

TABLE 3. COMPUTATIONS FOR EVICTION FOR NON-PAYMENT CASES.

<u>STEP</u>	<u>AVERAGE INTERVAL IN DAYS</u>	<u>AVERAGE INTERVAL IN MONTHS</u>	<u>MEDIAN INTERVAL IN DAYS</u>	<u>MEDIAN INTERVAL IN MONTHS</u>	<u># OF CASES</u>	<u>MINIMUM VALUE</u>	<u>MAXIMUM VALUE</u>
1	14	.5	13	.4	16	4	42
2	28	.9	20	.7	3	16	49
3	78	2.6	80	2.7	15	22	190
4	118	3.9	133	4.4	3	58	163
5	64	2.1	71	2.4	15	21	111
6	46	1.6	44	1.5	15	15	99
7	14	.5	8	.3	3	7	28
8	0	.0	1	.0	0	-	0
9	36	1.2	45	1.5	16	0	86
10	0	.0	1	.0	0	-	0
11	46	1.5	55	1.8	3	17	66
12	0	.0	1	.0	0	-	0
13	0	.0	1	.0	0	-	0
14	11	.4	13	.4	3	5	15
15	20	.7	15	.5	16	8	96
16	12	.4	13	.4	16	5	16
17	33	1.1	30	1.0	16	0	86
18	39	1.3	14	.5	3	14	91
19	4	.2	2	.1	15	1	28
20	20	.7	22	.7	2	19	22
21	12	.4	2	.1	15	1	119
22	83	2.8	93	3.1	16	22	190

TABLE 4. COMPUTATIONS FOR RENT ADJUSTMENT CASES

<u>STEP</u>	<u>AVERAGE INTERVAL IN DAYS</u>	<u>AVERAGE INTERVAL IN MONTHS</u>	<u>MEDIAN INTERVAL IN DAYS</u>	<u>MEDIAN INTERVAL IN MONTHS</u>	<u># OF CASES</u>	<u>MINIMUM VALUE</u>	<u>MAXIMUM VALUE</u>
1	67	2.3	61	2.0	35	26	180
2	130	4.4	143	4.8	14	29	237
3	180	11.0	161	5.4	29	69	497
4	356	6.9	365	12.2	6	243	463
5	188	3.3	165	5.5	36	61	427
6	102	1.4	97	3.2	38	20	229
7	44	3.5	20	.7	15	1	172
8	92	3.1	60	2.0	7	30	258
9	90	1.0	81	2.7	34	7	341
10	40	3.3	40	1.3	6	9	86
11	93	1.1	88	2.9	13	14	217
12	55	1.9	63	2.1	6	13	84
13	38	.3	35	1.2	7	9	86
14	21	.7	19	.6	6	15	42
15	28	.9	14	.5	34	3	216
16	24	2.8	14	.5	35	3	216
17	75	.5	66	2.2	34	7	217
18	21	.7	14	.5	6	6	63
19	8	4.3	6	.2	31	1	49
20	130	.4	97	3.2	5	42	225
21	12	6.4	6	.2	31	1	70
22	195	.5	167	5.6	31	69	497

TABLE 5. COMPUTATIONS FOR CAPITAL RENT ADJUSTMENT CASES

<u>STEP</u>	<u>AVERAGE INTERVAL IN DAYS</u>	<u>AVERAGE INTERVAL IN MONTHS</u>	<u>MEDIAN INTERVAL IN DAYS</u>	<u>MEDIAN INTERVAL IN MONTHS</u>	<u># OF CASES</u>	<u>MINIMUM VALUE</u>	<u>MAXIMUM VALUE</u>
1	50	1.7	57	1.9	15	26	78
2	81	2.7	83	2.8	3	44	118
3	120	4.0	111	3.7	11	70	193
4	223	7.4	177	5.9	7	126	360
5	137	4.6	119	4.0	15	57	327
6	82	2.8	70	2.3	15	14	264
7	21	.7	12	.4	3	5	47
8	57	1.9	15	.5	3	14	143
9	61	2.0	65	2.2	14	5	177
10	131	4.4	131	4.4	1	131	131
11	76	2.5	63	2.1	3	0	165
12	36	1.2	34	1.1	3	12	64
13	53	1.8	15	.5	3	14	131
14	14	.5	14	.5	1	14	14
15	22	.7	15	.5	14	6	140
16	13	.4	15	.5	14	6	21
17	56	1.9	63	2.1	14	0	165
18	126	4.2	126	4.2	1	126	126
19	7	.3	5	.2	11	0	19
20	82	2.8	87	2.9	4	15	142
21	7	.3	5	.2	11	0	19
22	158	5.3	119	4.0	14	70	360

