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# Office of the Tenant Advocate

<http://ota.dc.gov>

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Description	FY 2012 Actual	FY 2013 Approved	FY 2014 Proposed	% Change from FY 2013
Operating Budget	\$1,948,805	\$2,063,971	\$2,132,106	3.3
FTEs	12.8	15.0	15.0	0.0

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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 to displaced tenants for certain emergency housing and tenant relocation expenses.

## Summary of Services

OTA provides a range of services to the tenant community to further each aspect of its mission. The agency (1) advises tenants on resolving disputes with landlords, identifies legal issues and the rights and responsibilities of tenants and landlords, and provides legal and technical assistance for further action such as filing tenant petitions; (2) provides in-house representation for tenants in certain cases, and refers other cases to pro bono or contracted legal service providers and attorneys; (3) works with other governmental and non-governmental officials and entities, including the District Council, the Mayor's office, executive agencies, the courts, tenant stakeholders, advocates, and others, to promote better tenant protection laws and policies in the District; (4) conducts educational seminars in a variety of contexts to inform tenants about their rights and other rental housing concerns; and (5) provides financial assistance for certain emergency housing and relocation expenses to tenants displaced by fires, floods, or government closures.

The FY 2014 proposed budget is presented in the following tables:

## FY 2014 Proposed Gross Funds Operating Budget, by Revenue Type

Table CQ0-1 contains the proposed FY 2014 agency budget compared to the FY 2013 approved budget. It also provides FY 2011 and FY 2012 actual expenditures.

**Table CQ0-1**  
(dollars in thousands)

Appropriated Fund	Actual FY 2011	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Percent Change*
<b>General Fund</b>						
Local Funds	560	1,949	2,064	2,132	68	3.3
Special Purpose Revenue Funds	1,195	0	0	0	0	N/A
<b>Total for General Fund</b>	<b>1,755</b>	<b>1,949</b>	<b>2,064</b>	<b>2,132</b>	<b>68</b>	<b>3.3</b>
<b>Gross Funds</b>	<b>1,755</b>	<b>1,949</b>	<b>2,064</b>	<b>2,132</b>	<b>68</b>	<b>3.3</b>

\*Percent change is based on whole dollars.

Note: If applicable, for a breakdown of each Grant (Federal and Private), Special Purpose Revenue type and Intra-District agreement, please refer to Schedule 80 Agency Summary by Revenue Source in the FY 2014 Operating Appendices located on the Office of the Chief Financial Officer's website.

## FY 2014 Proposed Full-Time Equivalents, by Revenue Type

Table CQ0-2 contains the proposed FY 2014 FTE level compared to the FY 2013 approved FTE level by revenue type. It also provides FY 2011 and FY 2012 actual data.

**Table CQ0-2**

Appropriated Fund	Actual FY 2011	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Percent Change
<b>General Fund</b>						
Local Funds	74	12.8	15.0	15.0	0.0	0.0
Special Purpose Revenue Funds	6.0	0.0	0.0	0.0	0.0	N/A
<b>Total for General Fund</b>	<b>13.3</b>	<b>12.8</b>	<b>15.0</b>	<b>15.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Total Proposed FTEs</b>	<b>13.3</b>	<b>12.8</b>	<b>15.0</b>	<b>15.0</b>	<b>0.0</b>	<b>0.0</b>

## FY 2014 Proposed Operating Budget, by Comptroller Source Group

Table CQ0-3 contains the proposed FY 2014 budget at the Comptroller Source Group (object class) level compared to the FY 2013 approved budget. It also provides FY 2011 and FY 2012 actual expenditures.

**Table CQ0-3**  
(dollars in thousands)

Comptroller Source Group	Actual FY 2011	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Percent Change*
11 - Regular Pay - Continuing Full Time	916	879	1,061	1,101	40	3.7
12 - Regular Pay - Other	16	29	0	0	0	N/A
13 - Additional Gross Pay	13	3	0	0	0	N/A
14 - Fringe Benefits – Current Personnel	230	218	285	311	25	8.9
15 - Overtime Pay	2	4	0	0	0	N/A
<b>Subtotal Personal Services (PS)</b>	<b>1,176</b>	<b>1,133</b>	<b>1,347</b>	<b>1,412</b>	<b>65</b>	<b>4.8</b>
20 - Supplies and Materials	0	17	22	21	-1	-6.4
31 - Telephone, Telegraph, Telegram, Etc.	13	38	0	0	0	N/A
40 - Other Services and Charges	542	135	375	377	2	0.6
41 - Contractual Services - Other	24	625	310	314	5	1.5
50 - Subsidies and Transfers	0	0	2	0	-2	-100.0
70 - Equipment and Equipment Rental	0	0	8	8	0	0.0
<b>Subtotal Nonpersonal Services (NPS)</b>	<b>579</b>	<b>816</b>	<b>717</b>	<b>720</b>	<b>3</b>	<b>0.4</b>
<b>Gross Funds</b>	<b>1,755</b>	<b>1,949</b>	<b>2,064</b>	<b>2,132</b>	<b>68</b>	<b>3.3</b>

\*Percent change is based on whole dollars.

