**Office of At-Large Councilmember Anita Bonds**

Chair, Committee on Housing & Neighborhood

Revitalization

February 1, 2019

Johanna Shreve, Chief Tenant Advocate

Office of the Tenant Advocate

2000 14th Street, NW, Suite 300 North

Washington, DC 20009

Dear Chief Tenant Advocate Shreve:

The annual performance hearing for the Office of the Tenant Advocate is scheduled for **February 7, 2019, beginning at 10:00 AM in Room 123**. The government witness(es) for the agency will testify following public testimony. Please plan to arrive in time to listen to the entirety of the public testimony presented with respect to the agency.

Written pre-hearing questions for your agency are attached. So that I may make effective use of your responses, please provide **six hard copies** of your responses as well as an electronic version in Microsoft Word format **on or by the close of business on January 31, 2019.**

If you feel that I could use additional information outside the scope of the attached questions, please feel free to include an additional written statement. If your office requires clarification of any of the attached questions, please contact the Committee’s Legislative Director, Barry Weise, at (202) 724-8171 or bweise@dccouncil.us. Thank you in advance for your timely and comprehensive response.

Sincerely,

Anita Bonds

At-Large Councilmember

Chairperson, Committee on Housing and Neighborhood Revitalization

1350 Pennsylvania Avenue, N.W. 🞟 Suite 404

🙠 Washington, DC 20004 🙢

Telephone: (202) 724-8064 🞟 Fax: (202) 724-8099

**2019 PERFORMANCE OVERSIGHT QUESTIONS**

# **General Questions**

1. **Please provide a current organizational chart for the agency, including the number of vacant, frozen, and filled positions in each division or subdivision. Include the names and titles of all senior personnel and note the date that the information was collected on the chart.**

**Response:** See “Attachment  #1 Question 1 – Org Chart”

1. **Please provide an explanation of the roles and responsibilities of each division and subdivision.**

**Response:**

Administrative Division: The OTA’s role in non-programmatic activities is to ensure that all administrative activities related to the Agency are implemented. The responsibilities include: human resource development, contract and procurement, property management, information technology, budget creation, financial services, risk management, communications, customer service, language access, small and local business compliance monitoring and public relations, rapid response, eviction maintenance, and distribution, and review of all single-family TOPA actions.

Legal Division:

The role of the OTA’s Legal Division is to provide legal services to District tenants in two major categories: in-house legal clinic and litigation.

Within the legal clinic, OTA’s role includes operating a Tenant Phone Hotline and Tenant Center, and to advise tenants and tenant organizations on filing complaints and petitions, including petitions in response to disputes with landlords.

Within the litigation arena, OTA’s role is to represent tenants at its discretion and as it determines to be in the public interest, in Federal or District judicial or administrative proceedings.

Policy Division: The role of the OTA Policy Division is to serve as a voice for the renter community by representing the interests of tenants and tenant organizations in the legislative, executive, and judicial contexts. Responsibilities include (a) advocating for statutory and regulatory changes as necessary to fill gaps in the District’s system of tenant protections; (b) engaging in judicial advocacy on consequential matters of statutory and regulatory interpretation; and (c) tracking, monitoring, and apprising stakeholders of legal and policy developments at the both the District and federal levels.

Education & Outreach Division: The role of the OTA’s Education and Outreach Division is to create and operate a platform to educate and inform the tenant community on tenant protections in the District. The responsibilities include: holding monthly Renter’s Rights 101 presentations, developing new materials to educate the public and strategize and plan for the Annual Tenant Summit.

Emergency Housing: The Emergency Housing Assistance Program’s role is to meet the needs of tenants who find themselves displaced by disasters such as fires or government closures without renter’s insurance by placing them in temporary housing and connecting them to DHS staff that can assess their needs and link them to necessary services. In addition to providing temporary housing, we provide moving and storage for up to 60 days.

1. **Please provide a narrative explanation of any changes to the organizational chart made during the previous year.**

**Response:** N/A

1. **Please provide a current Schedule A for the agency which identifies each position by program and activity, with the employee’s title/position, salary, fringe benefits, and length of time with the agency. Please note the date that the information was collected. The Schedule A should also indicate if the position is continuing/term/temporary/contract or if it is vacant or frozen. Please separate salary and fringe and indicate whether the position must be filled to comply with federal or local law.**

**Response:** See “Attachment  #2 Question 2 – Schedule A”

1. **Please list all employees detailed to or from your agency. For each employee identified, please provide the name of the agency the employee is detailed to or from, the reason for the detail, the date of the detail, and the employee’s projected date of return.**

**Response:** N/A

1. **Please provide the Committee with:**
	1. **A list of all employees who received or retained cellphones, personal digital assistants, or similar communications devices at agency expense in FY18 and FY19, to date;**

**Response:**

|  |
| --- |
| **Fiscal Year ‘19** |
| Stephen Dudek | Cell Phone |
| Umar Ahmed | Cell Phone |
| Manuel Bolanos | Cell Phone |
| Cynthia Houser | Cell Phone |
| Sean Treanor | Cell Phone |
| Christopher Lucas | Cell Phone |
| Horace Lassiter | Cell Phone |
| Jocelyn Reyes | Cell Phone |
| Dennis Taylor | Cell Phone |

|  |
| --- |
| **Fiscal Year ‘18** |
| Stephen Dudek | Cell Phone |
| Umar Ahmed | Cell Phone |
| Manuel Bolanos | Cell Phone |
| Cynthia Houser | Cell Phone |
| Sean Treanor | Cell Phone |
| Christopher Lucas | Cell Phone |
| Horace Lassiter | Cell Phone |
| Dennis Taylor | Cell Phone |

* 1. **A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned, as well as a description of all vehicle accidents involving the agency’s vehicles in FY18 and FY19, to date;**

**Response:** N/A

* 1. **A list of travel expenses, arranged by employee for FY18 and FY19, to date, including the justification for travel; and**

**Response:** N/A

* 1. **A list of the total workers’ compensation payments paid in FY18 and FY19, to date, including the number of employees who received workers’ compensation payments, in what amounts, and for what reasons.**

**Response:** N/A

1. **For FY18 and FY19, to date, what was the total cost for mobile communications and devices, including equipment and service plans?**

**Response:** The agency does not incur costs associated with the mobile communications and devices that OCTO provides.

1. **For FY18 and FY19, to date, please list all intra-District transfers to or from the agency.**

**Response:** N/A

1. **For FY18 and FY19, to date, please identify any special purpose revenue funds maintained by, used by, or available for use by the agency. For each fund identified, provide:**
	1. **The revenue source name and code;**
	2. **The source of funding;**
	3. **A description of the program that generates the funds;**
	4. **The amount of funds generated by each source or program;**
	5. **Expenditures of funds, including the purpose of each expenditure; and**
	6. **The current fund balance.**

**Response:** See “Attachment #7 - Special Purchase Revenue Funds”

1. **For FY18 and FY19, to date, please list any purchase card spending by the agency, the employee making each expenditure, and the general purpose for each expenditure.**

**Response:** See“Attachment #4 Question 8 – Purchase Card Spending”

1. **Please list all memoranda of understanding (“MOU”) entered into by your agency during FY18 and FY19, to date, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date.**

**Response:** N/A

1. **Please list the ways, other than MOU, in which the agency collaborated with analogous agencies in other jurisdictions, with federal agencies, or with non-governmental organizations in FY18 and FY19, to date.**

**Response:**  The agency regularly collaborates with analogous agencies in other jurisdictions, federal agencies, and non-governmental organizations in order to assist or be assisted with (a) the development of policy based on best practices and common experiences; (b) legal arguments based on common experience and/or issue-area expertise; and (c) education and community outreach regarding rental housing matters of mutual concern.