TABLE 6. COMPUTATIONS FOR REMOVAL PERMIT CASES

<u>STEP</u>	<u>AVERAGE INTERVAL IN DAYS</u>	<u>AVERAGE INTERVAL IN MONTHS</u>	<u>MEDIAN INTERVAL IN DAYS</u>	<u>MEDIAN INTERVAL IN MONTHS</u>	<u># OF CASES</u>	<u>MINIMUM VALUE</u>	<u>MAXIMUM VALUE</u>
1	15	.5	19	.6	32	5	29
2	128	4.3	128	4.3	1	128	128
3	160	5.3	181	6.0	10	77	202
4	217	7.2	209	7.0	19	184	269
5	120	4.0	110	3.7	32	55	201
6	106	3.5	91	3.0	31	35	196
7	105	3.5	105	3.5	1	105	105
8	0	.0	1	.0	0	-	0
9	85	2.8	78	2.6	15	12	154
10	0	.0	1	.0	0	-	0
11	0	.0	1	.0	0	-	0
12	0	.0	1	.0	0	-	0
13	0	.0	1	.0	0	-	0
14	19	.6	22	.7	7	13	29
15	35	1.2	20	.7	15	14	115
16	22	.7	14	.5	15	13	57
17	89	3.0	78	2.6	14	12	154
18	28	.9	21	.7	7	6	92
19	1	.0	1	.0	10	1	2
20	0	.0	1	.0	0	-	0
21	6	.2	1	.0	10	1	30
22	197	6.6	209	7.0	29	77	269

TABLE 7. COMPUTATIONS FOR SPECIAL CASES

STEP	AVERAGE INTERVAL IN DAYS	AVERAGE INTERVAL IN MONTHS	MEDIAN INTERVAL IN DAYS	MEDIAN INTERVAL IN MONTHS	# OF CASES	MINIMUM VALUE	MAXIMUM VALUE
1	110	3.7	128	4.3	11	23	206
2	188	6.3	225	7.5	3	71	269
3	229	7.7	161	5.4	11	94	541
4	583	19.4	583	19.4	1	583	583
5	232	7.7	189	6.3	12	86	540
6	107	3.6	110	3.7	12	15	271
7	52	1.7	63	2.1	3	4	90
8	112	3.7	112	3.7	1	112	112
9	108	1.7	97	3.2	11	7	305
10	0	3.7	1	.0	0	-	0
11	115	3.6	97	3.2	3	7	242
12	32	1.1	32	1.1	1	32	32
13	112	3.7	112	3.7	1	112	112
14	13	.4	18	.6	2	8	18
15	18	.6	15	.5	11	13	34
16	17	.6	15	.5	11	8	34
17	94	3.1	97	3.2	11	7	242
18	7	.2	7	.2	1	7	7
19	4	.2	5	.2	11	1	19
20	42	1.4	42	1.4	1	42	42
21	5	.2	5	.2	11	1	19
22	229	7.7	161	5.4	11	94	541

TABLE 8. COMPUTATIONS FOR TENANT COMPLAINTS

STEP	AVERAGE INTERVAL IN DAYS	AVERAGE INTERVAL IN MONTHS	MEDIAN INTERVAL IN DAYS	MEDIAN INTERVAL IN MONTHS	# OF CASES	MINIMUM VALUE	MAXIMUM VALUE
1	124	4.1	49	1.6	9	24	406
2	240	8.0	424	14.1	2	56	424
3	226	7.6	221	7.4	6	69	489
4	260	8.7	261	8.7	5	172	388
5	196	6.6	142	4.7	9	63	484
6	69	2.3	41	1.4	9	27	169
7	12	.4	18	.6	2	7	18
8	0	.0	1	.0	0	-	0
9	56	1.9	33	1.1	7	14	161
10	0	.0	1	.0	0	-	0
11	99	3.3	154	5.1	2	45	154
12	0	.0	1	.0	0	-	0
13	0	.0	1	.0	0	-	0
14	59	2.0	85	2.8	2	34	85
15	38	1.3	15	.5	7	12	155
16	26	.9	15	.5	7	12	85
17	52	1.7	33	1.1	7	14	154
18	42	1.4	70	2.3	2	14	70
19	4	.1	6	.2	6	1	6
20	127	4.3	167	5.6	2	88	167
21	6	.2	6	.2	6	1	20
22	228	7.6	221	7.4	9	69	489

TABLE 9.

