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# Office of the Tenant Advocate

<http://ota.dc.gov>

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Description	FY 2011 Actual	FY 2012 Approved	FY 2013 Proposed	% Change from FY 2012
Operating Budget	\$1,755,446	\$1,923,771	\$2,063,971	7.3
FTEs	13.3	13.5	15.0	11.1

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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 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 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) OTA provides in-house representation for tenants in certain cases, and refers other cases to pro bono or contracted legal service providers and attorneys. (3) OTA 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) OTA conducts educational seminars in a variety of contexts to inform tenants about their rights and other rental housing concerns. (5) OTA provides financial assistance for certain emergency housing and relocation expenses to tenants displaced by fires, floods, or government closures.

The FY 2013 proposed budget is presented in the following tables:

## FY 2013 Proposed Gross Funds Operating Budget, by Revenue Type

Table CQ0-1 contains the proposed FY 2013 agency budget compared to the FY 2012 approved budget. It also provides FY 2010 and FY 2011 actual expenditures.

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

Appropriated Fund	Actual FY 2010	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Percent Change*
<b>General Fund</b>						
Local Funds	539	560	1,924	2,064	140	7.3
Special Purpose Revenue Funds	1,780	1,195	0	0	0	N/A
<b>Total for General Fund</b>	<b>2,319</b>	<b>1,755</b>	<b>1,924</b>	<b>2,064</b>	<b>140</b>	<b>7.3</b>
<b>Gross Funds</b>	<b>2,319</b>	<b>1,755</b>	<b>1,924</b>	<b>2,064</b>	<b>140</b>	<b>7.3</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 2013 Operating Appendices located on the Office of the Chief Financial Officer's website.

## FY 2013 Proposed Full-Time Equivalents, by Revenue Type

Table CQ0-2 contains the proposed FY 2013 FTE level compared to the FY 2012 approved FTE level by revenue type. It also provides FY 2010 and FY 2011 actual data.

**Table CQ0-2**

Appropriated Fund	Actual FY 2010	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Percent Change
<b>General Fund</b>						
Local Funds	4.3	7.4	13.5	15.0	1.5	11.1
Special Purpose Revenue Funds	9.6	6.0	0.0	0.0	0.0	N/A
<b>Total for General Fund</b>	<b>13.8</b>	<b>13.3</b>	<b>13.5</b>	<b>15.0</b>	<b>1.5</b>	<b>11.1</b>
<b>Total Proposed FTEs</b>	<b>13.8</b>	<b>13.3</b>	<b>13.5</b>	<b>15.0</b>	<b>1.5</b>	<b>11.1</b>

## FY 2013 Proposed Operating Budget, by Comptroller Source Group

Table CQ0-3 contains the proposed FY 2013 budget at the Comptroller Source Group (object class) level compared to the FY 2012 approved budget. It also provides FY 2010 and FY 2011 actual expenditures.

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

Comptroller Source Group	Actual FY 2010	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Percent Change*
11 - Regular Pay - Continuing Full Time	936	916	942	1,061	120	12.7
12 - Regular Pay - Other	27	16	14	0	-14	-100.0
13 - Additional Gross Pay	21	13	0	0	0	N/A
14 - Fringe Benefits - Current Personnel	224	230	170	285	115	67.4
15 - Overtime Pay	6	2	0	0	0	N/A
<b>Subtotal Personal Services (PS)</b>	<b>1,213</b>	<b>1,176</b>	<b>1,126</b>	<b>1,347</b>	<b>220</b>	<b>19.6</b>
20 - Supplies and Materials	39	0	22	22	0	0.1
31 - Telephone, Telegraph, Telegram, Etc.	31	13	38	0	-38	-100.0
32 - Rentals - Land and Structures	171	0	0	0	0	N/A
35 - Occupancy Fixed Costs	1	0	0	0	0	N/A
40 - Other Services and Charges	129	542	290	375	85	29.4
41 - Contractual Services - Other	736	24	434	310	-125	-28.7
50 - Subsidies and Transfers	0	0	10	2	-8	-75.0
70 - Equipment and Equipment Rental	0	0	2	8	5	200.0
<b>Subtotal Nonpersonal Services (NPS)</b>	<b>1,106</b>	<b>579</b>	<b>797</b>	<b>717</b>	<b>-80</b>	<b>-10.1</b>
<b>Gross Funds</b>	<b>2,319</b>	<b>1,755</b>	<b>1,924</b>	<b>2,064</b>	<b>140</b>	<b>7.3</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;
- **Scheduling and Enforcement** – 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
- **Housing Service Center** – 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.