The OTA has collaborated with Community Partnership for the Prevention of Homelessness by providing a monthly presentation of Renters’ Rights 101 to its staff, providers, and sub-contractors (notwithstanding the MOU designation, this was done through an Agreement). In August 2018, OTA began presenting Renters’ Rights 101 to Community Partnership. The OTA has scheduled monthly presentations of Renters’ Rights 101 with Community Partnership from February to September 2019.

1. **Please provide a table showing your agency’s Council-approved original budget, revised budget (after reprogrammings, etc.), and actual spending, by program and activity, for FY17, FY18, and the first quarter of FY19.**
	1. **For each program and activity, please include total budget and break down the budget by funding source (federal, local, special purpose revenue, or intra-district funds).**
	2. **Include any over- or under-spending. Explain any variances between fiscal year appropriations and actual expenditures for FY18 and FY19 for each program and activity code.**

**Response:** For (a) & (b) see:

* “Attachment #5 Question 11a– FY17 Budget by Program and Activity”
* “Attachment #6 Question 11b– FY18 Budget by Program and Activity”
* “Attachment #7 Question 11c–  FY19 Budget by Program and Activity”
	1. **Attach the cost allocation plans for FY18 and FY19.**
	2. **In FY18 or FY19, did the agency have any federal funds that lapsed? If so, please provide a full accounting, including amounts, fund sources (e.g. grant name), and reason the funds were not fully expended.**

**Response:**  N/A for (c) & (d).

1. **Please provide as an attachment a chart showing the agency’s federal funding by program for FY18 and FY19, to date.**

**Response:** N/A

1. **With respect to capital projects, please provide:**
	1. **A list of all capital projects in the financial plan.**

**Response:** Rent Control Clearinghouse Database

* 1. **For FY16, FY18, and FY19, an update on all capital projects under the agency’s purview, including a status report on each project, the timeframe for project completion, the amount budgeted, actual dollars spent, and any remaining balances, to date.**

**Response:** Please see response to Question 70.

* 1. **An update on all capital projects planned for FY19, FY20, FY21, FY22, and FY23.**

**Response:** N/A.

* 1. **A description of whether the capital projects begun, in progress, or concluded in FY16, FY18, or FY19, to date, had an impact on the operating budget of the agency. If so, please provide an accounting of such impact.**

**Response:** N/A.

1. **Please provide a list of all budget enhancement requests (including capital improvement needs) for FY18 and FY19, to date. For each, include a description of the need and the amount of funding requested.**

**Response:** The agency requested a recurring enhancement of $350,000 to restore the “Legal Services Provider Fund” to a meaningful funding level.

1. **Please list, in chronological order, each reprogramming in FY18 and FY19, to date, that impacted the agency, including those that moved funds into the agency, out of the agency, and within the agency. Include the revised, final budget for your agency after the reprogrammings for FY18 and FY19, to date. For each reprogramming, list the date, amount, rationale, and reprogramming number.**

**Response:** See “Attachment #8 Question 15 – FY18 Reprogrammings.” There have been no reprogrammings in FY 2019 to date.

1. **Please list each grant or sub-grant received by your agency in FY18 and FY19, to date. List the date, amount, source, purpose of the grant or sub-grant received, and amount expended.**
	1. **How many FTEs are dependent on grant funding? What are the terms of this funding? If it is set to expire, what plans, if any, are in place to continue funding the FTEs?**

**Response:** N/A.

1. **Please list each contract, procurement, and lease, entered into, extended, and option years exercised by your agency during FY18 and FY19, to date. For each contract, please provide the following information, where applicable:**
	1. **The name of the contracting party;**
	2. **The nature of the contract, including the end product or service;**
	3. **The dollar amount of the contract, including amount budgeted and amount actually spent;**
	4. **The term of the contract;**
	5. **Whether the contract was competitively bid;**
	6. **The name of the agency’s contract monitor and the results of any monitoring activity; and**
	7. **The funding source.**

**Response**: See “Attachment #9 Question 17 – Contracts & Procurement”

1. **Please list all pending lawsuits that name the agency as a party. Identify which cases on the list are lawsuits that potentially expose the District to significant financial liability or will result in a change in agency practices, and describe the current status of the litigation. Please provide the extent of each claim, regardless of its likelihood of success. For those identified, please include an explanation about the issues involved in each case.**

**Response**: The Agency is involved in on-going litigation by an employee who was terminated on February 21, 2012. After losing in Federal Court, the terminated employee filed a similar case on April 7, 2017 with the DC Office of Employee Appeals (OEA). The OEA judge dismissed the case on October 13, 2017 on res judicata grounds. The terminated employee filed an appeal of the OEA decision on November 3, 2017 in DC Superior Court. That matter is currently pending.

1. **Please list all settlements entered into by the agency or by the District on behalf of the agency in FY18 or FY19, to date, and provide the parties’ names, the amount of the settlement, and if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).**

**Response**: N/A

1. **Please list the administrative complaints or grievances that the agency received in FY18 and FY19, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances received. For any complaints or grievances that were resolved in FY18 or FY19, to date, describe the resolution.**

**Response:** At the present time, OTA does not have written agency-specific grievance procedures; OTA relies on the Electronic-District Personnel Manual (E-DPM) and DCHR. We are reviewing whether adopting agency-specific procedures is warranted.

1. **Please describe the agency’s procedures for investigating allegations of sexual harassment or misconduct committed by or against its employees. List and describe any allegations received by the agency in FY18 and FY19, to date, whether or not those allegations were resolved.**

**Response:** OTA’s Sexual Harassment Officer (SHO) will follow these procedures for investigating allegations of sexual harassment or misconduct:

1. Take a verbal statement and make notes of the allegation in a private meeting

2. Request a detailed written statement from the accuser of all allegations including any witnesses that may have relevant information

3. Meet privately with any witnesses that may have information that is relevant the complaint

4. Meet in private with the accused, request a detailed written statement as well as an oral statement that would be noted by the SHO

5. Prepare a formal written report referencing any evidence and or witnesses

6. Transfer the formal written report along with copies of all evidence and witness statements along with any other notes and information to the agency's general counsel and director

OTA has had no allegations of sexual harassment or any other misconduct of this nature during FY18 to present. Furthermore there's no anticipation of any such allegations to be made although anything may be possible, it is very unprovable with the open door policy and family friendly environment that the OTA was founded on by the Director of more than 10 years.