DISTRIBUTION OF CASES BY EXAMINER AND TYPE OF CASE

Examiner	Type of Case							Overall Average Duration (days)
	Evictions (other causes)	Evictions (non-payment) of rent	Rent Adjustments	Capital Rent Adjustments	Removal Permits	Special Cases	Tenant Complaints	
# 1	10	2	13	4	2		1	159
# 2	6	3	13	3	5		1	107
# 3	4	2	7	3	20			182
# 4	2	7	1	1				78
# 5		1	3	2	5			194
# 6						1	1	*
# 7						5	3	192
# 8						1	1	*
# 9						6	3	229
#10	3	1		2				115
#11	2							*
#12			2					*

* These examiners handled such few cases that an overall average duration (148 days) was calculated for all of them together.

TABLE 10. MEDIAN DURATION (Days) OF 3 KEY STEPS IN RENT ADJUSTMENT PROCESS

<u>Examiner</u>	<u>Filing to Hearing</u>	<u>Hearing to Hearing Report</u>	<u>Hearing to Decision Mailed</u>
#1	62	91	190
#2	61	66	161
Others	51	93	161

*"Others" include examiners #3, #4, #5, and #12 as indicated in Table 9.

TABLE 11. DISTRIBUTION OF CASES BY BUILDING SIZE AND TYPE OF CASE

# Units	Rent Adjustment				
	All Evictions	Capital Rent Adjustments	Removal Permits	Special Cases	Tenant Complaints
1	44	10	32	4	6
2-4	-	16		4	3
5-8	-	13		3	-
9-24	-	9		3	-
25+	-	4			

TABLE 12. DWELLING UNITS vs. PROCESSING TIME: RENT ADJUSTMENTS/
CAPITAL RENT ADJUSTMENTS
(average and median days)

# Units	# Cases	Filing to Hearing		Hearing to Report		Filing to Decision		Comment
		avg.	med.	avg.	med.	avg.	med.	
1	10	71	: 71	74	: 50	191	: 161	
2-4	16	67	: 61	61	: 61	168	: 167	
5-8	13	63	: 59	60	: 42	144	: 149	
9-24	9	45	: 38	66	: 65	146	: 119	
25+	4	51	: 54	125	: 91	131	: 172	

TABLE 13. DWELLING UNITS vs. PROCESSING TIME FOR SPECIAL CASES
(median: 80%) (average and median days)

# Units	# Cases	Filing to Hearing		Hearing to Report		Filing to Decision		Comment
		avg.	med.	avg.	med.	avg.	med.	
1	4	51	: 63	47	: 37	181	: 141	
2-4	4	168	: 206	105	: 97	335	: 349	
5-8	3	103	: 131	75	: 144	126	: 155	

TABLE 14. DWELLING UNITS vs. PROCESSING TIME FOR TENANT COMPLAINTS
(median: 80%) (average median days)

# Units	# Cases	Filing to Hearing		Hearing to Report		Filing to Decision		Comment
		avg.	med.	avg.	med.	avg.	med.	
1	6	156	: 96	56	: 45	259	: 369	
2-4	3	60	: 46	29	: 29	105	: 134	