**Legal 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.

**Administrative Services** – Provides for administrative support and the required tools to achieve operational and programmatic results. The program is standard for all agencies using performance-based budgeting. The Administrative Services program performs the agency management functions for the agency.

**Program Structure Change**

The Office of Tenant Advocate has eliminated the Housing Assistance Community Service program and added two programs in FY 2013: the Emergency Housing program and the Case Management Administration and Community Outreach program.

## FY 2013 Proposed Operating Budget and FTEs, by Program and Activity

Table CQ0-4 contains the proposed FY 2013 budget by program and activity compared to the FY 2012 approved budget. It also provides the FY 2011 actual data.

**Table CQ0-4**

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012
<b>(1000) Administrative Services</b>								
(1030) Property Management	-1	0	0	0	0.0	0.0	0.0	0.0
(1040) Information Technology	0	38	17	-21	0.0	0.0	0.0	0.0
(1090) Performance Management	387	327	407	80	4.4	3.5	4.0	0.5
<b>Subtotal (1000) Administrative Services</b>	<b>386</b>	<b>365</b>	<b>424</b>	<b>59</b>	<b>4.4</b>	<b>3.5</b>	<b>4.0</b>	<b>0.5</b>
<b>(2000) Housing Assistance Community Service Program</b>								
(2010) Housing Assistance Community Service Program	681	561	0	-561	4.9	4.0	0.0	-4.0
<b>Subtotal (2000) Housing Assistance Community Service Program</b>	<b>681</b>	<b>561</b>	<b>0</b>	<b>-561</b>	<b>4.9</b>	<b>4.0</b>	<b>0.0</b>	<b>-4.0</b>
<b>(3000) Legal Representation</b>								
(3010) Housing Assistance	503	273	0	-273	3.0	3.0	0.0	-3.0
(3015) In-House Legal Representation	0	0	519	519	0.0	0.0	5.0	5.0
(3020) Scheduling and Enforcement Unit	0	168	45	-123	0.0	0.0	0.0	0.0
(3030) Housing Service Center	0	328	260	-69	0.0	1.0	0.0	-1.0
<b>Subtotal (3000) Legal Representation</b>	<b>503</b>	<b>769</b>	<b>824</b>	<b>55</b>	<b>3.0</b>	<b>4.0</b>	<b>5.0</b>	<b>1.0</b>
<b>(4000) Legal Advocacy Program</b>								
(4010) Legal Advocacy Program	186	109	123	14	1.0	1.0	1.0	0.0
(4020) Research and Development	0	19	0	-19	0.0	0.0	0.0	0.0
<b>Subtotal (4000) Legal Advocacy Program</b>	<b>186</b>	<b>128</b>	<b>123</b>	<b>-5</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	0	100	106	5	0.0	1.0	1.0	0.0
<b>Subtotal (5000) OTA Educational Institute</b>	<b>0</b>	<b>100</b>	<b>106</b>	<b>5</b>	<b>0.0</b>	<b>1.0</b>	<b>1.0</b>	<b>0.0</b>
<b>(6000) Emergency Housing</b>								
(6010) Emergency Housing	0	0	250	250	0.0	0.0	0.0	0.0
<b>Subtotal (6000) Emergency Housing</b>	<b>0</b>	<b>0</b>	<b>250</b>	<b>250</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>(8000) Case Management Admin and Comm Outreach</b>								
(8010) Case Management Administration	0	0	287	287	0.0	0.0	4.0	4.0
(8020) Community Outreach	0	0	50	50	0.0	0.0	0.0	0.0
<b>Subtotal (8000) Case Management Admin and Comm Outreach</b>	<b>0</b>	<b>0</b>	<b>337</b>	<b>337</b>	<b>0.0</b>	<b>0.0</b>	<b>4.0</b>	<b>4.0</b>
<b>Total Proposed Operating Budget</b>	<b>1,755</b>	<b>1,924</b>	<b>2,064</b>	<b>140</b>	<b>13.3</b>	<b>13.5</b>	<b>15.0</b>	<b>1.5</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 2013 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## **FY 2013 Proposed Budget Changes**

The Office of the Tenant Advocate's (OTA) proposed FY 2013 gross budget is \$2,063,971, which represents a 7.3 percent increase over its FY 2012 approved gross budget of \$1,923,771. 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 2012 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 2013 CSFL budget and not necessarily changes made to the FY 2012 Local funds budget. The FY 2013 CSFL adjustments to the FY 2012 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 2013 CSFL budget is \$1,955,461, which represents a \$31,690, or 1.6 percent, increase over the FY 2012 approved Local funds budget of \$1,923,771.

