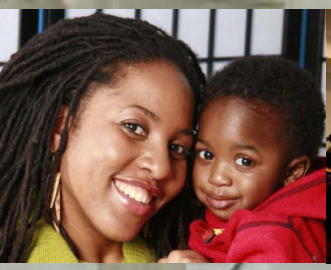
Putting People First



Office of the Tenant Advocate

Annual Report 2009

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Letter to the Council

On behalf of the Office of the Tenant Advocate, I am pleased to submit the OTA's third annual report to Mayor Adrian Fenty and the Council of the District of Columbia.

Like all Americans, District residents will long remember FY 2009 for the worst economic downturn since the Great Depression. District renters and homeowners were affected in many similar and in some dissimilar ways. Almost everyone felt the impact of tightened credit; increased joblessness and job insecurity; big losses in investment and pension funds; and the housing crisis.

While homeowners were experiencing dramatic declines in home values, many tenants were experiencing the squeeze of stagnant paychecks or social security checks, at the same time they received uncomfortable -- and for some unaffordable -- rent increases. The growing impact of foreclosures on District tenants was a particularly disturbing development. District law protects tenants against eviction when a rental accommodation is foreclosed upon. But too often the effort is made to force tenants out of their homes anyway -- and too often that effort is successful.

The sagging economy only adds to challenges the tenant community faces perennially: the need to improve housing code enforcement and preserve affordable housing; dislocations due to fires or government closures; the constant threat that tenants will be disenfranchised of their rights due to the lack of affordable legal representation, or simply due to a lack of information.

This year of great challenges for the tenant community was also a year of great strides for the OTA. In FY 2009, the OTA:

- Served 1,838 tenants through the complaint intake process -- a 31% increase over FY 2008 and a 67% increase over FY 2007.
- Provided emergency housing assistance within 24 hours to 100% of eligible households, including a total of 86 cases and 194 displaced individuals.
- Initiated in-house legal representation for tenants in litigation with their landlords. Since being hired, our new Attorney Advisor has represented more than twenty District tenants in both administrative and judicial cases involving major housing code violations, unlawful rent increases, wrongful evictions, and TOPA violations.
- Developed and informed policy initiatives -- in consultation with the Council, the Mayor, sister agencies, OTA stakeholders, tenant advocates, and interested others -- on a wide variety of issues, including housing code enforcement, rent control, TOPA, energy efficient and lead-free buildings, and foreclosures.
- Mailed letters to occupants at 896 properties throughout all of the District's 8 Wards that were listed for foreclosure sales, apprising them of tenant rights and where to seek help.
- Expanded community participation at the OTA's Annual Tenant Summit to 439 registrants, a 96% increase in participation from the previous year -- including three packed-house break-out sessions on housing code violations, tenant association creation and governance, and the Rental Housing Act.
- Held a well-attended Legal Summit to discuss with the District's "tenant bar" the range of legal challenges confronting the tenant community.
- Developed a web-based database of decisions and orders in rental housing cases.
- Vastly enhanced our electronic case and data management resources to better manage and track emergency housing cases, intake cases, tenant petitions, housing provider rent increase petitions, and agency outreach.

As I approach the fourth anniversary of my becoming the first Chief Tenant Advocate for the District of Columbia, I am ever more keenly aware of the scope of our mission and its importance to the 60 percent of District residents who are renters. I am also very proud of the progress we are making together -- the OTA in collaboration with our colleagues in the government and in the community -- to fulfill that mission.

Johanna Shreve
Chief Tenant Advocate
D.C. Office of the Tenant Advocate

About the Office of the Tenant Advocate

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 educate and inform the tenant community about tenant rights and rental housing matters; to advocate for the rights and interests of District renters in the legislative, regulatory, and judicial contexts; and to provide financial assistance for certain emergency housing and tenant relocation expenses as defined in the Housing Assistance Fund statute.

SUMMARY OF SERVICES

The OTA provides a range of services to the tenant community to further each aspect of its mission.

(1) OTA provides technical advice and legal services to tenants regarding disputes with landlords;

(2) OTA educates and informs the tenant community about tenant rights and rental housing matters;

(3) OTA advocates for the rights and interests of District renters in the legislative, regulatory, and judicial contexts;

(4) OTA provides financial assistance for certain emergency housing and relocation expenses to tenants displaced by fires, floods or government closures.

About the Office of the Tenant Advocate

Policy Advocacy

Monitors and tracks relevant legislative and regulatory developments and provides updates to tenant stakeholder group;

Provides advice and analysis in response to inquiries regarding existing tenant rights and rental housing law;

Researches and analyzes law and policy and "best practices" regarding challenges confronting the tenant community;

Works with sister agencies to improve administrative practices and policies to increase effectiveness of existing tenant protections; and

Consults with stakeholders and other tenant advocates; organizes special-issue working groups; and develops reform ideas and policy recommendations to the Council, the Mayor's office, and sister agencies that will improve the lives of District tenants.

Community Outreach & Education

Preparation for Building Wide Inspection – assists tenants in preparation for building wide inspections, and conducts visual investigations as the first phase of DCRA's inspection process;

Provide Educational Resources – creates educational material on rental housing laws, rules, regulations and policies, especially rights to petition and to form tenant associations;

Stakeholder Meetings – provides monthly opportunities for activists and other members of the tenant community to learn about legal and legislative developments and participate in developing policy recommendations;

Annual Tenant Summit – provides a comprehensive, large scale educational opportunity for tenants District-wide to learn of developments in tenant law and explore ways to promote tenants' quality of life.

Sustainability of Tenant Association – works with tenants and resident organizations to build strong leadership, and promote good communications between tenants and landlords.

Workshops - conducts topical education workshops to reinforce tenants understanding of their rights;

Community Organizing – coordinates and communicates with community based organizations on specific cases and community concerns; and

Tenant Rights – educates tenants and tenant associations about rent control, the tenant right of purchase, and other important tenant rights.

Legal Representation

Legal Rights – advises tenants of their legal rights, individually and in group settings;

Representation – provides legal representation on a case-by-case basis as resources allow, and assists tenants in finding representation for court and administrative proceedings;

Tenant Petition Filing – assists tenants in completing and filing tenant petitions and drafting other court documents;

Resolution – assists tenants in mediation and other alternate dispute resolution forums, including direct contact and negotiation with landlords; and

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.

Emergency Housing

Hotel Accommodations – provides temporary housing solutions that allows tenants to focus on new housing alternatives;

Financial Assistance – provides first month's rent, security and/ or utility deposits and application fees for replacement rental housing;

Storage – assists tenants with packing, moving and storage of personal possessions for up to 60 days; and

Coordination of Services – coordinates with other District agencies and community-based organizations to ensure that appropriate services are provided to displaced tenants.

Paperless

Home | Complaint Intake | Emergency Housing Tracker | Outreach | Tenant Petitions | Legal Service Division | ...g Provider Petitions

OTA electronically tracks—

Tenant Advocacy Cases

Emergency Housing Assistance

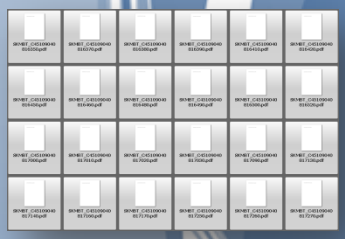
OTA Outreach to Communities

And stores petitions here–

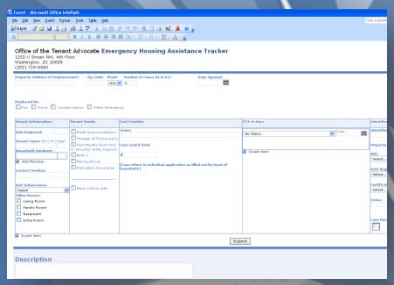
Tenant Petitions e Library

Housing Provider Petitions e Library

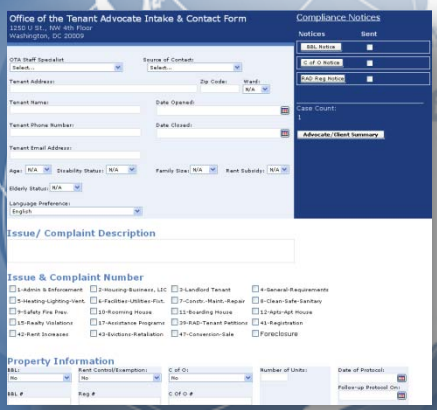
Paperless



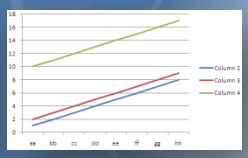
In FY 2009 the OTA continued the progress we made in FY 2008 to build a more efficient data collection and management system. The OTA has begun to store tenant and housing provider petitions in a newly developed electronic "**Petition Library**," a shared site that enables the agency to store, search, and view all petitions in the database, and sort them by Ward, Address, Date of Filing, Date Received, Tenant Name, Housing Provider Name, etc. This technology allows us to better track tenant and housing provider petition cases, better meet the needs of our clients, and generate reports upon request.



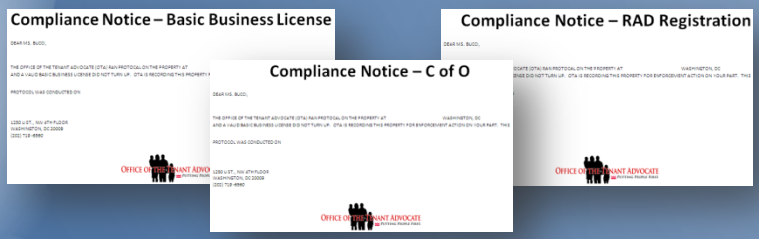
OTA have also developed and implemented an **Emergency Housing** Assistance electronic tracking system to memorialize and track each request for emergency housing and tenant relocation assistance. The tracking system stores key information, including: identifiers for the tenant, property, and housing provider; the circumstances of the request; OTA action items and agency expenditures; the housing status of each client through temporary and permanent relocations; and other key information. This data can now be more easily searched and housing assistance reports more easily produced.