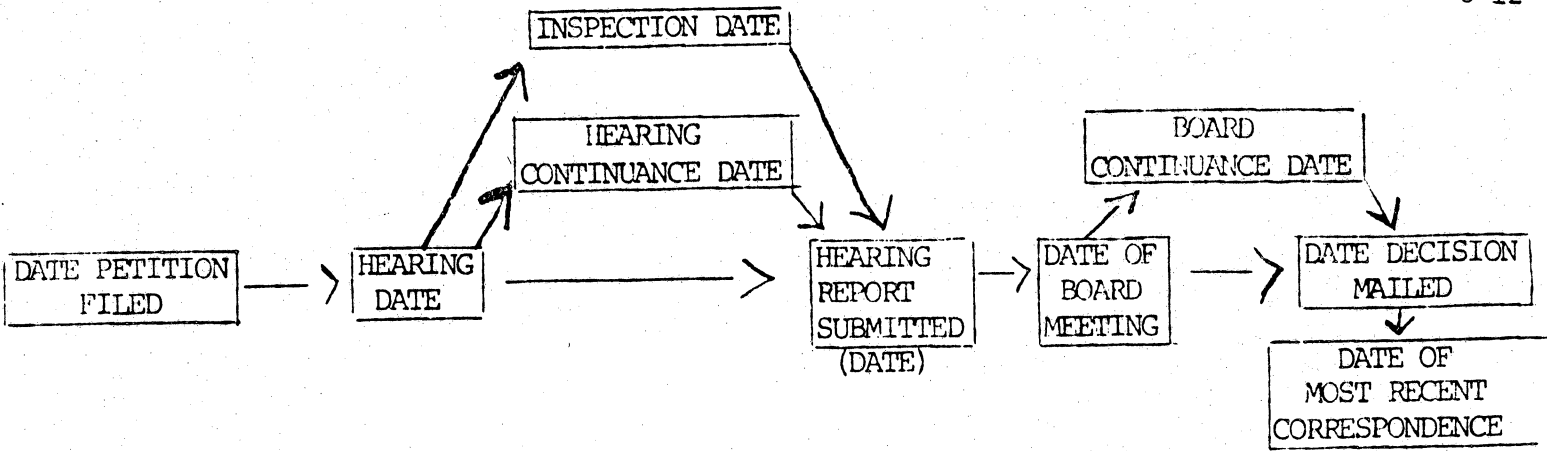
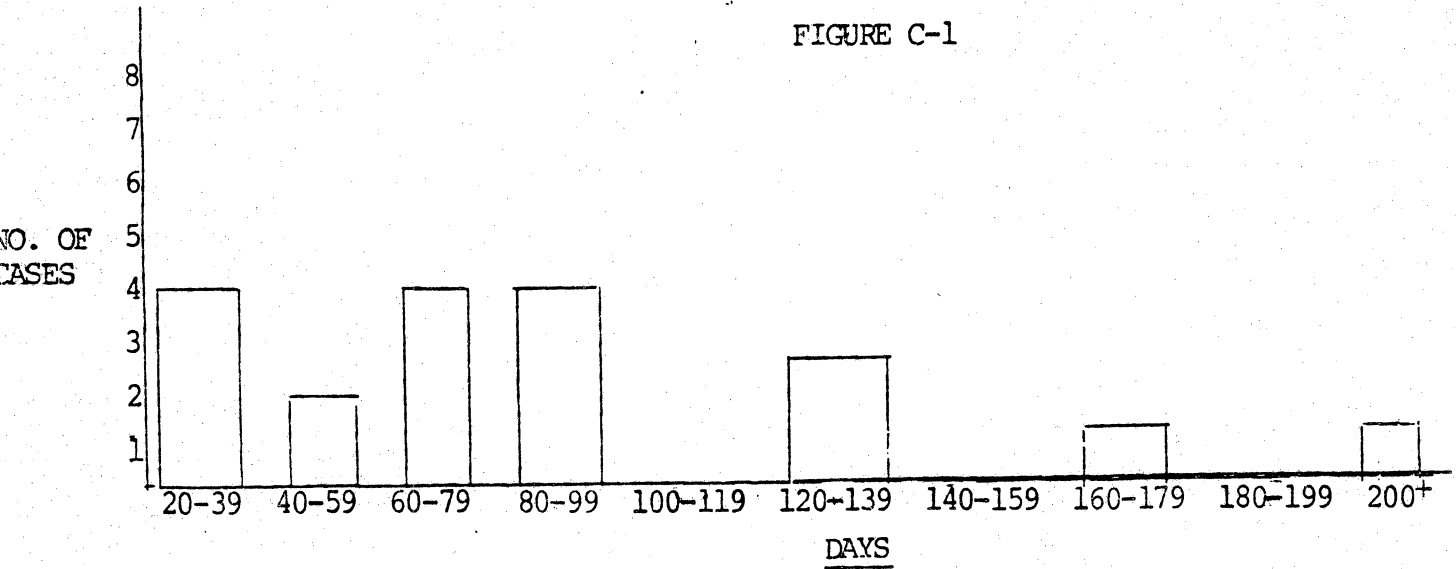


FIGURE A. FLOWCHART DEPICTING THE SEQUENCE OF DATES USED IN THE STUDY

FIGURE B.

