoing and is in development with OCTO.

G) The measure for success is for the searchable database to be live before the end of FY 26 and that all PDF cases are made available.

H) No current assessment has been made given that the project is ongoing.

34. 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.

The Fairness and Stability in Housing Amendment Act of 2024, effective May 2, 2025 (D.C. Law 25-324), changed the time for parties to file appeals of OAH decisions to the Commission, the time for the Commission to decide appeals, and authorized sanctions for parties failing to

appear at an ordered mediation. The Commission worked with OAH to assure parties received accurate notice of appeal rights immediately and published final rules reflecting these changes on October 10, 2025.

35. Customer feedback

- a. How does the agency solicit feedback from customers (i.e., District residents served)? Please describe.**
- b. What has the agency learned from this feedback?**
- c. How has the agency changed its practices because of such feedback?**

As an appellate judicial body, the Commission does not engage in customer feedback. However, what the Commission has done is consult and engage with stakeholders (i.e. Rent Administrator, Office of the Tenant Advocate, legal services agencies, and D.C. Superior Court) as well as accept public comments on proposed regulations.

Laws, Audits, and Reports:

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

The Commission does not have any legislative recommendations at this time. The Commission supported D.C. Law 25-324 and appreciates the Council’s action on the bill.

37. Please identify any regulatory impediments to your agency’s operations.

The Commission does not have any regulatory recommendations at this time.

38. 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.

The Commission has not been notified of any ongoing investigations, audits, or reports, and none have been completed during FY25 or FY26 to date.

39. 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.**

The RHC is unaware of any specific requests made over the past three years from the Office of the Inspector General, the D.C. Auditor; or any Internal audit matters. However, the RHC received two recommendations from BEGA’s Office of Open Government (“OOG”) to bring its website into compliance with the proactive disclosure requirements of the Freedom of Information Act (“FOIA”), D.C. Official Code §2–536.

In March 2023, OOG issued an advisory opinion based on a public request that Commission its orders dating back to November 2001 were not posted as required by FOIA. The Commission promptly corrected this, using a rudimentary Google Drive system to post past and future orders. In FY26, the Commission has entered and MOU with OCTO to develop a searchable database of orders.

In December 2025, OOG notified the Commission its website was missing other required information under FOIA, including:

- 2-536(a)(1) Personnel/Payroll
- 2-536(a)(2) Administrative Manuals
- 2-536(a)(4) Adopted Policy
- 2-536(a)(5) Rights of DC
- 2-536(a)(6) Account Information
- 2-536(a)(7) Meeting Minutes
- 2-536(a)(8) Building Permits
- 2-536(a)(10) General Index

The Commission reviewed OOG’s notice, the applicable requirements, how other agencies post such information, and what information is not applicable. In order to address the disclosures listed above the RHC submitted various change requests to OCTO, which were promptly completed that month.

40. 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

None.

41. 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.

None.

42. 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.).**

None.

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

- a. The source of complaint;**
- b. The process utilized to respond to the complaint or grievance;**
- c. Any changes to agency policies or procedures that resulted from the complaint or grievance; and**
- d. If resolved describe the resolution.**

FY25:

1. November 15, 2024: Equal Employment Opportunity Commission (“EEOC”)
 - a. Source: Employee; charge of discrimination regarding ADA accommodation and other matters
 - b. Status: Dismissed by EEOC November 19, 2024
 - c. Process: n/a
 - d. Policy: No change in Agency policy
2. December 30, 2024: Union Grievance
 - a. Source: AFGE Local 2725; complaint regarding notice to union and employee of reduction-in-force
 - b. Status: Denied by Agency as of January 2025; arbitration requested by Union; pending selection
 - c. Process: Reviewed by Agency; Agency represented by OLRCB for arbitration
 - d. Policy: No change in Agency policy
3. January 10, 2025: Office of Employee Appeals
 - a. Source: Employee; appeal of separation due to reduction-in-force
 - b. Status: Dismissed by administrative judge; pending appeal to full board
 - c. Process: Agency filed initial response; represented in litigation by Office of the Attorney General Personnel and Labor Relations Section (“OAG-PLRS”)
 - d. Policy: No change in Agency policy
4. March 6 & 11, 2025: Public Employee Relations Board