Column 1	Column 2	Column 3	Column 4
aa	1	1	1
bb	2	2	2
cc	3	3	3
dd	4	4	4
ee	5	5	5
ff	6	6	6
gg	7	7	7
hh	8	8	8



In FY 2008 OTA began use of a new tracking system -- Complaint Intake I -- which enables the OTA to electronically record the progress in each individual intake case. As Fiscal Year 2009 came to a close, an updated version has been developed. Beginning in April 2010, OTA will begin using new **comprehensive case management technology** ("**Intake-II**") to record key information for each tenant contact; generate Advice Forms at the click of a mouse; generate notices to housing providers, DCRA, and/or DHCD regarding rental properties that are non-compliant with licensing, registration, and occupancy requirements; and generate "rapid-response" reports at the request of the Mayor and the Council.



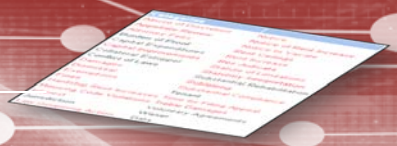
Rental Housing Decisions Database

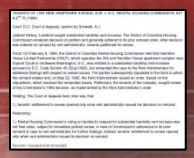
Choose from 3 Categories… Search… View!

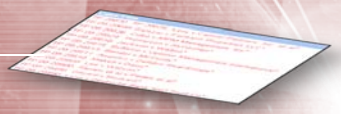
Court of Appeals – Abstracts of Decisions

Office of Administrative Hearings Decisions

Rental Housing Commission Decisions







DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

TP 28,720

In re: 2000 F Street N.W., Unit 316

Ward Two (2)

HAMED M. SHAMMA
Tenant/Appellant

v.

CAPRITZ COMPANY
Housing Provider/Appellee

DECISION AND ORDER

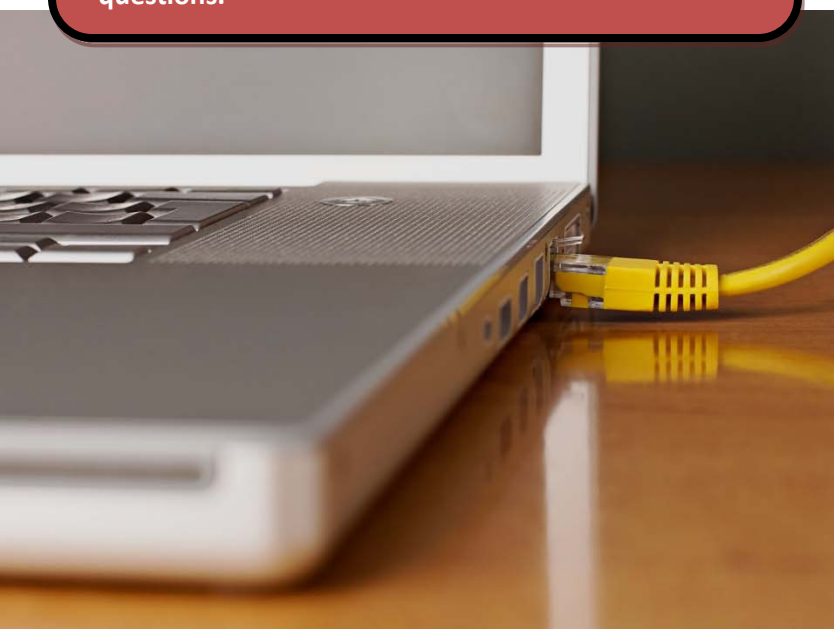
June 1, 2007

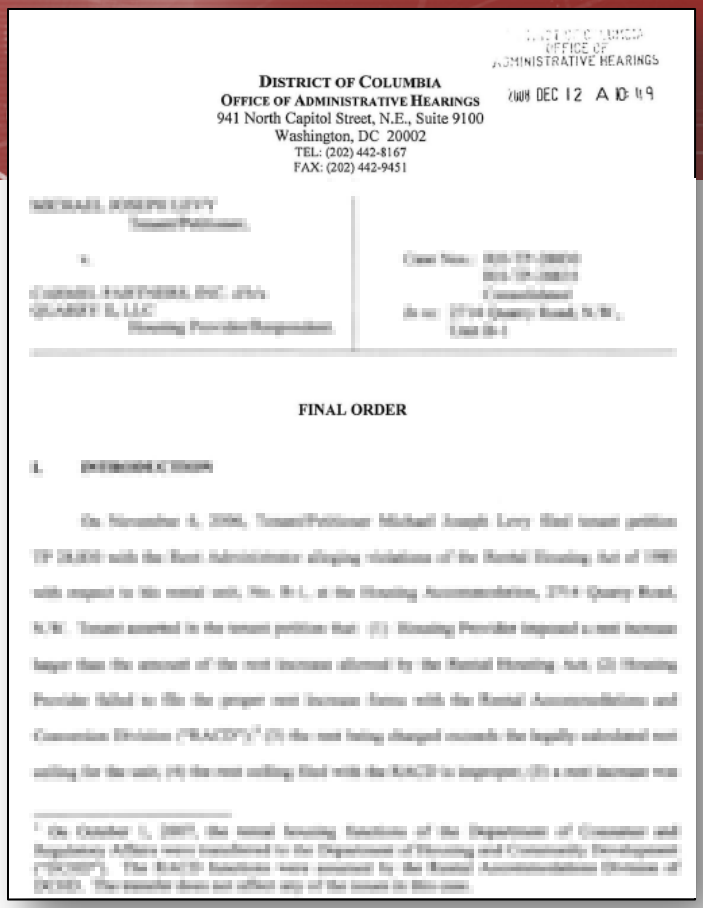
PER CURIAM: This case is on appeal from a final order of District of Columbia, Office of Administrative Hearings (OAH), to the Rental Housing Commission (RHC), pursuant to the Rental Housing Act of 1985 (Act), D.C. OFFICIAL CODE § 42-3501.01 3509.07 (2001), and the District of Columbia Administrative Procedure Act (DCAPA), D.C. OFFICIAL CODE §§ 2-501-510 (2001). The District of Columbia Municipal Regulations (DCMR), 14 DCMR §§ 3800-4399 (2004) also apply.

I. PROCEDURAL HISTORY

On July 20, 2006, Hamed M. Shamma filed Tenant Petition (TP) 28,720. The tenant named the Capritz Company, agent for the owner of the housing accommodation located at 2000 F Street, N.W., Unit 316 (Record at 24-25) as the housing provider. In the petition, the tenant stated that "[t]he rent ceiling filed with the Rental Accommodations and Conversion Division for

Visit the Rental Housing Decisions Database at www.ota.dc.gov to search for and view Abstracts of Court of Appeals Decisions; OAH Decisions; and Rental Housing Commission Decisions; as well as ask questions.





OFFICE OF ADMINISTRATIVE HEARINGS

2004 DEC 12 A 10:49

DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS
941 North Capitol Street, N.E., Suite 9100
Washington, DC 20002
TEL: (202) 442-8167
FAX: (202) 442-9451

FINAL ORDER

Community Advocacy

Key 2009 Accomplishments

1. In-house legal representation of tenant petitions.
2. Creation of a database of District rental housing decisions and orders.
3. Hosted the First Legal Summit.
4. Enhanced interagency partnerships.

Key Accomplishment One

OTA Achievements

- OTA hired its first litigation attorney. He currently maintains an active caseload of between 15 and 20 tenants, and has provided formal and informal legal assistance to several hundred tenants since his start with the Office.
- Development of an in-house legal tracking system that provides a brief description of the case and the current status of the case. The system is expandable and will accommodate additional litigating attorneys.

Key Accomplishment Two

OTA Achievements

- OTA successfully collected and transferred all Rental Housing Commission decisions from 2002-present, into a text-searchable format. These decisions are not readily available from any other source. The decisions are available to legal professionals and the public at http://ota.dc.gov/ota/cwp/view,a,3,q,577223.asp.
- OTA successfully collected and transferred all tenant-related Office of Administrative Hearings decisions from January-September, 2009, into a text-searchable format. These decisions are not readily available from any other source. The decisions are available to legal professionals and the public at http://ota.dc.gov/ota/cwp/view,a,3,q,577146.asp.
- OTA created the abstracts of sixty-five tenant-related DC Court of Appeals decisions and transferred the decisions into a text-searchable format. These abstracts are not readily available from any other source. The decisions are available to legal professionals and the public at http://ota.dc.gov/ota/cwp/view,a,3,q,577181.asp.

Challenges Overcome

- OTA does not have ownership of the decisions posted to the website; therefore, decisions must be acquired on a timely basis from the Rental Housing Commission and the Office of Administrative Hearings. RHC and OAH have been very cooperative.

Key Accomplishment Three

OTA Achievements

- OTA has overcome the inertia of many disparate entities working individually for the benefit of the District's tenants and has laid the groundwork for a unified effort. That effort continues.
- OTA encouraged forty legal professionals who practice on behalf of tenants to attend and participate in the First-Annual Tenant Legal Summit. Participants represented non-

Community Advocacy

profit agencies, solo practitioners, and staff attorneys from large District law firms.

- OTA provided a balanced program encompassing a detailed review of the major developments in tenant-related caselaw, statutes, and regulations. In addition, the OTA program included discussion regarding how participants could better coordinate services to the tenant community.

Challenges Overcome

- OTA created all content from scratch. OTA is working with partners in the legal community to cooperate in the development of broad-based content for the Second-Annual Tenant Legal Summit.

Key Accomplishment Four

OTA Achievements

- OTA implemented an ongoing cooperative policy of collecting, reviewing, and recording historical and current decisions and orders of the Rental Housing Commission and Office of Administrative Hearings.
- OTA negotiated with DCRA to establish the protocols for building-wide inspections of rental housing properties. The negotiations resulted in an Administrative Issuance numbered 2-01 A-09.
- OTA negotiated a District-wide protocol establishing procedures that may be employed when District tenants are displaced through natural disaster or governmental action.

Challenges Overcome

- OTA has negotiated a MOU with DCRA which has stabilized access to databases necessary to evaluate tenants' legal postures.
- Establishment of a consistent protocol for implementation of assistance to tenants displaced through natural disaster or governmental action. Based on that protocol, OTA has had to decline requests to provide assistance to those not qualified. OTA has also extended the length of assistance when other governmental action has not timely resolved the displacement needs of the tenants.
- OTA has worked with other agencies to develop means of assisting District tenants who are without personal documentation.
- OTA has reprogrammed budget allocations to continue serving displaced tenants.

Key 2010 Goals

1. Additional in-house legal representation of tenant petitions. The DC Council provided OTA with authority to engage an additional full-time litigating attorney. The recruiting process is in place.