### Program Description

The Office of the Tenant Advocate operates through the following 6 programs:

**Legal Representation** – implements the agency’s statutory duty to represent tenants, at its discretion and as it determines to be in the public interest, in Federal or District judicial or administrative proceedings.

This program contains the following 3 activities:

- **In-House Legal Representation** – provides in-house legal representation in certain “high-impact” cases if certain criteria are met, and refers other clients to pro bono or contracted legal service providers and attorneys or assists them in finding other representation;
- **Tenant Hotline** – provides advice and analysis regarding legal rights in response to individual tenant inquiries regarding disputes with their landlords. Assists tenants in completing and filing tenant petitions and drafting other court documents. Provides in-house legal representation based on public interest impact and as resources allow; or provides funding for other legal service providers; or otherwise assists tenants in finding representation for court and administrative proceedings; and
- **Legal Service Provider** – 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.

**Policy Advocacy Program** – provides support to community-based programs that inform tenants regarding their legislative and regulatory legal protections. It serves as the legal expert on all legislation relating to tenant rights, other affordable housing, tenant, and housing-related laws. The agency tracks legislative and regulatory issues and recommends appropriate changes.

**OTA Educational Institute** – provides a more formal series of educational and outreach forums with educational material regarding rental housing laws, rules, and policies, especially rights to petition and to form tenant associations.

**Emergency Housing** – implements the agency’s statutory duty to “provide emergency housing and relocation assistance to qualified tenants” in certain situations by:

- Providing financial assistance to temporarily house tenants displaced by fires, floods, or government closures;
- Providing assistance to tenants regarding the packing, moving and storing of personal possessions;
- Providing first month’s rent, security and/or utility deposits, and application fees for replacement rental housing; and
- Coordinating with other District agencies and community-based organizations to ensure that displaced tenants receive appropriate services.

**Case Management Administration and Community Outreach** – implements the agency’s statutory duty to advise tenants and tenant organizations on filing complaints and petitions, including petitions in response to disputes with landlords.

This program contains the following 2 activities:

- **Case Management Administration** – provides legal and technical assistance to tenants regarding rental housing disputes with landlords, including identifying legal issues and the tenant’s and the landlord’s respective rights and responsibilities, and assisting with follow-up action items, such as completing and filing tenant petitions and monitoring rental housing case hearings; and
- **Community Outreach** – provides outreach and educational programs regarding tenant rights and rental housing matters and sends “rapid response” letters to tenants affected by certain administrative actions to apprise them of their rights and of the OTA’s availability to provide further assistance.

**Agency Management** – provides for administrative support and the required tools to achieve operational and programmatic results. This program is standard for all agencies using performance-based budgeting.

### **Program Structure Change**

The Office of the Tenant Advocate has no program structure changes in the FY 2014 proposed budget.

## FY 2014 Proposed Operating Budget and FTEs, by Program and Activity

Table CQ0-4 contains the proposed FY 2014 budget by program and activity compared to the FY 2013 approved budget. It also provides the FY 2012 actual data.