1. **Please list and describe any ongoing investigations, audits, or reports on the agency or any employee of the agency, or any investigations, studies, audits, or reports on the agency or any employee of the agency that were completed during FY18 and FY19, to date.**

**Response**: N/A

1. **Please describe any spending pressures the agency experienced in FY18 and any anticipated spending pressures for the remainder of FY19. Include a description of the pressure and the estimated amount. If the spending pressure was in FY18, describe how it was resolved, and if the spending pressure is in FY19, describe any proposed solutions.**

**Response:** FY 18 – spending pressure – Arthur Capper Senior Apartment building fire in September 2018 and the agency provided hotel accommodations for 160 displaced tenants; the cost was absorbed within the agency’s operating budget. In FY 19, the agency received $3.8M to continue assistance to the displaced tenants until temporary housing could be identified. As of this writing, there is one tenant remaining in the hotel.

1. **Please provide a copy of the agency’s FY18 performance plan. Please explain which performance plan objectives were completed in FY18 and whether they were completed on time and within budget. If they were not, please provide an explanation.**

**Response**: N/A

1. **Please provide a copy of your agency’s FY19 performance plan as submitted to the Office of the City Administrator.**

**Response**: N/A

1. **Please provide the number of FOIA requests for FY18 and FY19, to date, that were submitted to your agency. Include the number granted, partially granted, denied, and pending. In addition, please provide the average response time, the estimated number of FTEs required to process requests, the estimated number of hours spent responding to these requests, and the cost of compliance.**

**Response:**

For FY18, see “Attachment #10 Question 26 – FOIA Requests”

For FY19, two requests were submitted. One request was granted in full, and the other request was denied under D.C. Code §§ 2-534(a)(2) and 2-534(e). No requests are pending as of January 28, 2019. The average response time was four days. One FTE contributed substantially to processing the requests. The requests took a total of three and one-half hours to process. The cost of compliance was $155.23 based on the annual compensation of the FTE involved.

1. **Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or contracted for during FY18 and FY19, to date. Please state the status and purpose of each. Please submit a hard copy to the Committee if the study, research paper, report, or analysis is complete.**

**Response**: See response to question #45 regarding the Annual Report.

1. **Provide a list of all publications, brochures and pamphlets prepared by or for the agency during FY18 and FY19 to date.**

**Response**:

1. The OTA press release “DC Council clarifies tenant rights regarding the lease.”
2. The OTA fact sheet “What you need to know about ‘The Residential Lease Amendment Act of 2016.’”
3. The OTA press release “Housing Affordability Protections for Elderly Tenants and Tenants with a Disability.”
4. The OTA fact sheets “What you need to know about The Elderly Tenant and Tenant with a Disability Protection Amendment Act of 2016.”
5. The OTA press release “Tenant protections regarding late fees.”
6. The OTA’s “‘Late Fee’ FAQ, which provides more details about the District’s late fee law.”
7. The OTA press release “Civil Rights Lawsuit against HUD Suspension of Small Area Fair Market Rents.”
8. The OTA press release “Updated OTA Legislative Tracking Charts.”
9. The OTA “Legislative Tracking Chart for Council Period 22.”
10. Revised PowerPoint “Renters’ Rights 101.”
11. The OTA “New Eviction Procedures” pamphlet.
12. The OTA revised “501(f) Procedures” pamphlet.
13. The OTA “New Single Family Accommodation TOPA Law” pamphlet.
14. **Please separately list each employee whose salary was $100,000 or more in FY18 and FY19, to date. Provide the name, position number, position title, program, activity, salary, and fringe. In addition, state the amount of any overtime or bonus pay received by each employee on the list.**

**Response**: See “Attachment #11 Question 29– Salary”

1. **Please list in descending order the top 25 overtime earners in your agency in FY18 and FY19, to date, if applicable. For each, state the employee’s name, position number, position title, program, activity, salary, fringe, and the aggregate amount of overtime pay earned.**

**Response**: See “Attachment #12 Question 30– Overtime by Employee”

1. **For FY18 and FY19, to date, please provide a list of employee bonuses or special pay granted that identifies the employee receiving the bonus or special pay, the amount received, and the reason for the bonus or special pay.**

**Response**: N/A

1. **Please provide each collective bargaining agreement that is currently in effect for agency employees. Please include the bargaining unit and the duration of each agreement. Please note if the agency is currently in bargaining and its anticipated completion.**

**Response**: N/A

1. **If there are any boards or commissions associated with your agency, please provide a chart listing the names, confirmation dates, terms, wards of residence, and attendance of each member. Include any vacancies. Please also attach agendas and minutes of each board or commission meeting in FY18 or FY19, to date, if minutes were prepared. Please inform the Committee if the board or commission did not convene during any month.**

**Response**: N/A

1. **Please list all reports or reporting currently required of the agency in the District of Columbia Code or Municipal Regulations. Provide a description of whether the agency is in compliance with these requirements, and if not, why not (e.g. the purpose behind the requirement is moot, etc.).**

**Response**:  The establishment act requires the agency to provide an annual report to the Council by February 1st of each year setting forth details regarding tenant requests for representation (D.C. Official Code § 42-3531.07(5)(B)).

1. **Please provide a list of any additional training or continuing education opportunities made available to agency employees. For each additional training or continuing education program, please provide the subject of the training, the names of the trainers, and the number of agency employees that were trained.**

**Response**: See “Attachment #13 Question 35– Trainings”

1. **Does the agency conduct annual performance evaluations of all its employees? Who conducts such evaluations? What steps are taken to ensure that all agency employees are meeting individual job requirements?**

**Response:** The agency Director meets annually with all employees to discuss job performance.

**Agency-specific Questions**

1. **Please list each policy initiative of the agency during FY18 and FY19 to date. For each initiative please provide:**
	1. **A detailed description of the program;**
	2. **The name of the employee who is responsible for the program;**
	3. **The total number of FTEs assigned to the program; and**
	4. **The amount of funding budgeted to the program.**

|  |  |
| --- | --- |
| # | Description; Responsible Person; FTEs; Budget |
| 1 | a) Emergency Housing Assistance - To analyze current administrative and operation procedures in order to better serve the needs of temporarily displaced tenants. |
| b)Tamela Tolton |
| c) 0.4 |
| d) $594,000 |
| 2 | a) Legal Representation - To develop policy and procedures that provide the Agency with administrative monitoring of all in-house legal referrals. |
| b) Dennis Taylor |
| c) 0.25 |
| d) $175,000 |
| 3 | a) Educational Institute - OTA will create new course development to meet needs identified through intake and outreach engagements. OTA will expand certification of the 101 Rights course by developing an online course format by FY 19. The Agency is starting to investigate cost associate with this endeavor in FY 18. |
| b) Stephen Dudek |
| c) 1 |
| d) $10,000 |

1. **Please describe the effects on the capacity of the agency due to any federal budget cuts.**

**Response:** N/A

1. **Please describe any preparations by the agency in anticipation of policy and priority changes under the new federal administration.**

**Response**:  N/A

1. **Please describe the agency’s efforts to utilize federal grants and other alternative funding sources.**

**Response**: N/A

1. **What steps, if any, has the agency taken during FY18 and FY19 to date, to reduce the following:**
	1. **Space utilization**

**Response:** Regarding space utilization, the layout for the office has changed over time to accommodate additional staff and other changes in terms of our day-to-day obligations.