2. Development of a Boolean search engine for the web-based database of Rental Housing Commission and Office of Administrative Hearings rental housing orders and decisions. This search engine will allow legal professionals and the public to search heretofore unavailable caselaw in the same manner as used by commercial legal database services.

3. Enhance and Annualize the Legal Summit. OTA has already begun preparations for the Second Annual Tenant Legal Summit. OTA anticipates increased participation in the 2009 Tenant Legal Summit and the inclusion of additional interactive sessions.

4. Enhance Interagency Cooperation and Coordination. OTA anticipates refinement of the District-wide emergency housing protocols. OTA also anticipates enhanced coordination of the building-wide and proactive inspection processes. In addition, OTA, expects to work closely with OCTO to resolve any issues required to implement the Boolean search engine for rental housing decisions and orders.

Summit Quote

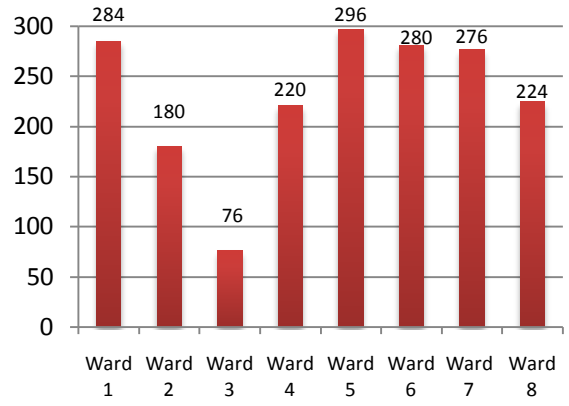
"What we aim to do is to make sure that tenants know their rights, and we're going to put them in the statute. What I envision is [that] anytime you sign a lease that this Bill of Rights will be an addendum to that lease. It should make very clear all of the issues that are available to you. We want you to have the information in the right place." (**Ward 4 Councilmember Muriel Bowser**)

Case Management Summary

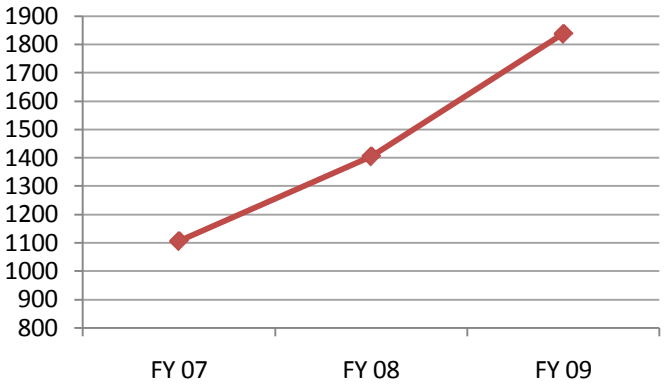
Tenant Complaint Cases Served

The Office of the Tenant Advocate (OTA) received a total of **1,838** tenant complaints in Fiscal Year 2009. 1691 (92%) of these cases have been resolved leaving only 147 (8%) pending cases for the Fiscal Year. Ward 5 reported the greatest number of complaints with 296 (16%) while Ward 3 accounted for the fewest number of complaints with 76 (4%).

Breakdown by Ward



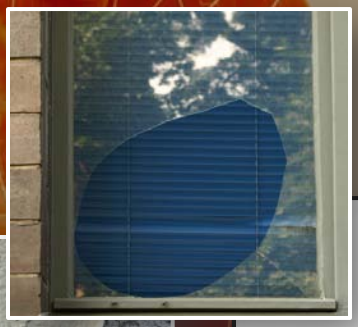
Case Growth by Fiscal Year



Fiscal Year '09's service of 1,838 tenant complaint cases was a 31% increase over FY 2008 and a 67% increase over FY 2007.

Case Management Summary

Landlord Harassment



Peeling Paint

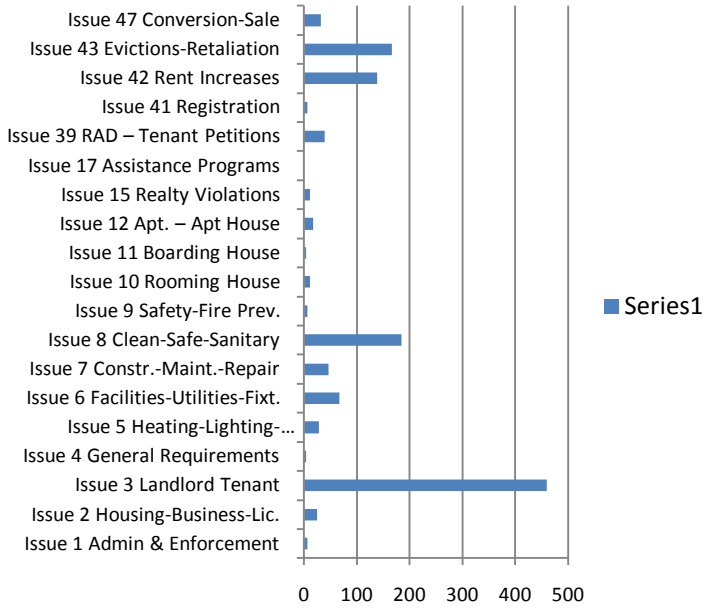
Sanitary Issues

Tenant Issues in the District

Tenant Issues

The top 5 issues reported in FY '09 were Issue 3, Issue 8, Issue 43, Issue 42 and Issue 6. (Refer to Table –**Tenant Issues across the City**) Issue 3 Landlord Tenant, the most prominently reported issue in FY '09 had a count of 460. This issue includes complaints pertaining to leases, security deposits and retaliatory acts against tenants. This issue was the top issue reported in all wards.

Tenant Issues Across the City



Tenant Issues Across the City

Issue - Description	Count
Issue 1 Admin & Enforcement	7
Issue 2 Housing-Business-Lic.	25
Issue 3 Landlord Tenant	**460**
Issue 4 General Requirements	4
Issue 5 Heating-Lighting-Venting	28
Issue 6 Facilities-Utilities-Fixt.	**67**
Issue 7 Constr.-Maint.-Repair	46
Issue 8 Clean-Safe-Sanitary	**184**
Issue 9 Safety-Fire Prev.	7
Issue 10 Rooming House	11
Issue 11 Boarding House	4
Issue 12 Apt. – Apt House	18
Issue 15 Realty Violations	11
Issue 17 Assistance Programs	0
Issue 39 RAD – Tenant Petitions	39
Issue 41 Registration	7
Issue 42 Rent Increases	**138**
Issue 43 Evictions-Retaliation	**166**
Issue 47 Conversion-Sale	32

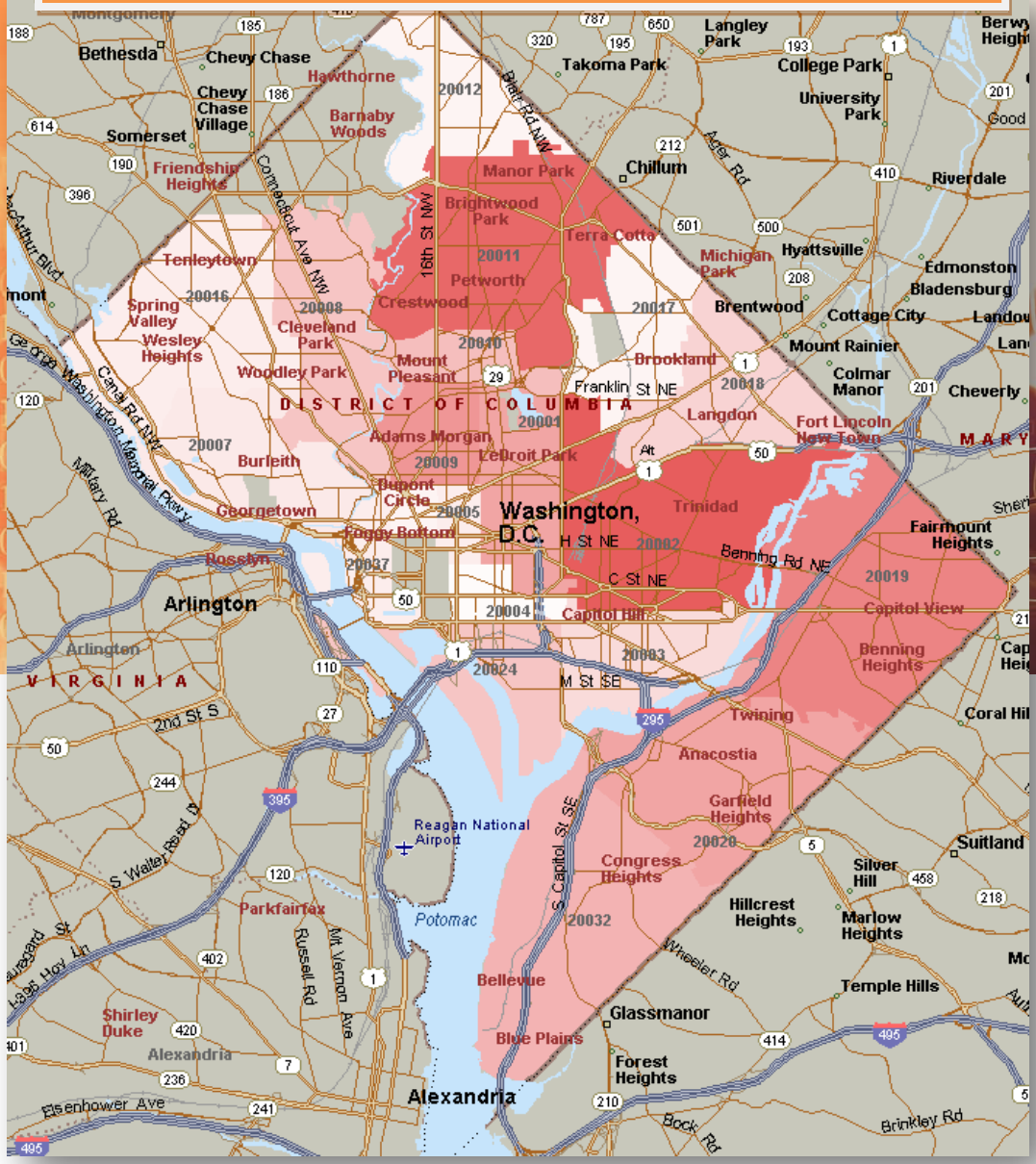
Top 5 Issues by Ward

Ward	Issues
Ward 1	3,42,8,43,7
Ward 2	3,43,8,42,6
Ward 3	3,42,2,5,7
Ward 4	3,8,6,7,5
Ward 5	3,8,43,42,7
Ward 6	3,42,43,8,6
Ward 7	3,8,43,42,7
Ward 8	3,8,6,43,42

! For more information on the Issue categorization, please refer to the **Glossary Section**.

