



Office of the Tenant Advocate OTA (CQ)

MISSION

The mission of the Office of the Tenant Advocate (OTA) is to provide technical advice and other legal services to tenants regarding disputes with landlords; to advocate for the rights and interests of District renters in the legislative, regulatory, and judicial contexts; to educate and inform the tenant community about tenant rights and rental housing matters; and to provide assistance for emergency housing when a tenant finds themselves temporarily displaced due to an unanticipated housing emergency as contemplated in the Housing Assistance Fund statute.*

SUMMARY OF SERVICES

OTA provides a spectrum of services to the tenant community to further each aspect of its mission. (1) OTA conducts educational seminars in a variety of contexts to inform tenants about their rights and other rental housing concerns. (2) OTA advises tenants on resolving, or filing complaints and petitions regarding, disputes with landlords; provides in-house representation for tenants in certain cases; and refers other cases to *pro bono* and/or contracted legal service providers and attorneys. (3) OTA works with other governmental entities, tenant stakeholders, and others to promote better tenant protection laws and policies in the District. (4) OTA provides financial assistance for emergency housing expenses under certain circumstances in order to fulfill the agency's mandate defined under the Housing Assistance Fund statute.*

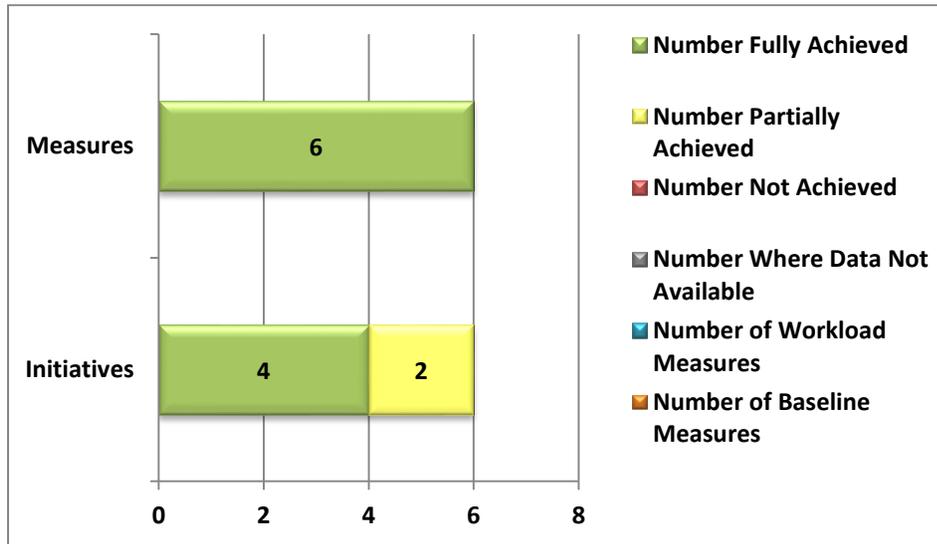
**PLEASE NOTE: Due to a change made in the FY 2012 Budget Support Act of 2011, the agency's establishment act rather than the Housing Assistance Fund statute is now the authority for the Emergency Housing Assistance Program.*

ACCOMPLISHMENTS

- ✓ OTA enhanced its Elderly and Disabled Rent Exemption Workshop; greatly increasing number of workshops held in the community (13), number of participants, as well as enhanced education material to the elderly and disabled community.
- ✓ Agency successfully made emergency housing available within 24 hours to 100% of displaced individuals eligible for housing assistance in Fiscal Year 2011. The OTA accomplished this as the number of displaced individuals served due to emergency continued to rise in FY 2011 (from 194 individuals displaced in FY 2009 to 299 displaced in FY 2011).
- ✓ Agency has significantly expanded its Rapid Response Program to include outreach to tenants upon the agency's receipt of certain rent control, TOPA, litigation, and other material. Specifically, the OTA sends letters to affected tenants to apprise them of their rights and of agency's availability to provide further assistance within 24-hours of our receipt of a copy of any of the following: a 501(f) application (regarding housing provider's application to the Rent Administrator for approval to issue 120-day notices to temporarily vacate while alterations and renovations are made); bi-weekly property list regarding foreclosure sales; Housing Provider or Tenant petition filed with the Rent Administrator; OAH mediation or hearing notice; and Offer of Sale under the Tenants Opportunity to Purchase Act.



OVERVIEW OF AGENCY PERFORMANCE





Performance Initiatives – Assessment Details

Performance Assessment Key:

-  Fully achieved  Partially achieved  Not achieved  Data not reported

Agency Response

OBJECTIVE 1: Ensure quality legal services “in-house” and from contracted legal service providers.

