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# Office of the Tenant Advocate

[www.ota.dc.gov](http://www.ota.dc.gov)

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Description	FY 2014 Actual	FY 2015 Approved	FY 2016 Proposed	% Change from FY 2015
Operating Budget	\$2,265,722	\$2,488,012	\$2,907,415	16.9
FTEs	14.5	16.0	18.0	12.5

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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:
- 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;
  - provides in-house representation for tenants in certain cases and refers other cases to pro bono or contracted legal service providers and attorneys;
  - 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;
  - conducts educational seminars in a variety of contexts to inform tenants about their rights and other rental housing concerns; and
  - provides financial assistance for certain emergency housing and relocation expenses to tenants displaced by fires, floods, property having been closed by the government, or other unanticipated emergencies.

The agency's FY 2016 proposed budget is presented in the following tables:

## **FY 2016 Proposed Gross Funds Operating Budget, by Revenue Type**

Table CQ0-1 contains the proposed FY 2016 agency budget compared to the FY 2015 approved budget. It also provides FY 2013 and FY 2014 actual expenditures.

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

<b>Appropriated Fund</b>	<b>Actual FY 2013</b>	<b>Actual FY 2014</b>	<b>Approved FY 2015</b>	<b>Proposed FY 2016</b>	<b>Change from FY 2015</b>	<b>Percent Change*</b>
<b>General Fund</b>						
Local Funds	2,022	2,266	2,488	2,788	300	12.1
<b>Total for General Fund</b>	<b>2,022</b>	<b>2,266</b>	<b>2,488</b>	<b>2,788</b>	<b>300</b>	<b>12.1</b>
<b>Intra-District Funds</b>						
Intra-District Funds	0	0	0	119	119	N/A
<b>Total for Intra-District Funds</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>119</b>	<b>119</b>	<b>N/A</b>
<b>Gross Funds</b>	<b>2,022</b>	<b>2,266</b>	<b>2,488</b>	<b>2,907</b>	<b>419</b>	<b>16.9</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 2016 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## **FY 2016 Proposed Full-Time Equivalent, by Revenue Type**

Table CQ0-2 contains the proposed FY 2016 FTE level compared to the FY 2015 approved FTE level by revenue type. It also provides FY 2013 and FY 2014 actual data.

**Table CQ0-2**

<b>Appropriated Fund</b>	<b>Actual FY 2013</b>	<b>Actual FY 2014</b>	<b>Approved FY 2015</b>	<b>Proposed FY 2016</b>	<b>Change from FY 2015</b>	<b>Percent Change</b>
<b>General Fund</b>						
Local Funds	14.7	14.5	16.0	18.0	2.0	12.5
<b>Total for General Fund</b>	<b>14.7</b>	<b>14.5</b>	<b>16.0</b>	<b>18.0</b>	<b>2.0</b>	<b>12.5</b>
<b>Total Proposed FTEs</b>	<b>14.7</b>	<b>14.5</b>	<b>16.0</b>	<b>18.0</b>	<b>2.0</b>	<b>12.5</b>

## FY 2016 Proposed Operating Budget, by Comptroller Source Group

Table CQ0-3 contains the proposed FY 2016 budget at the Comptroller Source Group (object class) level compared to the FY 2015 approved budget. It also provides FY 2013 and FY 2014 actual expenditures.

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

Comptroller Source Group	Actual FY 2013	Actual FY 2014	Approved FY 2015	Proposed FY 2016	Change from FY 2015	Percent Change*
11 - Regular Pay - Continuing Full Time	1,008	1,052	1,246	1,330	85	6.8
12 - Regular Pay - Other	29	11	0	117	117	N/A
13 - Additional Gross Pay	1	4	0	0	0	N/A
14 - Fringe Benefits - Current Personnel	236	248	255	359	104	40.6
15 - Overtime Pay	3	9	0	0	0	N/A
<b>Subtotal Personal Services (PS)</b>	<b>1,277</b>	<b>1,323</b>	<b>1,501</b>	<b>1,807</b>	<b>306</b>	<b>20.4</b>
20 - Supplies and Materials	10	11	10	10	0	5.0
40 - Other Services and Charges	486	610	616	576	-40	-6.4
41 - Contractual Services - Other	249	322	334	375	41	12.2
50 - Subsidies and Transfers	0	0	0	119	119	N/A
70 - Equipment and Equipment Rental	0	0	27	20	-7	-25.9
<b>Subtotal Nonpersonal Services (NPS)</b>	<b>745</b>	<b>942</b>	<b>987</b>	<b>1,101</b>	<b>114</b>	<b>11.5</b>
<b>Gross Funds</b>	<b>2,022</b>	<b>2,266</b>	<b>2,488</b>	<b>2,907</b>	<b>419</b>	<b>16.9</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 agency clients with in-house legal representation in certain “high-impact” cases if the relevant criteria are met, and refers others to *pro bono* or contracted legal service providers and attorneys, or helps them find other representation;
- **Legal Hotline** – provides general advice regarding tenant rights in response to informal inquiries; 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; engages the community in a regular “Live On-line Chat” through the agency website to discuss tenant rights and rental housing matters; and
- **Legal Service Provider** – provides funding to contracted non-profit legal service providers and attorneys; who qualify through the agency’s RFQ process, to enhance their capacity to provide tenants with appropriate legal assistance.