Case Management Summary

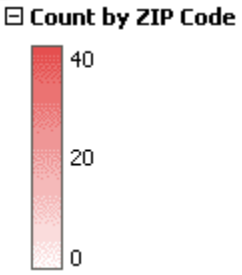
The below map shows the distribution of tenant petitions filed across the District, by Zip Code.



A tenant who believes that her/his rights have been denied based upon the statutory provisions outlined in the Rental Housing Act of 1985 (and all related amendments) has the right to file a tenant petition at the Office of the Rent Administrator -Department of Consumer and Regulatory Affairs.

To learn more about the Tenant Petition process, please visit our website at www.ota.dc.gov

Tenant Petitions

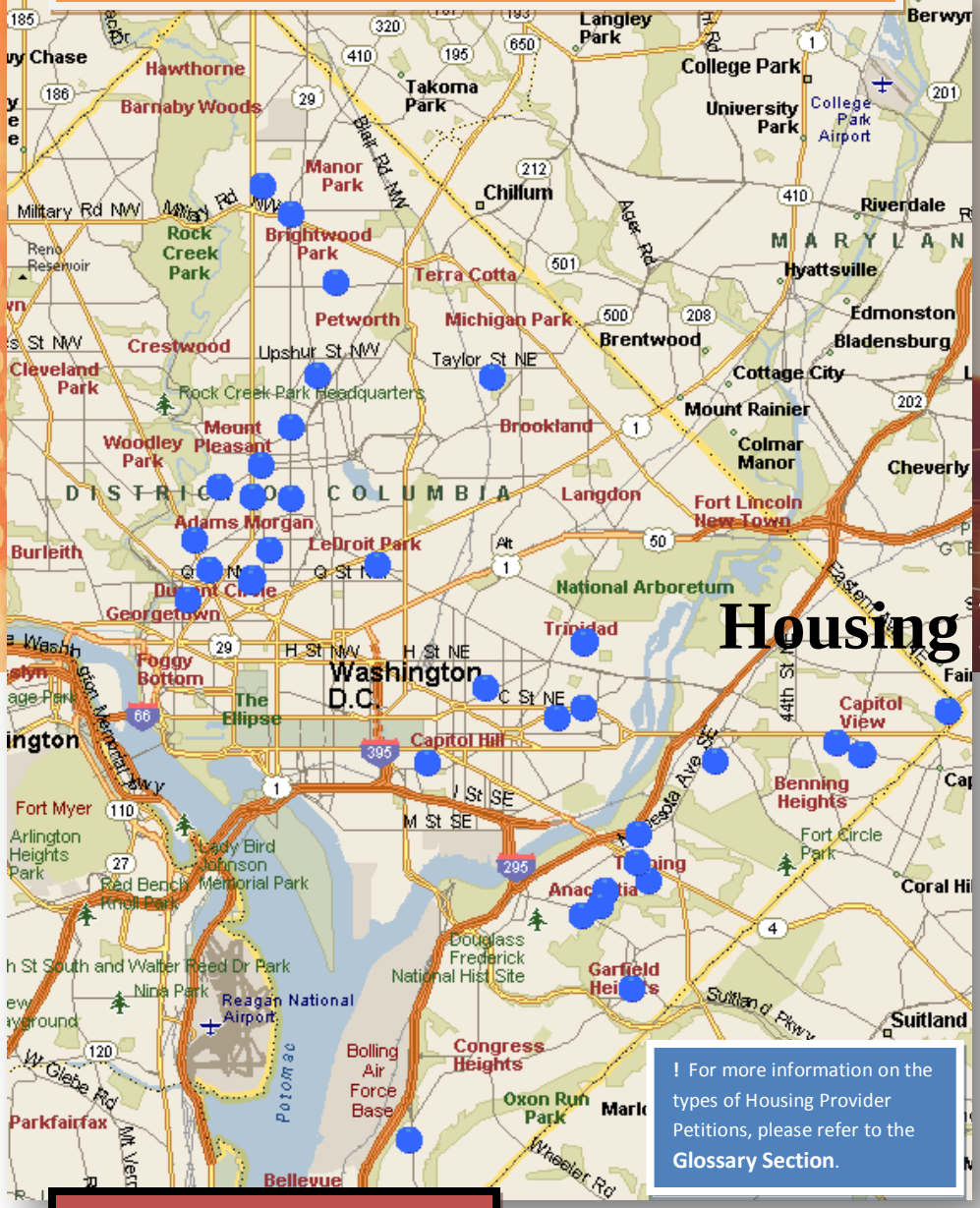


The Office of the Tenant Advocate had 263 tenant petitions on file for Fiscal Year 2009. The above map shows the distribution of tenant petition filings throughout the District. The darker shades represent more tenant petitions being filed on properties in those areas. The highest concentration of tenant petitions were filed in the 20011 and 20002 Zip Codes. Zip Codes 20012, 20017, 20004, and 20005 had little or no tenant petitions filed.

Tenant Petition Summary	
Tenant Petitions Total	263
Tenant Petitions Resolved	172
Tenant Petitions Pending	91

Case Management Summary

Map below shows distribution of Housing Provider petitions filed across the city in Fiscal Year 2009.



! For more information on the types of Housing Provider Petitions, please refer to the **Glossary Section**.

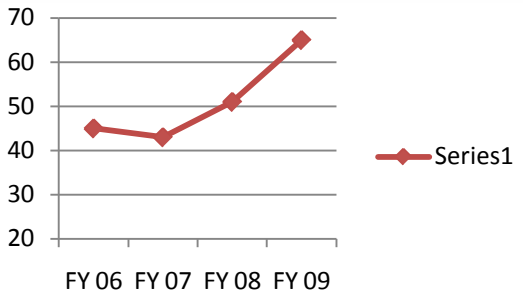
OTA has a total of **63** Housing Provider Petitions on file for the Fiscal Year, consisting of 14 Hardships, 1 Capital Improvement, 1 Substantial Rehabilitation, 19 Voluntary Agreements, and 28 Petitions for Change in Services and Facilities.

Housing Provider Petitions

FY 2009 Housing Provider Petitions

Housing Provider Petition Chart '09	
Hardship Petitions	14
Capital Improvement	1
Substantial Rehabilitation	1
Voluntary Agreement	19
Petitions for Change in Services and Facilities	28
Total Housing Petitions	**63**

Housing Provider Petitions filed over 4 years



Housing Provider Petition 09 Graph

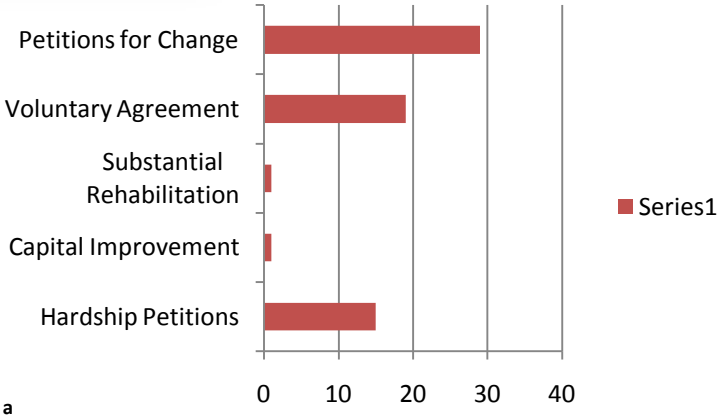
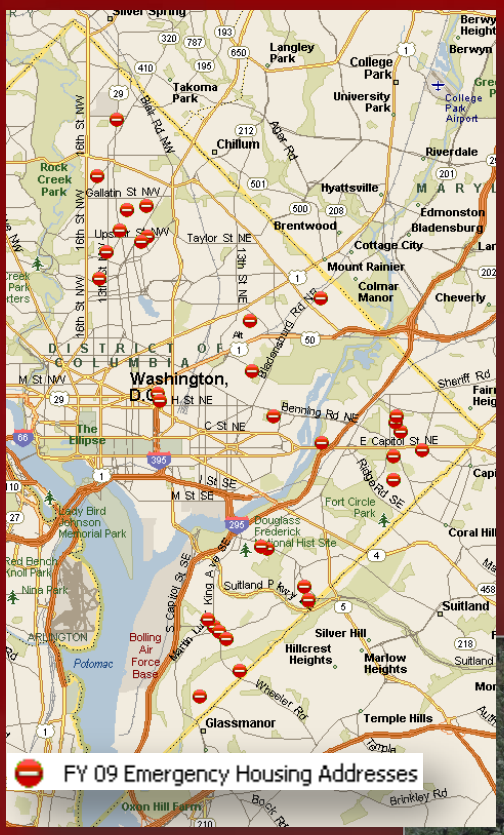
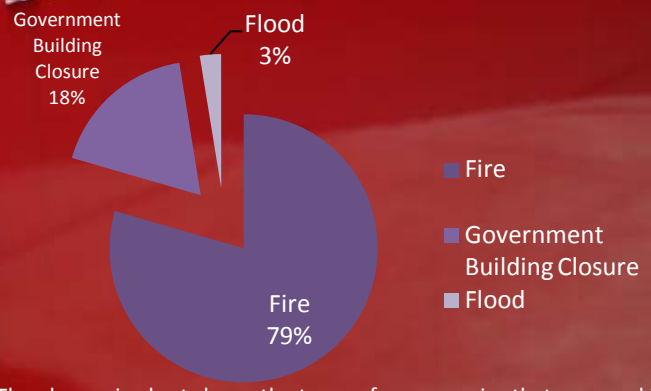


Chart above shows an increase in Housing Provider Petitions over 4 years. In FY '06 there were 45 Housing Provider Petitions on file and in FY 09, 63. Graph to the right shows 28 Petitions for Change in Services and Facilities, a petition that received 0 filings in FY 08, and 2 in FY 07 and FY 06.