- a. Source: AFGE 2725; unfair labor practice complaints related to reduction-in-force and subsequent requests for information
- b. Status: complaints consolidated; pending before hearing examiner
- c. Process: Agency represented before PERB by Office of Labor Relations and Collective Bargaining (“OLRCB”)
- d. Policy: No change in Agency policy

FY 26:

- 1. November 7, 2025 (rec’d Jan. 7, 2026): EEOC
 - a. Source: Employee; charge of discrimination regarding reduction-in-force
 - b. Status: Dismissed by EEOC January 12, 2026
 - c. Process: n/a
 - d. Policy: No change in Agency policy

44. 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;
- b. The department(s) within the agency associated with each agreement; and
- c. Whether any agreements are required for specific positions (please list each position by division and program and indicate whether the position is contracted)

None.

Data

45. 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.

The Commission maintains one, internal tracking database through OCTO’s QuickBase system:

- a. This database maintains party and counsel contact information, property addresses, case filings & dates, decisions and orders, and miscellaneous notes.
- b. The database was first developed in 2007 when the Commission became part of DHCD.
- c. As noted above, the Commission is working with OCTO to deploy a public-facing database to search decisions and orders. Additional features such as case filings may be added in future versions.

46. 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:

- a. The status;**
- b. The purpose; and**
- c. A link (if published) to the study, research paper or analysis.**

Annual Adjustments

The Commission is required to certify and publish before February 1 of each year: the annual adjustment of general applicability of the rent charged for a rental unit under D.C. Official Code § 42-3502.06; the most recent annual cost-of-living adjustment of benefits for social security recipients established pursuant to § 415(i) of the Social Security Act, approved August 28, 1950 (64 Stat. 506; 42 U.S.C. § 415(i)); the maximum annual rent adjustment that may be imposed on a unit occupied by an elderly tenant or tenant with a disability pursuant to D.C. Official Code §42-3502.24(a); and the qualifying income for an elderly tenant or tenant with a disability to be exempt from an adjustment in the rent charged pursuant to D.C. Official Code §§ 42-3502.10,42-3502.11, 42-3502.12, and 42-3502.14 and whose rent charged may not be increased under D.C. Official Code § 42-3502.15.

The 2025 certification was published in the *D.C. Register* on January 17, 2025.
The 2025 certification will be published in the D.C. Register on January 22, 2025.

The Commission additionally publishes notice of the annual adjustment to the application fee limit provided in D.C. Official Code § 42-3505.10(b). This notice was published at the same time as the notice of rent adjustments.

The Commission additionally publishes notice of the languages required for notices to vacate under D.C. Official Code § 42-3505.01(a)(3). This notice was published at the same time as the notice of rent adjustments.

All notices are available at <https://rhc.dc.gov/page/rent-adjustments>.

Annual Report

The Chairperson is required to issue and transmit to the Mayor and the Council an annual report not later than 90 days after the close of the first complete fiscal year of the Commission’s operation as an independent agency, and each fiscal year thereafter, on the operations of the Rental Housing Commission. The FY 24 report was transmitted December 31, 2024 in FY 25. The FY 25 report was transmitted December 31, 2025 in FY 26.

47. 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”.

- a. Please include your Agency Code in the filename (e.g., AB0_2026_Contracts and Procurements.xls)**
- b. You may add additional lines to the sheet but please do not change any other formatting.**

See Attachments 6 & 7.

Misc.

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

The RHC lacks the funds to employ each administrative judge with a law clerk.

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

- Access to Justice Initiative
- Language Translation
- Legal Intern Recruitment

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

Administrative Judge Toya Carmichael is on the DC Access to Justice Commission.