### **Initial Adjusted Budget**

**Cost Increase:** The budget proposal allows the Office of the Tenant Advocate to continue to provide services to families that have been displaced from their homes. The agency will increase the total FTE count by 0.5 and personal services costs by \$95,187. This increase allows for planned step increases and associated fringe benefit costs. Additionally, the OTA is projecting increases in Other Services and Charges of \$79,508 and Equipment purchases of \$4,950.

**Cost Decrease:** A reduction of \$133,272 in Contractual Services will not affect the level of service provided and will partially offset the other increases proposed by the agency. OTA will realize additional savings of \$38,444 in the Telecom assessment from the Office of Finance and Resource Management, and a savings of \$7,929 by reducing Supplies and Subsidies and Transfers.

### **Additionally Adjusted Budget**

**Technical Adjustment:** Adjustment of Fringe Benefits to restore the District Government contribution for employee health insurance from 72 percent, implemented in the FY 2011 budget, to 75 percent in FY 2013, resulting in an increase of \$5,681 in Local funds.

### **Policy Initiative**

**Cost Increase:** The Legal Representation program will increase Local funding by \$102,829 and 1.0 FTE for the salary and fringe benefits for an Attorney Advisor.

## FY 2012 Approved Budget to FY 2013 Proposed Budget, by Revenue Type

Table CQ0-5 itemizes the changes by revenue type between the FY 2012 approved budget and the FY 2013 proposed budget.

**Table CQ0-5**

(dollars in thousands)

	PROGRAM	BUDGET	FTE
<b>LOCAL FUNDS: FY 2012 Approved Budget and FTE</b>		<b>1,924</b>	<b>13.5</b>
Fringe Benefit Rate Adjustment	Multiple Programs	12	0.0
Consumer Price Index	Multiple Programs	15	0.0
Personal Services Growth Factor	Multiple Programs	5	0.0
<b>FY 2013 Current Services Funding Level Budget (CSFL):</b>		<b>1,955</b>	<b>13.5</b>
Cost Increase: Align personal services with projected costs	Multiple Programs	95	0.5
Cost Increase: Other Services and Charges	Multiple Programs	80	0.0
Cost Increase: Equipment purchases	OTA Educational Institute	5	0.0
Cost Decrease: Contractual Services	Multiple Programs	-133	0.0
Cost Decrease: Telecom	Administrative Services	-38	0.0
Cost Decrease: Supplies, Subsidies and Transfers	Multiple Programs	-8	0.0
<b>FY 2013 Initial Adjusted Budget</b>		<b>1,955</b>	<b>14.0</b>
Technical Adjustment: Health insurance contribution	Multiple Programs	6	0.0
<b>FY 2013 Additionally Adjusted Budget:</b>		<b>1,961</b>	<b>14.0</b>
<b>FY 2013 Policy Initiative</b>			
Cost Increase: Attorney Advisor position	Legal Representation	103	1.0
<b>LOCAL FUNDS: FY 2013 Proposed Budget and FTE</b>		<b>2,064</b>	<b>15.0</b>
<b>Gross for CQ0 - Office of the Tenant Advocate</b>		<b>2,064</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 2013:

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

**Objective 2:** Inform the 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.

## Agency Performance Measures

<b>Measure<sup>1</sup></b>	<b>FY 2010 Actual</b>	<b>FY 2011 Target</b>	<b>FY 2011 Actual</b>	<b>FY 2012 Projection</b>	<b>FY 2013 Projection</b>	<b>FY 2014 Projection</b>
Percentage of tenant intake cases resolved	100%	85%	100%	87%	89%	89%
Number of cases initiated	2,261	Not Available	2,615	Not Available	Not Available	Not Available
Number of rental housing case abstracts to be included in database	100	75	118	150	180	210
Percentage of identified tenant associations to be represented in tenant summit.	53% (8/15)	50%	85% (34/40)	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%
Number of Emergency Housing cases	95	Not Available	111	Not Available	Not Available	Not Available

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