* 1. **Communications costs**

**Response:**  The agency’s communication costs have always been and continue to be minimal.

* 1. **Energy use**

**Response:** The agency is equipped with energy efficient lights that are activated by motion to help reduce energy use.

* 1. **Criminal activity in and around developments**

**Response:**  N/A

1. **What District legislation has yet to be implemented by the agency, if any? If legislation has not yet been implemented, please explain why.**

**Response:** N/A

1. **Please describe how the agency solicits feedback from customers.**
	1. **What has the agency learned from this feedback?**
	2. **How has the agency changed its practices as a result of this feedback?**

**Response:** See “Attachment #14 Question 43– ‘How Was Your Visit’”

Each walk-in customer is given a survey at the conclusion of the customer’s visit. OTA’s customers are generally quite happy with the service they receive. OTA is in the process of revamping the process to continue customer satisfaction.

1. **Which programs at the agency are in most need of funding?**

**Response:** OTA’s most glaring need is for administrative and support staff. The addition of support staff would significantly contribute to the efficiency and productivity of OTA’s current staff.

1. **What has the agency done in the past year to make the activities of the agency more transparent to the public? In addition, please identify ways in which the activities of the agency and information retained by the agency could be made more transparent**.

**Response**:

Bi-Monthly Stakeholder Meetings:The OTA regularly apprises advocates and other members of the rental housing community of legislative and regulatory developments, and provides opportunities to participate in the development of policy goals and proposals.  Stakeholder meetings are open to anyone and are advertised in local community newspapers.

Community education and outreach events: These events provide the agency many opportunities to inform District renters about agency services, and to hear suggestions and feedback throughout the year.

On-line agency information:The web allows the OTA to share more information with more District residents. For those stakeholders without computer access we routinely send information via postal mail. Information on all agency programs is offered online.

On-line Newsroom & On-line Chat:The tenant community may also use the OTA website newsroom to stay up-to-date on developing tenant issues as well as OTA events and services. One of those services is a monthly On-Line Chat, through which the public may receive answers to their rental housing questions "in real time."

Surveys:Periodic surveys (e.g., pre- and post-Summit surveys and Stakeholder surveys) allow the agency to better understand the tenant community's needs.

Annual Report: The Annual Report informs the tenant community as well as the Council and the Mayor’s office regarding the agency’s functions and performance during the prior fiscal year.

1. **Please explain the impact on the agency of any legislation passed at the federal level during the last year. Specify such legislation and relevant provisions if possible.**

**Response**:  N/A.

1. **Please identify any statutory or regulatory impediments to the agency’s operations.**

**Response**:  N/A.

1. **Please provide a copy of the agency’s FY18 performance accountability report.**
	* 1. **Please explain which performance plan strategic objectives and key performance indicators (KPIs) were met or completed in FY18 and which were not.**
		2. **For any met or completed objective, also note whether they were completed by the project completion date of the objective and/or KPI and within budget. If they were not on time or within budget, please provide an explanation.**
		3. **For any objective not met or completed, please provide an explanation.**

**Response**:  N/A.

1. **Please provide a copy of your agency’s FY19 performance plan as submitted to the Office of the City Administrator. Please discuss any changes to outcomes measurements in FY18, including the outcomes to be measured, or changes to the targets or goals of outcomes; list each specifically and explain why it was dropped, added, or changed.**

**Response**:  N/A.

1. **What are your top 5 priorities for the agency? Please provide a detailed explanation for how the agency expects to achieve or work toward these priorities in FY19.**

**Response:**

1. The completion of the Rent Control Clearinghouse Database is among OTA’s highest priorities. OTA will continue to do everything in its power to complete the Database prior to its deadline of December 13, 2019, while remaining within the allotted budget.
2. OTA has begun a staff reorganization that is aimed to elevate the services we provide to the District tenant community. This reorganization has re-allocated roles and responsibilities within the agency in a way that will allow OTA to reach a larger number of tenants, while at the same time providing a higher quality service.
3. OTA will prepare policies and procedures governing all aspects of employee conduct and agency operations. The policies and procedures will be drafted by OTA division leaders under the guidance of the Chief Tenant Advocate.
4. OTA expects to complete the renovations of the adjoining office space on the third floor of the Reeves Center through collaboration with DGS. The addition of this office space will allow OTA to physically reorganize its divisions in a way that will enable them to collaborate more effectively.
5. The OTA is revising the Tenant Bill of Rights to reflect seminal changes in the tenant protection and rental housing laws through Council Period 22. We are doing so in collaboration with both tenant and housing provider advocates. A top priority is to work collectively with all concerned to ensure a smooth roll-out of the revision, which upon publication will become the version housing providers are required by law to provide to rental applicants and tenants upon request.

### *Tenant Support*

1. **Please state the number of tenants or tenant groups that have sought OTA assistance for new matters in FY18 and FY19 to date, in each of the following categories and then followed by the number of open cases in each category.**
	1. Rent control in general
	2. Rent increases
	3. Vacancy increases
	4. Petitions and voluntary agreements
	5. Conversions and sales
	6. Housing code violations
	7. Bedbugs
	8. Security deposits
	9. Lease violations/rental payment disputes
	10. Evictions/foreclosures
	11. Legislative or policy advocacy
	12. Rent affordability
	13. Other (please describe)

**Response:** Open cases by issue cannot be counted; our database does not calculate open cases by issue.

a. Rent control: this subject is asked about in reference to rent increases.

b. Rent increases: 590

c. Vacancy increases: the office does not collect information on this; it’s not question or concern that DC tenants address to the agency

d. Petitions and voluntary agreements: 98

e. Conversions and sales: 617

f. Housing code violations: 2801

g. Bedbugs: 72

h. Security deposits: 740

i. Lease violations/rental payment disputes: 2114

j. Evictions/foreclosures: 534

k. Legislative or policy advocacy: tenants and tenant groups who raise legislative issues are not counted as intake cases; rather they are directed to the Policy Division.

l. Rent affordability: This is not a legal issue *per se* except as it relates to rent control (see rent control above).

m. other: 2458; includes general questions concerning leases, utility bills and basic tenant rights.