Emergency Housing Assistance Program





The above pie chart shows the types of emergencies that occurred in FY 09 (that required emergency housing assistance services from OTA). The overwhelming majority of displacements were due to fire.

In the event of displacement due to emergency, OTA provides the following services to qualified tenants to prevent homelessness as they find new housing—

- Hotel Accommodations
- Storage
- First Month's Rent
- Security/Utility Deposit

In FY 2009, OTA received **86 Emergency Housing cases**. In total, **194 displaced individuals** were provided services from OTA. Map above shows locations of properties where tenants were displaced from due to emergency.

Summit Quote

"We need tenant advocates in our government more than ever… With this economy downturn, with the fact that landlords are searching evermore diligently for every nickel, for every way to get around providing the type of quality services and housing that we want to be committed to in this city—its especially important that we have this Office."
(**Ward 1 Councilmember Jim Graham**)

Legislative Report

In 2009, the OTA helped draft, testified about, and/or offered recommendations for key tenant and rental housing-related legislation including…

B18-0042, "TENANT PROTECTION ACT OF 2009"

B18-0064, "LEAD HAZARD PREVENTION AND ELIMINATION AMENDMENT ACT OF 2009"

B18-0068, "OFFICE OF ADMINISTRATIVE HEARINGS AMENDMENT ACT OF 2009"

B18-0092, "OMNIBUS RENTAL HOUSING AMENDMENT ACT OF 2009"

B18-0104, "TENANT ACCESS TO JUSTICE REFORM ACT OF 2009"

B18-0170, "TENANT OPPORTUNITY TO PURCHASE PRESERVATION CLARIFICATION EMERGENCY AMENDMENT ACT OF 2009

B18-0171, "TENANT OPPORTUNITY TO PURCHASE PRESERVATION CLARIFICATION TEMPORARY AMENDMENT OF 2009

B18-0179, "TENANT OPPORTUNITY TO PURCHASE PRESERVATION CLARIFICATION ACT OF 2009"

B18-0174, "RENT CONTROL PROTECTION AMENDMENT ACT OF 2009"

B18-0242, "TENANT OPPORTUNITY TO PURCHASE EXEMPTION CLARIFICATION AMENDMENT ACT OF 2009"

B18-0407, "TENANT ADVISORY COUNCIL CLARIFICATION AMENDMENT ACT OF 2009"

B18-0484, "TENANT BILL OF RIGHTS AMENDMENT ACT OF 2009"

B18-0598, "TENANT ORGANIZATION PETITION STANDING AMENDMENT ACT OF 2009"

PR18-0538, "RENTAL HOUSING COMMISSION PETER SZEGEDY-MASZAK CONFIRMATION RESOLUTION OF 2009"

PR18-0539, "RENTAL HOUSING COMMISSION CHANTAL JEAN-BAPTISTE CONFIRMATION RESOLUTION OF 2009"

PR18-0599, "RENTAL HOUSING COMMISSION JEFFREY POYDRAS CONFIRMATION RESOLUTION OF 2009"

Legislative Highlights

Housing Code Enforcement

B18-0042 TENANT PROTECTION ACT OF 2009

B18-0092 OMNIBUS RENTAL HOUSING AMENDMENT ACT OF 2009

B18-0104 TENANT ACCESS TO JUSTICE REFORM ACT OF 2009

Purpose: Enforcement of the basic tenant right to safe and sanitary housing is simply not as reliable and effective as it should be. Bills 18-42, 18-92, and 18-104 were introduced at the Council to improve the government's and tenants' ability to enforce the housing code. Among the proposals, DCRA would be required to regularly inspect all rental properties in the District; notify tenants of any DCRA housing code enforcement action against their housing provider, and allow tenants to provide relevant evidence; and prioritize the use of the Nuisance Abatement Fund to prevent the displacement of tenants from affordable rental housing. D.C. Superior Court would be required to create a summary process at the Landlord & Tenant Branch for tenants to seek redress against housing providers who fail to maintain the accommodation in compliance with the housing code.

OTA role: The OTA testified in strong support of these goals with a number of specific recommendations -- developed in consultation with stakeholders and government colleagues -- to build on the regular pro-active inspection program already initiated by DCRA; to reflect Superior Court's initiative to create a summary tenant housing code action in the Civil Division; and to help ensure that legislative success can translate into effective, deliverable improvements in the area of housing code enforcement.

Tenant Associational Standing

B18-0068 OFFICE OF ADMINISTRATIVE HEARINGS AMENDMENT ACT OF 2009"

B18-0598 TENANT ORGANIZATION PETITION STANDING AMENDMENT ACT OF 2009"

Purpose: Another way to improve housing code enforcement, and the enforcement of other important tenant rights, is to allow tenant associations to pursue enforcement actions collectively on behalf of members who wish to participate. In fact, associational standing is a right that exists generally for associations under the District's non-profit corporations and unincorporated associations laws. Due to questionable interpretations of the relevant rental housing regulation, however, tenant associations have been denied that right at administrative hearings, unless they demonstrate that they represent a majority of the tenants in the building, itself is a cumbersome and shifting standard.

OTA role: The OTA testified in strong support of the underlying bill, Bill 18-68 (which would finally give tenants at D.C. Housing Finance Agency projects an administrative remedy against illegal evictions and retaliatory actions by the housing provider). The OTA also recommended an amendment to finally resolve the matter of tenant associational standing. Bill 18-598 incorporates the substance of that recommendation and, as other associations in the District are now afforded, would give tenant associations standing in administrative actions regardless of the number of members participating in the action.

Legislative Highlights

Preserving the Tenant Right of Purchase

B18-0170 TENANT OPPORTUNITY TO PURCHASE PRESERVATION CLARIFICATION EMERGENCY AMENDMENT ACT OF 200

B18-0171 TENANT OPPORTUNITY TO PURCHASE PRESERVATION CLARIFICATION TEMPORARY AMENDMENT

B18-0179 TENANT OPPORTUNITY TO PURCHASE PRESERVATION CLARIFICATION ACT OF 2009

Purpose: Under the tenant right of purchase (TOPA) law, the landlord must give the tenants an opportunity to purchase the building once it is put up for sale. Since the law was enacted in 1980, tenants have had a full 30 days to consult with attorneys and others and organize before being required to submit the "Letter of Interest." In March 2009, the Court of Appeals ruled that the tenant must ensure actual delivery to the owner within 30 days -- even where the tenant had mailed the letter with weeks to spare, and the U.S. Postal Service mishandled the delivery by taking weeks to do so. This ruling upset not only decades of practice, but also the Council's intent regarding the 1980 TOPA law.

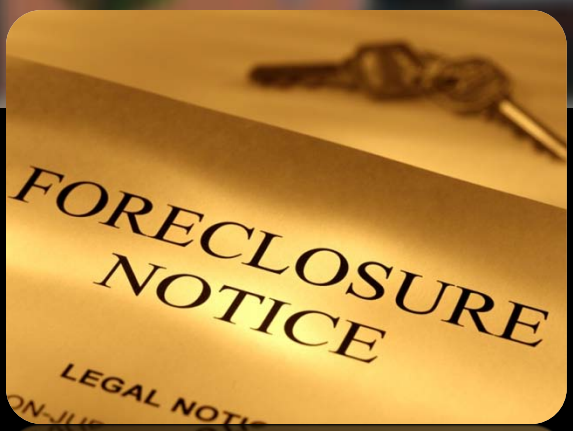
OTA role: The OTA helped draft the legislation to clarify the law and restore to tenants the full 30-day time period that is often needed to meaningfully exercise the right of purchase. In granting the tenant's petition for en banc review, the Court of Appeals cited OTA's letter in support of the request.

Misuse of Housing Provider Petitions for Large Rent Increases

B18-0174 RENT CONTROL PROTECTION AMENDMENT ACT OF 2009

Purpose: As the legislative history shows, the original purpose of the rent control law's "70 percent Voluntary Agreement" provision was to allow the housing provider and tenants to address housing conditions, or other matters of mutual interest, in a non-adversarial manner. However, the "VA" has come to be used as a way -- particularly in buildings with many vacant units -- to "buy" the agreement of remaining tenants to virtually unlimited rent increases for all units including their own, which would take effect when any new tenant moves in. This practice threatens to perform an end-run around both the administration and the very purpose of rent control.

OTA role: The OTA drafted a bill introduced in the last Council session, and Bill 18-174 in the current session, to amend the "VA" provision to better ensure that tenant approval of a proposed VA is free of coercive influences, that any rent increase is cost-justified and implemented equitably, and that the VA does not conflict with the purposes of the rent control law.



Tenant Rights during Foreclosure

B18-0242, "TENANT OPPORTUNITY TO PURCHASE EXEMPTION CLARIFICATION AMENDMENT ACT OF 2009"

Purpose: In the District of Columbia, no tenant may be evicted simply because the landlord is being foreclosed upon. The tenant may be evicted for any valid statutory purpose -- such as the sale of the property to an owner-occupant. Otherwise the bank or the purchaser at a foreclosure sale assumes the obligations of the landlord. The problem is that too many tenants, and others, are unaware of the tenants' rights until it is too late, and the tenants have already left the property.

OTA role: The OTA drafted this legislation to provide notice of tenant rights during foreclosure to all parties. The TOPA law was not chosen as the vehicle for this notice to effect any change in TOPA's foreclosure exemption. Rather, it was because TOPA already has mechanisms for providing important notices to all parties -- transferors, transferees, tenants, and government -- upon the transfer of any rental property. Since the introduction and hearing on this bill, the OTA has engaged stakeholders and others regarding alternative ways to get this important notice to tenants and all affected parties.

Executive Budget Summary

FY 2009

Revenue

The budget authority for FY 2009 is $2,652,315.72, comprising two sources of funding.

Local Appropriations: FY 2009 local appropriations budget for the Office of the Tenant Advocate (OTA) was $842,274.72. A decrease of $181,758.78 from the FY 2008 approved local appropriation budget of $1,024,033.50.

O-Type Funds: There are two revenue sources for O-type funds or Special Purpose Revenue, for OTA. One source is from the Condo Conversion Fund (Fund 6005); the second is from Rental Accommodation Fees (RAF). RAF revenue is currently recorded by the Department of Consumer and Regulatory Affairs (DCRA); however OTA submitted legislation to establish an O-type Fund in SOAR for RAF. Fund 6015 has been established for RAF to record revenue collections.