**Policy Advocacy** – implements the agency’s statutory duty to represent the interests of tenants and tenant organizations in legislative, executive, and judicial issues, including advocating changes in laws and rules. This program also tracks developments in rental housing legislation and regulations at both the local and federal levels, and keeps agency stakeholders apprised; develops legislative, rulemaking, and other policy recommendations, and coordinates policy discussions with governmental and community colleagues, including regular discussions with agency stakeholders; advises tenants, advocates, attorneys, governmental colleagues, and others regarding rental housing laws, and serves as the agency’s in-house statutory and regulatory expert; and provides support to community-based programs that inform tenants regarding their legislative and regulatory legal protections.

**OTA Educational Institute** – implements the agency’s statutory duty to provide education and outreach to tenants and the community about laws, rules, and other policy matters involving rental housing, including tenant rights under the petition process and formation of tenant organizations. This program also conducts informational presentations in various settings throughout the community; provides a formal series of educational and outreach forums; and develops educational material regarding rental housing laws, rules, and policies.

**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, and government closures, and in other appropriate circumstances;
- 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, as applicable, 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 OTA’s availability to provide further assistance.

**Administrative Services (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 2016 proposed budget.

## FY 2016 Proposed Operating Budget and FTEs, by Program and Activity

Table CQ0-4 contains the proposed FY 2016 budget by program and activity compared to the FY 2015 approved budget. It also provides the FY 2014 actual data.

**Table CQ0-4**

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2014	Approved FY 2015	Proposed FY 2016	Change from FY 2015	Actual FY 2014	Approved FY 2015	Proposed FY 2016	Change from FY 2015
<b>(1000) Administrative Services (Management)</b>								
(1087) Language Access	0	0	15	15	0.0	0.0	0.0	0.0
(1090) Performance Management	356	430	532	101	3.9	4.0	4.0	0.0
<b>Subtotal (1000) Administrative Services (Management)</b>	<b>356</b>	<b>430</b>	<b>547</b>	<b>116</b>	<b>3.9</b>	<b>4.0</b>	<b>4.0</b>	<b>0.0</b>
<b>(3000) Legal Representation</b>								
(3015) In-House Legal Representation	574	601	767	166	5.8	6.0	7.0	1.0
(3020) Legal Hotline	10	35	89	54	0.0	0.0	1.0	1.0
(3030) Legal Service Provider	260	264	300	36	0.0	0.0	0.0	0.0
<b>Subtotal (3000) Legal Representation</b>	<b>844</b>	<b>900</b>	<b>1,156</b>	<b>256</b>	<b>5.8</b>	<b>6.0</b>	<b>8.0</b>	<b>2.0</b>
<b>(4000) Policy Advocacy Program</b>								
(4010) Policy Advocacy Program	119	221	237	15	1.0	2.0	2.0	0.0
<b>Subtotal (4000) Policy Advocacy Program</b>	<b>119</b>	<b>221</b>	<b>237</b>	<b>15</b>	<b>1.0</b>	<b>2.0</b>	<b>2.0</b>	<b>0.0</b>
<b>(5000) OTA Educational Institute</b>								
(5010) OTA Educational Institute	106	115	115	0	1.0	1.0	1.0	0.0
<b>Subtotal (5000) OTA Educational Institute</b>	<b>106</b>	<b>115</b>	<b>115</b>	<b>0</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	554	546	546	0	0.0	0.0	0.0	0.0
<b>Subtotal (6000) Emergency Housing</b>	<b>554</b>	<b>546</b>	<b>546</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>(8000) Case Management Admin. and Community Outreach</b>								
(8010) Case Management Administration	225	206	233	27	2.9	3.0	3.0	0.0
(8020) Community Outreach	62	70	75	5	0.0	0.0	0.0	0.0
<b>Subtotal (8000) Case Mgmt.Admin. and Community Outreach</b>	<b>287</b>	<b>276</b>	<b>308</b>	<b>32</b>	<b>2.9</b>	<b>3.0</b>	<b>3.0</b>	<b>0.0</b>
<b>Total Proposed Operating Budget</b>	<b>2,266</b>	<b>2,488</b>	<b>2,907</b>	<b>419</b>	<b>14.5</b>	<b>16.0</b>	<b>18.0</b>	<b>2.0</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 2016 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## **FY 2016 Proposed Budget Changes**

The Office of the Tenant Advocate's (OTA) proposed FY 2016 gross budget is \$2,907,415, which represents a 16.9 percent increase over its FY 2015 approved gross budget of \$2,488,012. The budget is comprised of \$2,788,415 in Local funds and \$119,000 in Intra-District 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 2015 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 FY 2016 CSFL adjustments to the FY 2015 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 2016 CSFL budget is \$2,584,552, which represents a \$96,540, or 3.9 percent, increase over the FY 2015 approved Local funds budget of \$2,488,012.