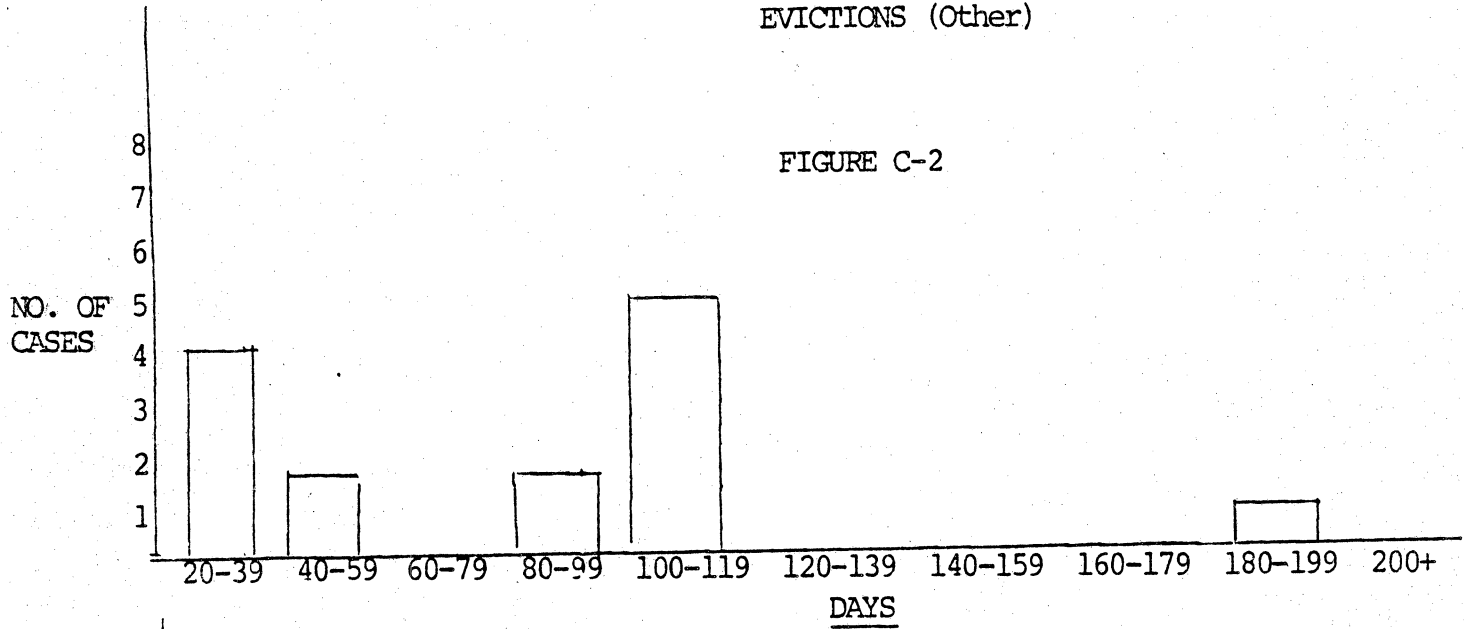
<u>STEP</u>	<u>BEGINNING DATE</u>	<u>ENDING DATE</u>
1	filing	hearing
2	filing	hearing continuance
3	filing	decision mailed
4	filing	final correspondence
5	filing	board meeting or continuance (earlier)
6	hearing or cont. (later)	board meeting or continuance (earlier)
7	hearing	hearing continuance
8	hearing	inspection
9	hearing	hearing report
10	hearing cont.	inspection
11	hearing continuance	hearing report
12	inspection	hearing report
13	hearing or cont. (later)	inspection
14	hearing report	board continuance
15	hearing report	board meeting
16	hearing report	board meeting or continuance (earlier)
17	hearing or cont. (later)	hearing report
18	board continuance	board meeting
19	board meeting	decision mailed
20	decision mailed	final decision
21	board meeting or cont. (earlier)	decision mailed
22	filing	decision mailed or final correspondence