Condo Conversions generated revenue of $641,449.94 in FY 2009. From FY 2004 to FY 2009 the fund has collected a total of $5,365,855

In FY 2007, DCRA collected $3,521,155.57 in RAF fees through Basic Business License payments. DCRA has agreed to transfer $633,808, or 18% of the revenue collected in FY 2007. In FY 2008, DCRA collected $897,596 in RAF Fees. DCRA will transfer $161,567.28, or 18% of the revenue collected in FY 2008. Therefore, OTA will receive a total of $795,375.28 from DCRA for FY 2007 and FY 2008 RAF revenue collections.

Personnel

In FY 2008, OTA received budget authority for 18 FTEs. In FY 2009, OTA received budget authority for 15.5 FTEs, a decrease of 2.50 FTEs from the approved FY 2008 budget authority

Operations

In FY 2007, OTA became a separate program within DCRA and in FY 2008 OTA became an independent agency within the District of Columbia.

In FY 2009, OTA expanded their program structure from one program 7000- Office of the Tenant Advocate to incorporate 3 additional programs: Program 1000 – Agency Management; Program 2000 – Community Services; and, Program 3000 – Legal Representation.

OTA expended $1,097,353.32 of their FY 2009 approved o-type budget of $1,688,064. OTA expended $839,586.75 of their approved FY 2009 local budget of $842,274.72. The majority of OTAs expenses consist of personnel, supplies, rent/fixed costs, contractual services, and equipment.

FY 2010

Revenue

The budget authority for FY 2010 is $3,566,788.09, comprising two sources of funding.

Local Appropriations: The local appropriation for FY 2010 is $560,068.34

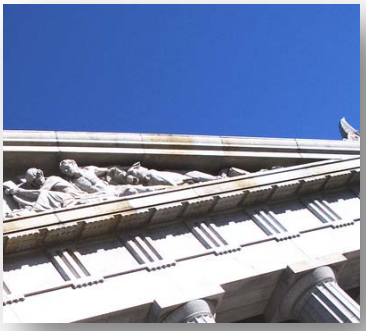
O-type Funds: The Condo Conversion Fund appropriation for FY 2010 is $3,006,719.75.

Personnel

In FY 2010, OTA has 15.5 FTEs; 13.5 – filled and 2 – vacant.

Operations

During its third year of operations as an independent agency, OTA expanded its programs into five programmatic areas: Program 1000 – Agency Management; Program 2000 – Community Services; Program 3000 – Legal Representation; Program 4000 – Legal Advocacy; Program 7000 – Office of the Tenant Advocate. Expanding its budget structure allows OTA to capture the real cost to run a program, which will lead to more efficient, cost-saving operations. The operating budget in FY 2010 is $3,566,788.09; Local Appropriation - $560,068.34 and O-type Appropriation - $3,006,719.75. In comparison to FY 2009, Local funds decreased by $282,206.38 or 34% and O-type funds increased by $1,318,655.75 or 78%.



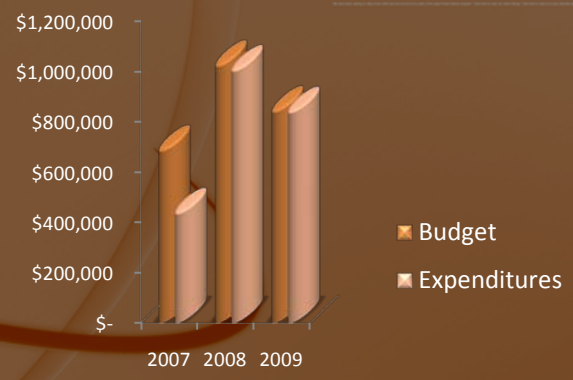
Executive Budget Summary

Local Appropriation - Historical Budgetary Data

In FY 2007 OTA became its own Program in DCRA and its Local appropriation increased by 21% to $686,976 from the approved FY 2006 local appropriation budget of $569,650. By FY 2008 OTA became an independent agency in the District of Columbia. The FY2008 Local appropriation increased to $1,024,033 a 49% increase from the prior fiscal year. FY 2009, the Local appropriation decreased by $181,758 or 18% from the approved FY 2009 budget of $842,275.

	2007	2008	2009
Budget	$686,976	$1,024,033	$842,275
Expenditures	$437,531	$1,004,623	$839,587

Trend from FY 2007 to FY 2009



O-type Condo Conversion Fund - Historical Budgetary Data

The historical O-Type budgetary trend depicts an agency that was once a dependent entity within the Department of Consumer and Regulatory Affairs (DCRA) from FY2004 to FY2007. In FY2008 the Office of the Tenant Advocate (OTA) became an independent agency within the District of Columbia

Trend from FY 2005 to FY 2009

	2005	2006	2007	2008	2009
Budget	$20,000	$20,000	$20,000	$800,000	$1,688,064
Expenditures	$5,724	$12,924	$19,740	517,882	$1,092,503

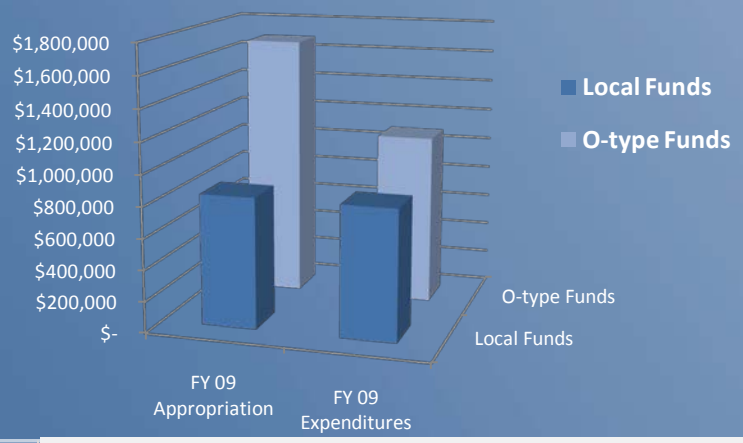
Executive Budget Summary

FY 09 Budget vs. Actual Data

In FY 2009, OTA received $2,530,339 in budget authority to execute its mission to advocate, educate, and create a legal protection system, technological support services and community-based programs for renters in the District of Columbia. In FY 2009 the agency had 4 programs to fulfill their mission: Program 1000 - Agency Management; Program 2000 - Community Services; Program 3000 - Legal Representation; and, Program 7000 - Office of the Tenant Advocate.

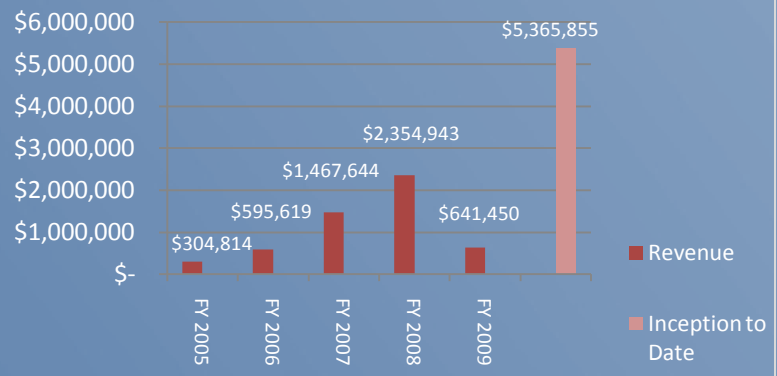
OTA spent 99% of its Local Funds budget; and 64% of its O-type Budget.

	FY 09 Appropriation	FY 09 Expenditures	FTE Count
Local Funds	$842,275	$839,587	11
O-type Funds	$1,688,064	$1,092,503	6



O-type Condo Conversion Fund - Historical Revenue Data

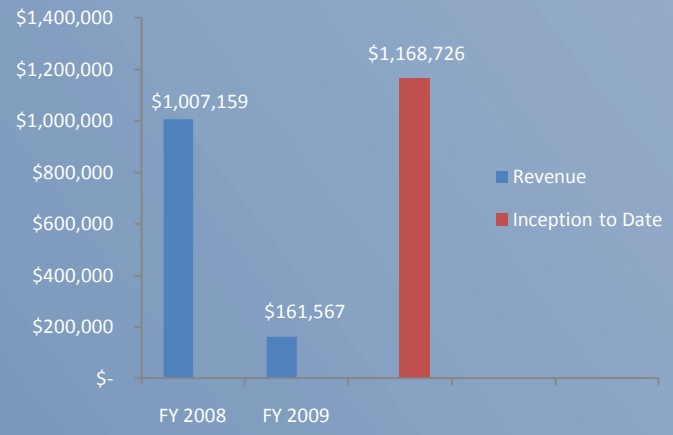
	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	
Revenue	$304,814	$595,619	$1,467,644	$2,354,943	$641,450	
Inception to Date						$5,365,855



O-type Rental Accommodation Fees Fund - Historical Revenue Data

Housing providers are required to pay the District of Columbia $43 per unit every two years for each housing unit that is owned and rented. FY 2009 represents 18% of the $897,596 collected by DCRA.

	FY 2008	FY 2009	
Revenue	$1,007,159	$161,567	
Inception to Date			$1,168,726

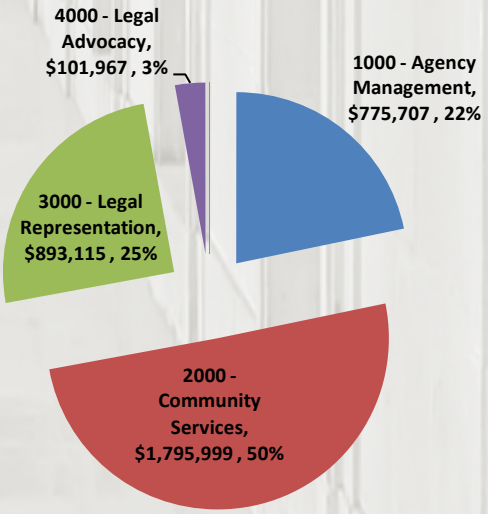


Executive Budget Summary

FY 10 Budget by Program

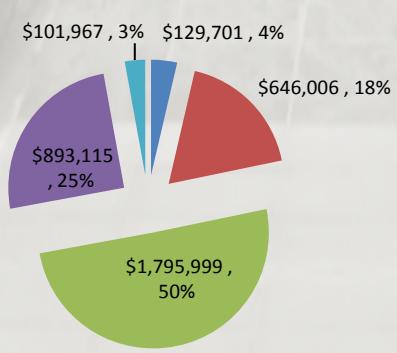
OTA's FY 2010 budget is $3,566,788 which is segmented into four functional program areas. 78% of the agency's funding goes directly to advocacy work, community services, and housing assistance to tenants who live in the District of Columbia. The remaining 22% of the budget is for fixed costs, administration and management.