1. **Based on the number of tenant complaints or other considerations, please identify the top 5 issues facing tenants today. Have there been any significant changes through FY18 and FY19 to date, and is there anything the agency plans to do differently given possible changing needs?**

**Response:** The top 5 issues are lease issues (various lease, utility and basic tenant rights questions); housing code violations (bedbugs; rodent and pests; water damage); mold; notice to vacate; and notice of rent increase. There have been no significant changes from FY18 to date. These issues have been the same from FY18 to date. OTA has monthly classes in place for renters to gain knowledge of their rights.

1. **Please provide an update on the District’s bedbug problem. Do bedbugs continue to be a major health issue for tenants? Is the problem abating or worsening? The Committee recognizes that the agency has worked with the Department of Health in the past to address the issue, but what is the “cure” for the problem and what role can the agency play in implementing a solution?**

**Response:** According to the agency’s intake data, the bedbug problem has plateaued. However, as we noted last year, an article published in January 2018 indicates that the District ranks second in the nation for residential and commercial bedbug treatments conducted by Orkin. See:

<https://www.orkin.com/press-room/orkin-releases-top-50-bed-bug-cities-list/>

The Department of Health is primarily responsible for educating tenants about bedbug infestation. When a tenant has a bedbug complaint, OTA provides them with relevant information as a matter of first recourse.

The keys to controlling this scourge include:

1. Education and outreach:  the OTA has participated with DOH and others at various forums and conferences;
2. Early detection and notification: the OTA and DOH participate in DOEE’s “Lead-free and Healthy Homes” program, which involves comprehensive home inspections and may include bedbug detection.
3. Clear legal responsibilities:  In 2014, the “pest extermination” provision in the Property Maintenance Code (12G DCMR 309) was revised to establish clear “pest extermination” responsibilities for landlords, tenants, and others.  In our capacity as a voting member of the PMC TAG (see response to question #24), the OTA proposed the revision in collaboration with other TAG members during the previous construction code cycle.  The TAG and the CCCB approved the revision, and it became law in March 2014 pursuant to the Council’s approval of the construction code revisions.
4. **Please explain any reductions in funding OTA provides to non-profit legal services providers. Please discuss any ongoing contracts for legal services, the scope of each contract, how it is being monitored, and the number of tenant cases referred in FY18 and FY19 to date under each contract.**

**Response:** In FY 2018, OTA had contracts with four legal service providers – Legal Counsel for the Elderly, Zouaoui Law Firm, DC Law Students in Court Program, and Legal Aid Society of DC. All legal contracts were monitored through the monthly invoice process. The legal agreement made between the OTA and all legal service providers required a monthly accounting of all activities taken to protect tenant rights. The report included but was not limited to the following information: the number of clients seen; the number of hours associated with each client intake; the ward of the city in which the client resides; and the client’s primary language. A review of all invoices was handled by the OCFO – EDRC Shared Services Center, which signed off on the invoice before it is passed on for payment processing. The language data was compiled and then reported out on the quarterly Language Access report.

The FY2018 Purchase Orders issued included:

|  |  |
| --- | --- |
| **PO NUMBER** | **VENDOR** |
| PO576883 | Legal Aid Society of DC |
| PO578701 | DC Law Students in Court Program |
| PO577235 | Legal Counsel for the Elderly |
| PO577287 | Law Office of Jamil Zouaoui |

The OTA Legal Service Provider Program started with OTA having zero litigating attorneys and authority to distribute $400,000 to the legal service community for the representation of tenants in public interest cases. Over time, the OTA was given authority to add litigating attorneys to its staff, and the budget authority was reduced. For FY2019, the OTA was given the authority to add three additional litigating attorneys, and the approved budget for the Legal Service Provider Program was reduced to $175,000.

Having administered the program for a decade, the Chief Tenant Advocate determined that it was time to step back and assess the effectiveness of the program. She is well aware of the value of public-private partnerships in providing services to DC tenants, and continues to believe that a meaningful Legal Services Provider Program would be a benefit to the DC tenant community. OTA works with the Mayor’s Budget Office and the Office of the Deputy Mayor for Planning and Economic Development (DMPED) to develop our annual budget.

1. **How many new cases were assigned to each attorney in FY18 and FY19 to date?**

**Response**:

|  |  |
| --- | --- |
| Harrison Magy | 1040 |
| Ramona Quillet | 749 |
| Stephen Dudek | 615 |
| Sean Treanor | 670 |
| Umar Ahmed | 312 |

\*Figures do not include cases assigned to Case Management Specialists and other staff.

1. **Please describe your strategy to expand legal representation with the addition of litigating attorneys, law school students, and pre-law college undergraduates. What function will each have?**

**Response:** OTA’s strategy to expand legal representation includes (1) the reorganization of the legal department to provide a higher quality representation of a larger number of tenants; and (2) the implementation of a rigorous training program to enhance the skills of the current legal division and the incoming attorneys.

1. **What number of front-line employees is deployed to handle customer inquiries in person and on the phone on a given day? Please break down the numbers for each segment of the agency and describe each employee’s function. Is the agency adequately staffed with front-line employees?**

**Response:** On a given day, a total of 5 employees are deployed to handle customer inquiries, including one front desk receptionist, two case management specialists, and two attorney advisors.

The functions of the front desk receptionist include answering and routing telephone calls, assisting “walk-in” tenants in completing the proper forms and meeting with OTA staff members, entering tenant information into the agency’s database, and assisting in other administrative activities.

The functions of the case management specialists are to speak with tenants in person or via telephone and attempt to respond to inquiries regarding the tenants’ rights or responsibilities. Case management specialists may also route inquiries to attorneys if they determine that the matter requires legal advice or representation.

The functions of the attorney advisors include (1) speaking with tenants in person or via telephone in order to provide legal assistance and advising tenants of their rights; (2) assisting tenants in the drafting of legal pleadings; (3) drafting demand letters on behalf of tenants; conducting follow-up work on behalf of tenants such as legal research; (4) negotiating settlement agreements on behalf of tenants; (5) and engaging in full legal representation in DC courts and administrative proceedings.

On an average day, the OTA receives approximately 40 inquiries via telephone or in person, while on busy days that number may be much higher. The number of intakes has steadily grown over the years and continues to increase every year. Telephone inquiries are generally resolved in about 30 minutes, although many inquiries involve follow-up work and extensive legal research. In-person assistance tends to last more than an hour, and often lead to follow-up work such as drafting demand letters and complaints or other representation activities.

1. **Is there anything that OTA has done/can do to improve the agency’s efficiency and performance from a customer service perspective?**

**Response**:  OTA has begun a reorganization effort that is intended to improve the agency’s efficiency and performance from a customer service perspective. This reorganization effort includes automation, re-allocation of tasks, and ongoing training.

Automation: The use of an automatic telephone routing service will be used to free up front desk reception time without sacrificing quality of customer service. Online scheduling software will be used to streamline the appointment making process and to ensure a smooth and organized triage process.

Re-allocation: OTA will re-allocate tasks and resources more systematically and through a division of labor process that will improve the productivity and efficiency of the customer service division.