**Table CQ0-4**

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013
<b>(1000) Administrative Services</b>								
(1030) Property Management	4	0	0	0	0.0	0.0	0.0	0.0
(1040) Information Technology	38	17	0	-17	0.0	0.0	0.0	0.0
(1090) Performance Management	371	407	415	8	3.3	4.0	4.0	0.0
<b>Subtotal (1000) Administrative Services</b>	<b>414</b>	<b>424</b>	<b>415</b>	<b>-9</b>	<b>3.3</b>	<b>4.0</b>	<b>4.0</b>	<b>0.0</b>
<b>(2000) Housing Assistance Community Service Program</b>								
(2010) Housing Assistance Community Service Program	704	0	0	0	3.8	0.0	0.0	0.0
<b>Subtotal (2000) Housing Assistance Community Svcs. Program</b>	<b>704</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3.8</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>(3000) Legal Representation</b>								
(3010) Housing Assistance	238	0	0	0	2.8	0.0	0.0	0.0
(3015) In-House Legal Representation	0	519	607	88	0.0	5.0	6.0	1.0
(3020) Legal Hotline	38	45	40	-5	0.0	0.0	0.0	0.0
(3030) Legal Service Provider	336	260	264	5	1.0	0.0	0.0	0.0
<b>Subtotal (3000) Legal Representation</b>	<b>612</b>	<b>824</b>	<b>912</b>	<b>87</b>	<b>3.8</b>	<b>5.0</b>	<b>6.0</b>	<b>1.0</b>
<b>(4000) Policy Advocacy Program</b>								
(4010) Tenant Advocacy Program	0	0	0	0	0.0	1.0	0.0	-1.0
(4010) Policy Advocacy Program	111	123	125	2	1.0	0.0	1.0	1.0
(4020) Research and Development	8	0	0	0	0.0	0.0	0.0	0.0
<b>Subtotal (4000) Policy Advocacy Program</b>	<b>119</b>	<b>123</b>	<b>125</b>	<b>2</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>0.0</b>
<b>(5000) OTA Educational Institute</b>								
(5010) OTA Educational Institute	99	106	116	10	1.0	1.0	1.0	0.0
<b>Subtotal (5000) OTA Educational Institute</b>	<b>99</b>	<b>106</b>	<b>116</b>	<b>10</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>0.0</b>
<b>(6000) Emergency Housing</b>								
(6010) Emergency Housing	0	250	296	46	0.0	0.0	0.0	0.0
<b>Subtotal (6000) Emergency Housing</b>	<b>0</b>	<b>250</b>	<b>296</b>	<b>46</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>(8000) Case Management Administration and Community Outreach</b>								
(8010) Case Management Administration	0	287	219	-68	0.0	4.0	3.0	-1.0
(8020) Community Outreach	0	50	50	0	0.0	0.0	0.0	0.0
<b>Subtotal (8000) Case Mgmt Admin and Community Outreach</b>	<b>0</b>	<b>337</b>	<b>269</b>	<b>-68</b>	<b>0.0</b>	<b>4.0</b>	<b>3.0</b>	<b>-1.0</b>
<b>Total Proposed Operating Budget</b>	<b>1,949</b>	<b>2,064</b>	<b>2,132</b>	<b>68</b>	<b>12.8</b>	<b>15.0</b>	<b>15.0</b>	<b>0.0</b>

(Change is calculated by whole numbers and numbers may not add up due to rounding)

Note: For more detailed information regarding the proposed funding for the activities within this agency's programs, please see Schedule 30-PBB Program Summary by Activity in the FY 2014 Operating Appendices located on the Office of the Chief Financial Officer's website.

## **FY 2014 Proposed Budget Changes**

The Office of the Tenant Advocate's (OTA) proposed FY 2014 gross budget is \$2,132,106, which represents a 3.3 percent increase over its FY 2013 approved gross budget of \$2,063,971. The budget is comprised entirely of Local funds.

### **Current Services Funding Level**

The Current Services Funding Level (CSFL) is a Local funds ONLY representation of the true cost of operating District agencies, before consideration of policy decisions. The CSFL reflects changes from the FY 2013 approved budget across multiple programs, and it estimates how much it would cost an agency to continue its current programs and operations into the following fiscal year. The initial adjustments in the budget proposal represent changes that should be compared to the FY 2014 CSFL budget and not necessarily changes made to the FY 2013 Local funds budget. The FY 2014 CSFL adjustments to the FY 2013 Local funds budget are described in table 5 of this agency's budget chapter. Please see the CSFL Development section within Volume 1: Executive Summary for more information regarding the methodology used and components that comprise the CSFL.

OTA's FY 2014 CSFL budget is \$2,093,106, which represents a \$29,135, or 1.4 percent, increase over the FY 2013 approved Local funds budget of \$2,063,971.

### **Major CSFL Cost Drivers**

The FY 2014 CSFL calculated for OTA included an adjustment entry that is not described in detail on table 5. This adjustment was made for an increase of \$11,983 in personal services to account for the Fringe Benefit growth rate adjustment of 4.2 percent year-over-year growth, and \$17,152 in nonpersonal services, based on the Consumer Price Index factor of 2.4 percent. During the development of the CSFL, some adjustments such as these were categorized as "other adjustments".