FY 10 Program Name	FY 10 Appropriation
1000 - Agency Management	$775,707.03
2000 - Community Services	$1,795,999
3000 - Legal Representation	$893,115.21
4000 - Legal Advocacy	$101,967
7000 - Office of the Tenant Advocate	-



FY 10 Budget by Activity

FY 10 Activity Name	FY 10 Appropriation
1030 - Property Management	$129,701.45
1090 - Performance Management	$646,005.58
2010 - Community Services	$1,795,999.12
3010 - Housing Assistance	$893,115.21
4010 - Legal Advocacy	$101,966.73



- 1030 - Property Management
- 1090 - Performance Management
- 2010 - Community Services
- 3010 - Housing Assistance
- 4010 - Legal Advocacy

Summit Quote

"Most people in the United States rent; most are tenants and not homeowners. Yes families should aspire to be homeowners, but how did we overlook who we must provide housing for in our great search for the American Dream? In doing so, we have fallen behind in not only the attention to tenants but in understanding what we have to do in a crisis like this." (**Honorable Eleanor Holmes Norton**)

Tenant Summit 2009

Sessions Included Information On

- Protecting Tenants: What You Should Know About **Lead Safety** in The District of Columbia
- American Red Cross: Assisting Tenants in Times of Emergency
- **Smoke Detector** Act of 1978 and the "Fire Alarm Notice and Tenant Fire Safety Temporary Amendment Act of 2009
- Dealing With An Emergency From The Tenant's Perspective
- The Importance of **Renters' Insurance**
- What Every Tenant Should Know About Rental Housing Enforcement in the District of Columbia
- Understanding the **Inspection Process** in the District of Columbia
- Addressing **Bedbug Infestation**
- **Rodent Control** Program of the District of Columbia
- The Rental Housing Act of 1985: Problems and Possible Reforms
- Better Protections against **Illegal Evictions**
- Creating, Empowering and Sustaining **Tenant Associations**

List of Exhibitors

Office of Asian Affairs
Office of Latin Affairs
DCRA
Office of Disabilities
Office on Aging
Department of Health
Department of Census
Howard Law
Washington Post
Keith Sterling
Dept of Insurance Sec & Banking
State Farm "The Rosser Agency"
Department of the Environment
LEDC
WKYS
Empower DC

The Office of the Tenant Advocate held its *Second Annual* Tenant/ Tenant Association Summit at the Kellogg Conference Center of Gallaudet University on September 26th, 2009. This very special event brought together city officials, community leaders, tenant associations, non-profit organizations, and tenants of the Washington, D.C. community to discuss pertinent issues related to the challenges in today's rental housing market. Summit Attendees were addressed by special guest speakers Congresswoman Eleanor Holmes Norton, District Council Chairman Vincent Gray, and Councilmember's Muriel Bowser, Jim Graham, and Harry Thomas. The goal of the annual Summit is to strengthen the connections between and among tenants and tenant associations, private and public resources, and ideas and actions that will improve the quality of life for the District's tenant community in the coming year. We are pleased to report that this year's Summit received **439** registrants from across the District, a 96% increase in participation from the previous year.

Attendees of this free event were given the opportunity to attend and participate in a variety of workshops over the course of the day. Workshops, resources, and information were included on Reasonable Housing Accommodations & Fair Housing; Lead Safety; Rental Housing Enforcement; Rental Housing Act; Empowering Tenant Associations; and Emergency Preparedness. The Summit consisted of 16 exhibitors.

DC tenants were given the opportunity throughout the Summit to interact with the Office of the Tenant Advocate, city officials and other community leaders and to voice their opinions, questions and concerns. To learn more and to view materials distributed at the Tenant Summit, please visit www.ota.dc.gov.

Spotlight

Attorney Advisor Andrew Gibbs

Mr. Gibbs earned his Bachelor's Degree from Eckerd College and completed his *Juris Doctor* at the American University, Washington College of Law, graduating *magna cum laude*. He is a member of the Bar in Maryland and the District of Columbia.

The Office of the Tenant Advocate is proud to announce that it has begun legal representation of tenants in litigation with their landlords.

The Office's litigation attorney, Andrew Gibbs, joined the Office in August of 2009. He has already begun to make an impact in the community, representing tenants in lawsuits based on major housing code violations, illegal rent increases, wrongful evictions, and violations of the Tenant Opportunity to Purchase Act. He currently maintains an active caseload of between 15 and 20 tenants, and has provided formal and informal legal assistance to several hundred tenants since his start with the Office.

Previously, Mr. Gibbs worked in the litigation department of Skadden, Arps, Slate, Meagher & Flom, LLP, an international law firm known for its aggressive litigation practice. Prior to joining Skadden, he was an associate at Albright & Rhodes, LLC, a Rockville, Maryland firm, where his practice focused on criminal defense and civil litigation. In law school, Mr. Gibbs worked as a student attorney, representing victims of international human rights abuses in federal courts, litigating claims against the federal government. He has also volunteered for the ACLU of the National Capitol Area, providing local counsel, supervision, and technical assistance to their attorneys.

Issues

Issue 1 Admin & Enforcement entails the following:

- Civil Enforcement Policy
- Enforcement and Penalties
- Placarding
- Right of Entry by Government Officials
- Notice of Violation
- Notification of Tenants Concerning Violations
- Appeal and Hearing
- Deposit of Collateral for Uncorrected Violations
- Variances
- Permits for Repairs and Improvements
- Procedures Regarding Requests for Reasonable Accommodation Under the Fair Housing Act
- Imminently Dangerous Premises

Issue 2 Housing-Business-Lic. entails the following:

- Inspection of Premises
- Registration and Certification of Managers
- Renewal of Housing Business Licenses
- Denial, Suspension, and Revocation of Licenses
- License and User Fees

Issue 3 Landlord Tenant entails the following:

- Notice to Tenants of Housing Code Provisions
- Implied Warranty and Other Remedies
- Voiding Lease for Violation of Regulations
- Signed Copies of Agreements and Applications
- Prohibited Waiver Clauses in Lease Agreements
- Inspection of Premises after Breach of Warranty or Voided Lease
- Written Receipts for Payments by Tenants
- Prohibition of Retaliatory Acts Against Tenants
- Security Deposits
- Repayment of Security Deposits to Tenants
- Return of Security Deposit: Inspection of Premises
- Interest on Security Deposit Escrow Accounts

Issue 4 General Requirements entails the following:

- Privacy
- Occupancy Requirements
- Habitable Rooms
- Habitable Rooms Partially Below Ground
- Ceiling Height in Habitable Rooms
- Subdivision of Habitable Rooms
- Definitions

Issue 5 Heating-Lighting-Venting entails the following:

- Heating of Residential Buildings
- Lighting in Habitable Rooms
- Obstructions to Light
- Lighting of Bathrooms
- Lighting of Hallways, Stairways, and Other Common Space
- Ventilation of Habitable Rooms
- Ventilation of Bathrooms
- Control and Maintenance of Mechanical Ventilation
- Obstructions to Ventilation
- Air Conditioning
- Refrigeration and Air Conditioning Permit Fees

Issue 6 Facilities-Utilities-Fixt. entails the following:

- Plumbing Facilities
- Shared Bathrooms
- Waterproof Floors in Toilets
- Access to Bathrooms
- Electrical Outlets
- Water Heating Facilities
- Miscellaneous Services to Be Provided by Housing Businesses
- Plumbing Permit Fees

Issue 7 Constr.-Maint.-Repair entails the following:

Glossary of Terms

- General Maintenance and Repairs
- Roofs and Chimneys
- Gutters and Drainage
- Foundations, Structural Members, and Exterior Walls
- Windows and Doors
- Interior Walls, Floors, and Ceilings
- Peeling Wall Covering or Paint
- Stairways, Steps, and Porches
- Definitions

Issue 8 Clean-Safe-Sanitary entails the following:

- Responsibilities of Owners and Landlords
- Responsibilities of Tenants
- Storage of Ashes, Garbage, and Refuse
- Ratproofing
- Extermination
- Screening
- Radio and Television Antennas
- Insanitary or Unsafe Sheds and Fences

Issue 9 Safety-Fire Prev. entails the following:

- Occupancy of Residential Buildings
- Fire Safety: General Provisions
- Egress Facilities
- Exit and Emergency Lights and Directional Signs
- Fire Alarm Systems
- Combustible Refuse and Debris
- Heating and Cooking Appliances
- Report of Fires

Issue 10 Rooming House entails the following:

- Resident Manager
- Registration and Room Assignment
- Room Keys
- Vermin
- Sleeping Accommodations

Issue 11 Boarding House entails the following:

- Resident Manager
- Registration and Room Assignment
- Manager's Certificate
- Sleeping Accommodations
- Room Keys
- Floors, Walls, and Ceilings
- Ventilation
- Lighting
- Food Preparation and Dishwashing Facilities
- Storage and Handling of Utensils and Equipment
- Storage and Handling of Food
- Refrigeration
- Wholesomeness of Food and Drink
- Poisons
- Health of Employees
- Cleanliness of Employees
- Lavatory Facilities
- Locker or Dressing Room for Employees

Issue 12 Apt. – Apt House entails the following:

- Non-Resident Licensees
- Registration of Tenants
- Posting of Information on Building Management
- Designation of Apartments
- Elevator Maintenance

Issue 15 Realty Violations entails the following:

- Purpose and Scope
- Procedures
- Authority to Correct
- Exemptions from Assessment

Issue 17 Assistance Programs entails the following:

- Waiver of Rules
- Allocation of Funds
- Emergency Tenant Assistance Program
- Right to Official Review

Issue 39 RAD – Tenant Petitions entails the following:

- The Rent Administrator
- Filing Petitions and Other Documents
- Procedures upon Filing Petition