### **CSFL Assumptions**

The FY 2016 CSFL calculated for OTA included adjustment entries that are not described in detail on table 5. These adjustments were made for a net increase of \$89,188 in personal services to account for Fringe Benefit costs based on trend and comparative analyses, the impact of cost-of-living adjustments, and approved compensation agreements implemented in FY 2015, and an increase of \$7,352 in nonpersonal services based on the Consumer Price Index factor of 2.2 percent.

### **Agency Budget Submission**

**Increase:** The budget includes an increase of \$12,603 in personal services and includes projected salary step increases, Fringe Benefits, and the reclassification of 2.0 FTEs from Continuing Full Time to Temporary Full Time.

**Decrease:** There are also adjustments in nonpersonal services of \$12,603. The change allows for efficiency improvements, aligns the budget with anticipated expenditures, and offsets changes to agency positions.

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

**No Change:** OTA's budget proposal reflects no change from the agency budget submission to the Mayor's proposed budget.

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

**Enhance:** OTA's FY 2016 proposed Local budget includes an increase of \$203,863 and 2.0 FTEs in personal services in the Legal Representation program. This additional funding will support the hiring of Attorney Advisors. The proposed budget also includes \$119,000 in Intra-District funds through a Memorandum of Understanding with the Housing Production Trust Fund (HPTF) to support the Emergency Housing and Assistance Program (EHAP).

## FY 2015 Approved Budget to FY 2016 Proposed Budget, by Revenue Type

Table CQ0-5 itemizes the changes by revenue type between the FY 2015 approved budget and the FY 2016 proposed budget.

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

DESCRIPTION	PROGRAM	BUDGET	FTE
<b>LOCAL FUNDS: FY 2015 Approved Budget and FTE</b>		<b>2,488</b>	<b>16.0</b>
Other CSFL Adjustments	Multiple Programs	97	0.0
<b>LOCAL FUNDS: FY 2016 Current Services Funding Level (CSFL) Budget</b>		<b>2,585</b>	<b>16.0</b>
Increase: To adjust personal services	Multiple Programs	13	0.0
Decrease: To align funding with nonpersonal services costs	Multiple Programs	-13	0.0
<b>LOCAL FUNDS: FY 2016 Agency Budget Submission</b>		<b>2,585</b>	<b>16.0</b>
No Change		0	0.0
<b>LOCAL FUNDS: FY 2016 Mayor's Proposed Budget</b>		<b>2,585</b>	<b>16.0</b>
Enhance: To support additional FTEs	Legal Representation	204	2.0
<b>LOCAL FUNDS: FY 2016 District's Proposed Budget</b>		<b>2,788</b>	<b>18.0</b>
<b>INTRA-DISTRICT FUNDS: FY 2015 Approved Budget and FTE</b>		<b>0</b>	<b>0.0</b>
No Change		0	0.0
<b>INTRA-DISTRICT FUNDS: FY 2016 Agency Budget Submission</b>		<b>0</b>	<b>0.0</b>
No Change		0	0.0
<b>INTRA-DISTRICT FUNDS: FY 2016 Mayor's Proposed Budget</b>		<b>0</b>	<b>0.0</b>
Enhance: To support the Emergency Housing and Assistance program	Emergency Housing	119	0.0
<b>INTRA-DISTRICT FUNDS: FY 2016 District's Proposed Budget</b>		<b>119</b>	<b>0.0</b>
<b>Gross for CQ0 - Office of the Tenant Advocate</b>		<b>2,907</b>	<b>18.0</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 2016:

**Objective 1:** Create and enhance communication venues to better serve the tenant population.

**Objective 2:** Expand OTA's programmatic outreach into the student off-campus rental housing market.

**Objective 3:** Upgrade agency administrative efficiencies through enhanced administrative tools.

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### KEY PERFORMANCE INDICATORS

Measure	FY 2013 Actual	FY 2014 Target	FY 2014 Actual	FY 2015 Projection	FY 2016 Projection	FY 2017 Projection
Percent of tenant intake cases resolved	100%	89%	100%	89%	89%	89%
Number of rental housing case abstracts to be included in database	180	210	225	240	255	270
Percent of identified tenant associations to be represented in tenant summit	96% <sup>1</sup>	50%	80%	50%	50%	50%
Percent of households eligible for housing assistance for whom OTA made emergency housing available within 24 hours, if funding was available	100%	90%	100%	90%	90%	90%

**Performance Plan Endnotes:**

<sup>1</sup>48 out of 50 associations represented.