- **INITIATIVE 1.1: Expand the OTA’s case management system to enhance reporting capabilities.**
OTA has greatly expanded its case management system to collect a larger amount of client information, as well as to generate reports and notices more efficiently than previous system used. The new system allows for fifteen (15) additional informational fields to be entered for each client, as well as five (5) new “one click” generated reports (reports that the OTA uses frequently). This initiative was fully achieved.
- **INITIATIVE 1.2: Revise contracting process and contract terms for outside legal service providers and attorneys and enhance tracking of case referrals to better ensure quality control compliance.**
The OTA is working with the Office of Contract and Procurement to develop smooth cohesive communication system that allows contracted legal service providers and attorneys to better understand their roles and responsibilities. This initiative was partially achieved.
- **INITIATIVE 1.3: Initiate the in-house “hot line” case management retired attorney program.**
In FY 2011 the OTA developed the framework for the in-house “hot line” case management retired attorney program, however due to budget restraints this initiative was not an option. In its place, the OTA greatly enhanced its Tenant Hotline and Legal Intern Program. The Tenant Hotline provides a web-based “Ask the Director” forum and responds to Mayoral, Council, inter-agency, and community inquiries about tenant rights and rental housing law. In FY 11, the OTA received and responded to 232 of these online inquiries. The Legal Intern Program allows for OTA to introduce law students and “pre-law” college undergraduates to the work of the OTA, while supporting the agency’s legal and legislative efforts. This initiative was changed due to budgetary constraints – an alternative initiative was fully achieved.

OBJECTIVE 2: Inform the tenant community about tenant rights and related issues.

- **INITIATIVE 2.1: Develop an educational curriculum for the Latino tenant community.**
The OTA has developed and launched an educational workshop designed specifically for Hispanic tenants. This Spanish spoken workshop is designed to inform the Hispanic community of their basic rights as District tenants. Some of the topics covered include leases, security deposits, rent control, housing discrimination, government and community resources available to them, conversions and sales, relocation assistance and evictions. Educational handouts are prepared in Spanish and English for this workshop. In FY 2011, the OTA held its 4th Annual Tenant & Tenant Association Summit in which “Tenants Rights Basics 101: What Every DC Tenant Needs to Know” was offered in Spanish. This workshop was heavily attended and received outstanding reviews from participants. The OTA continues to document trends in the District Hispanic community through its case intake, as well as reaches out to Hispanic community organizations (including the Carlos Rosario Charter School) to further develop its educational curriculum for the Latino tenant community. This initiative was fully achieved.



- **INITIATIVE 2.2: Revise current educational materials informing tenants about rental housing legal issues.**

In FY 2011, the OTA developed new and improved educational materials for the tenant community. Many new informational resources have been made available to the tenant community—booklets, information packets, as well as many online options, that include educational video, and soon to come, educational apps. This initiative was fully achieved.

OBJECTIVE 3: Provide financial assistance for certain emergency housing and tenant relocation expenses as defined in the Housing Assistance Fund law.

- **INITIATIVE 3.1: Develop regulations consistent with the Emergency Housing Program.**

The OTA's Proposed Rulemaking for the Emergency Housing Assistance Program (EHAP) was published in the DC Register on May 27, 2011 (Vol. 58 – No. 21, pp. 004655-664). Upon the request of a non-profit legal service provider, the OTA accepted extensive comments after the expiration of the 30-day comment period. The OTA then met with the legal service provider to discuss the rulemaking and the comments. To the extent that the comments raised legal issues, we discussed them with ODAI and OAG, and also DHS regarding the commenter's (incorrect) position that the hearing and appeal provisions of the "Homeless Services Reform Act" apply to EHAP. Nevertheless, OTA has agreed to add a lesser remedy – an internal agency review procedure -- for a tenant who may be aggrieved by an adverse agency determination. We are also discussing with ODAI whether these and other changes are substantial enough to warrant a second Proposed Rulemaking and a (potentially shorter) public comment period. Finally, as this is the agency's first rulemaking, we believe it is important to develop a model public comment process in conformity with federal transparency standards, including specific responses to each comment, which can then be applied to any future OTA rulemaking. We anticipate that these matters will be resolved within a few weeks which will allow for publication of a second Proposed Rulemaking, if necessary, or the submission of a revised rulemaking for Council approval. This initiative was partially achieved (all but Council submission).



Key Performance Indicators – Details

Performance Assessment Key:

● Fully achieved
 ● Partially achieved
 ● Not achieved
 ● Data not reported

		Measure Name	FY2010 YE Actual	FY2011 YE Target	FY2011 YE Revised Target	FY2011 YE Actual	FY2011 YE Rating	Budget Program
●	1.1	% of tenant intake cases resolved	100%	85%		100%	117.65%	LEGAL ADVOCACY PROGRAM
●	1.2	# cases initiated	2,261	2,500		2,615	104.60%	LEGAL ADVOCACY PROGRAM
●	2.1	# of rental housing case abstracts to be included in database	100	75		118	157.33%	LEGAL REPRESENTATION
●	2.2	% of identified tenant associations to be represented in tenant summit	53%	50%		85%	170%	HOUSING ASSISTANCE COMMUNITY SVC PROGRAM
●	3.1	% of all Housing Assistance Fund cases resolved through relocation-funding assistance	100%	90%		100%	111.11%	HOUSING ASSISTANCE COMMUNITY SVC PROGRAM
●	3.2	% of households eligible for housing assistance for whom OTA made emergency housing available within 24 hours	100%	90%		100%	111.11%	HOUSING ASSISTANCE COMMUNITY SVC PROGRAM