Glossary of Terms

- Right to a Hearing and Disposition of Petitions without Hearings
- Parties
- Captions
- Substitution or Addition of Parties
- Intervenors
- Expanding the Scope of a Proceeding
- Consolidation of Petitions
- Delegation of Authority of Hearing Examiners
- Service of Notice
- Computation of Time
- Conciliation of Disputes and the Conciliation Service
- Arbitration
- Advisory Opinions

Issue 41 Registration entails the following:

- Coverage under the Act: Exclusions
- Registration Requirements of Rental Units and Housing Accommodations
- Registration Procedures
- Amendments to Registration/Claim of Exemption Forms
- Defective Registration
- Exclusions from Coverage by the Act
- Claims for Recognition of Exemption from Rent Stabilization Program
- Cooperative Exemptions
- Annual Registration Fee

Issue 42 Rent Increases entails the following:

- Base Rent: April 30, 1985 Rent Ceilings
- Rent Ceiling upon Termination of Exclusion
- Rent Ceiling upon Termination of Exemption and for Newly Covered Units
- Adjustments in Rent Ceilings Generally
- Rent Increases and Decreases
- Rent Ceilings Adjustments of General Applicability
- Vacancy Rent Ceiling Adjustments
- Rent Ceiling Adjustments by Petition
- Petitions Based on Claim of Hardship
- Petitions Based on Capital Improvements
- Petitions for Changes in Related Services or Facilities
- Petitions for Substantial Rehabilitation
- Rent Ceiling Adjustments by Voluntary Agreement
- Tenant Petitions
- Tenant Petitions to Challenge Base Rent
- Petitions Alleging Substantial Housing Code Violations
- Enforcement and Penalties
- Certificate of Assurance

Issue 43 Evictions-Retaliation entails the following:

- Evictions
- Notice to Correct or to Vacate
- Notices to Vacate: Requirements and Effect
- Retaliatory Action

Issue 47 Conversion-Sale entails the following:

- Request for Election and Certification
- Scheduling and Conduct of Elections
- Confirmation of Election
- Conversion of the Housing Accommodation
- Notice of Intent to Convert
- Elderly Tenancy
- Exemption for Nonprofit Cooperatives
- Applicability of Title II of the Act
- Relocation and Housing Assistance Payments
- Determination of Income Eligibility
- Sale of Residential Rental Housing
- Contract Negotiation
- Single Family Housing Accommodation
- Housing Accommodation Containing Two to Four Units
- Housing Accommodation with Five or More Units
- Applicability of Rules

Housing Provider Petitions

Hardship Petition

Under the Act, housing providers are allowed to raise rents enough to earn a 12 percent return on the housing provider's equity in the housing accommodation. Equity is assessed value for real property tax purposes minus [-] debt.

To apply for this exemption, the housing provider must document operating expenses for the last 12 months. RACD will notify the tenants that a petition has been filed and allow the tenants to designate a representative to support or oppose it.

RACD audits the petition and issues a preliminary finding. Then point the housing provider and tenants may each submit objections to the finding. If objections are submitted, a hearing will be held to resolve the disputed matters. The Rent Administrator then issues an order setting the rent increase.

Capital Improvements

A housing provider can petition to raise rents by an amount enough to amortize the cost of capital improvements. If the Rent Administrator approves the petition, the increase is temporary and is stoppeonce the housing provider recovers all costs of the capital improvements. That's why this increase in rent is called a surcharge.

A housing provider files a petition, serves copies to the tenants, and presents the case for the improvement at an RACD hearing. Tenants may support or oppose it.

RACD makes a ruling on the petition, based on:

- Whether the improvement will protect or enhance the health, safety and security of the tenants or the habitability of the housing accommodation;
- Whether the improvement will be depreciable under the Internal Revenue Code;
- Whether required governmental permits and approvals have been secured; and
- Whether the design and cost of the work are sufficiently documented.

In addition to the work's cost, the housing provider can include financing costs, including interest and service charges. The provider must amortize (spread the costs of) a building-wide improvement project for 96 months and an improvement to one or more but not all rental units for 64 months. The surcharge may be no more than 21 percent of the prior rent charged for a building-wide capital improvement and no more than 15 percent for an improvement to one or more but not all rental units. If RACD approves the surcharge, the housing provider performs the work and may then raise rents.

The Act allows a housing provider to continue the surcharge until the housing provider has recovered all costs, including interest and service charges, of the capital improvement. Certain low-income elderly and disabled tenants can be exempted from a capital improvement surcharge.

Substantial Rehabilitation

The housing provider may submit a petition to raise rents for a substantial rehabilitation of the housing accommodation.

The petition must include detailed plans, specifications and projected costs. The tenants are notified, a hearing is conducted, and the Rent Administrator issues a decision before the work starts.

A substantial rehabilitation is used only when proposed rehabilitation cost equals or is more than 50 percent of the real property tax assessment of the rental unit or housing accommodation.

This rent increase is not a temporary surcharge, but a permanent increase.

The calculation to determine the percentage increase in rent ceilings is based on loan amortization in the principal amount of the work's cost at the loan's interest rate and term. The maximum allowed rent increase is 125 percent.

The Rent Administrator must consider whether the substantial rehabilitation is in the interest of the tenants and may consider:

- The existing physical condition of the rental unit or housing accommodation as shown by reports or testimony of DC housing inspectors, licensed engineers, architects and contractors, or other qualified experts;
- Whether the existing physical condition impairs or tends to impair the health, safety or welfare of any tenant;
- Whether the existing physical conditions can be corrected by improved maintenance, repair or capital improvement; and
- The impact of the proposed rehabilitation on the tenant or tenants in terms of proposed financial cost inconvenience or relocation.

Voluntary Agreement (70 Percent)

The Act allows 70 percent or more of the tenants of a housing accommodation to enter into a voluntary agreement with the housing provider to establish the rent. If 70 percent of the tenants agree, rents for all rental units can be raised, even for tenants who didn't sign the agreement.

An agreement may also address capital improvements, services and facilities, or repairs and maintenance. If the housing provider initiates the agreement, he/she/they must give tenants at least 14 days to review it.

The Rent Administrator must approve the agreement and any conditions in the agreement must be met, before rents can be raised.

For more information please visit www.ota.dc.gov or send your question via OTA's "**Ask the Director**" section of our website.

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Expert Panelists and Presenters at the September 26, 2009 Annual Tenant Summit:

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Gian Cossa, Lead and Healthy Housing Division with the District of Columbia Department of Environment
Lisa McGee, Emergency and International Services, America Red Cross of the National Capital Area
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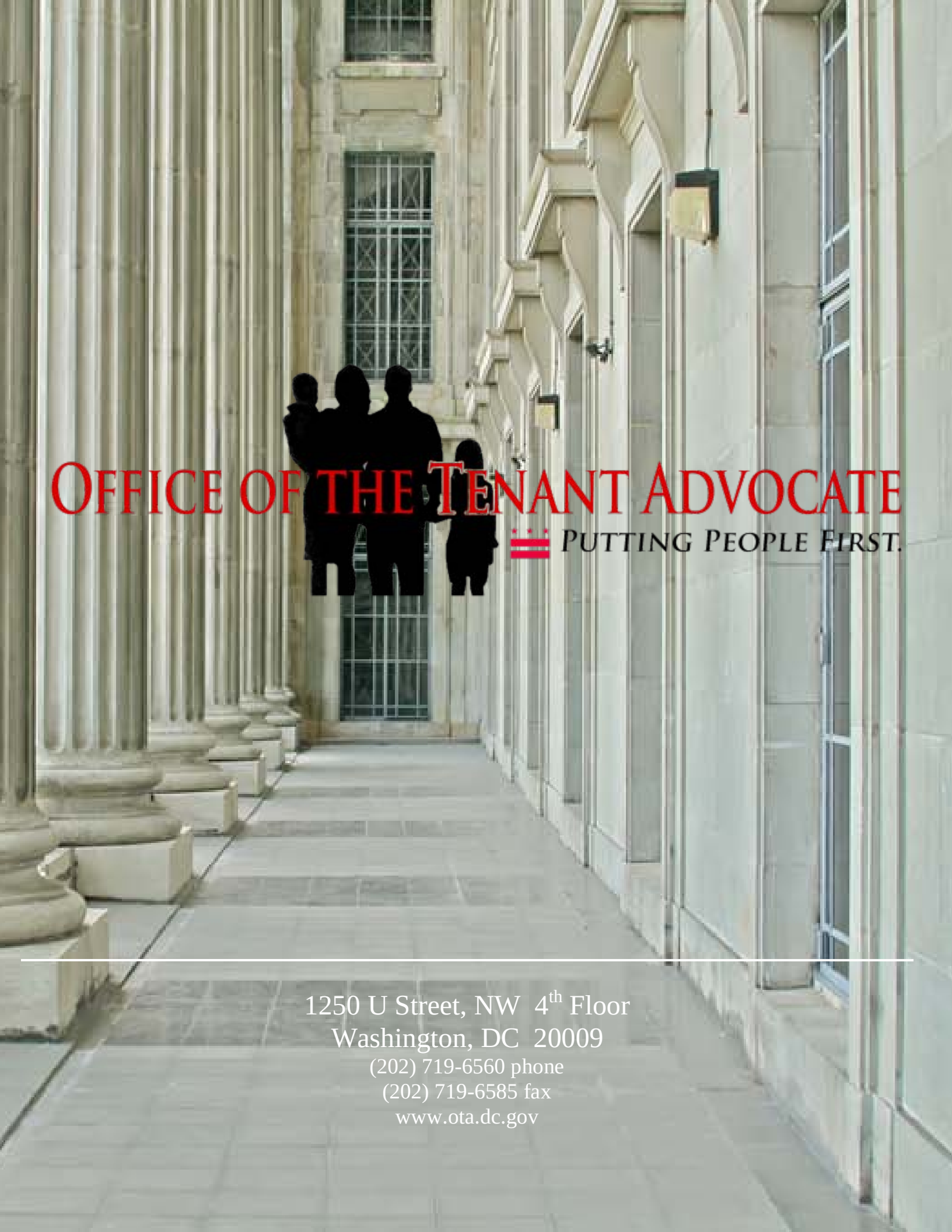
Committed Members of the OTA Stakeholder Group

All tenants and tenant associations that have worked with the OTA.

August 30, 1933 - December 26, 2009

This Annual Report is dedicated to the memory of Marilyn Preston Killingham, who devoted much of her life to improving the lives of tenants and all residents of the District of Columbia.



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