Training: OTA will provide ongoing training to employees in an effort to improve their skill set and enhance their efficiency and productivity.

1. **OTA’s planned “interagency alert” system will check for housing provider noncompliance within licensing and registration requirements and homestead deductions claims and will generate and transmit the violations to the relevant agency.**
	1. **Please provide an update on the system.**

**Response:** The “interagency alert’ system has been placed on the back burner. The agency has refocused its attention on the Rental Housing Database. We believe the database will be well-suited for this purpose because it will house information regarding housing provider compliance or non-compliance with licensing, registration, and other requirements.

* 1. **Can the system be expanded to encompass housing code and other violations or are those needs met through other systems?**

**Response:** N/A

* 1. **What else can be done to facilitate better interagency coordination?**

**Response:** The Rental Housing Database will replace the agency’s concept for the “interagency alert system”. The plan is to incorporate the concept –specifically, automated electronic non-compliance notifications to the relevant enforcement agencies -- into the rental housing database. Currently, we provide such alerts to DCRA and other relevant agencies on a non-automated basis as they occur.

1. **Has OTA faced any challenges in coordinating inspections, re-inspections, enforcement, and collecting fees and fines with DCRA, including building-wide inspections?**

**Response**: N/A

1. **Have there been any issues coordinating tenant assistance with any other agencies?**

**Response**: The agency has good inter-agency relationships, and utilizes those relationships to help resolve “regulatory coordination” problems on a case-by-case basis. For example, there are no major coordination problems regarding the OTA emergency housing assistance program. The OTA actively works with DCRA, DHS- Strong Families, DHS- Emergency Management Team, the American Red Cross, as well as hotels throughout the city.

### *Workshops and Outreach Programs*

1. **Please identify each education and outreach program the agency held in FY18 and FY19 to date.**

**Response:**

**I. FY 2018:**

10/25/2017 OTA Stakeholder Meeting

 2000 14th Street, NW

12/15/2017 OTA Annual Open House and Holiday Reception

 2000 14th Street, NW, Suite 300N

1/11/2018 DMPED Open House

 Washington Convention Center

1/23/2018 Off-Campus Housing Fair

Catholic University of America

1/23/2018 Tenant Rights Presentation

 Shepherd Park (Juanita E. Thornton) Library

1/23/2018 OTA Presentation

 DBH- Residential Services & Support w/ Housing Development Division

2/6/2018 Off-Campus Housing Fair

 George Washington University

2/8/2018 OTA Presentation

DMPED- NCI Contract Meeting

2/15/2018 Tenant Rights Presentation

 Catholic University of America

2/27/2018 TOPA Presentation

 DBH- Residential Services & Support w/ Housing Development Division

2/28/2018 Renters Rights 101

2000 14th Street, NW

3/6/2018 Tenant Rights Presentation

 Fort Chaplin Apartments

3/22/2018 Off-Campus Housing Fair

 Gallaudet University

3/27/2018 OAG & OTA Legal Symposium

Center for Total Health

3/30/2018 Renters Rights 101

2000 14th Street, NW

4/3/2018 Tenant Rights Presentation

 August Tenant Association

4/23/2018 Renters Rights 101

 Gallaudet University

4/24/2018 Renters Rights 101

Housing Opportunities Unlimited

4/25/2018 Renters Rights 101

2000 14th Street, NW

4/26/2018 OTA Presentation

 DBH- Resource Fair

5/10/2018 OTA Presentation

 Mayor’s Office of Veteran Affairs

5/12/2018 OTA Presentation

LEDC Annual Town Meeting

5/14/2018 OTA Presentation

711 49th Street, NE

5/17/2018 Tenant Rights Presentation

 Hodge at 7th Tenant Association

5/19/2018 Renters Rights 101

 2000 14th Street, NW

5/23/2018 OTA Stakeholder Meeting

 2000 14th Street, NW

6/4/2018 Tenant Rights Presentation

Columbia Heights Village Tenant Association

6/6/2018 Tenant Rights Presentation

 D.C. Council of Aging

6/9/2018 OTA Presentation

 DHCD Housing Expo

6/27/2018 Renters Rights 101

200 14th Street, NW

6/28/2018 Tenant Rights Presentation

Hodge at the 7th Tenant Association

7/6/2018 Renters Rights 101

 Congress Heights Senior Wellness Center

8/9/2018 Renters Rights 101

Community Partnership

8/16/2018 Tenant Rights Presentation

LEDC Tenant Meeting

9/5/2018 Tenant Rights Presentation

Golden Rule Apartments

9/14/2018 Renters Rights 101

Community Partnership

9/18/2018 Tenant Rights Presentation

Emery Work Bed Program

9/29/2018 OTA’s Annual Tenant Summit

 Gallaudet University

**II. FY 2019:**

10/3/2018 Tenant Rights Presentation

 DC Council of Aging

10/15/2018 Renters Rights 101

 Cascade Park Community Meeting

10/23/2018 Tenant Rights Presentation

 Mayor’s 11th Annual Diversity Expo

10/24/2018 Renters Rights 101

2000 14th Street, NW

10/25/2018 Renters Rights 101

 Community Partnership

10/30/2018 Tenant Rights Presentation

 D.C. Ambassador’s- DC Council of Aging

10/31/2018 Tenant Rights Presentation

 Georgetown Meeting

11/2/2018 Tenant Rights Presentation

Day of Dignity- Mary Merrick Virginia Center

11/3/2018 Tenant Rights Presentation

 CentroNia Health Fair

11/8/2018 Renters Rights 101

Community Partnership

11/9/2018 Renters Rights 101

Chronic Homeless Initiative- 1001 Lawrence Street, NE

11/13/2018 Tenant Rights Presentation

 Summit at St. Martin

11/17/2018 Renters Rights 101

 2000 14th Street, NW

11/27/2018 Tenant Rights Presentation

Capitol Hill Group Ministry

11/29/2018 Tenant Association Presentation

Varney Street Tenants

11/29/2018 Renters Rights 101

 Department of Energy and Environment

12/1/2018 Tenant Rights Presentation

 ANC Orientation

12/5/2018 Tenant Association Presentation

Atlantic Gardens & Atlantic Terrence Tenant Association

12/11/2018 Tenant Rights Presentation

Shepherd Park (Juanita E. Thornton) Library

12/12/2018 Tenants Right Presentation

 Kenmore Tenant Association

12/13/2018 Renters Rights 101

 Community Partnership

12/14/2018 OTA’s Annual Holiday Party and Open House

2000 14th Street, NW

12/17/2018 Tenant Rights Presentation

 Tenant Meeting at 1101 West Virginia Ave, NE

12/18/2018 Tenant Association Presentation

Summit at St. Martin

1. **How do you measure the effectiveness of your tenant education programs? What has been the feedback on the programs you conducted in FY18 and FY19 to date? What were your top five attended or utilized programs?**

**Response**: The OTA measures the effectiveness of our tenant education programs in a number of ways, including evaluations; comments from participants; the number of referrals from government agencies, nonprofit organizations, and tenants. We generally receive excellent feedback from participants. OTA received and scheduled sixty-nine, (69) presentations and assistance serving one thousand three hundred seventy-two (1,372) District’s tenants, government agencies, and nonprofit organizations.

