



FY09 PERFORMANCE PLAN Office of the Tenant Advocate

MISSION

The mission of the Office of the Tenant Advocate (OTA) is to advocate for the rights and interests of the tenants of the District, and to educate and inform tenants, tenant organizations and the people of the District about tenant-related laws, rules and policy matters.

SUMMARY OF SERVICES

OTA provides education and outreach to the tenant community about laws, rules and other policy matters involving rental housing and tenant rights; represents the interests of tenants on legislative, regulatory and judicial matters; advises tenants on filing complaints and petitions regarding disputes with landlords; refers tenants who seek representation in administrative or judicial actions to attorneys or legal services and provides funding for representation in certain instances.

OBJECTIVE 1: Improve and enhance the agency's capacity to provide representation services to tenants involved in disputes with landlords.

INITIATIVE 1.1: Establish internal litigation capacity by hiring three attorney FTEs within a new Legal Services Division.

OTA now addresses legal issues raised by its customers by providing advice as to the relevant law, assisting with the filing of tenant petitions, and referring appropriate cases to contracted legal service providers. The new Legal Services Division will build on this existing case intake and referral system and will enable OTA to provide more tenants who are engaged in landlord/tenant disputes with representation. Attorney FTEs will represent tenants and tenant associations in certain administrative and judicial actions. The Supervisory Attorney for this Division and the other two other attorneys FTEs will be hired by the end of March 2009.

INITIATIVE 1.2: Develop criteria for the coordination of in-house representation and case referrals.

In consultation with contracted and other legal service providers, OTA will develop criteria for determining which cases are to be referred and which are to be litigated by Legal Service Division attorneys. This will promote administrative efficiency and better litigation services by ensuring that cases are allocated on the basis of organizational capacity, established areas of expertise and under-represented case types. A case referral and coordination process will be developed and implemented by the end of December 2008. Additionally, by September 2009, the OTA will conduct a thorough review and analysis of how well the process has worked to date. By the end of the December 2009, the OTA will have made any adjustments to the process regarding cases referred and cases kept for in house litigation, to streamline the process and to provide for a more optimal usage of internal and external resources.

INITIATIVE 1.3: Develop a tracking system for in-house representation and case referrals.

OTA will develop a system to track and quantify cases litigated in-house and referred cases to determine how well the criteria in Initiative 1.2 are being met. Data collected in the first year will provide a basis upon which to assess and improve the allocation of cases retained and cases referred in the out years. The OTA will develop and implement a tracking system for cases referred and those litigated in-house by the end of the March 2009.

OBJECTIVE 2: Create and improve channels of communication between the agency and the tenant community.



INITIATIVE 2.1: Create searchable database of rental housing case decisions.

This rental housing case database will include decisions of the Rental Housing Commission dating back to 1985, and those of the Office of Administrative Hearings dating back to October 2006, when OAH began to adjudicate these cases. Future plans in this area are to also include decisions of the D.C. Court of Appeals. This will provide tenant attorneys and pro se tenant litigants alike with a valuable legal research tool. The goal of this initiative is to help provide a research tool to inform both pro se tenants and tenant attorneys about the legal matters at issue in their cases, with reference to how similar matters have been decided in the past. The OTA has budgeted \$150,000 for this project in FY 2009. The database will be operational by the end of the July 2009.

INITIATIVE 2.2: Produce video instructing tenants about the tenant petition process.

OTA, in conjunction with the Office of Administrative Hearings (OAH), is preparing to produce a short video to inform tenants about the hearing process for rental housing cases. OTA has budgeted \$100,000 for this project in FY 2009. The goal is to educate tenants with cases pending before the Office of Administrative Hearings about the hearing process. OTA plans to begin showing the video at OAH and the TRC during the fourth quarter of FY 2009.



PROPOSED KEY PERFORMANCE INDICATORS

Measure	FY07 Actual	FY08 Target	FY08 YE Actual	FY09 Projection	FY10 Projection	FY11 Projection
Objective 1						
Number of contracts with outside legal providers and their areas of expertise.	N/A	N/A	7	8	10	10
% of tenant intake cases resolved through landlord action, assistance with petition filing, or case referral.	55%	65%	65%	75%	79%	85%
Objective 2						
% of final decisions and orders of the Rental Housing Commission, 1985 – 2007, to be included in database.	N/A	50%	0*	85%	85%	85%
% of final decisions and orders of the Office of Administrative Hearings, 2006 – 2007, to be included in database.	N/A	50%	0*	85%	85%	85%
% of identified tenant associations to be represented in tenant summit.	N/A	33%	33%	50%	50%	50%

* the funding for these two activities were projected to commence in fiscal year 08 did not received appropriated funding in 08 therefore the Agency projects these activities to be 85% complete in 09.