



ANDREW M. CUOMO  
Governor

## Homes and Community Renewal

RUTHANNE VISNAUSKAS  
Commissioner/CEO

July 19, 2018

Ms. Cindi Frieder  
Audit Manager  
Office of the State Comptroller  
110 State Street  
Albany, New York 12236

Re: Administration of Tenant Complaints  
Report 2018-F-3

Dear Ms. Frieder:

Thank you for your visit to the Division of Housing and Community Renewal's (the Agency) Office of Rent Administration (ORA), and your follow-up review on the above referenced audit. We appreciate the fact that your office restated our challenges and concerns in your letter dated June 20, 2018.

ORA strives to issue timely and accurate determinations of claims brought by New York's rent regulated tenants and landlords. Determinations must be consistent and provide guidance to both the landlord and tenant communities as to the proper operation of New York's rent regulated housing stock. ORA's jurisdiction affects over a million New Yorkers, and the respective owners of the buildings in which they reside. The correct application of laws and regulations is vital to the lives of this populace; the size of which is significantly larger than most American cities.

ORA continues to explore ways in which to process cases more expeditiously with the resources available consistent with the due process rights of rent regulated tenants and owners.

Responses to OSC's "Follow-Up Observations" are as follows:

### **Recommendation 1**

Establish criteria for the amount of time it should take to assign, address, and resolve tenant complaints, and document the reasons why cases are not resolved within prescribed time frames.

### **Response 1**

Due to the complexity and the individual nature of each action filed with ORA the Agency has determined that the establishment of prescribed time frames for the resolution of different case types is not an effective management tool. As you are aware ORA uses reports to gauge

productivity, monitor case processing times and identify ways to improve performance. These reports analyze case processing (from intake to conclusion), responsiveness to public inquiries, and to respond to inquiries from other governmental agencies. These reports also serve as valuable training tools. ORA will continue to utilize these reports to effectively manage its case load.

### **Recommendation 2**

Investigate the circumstances surrounding long-term open cases and take steps to resolve them.

### **Response 2**

OSC reviewed ten of ORA's oldest cases and found that three were not documented regarding the reason why they remained open. ORA processes thousands of cases a year, and the agency has successfully reduced response time. There are instances, however, where processing of a case is reliant upon factors external to ORA. Primarily, there are times when there are cases pending in the court system, the outcome of which can impact the Agency's jurisdiction and application of the law. ORA analyzes the matters before it and determines whether it is prudent to hold processing of certain cases pending judicial rulings in order to avoid confusion for tenants and owners. After significant cases are decided ORA must evaluate the subsequent application of the rule and develop public education.

### **Recommendation 3**

Conduct an examiner staffing/productivity analysis and redeploy Office staff as appropriate to align with complaint caseloads and complexity.

### **Response 3**

The Agency is currently performing a workforce analysis of its entire staff which is being spearheaded by the Office of Human Resources Management. The analysis includes identifying the Agency's current workforce needs, as well as what will be needed in the future in terms of labor, skills and competencies (demand analysis), and then identifying the gaps between the current and future supply, and current and future demands (a gap analysis). All Agency units, including the Office of Rent Administration, are examining and comparing existing workforce structure/titles against the current programmatic and overall Agency needs.

### **Recommendation 4**

Establish a formal timetable to complete the development and implementation of an effective management information system.

### **Response 4**

New York State Information and Technology Services (ITS) had contracted with Accenture LLP (Accenture) in connection with RFP #ITS-2015-005LM. By agreement dated July 9, 2018, ITS and Accenture agreed to a Termination and Transition Plan with regard to ITS contract #C000458. Pursuant to this agreement, Accenture will be refunding \$4,811,796 to ITS as well as issuing a service credit of \$250,000. On July 17, 2018 the Agency executed a Letter of Intent with ITS for the completion of the work detailed in RFP #ITS-2015-005LM. The Agency and ITS have developed a project charter and will work cooperatively to develop relevant time tables.

Again, thank you for your visit, and thank you for allowing this response to be a part of the record.

Sincerely,

A handwritten signature in black ink, appearing to read "Woody Pascal". The signature is fluid and cursive, with a large loop at the end.

Woody Pascal  
Deputy Commissioner  
Office of Rent Administration