The top five attended/utilized programs engaged in by the OTA are:

* GWU Off-Campus Housing Fair (2/6/2018)
* DBH Resource Fair (4/26/2018)
* DHCD Housing Expo (6/9/2018)
* Annual Tenant and Tenant Association Summit (9/29/2018)
* Mayor’s Annual Senior Holiday Celebration (12/12/2018)
1. **Please summarize the outreach programs that the agency plans to implement this coming year.**

**Response**:

Tenant Education Institute (TEI)

OTA will continue to add materials to the resource center, which is part of the institute. Concerted efforts will be taken to publicize the resource center by making the TEI available online and encourage its use by tenants and tenant associations and to make the TEI available online. For Fiscal Year 2019, the OTA will continue to develop and offer courses through the institute that focuses on:

a. Outreach Program for College and University Students Living Off-Campus

During the winter months, the OTA will focus on maintaining and growing our outreach efforts with the District’s colleges and universities: George Washington University, American University, Howard University, Trinity College, Georgetown University, Catholic University, Gallaudet University and the University of the District of Columbia. The OTA will continue to develop and expand our services to college students by contacting all colleges and university in the District to identify when students begin searching for housing and establish a plan for holding on-campus events. We are planning on implementing a new program, where the Education and Outreach Director with an OTA Attorney Advisor will visit the college and university campuses on a monthly basis to review students’ leases, conduct presentations on tenant rights and situations unique to college students, and advise students on how to resolve their landlord-tenant conflict. In addition, the OTA is working with the University of District of Columbia to create a mandatory class for all incoming freshmen students.

b. Expansion of Renters Rights 101

During the fall and winter months, the OTA will focus on expanding the Renters Rights 101 presentation by creating Renter Rights 101 for specific tenant populations. The OTA will be working with the District of Columbia Housing Authority to create a Renter Rights 101 for tenants involved in the Housing Choice Voucher Program (HCVP). The goal is to have an OTA staff member present the newly created Renter Rights on a monthly or quarterly basis for HCVP tenants. The OTA will continue to explore and develop Renter Rights 101 for other specific tenant populations, such as students, elderly, and public housing. In addition, the OTA will continue to explore making Renter Rights 101 accessible to the public by converting it to an online course. The online course will focus on segmenting Renters 101 into different sections and have each section conclude with a quiz. If the participant receives a passing grade, the OTA will issue a certificate of completion to the participant.

c. Tenant Associations Empowerment

During winter and spring months, the OTA will continue to develop a tenant association kit that will include materials such as the Articles of Incorporation, By-laws as well as other documents to ensure tenant associations are in compliance with changes in the business organization laws. OTA will continue its concerted effort to assist more tenants forming tenant associations. Course offerings through the Tenant Education Institute will assist tenant associations in achieving and maintaining sustainability. We will continue efforts to invite tenant association representatives to attend the OTA stakeholders meetings, the Annual Summit, training events, and other programs. We will continue to encourage Tenant Associations to connect with each other by updating the OTA’s Tenant Association List.

d. Understand Your Lease Initiative

During the spring and summer months, the OTA will create an interactive summary page to assist Tenants in understanding the essential terms of the lease. The interactive summary page will give Tenants the opportunity to identify essential information such as the amount of rent owed when rent is due, pets allowed, subletting allowed, when to give the notice to terminate the tenancy and any other essential information deemed necessary. The summary page will be available on the OTA’s website and in the Tenant Education Institute. The OTA will promote the summary page by advertising to the public that an OTA Attorney Advisor can review their lease with them.

e. Protecting Your Security Deposit Initiative

During the spring and summer months, the OTA will create an inspection form for tenants to fill out when they move-in and move out of their housing accommodation. The inspection form will assist District’s tenants in identifying the housing conditions and damages to their housing accommodation at the time of move-in and move-out. This practice will increase tenants’ chances of receiving a full return of their security deposit by identifying any damages caused by the tenant and the conditions of the unit throughout the duration of the tenancy. The inspection form will remind tenants to verify the housing conditions by attaching pictures to the form. The inspection form will be available online and at the OTA office.

f. Establishing Pop-up Clinics in Each Ward

During the winter and spring months, the OTA will focus on expanding their legal clinic by exploring the possibility of hosting a pop-up legal clinics in all eight of the District’s wards. The Education and Outreach Director will invite the Directors of Constituent Services from each councilmember office to learn the need of each ward and identify a space where the OTA could host such a pop-up legal clinic. The OTA, along with the councilmembers, will communicate and advertise the clinic to the public. The OTA intends to host such clinic on a monthly basis and will reevaluate the value of such clinics at the end of this fiscal year.

1. **How does the agency identify the tenants that are most in need of information and notify them of course offerings? What outreach can you provide to tenants who are not computer literate or otherwise technically inclined?**

**Response**: The OTA requests an email address on forms such as the intake form, summit registration form, sign-in sheets for stakeholder meetings and other events. If the tenant does not have email access, we send announcements, materials, flyers, etc. via the U.S. Post Office. We also use other forms of communication to reach a wider audience, including announcements in newspapers, flyers, and radio. We utilize paid advertisements in selected newspapers and on Metro buses for the annual tenant summit. Our public relations strategy recognizes that there are many tenants without computer access, thus we utilize as many means as possible to publicize OTA services, programs, and activities, additionally, all workshop sessions held at the Annual Tenant Summit can be accessed through our web page with the live captioning. Additionally, all Agency materials are Section 508 compliant.

1. **How does the agency solicit feedback from tenants? Please describe. What has the agency learned from this feedback?**

**Response**: Annually, the OTA conducts periodic surveys of the tenant community to better serve them. Some of these surveys include feedback and topic suggestions for stakeholder meetings and, the Annual Summit, a pre-event survey to solicit subject matter ideas and post-event “customer satisfaction” surveys. After each presentation, the presenter asks audience members for feedback on whether they liked the presentation and how to improve the presentation. The OTA will explore distributing surveys to the audience members after each presentation. In addition, the OTA will explore distributing surveys to ANC Commissioners, churches, and the general public to evaluate the need of the District’s tenants.

1. **How has the agency changed its practices because of the feedback?**

**Response:** OTA continually seeks ways to expand our public relations efforts to ensure we are informing as many tenants as possible about our programs and services. We developed agenda items, training, and presentations in response to the feedback received.