### **Agency Budget Submission**

**Increase:** The Office of the Tenant Advocate plans to recruit for several difficult-to-fill positions at highly competitive salaries. This action, along with planned step increases and Fringe Benefits costs, will increase personal services by \$53,184. The agency's proposal also increases the budget by \$10,744 to continue to meet the needs of families displaced from their homes. This is one of the agency's top priorities. In addition, \$4,594 will be used in Contractual Services for Legal Service Providers.

**Decrease:** A reduction of \$42,453 in professional service fees will partially offset proposed increases. The agency will streamline operations by reducing travel, supplies, and Subsidies and Transfers, saving an additional \$26,069.

### **Mayor's Proposed Budget**

**Cost-of-Living Adjustment:** This agency received a proposed cost-of-living adjustment (COLA) in Local funds, which will be applied centrally from the Workforce Investments account. For more information about the COLA, please see the Workforce Investments chapter contained in Volume 3 (Agency Budget Chapters – Part II) of the FY 2014 Proposed Budget and Financial Plan.

**Increase:** OTA will receive additional Local funding to support two vital areas. The Emergency Housing Assistance program will receive \$35,000, and an additional \$4,000 will be used for court-mandated communication upgrades.

### **District's Proposed Budget**

The Office of the Tenant Advocate has no changes from the FY 2014 Mayor's proposed budget to the FY 2014 District's proposed budget.

## FY 2013 Approved Budget to FY 2014 Proposed Budget, by Revenue Type

Table CQ0-5 itemizes the changes by revenue type between the FY 2013 approved budget and the FY 2014 proposed budget.

**Table CQ0-5**  
(dollars in thousands)

	PROGRAM	BUDGET	FTE
<b>LOCAL FUNDS: FY 2013 Approved Budget and FTE</b>		<b>2,064</b>	<b>15.0</b>
Other CSFL Adjustments	Multiple Programs	29	0.0
<b>LOCAL FUNDS: FY 2014 Current Services Funding Level Budget (CSFL)</b>		<b>2,093</b>	<b>15.0</b>
Increase: Planned step increases, filling vacancies, and Fringe Benefits	Multiple Programs	53	0.0
Increase: Emergency Housing preparedness	Emergency Housing	11	0.0
Increase: Legal Service Providers	Legal Representation	5	0.0
Decrease: Performance Management	Administrative Services	-42	0.0
Decrease: Streamline operations	Multiple Programs	-26	0.0
<b>LOCAL FUNDS: FY 2014 Agency Budget Submission</b>		<b>2,093</b>	<b>15.0</b>
Increase: Emergency housing preparedness	Emergency Housing	35	0.0
Increase: Court-mandated communication upgrades	Administrative Services	4	0.0
<b>LOCAL FUNDS: FY 2014 Mayor's Proposed Budget</b>		<b>2,132</b>	<b>15.0</b>
No Changes		0	0.0
<b>LOCAL FUNDS: FY 2014 District's Proposed Budget</b>		<b>2,132</b>	<b>15.0</b>
<b>Gross for CQ0 - Office of the Tenant Advocate</b>		<b>2,132</b>	<b>15.0</b>

(Change is calculated by whole numbers and numbers may not add up due to rounding)

## Agency Performance Plan

The agency's performance plan has the following objectives for FY 2014:

**Objective 1:** Create and improve channels of communication between the agency, interagency, and the tenant community.

**Objective 2:** Inform tenant communities about tenant rights and related issues.

**Objective 3:** Provide financial assistance to cover certain emergency housing and tenant relocation expenses under the OTA's "Emergency Housing Assistance Program" (EHAP).

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## KEY PERFORMANCE INDICATORS

<b>Measure<sup>1</sup></b>	<b>FY 2011 Actual</b>	<b>FY 2012 Target</b>	<b>FY 2012 Actual</b>	<b>FY 2013 Projection</b>	<b>FY 2014 Projection</b>	<b>FY 2015 Projection</b>
Percentage of tenant intake cases resolved	100%	87%	100%	89%	89%	89%
Number of rental housing case abstracts to be included in database	118	150	131	180	210	240
Percentage of identified tenant associations to be represented in tenant summit	85%	50%	86%	50%	50%	50%
Percentage of all emergency housing cases resolved	100%	85%	100%	85%	85%	85%
Percentage of households eligible for housing assistance for whom OTA made emergency housing available within 24 hours	100%	90%	100%	90%	90%	90%

### Performance Plan Endnotes:

<sup>1</sup>In addition to the KPIs listed, OTA will provide year-end data on the outcomes of cases referred to legal services.