### *Legislation*

1. **What were the agency’s legislative priorities in FY18, were they accomplished, and what are the agency’s legislative priorities for FY19?**

**Response**:  Among the OTA’s FY18 legislative priorities are a number of items that became law or are on their way to becoming law. They include:

* Bill 21-0706, the “Fair Criminal Record Screening for Housing Act of 2016” (Law 21-0259 effective 4/7/17; funded as of 12/13/17)(restricting housing provider inquiries into the arrest and criminal records of rental applicants)
* Bill 22-0024, the “[Expanding Access to Justice Act of 2017](http://lims.dccouncil.us/Legislation/B22-0024?FromSearchResults=true)” (incorporated into Bill 22-244, the “Fiscal Year 2018 Budget Support Act of 2017,” Title III Subtitle F, effective 12/13/17)(moving toward a right to counsel for low-income eligible individuals confronting eviction)
* Bill 22-0025, the “Vacancy Increase Reform Amendment Act of 2018” (Act 22-536 projected law date 2/26/19)(capping the rent control vacancy rent increase at l0 percent of the rent charged if the previous tenant occupied the unit for I 0 years or less, or to 20 percent if the previous tenant occupied the unit for more than l0 years)
* Bill 22-0170, the “At-Risk Tenant Protection Clarifying Amendment Act of 2017” (Act 22-0505 projected law date 2/26/19) (authorizes the Office of the Attorney General to enforce the Consumer Protection Procedures Act against housing providers that violate laws that protect tenants)
* Bill 22-0352, the “[Office of Administrative Hearings Jurisdiction Expansion Amendment Act of 2017](http://lims.dccouncil.us/Legislation/B22-0352?FromSearchResults=true)” (Law 22-0112 effective 6/9/18)(expanding OAH jurisdiction to include adjudicated cases arising from the Rental Housing Conversion and Sale Act of 1980)
* Bill 22-0441, the “Rental Unit Fee Adjustment Amendment Act of 2018” (Law 22-0113 effective Jul 3, 2018)(increasing the per rental unit fee to $30 from $25)
* Bill 22-0442, the “Rental Housing Registration Update Amendment Act of 2017” (incorporated into Law 22-0168, the “Fiscal Year 2019 Budget Support Act of 2018,” Title II Subtitle CC, effective 10/30/18)(requiring housing providers to re-register rental units under the Rental Housing Act)
* Bill 22-0570, the “Rental Housing Affordability Re-establishment Amendment Act of 2018” (Act 22-0501 projected law date 2/26/19)(resetting the rents of units no longer exempt from the Rent Stabilization Program due to the end of a tenant-based subsidy to an amount based on the adjustments of general applicability that accrued during the period of exemption)
* Bill 22-0640, the “Rental Housing Commission Independence Clarification Amendment Act of 2018” (Act 22-492 projected law date 2/26/19)(clarifying that the Rental Housing Commission is an independent agency within the executive branch of the District government)
* Bill 22-0092, the “Short-term Rental Regulation and Affordable Housing Protection Act of 2017” (Act 22-0563 no projected law date yet)(to regulate short-term rentals to ensure compliance with zoning regulations, building codes, health codes and housing codes among other things)
* Bill 22-0809, the “Eviction with Dignity Act of 2018” (Act 22-571 no projected law date yet)(requiring landlords to store the property of tenants for 10 days upon an eviction)
* Bill 22-0949, the “Rental Housing Smoke Free Common Area Amendment Act of 2018” (Act 22-574 no projected law date) (prohibiting smoking in common areas and within 25 feet of an entrance or window of a multifamily rental accommodation -- subject to Appropriations).
* Bill 22-0999, the “Rent Charged Definition Clarification Amendment Act of 2018” (Act 22-574 no projected law date yet)(clarifying the definition of the term "rent charged" and requiring the definition of the term "rent charged" to be included on all Rental Accommodations Division forms that include the term)

The agency’s legislative priorities for FY19 include continuing to explore with the Committee and Council (a) further rent control reforms to protect the District’s diminishing stock of affordable rental housing, particularly with regard to housing provider petitions and Voluntary Agreements; and (b) the need for further residential lease legislation to protect the tenant’s reasonable contractual expectations regarding lease provisions that are too often enforced in unfair or unexpected ways (see Law 21-210, the “Residential Lease Clarification Amendment Act of 2016,”effective 2/18/17). Other agency legislative priorities for FY19 include legislative items that were introduced but not enacted in FY18. They include:

* Bill 22-100, the “Preservation of Affordable Rent Control Housing Amendment Act of 2017” (prohibiting tenants and housing providers from forming certain agreements that shift the burden of rent increases to other current or future tenants, unless those rent increases would also apply to the tenants who are parties to the agreement)
* Bill 22-0381, the “Landlord Transparency Amendment Act of 2017” (authorizing the Mayor or Mayor's designee to compel the production of ownership records by subpoena after a finding of ten housing code violations in a single housing unit or thirty-five violations in a single building)
* Bill 22-0396, the “Property Manager Licensing Amendment Act of 2017” (defining the term property manager and clarifying the scope of duties of licensed property managers in the District, and specifying the education requirements that must be met prior to licensing)
* Bill 22-1012, the “Eviction Record Sealing Authority Amendment Act of 2018” (authorizing the Court to seal certain eviction records and establishing penalties for those who publish such records)
1. **What new legislative issues have arisen in FY18 and FY19 to date that could require legislative action? What were the sources of the new issues? Requests from constituents? Ideas from staff?**

**Response**:  Generally, the sources of new policy issues are problems and complaints conveyed to the agency by tenants themselves, their attorneys, and government and community colleagues.

* See response to question # 68 above regarding FY19 priorities.
* Enhanced measures to better enforce the assessment and remediation of indoor mold, as required under Law 20-135, the “Air Quality Amendment Act of 2014,” Title III (“Indoor Air Quality”), effective 9/9/14.
* B23-0045, the “Bedbug Control Act of 2019” (regulating the removal of bedbugs and requiring that certain notices be provided to rental applicants regarding a unit’s history of bedbug infestation)

## *Publicly Accessible Rent Control Housing Clearinghouse*

1. **Please provide a detailed update on the status of the Publicly Accessible Rent Control Housing Clearinghouse.**
	1. **What has been accomplished thus far?**

**Response:** OTA has completed the assessment and design phases of the database, and prepared a scope of work. The scope of work has undergone many revisions after being submitted for review to a number of different DC agencies and other relevant stakeholders. A final version has been submitted to the Office of Contracting and Procurement (“OCP”) for incorporation into an RFP.

* 1. **What are the “next steps”?**

**Response:** OCP has prepared the RFP for publication, and it is in the process of being published.

* 1. **What degree of confidence does the OTA have that the database and the registration project will be up-and-running and ready to transfer to the Department of Housing and Community Development by December 13, 2019?**

**Response:** Barring any unforeseen delays, OTA is fairly assured that the database will be up-and-running by December 13, 2019. Our current anticipated timeline for awarding a contract is April 10, 2019. See “Attachment #15 Question 70– Rent Control Housing Clearinghouse Timeline.” If the vendor begins work on the database at that time, we anticipate that the database will be completed within six months, or in December 2019.