FIGURE C-1



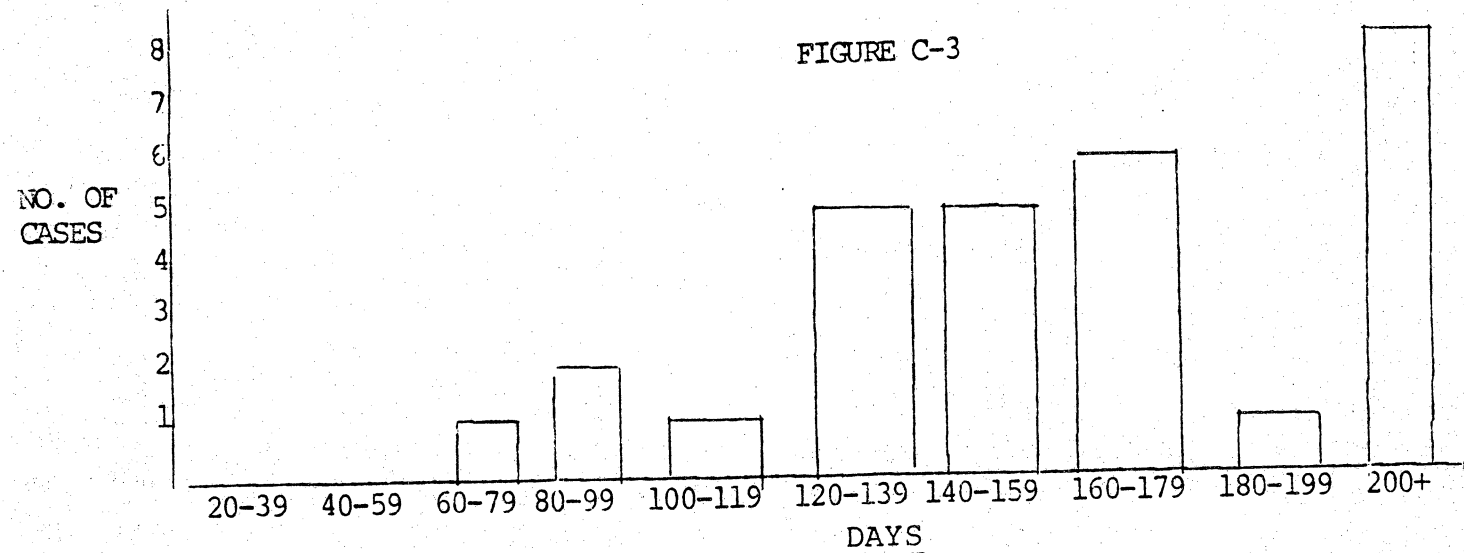
EVICTIONS (Other)

FIGURE C-2



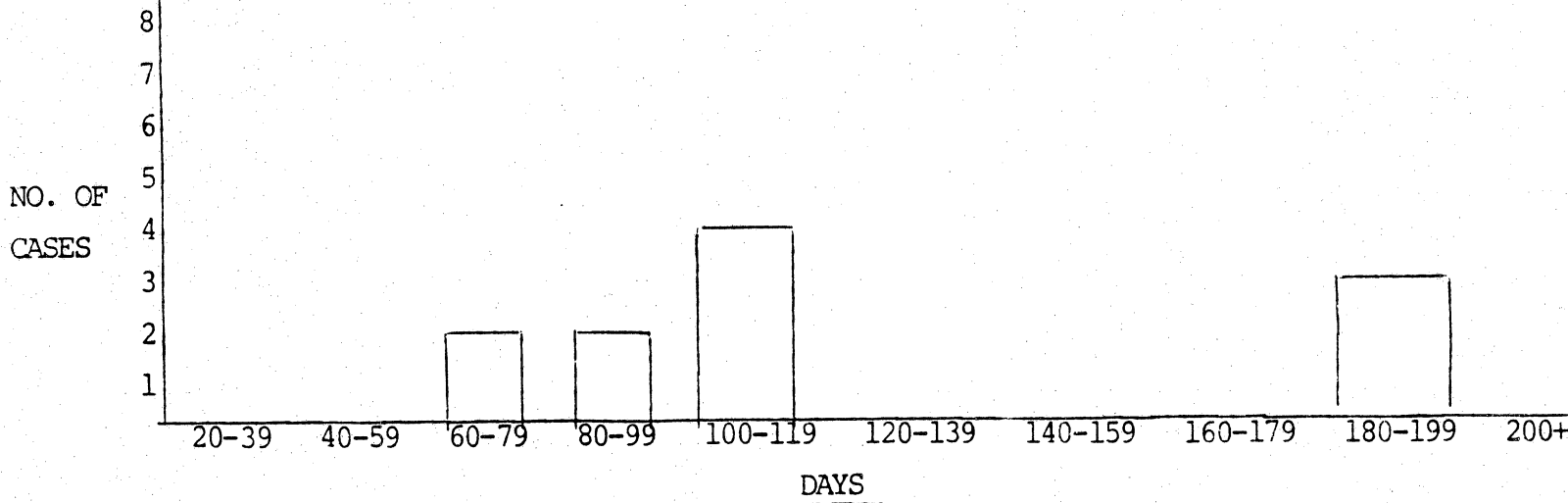
EVICTIONS (Non-payment)

FIGURE C-3



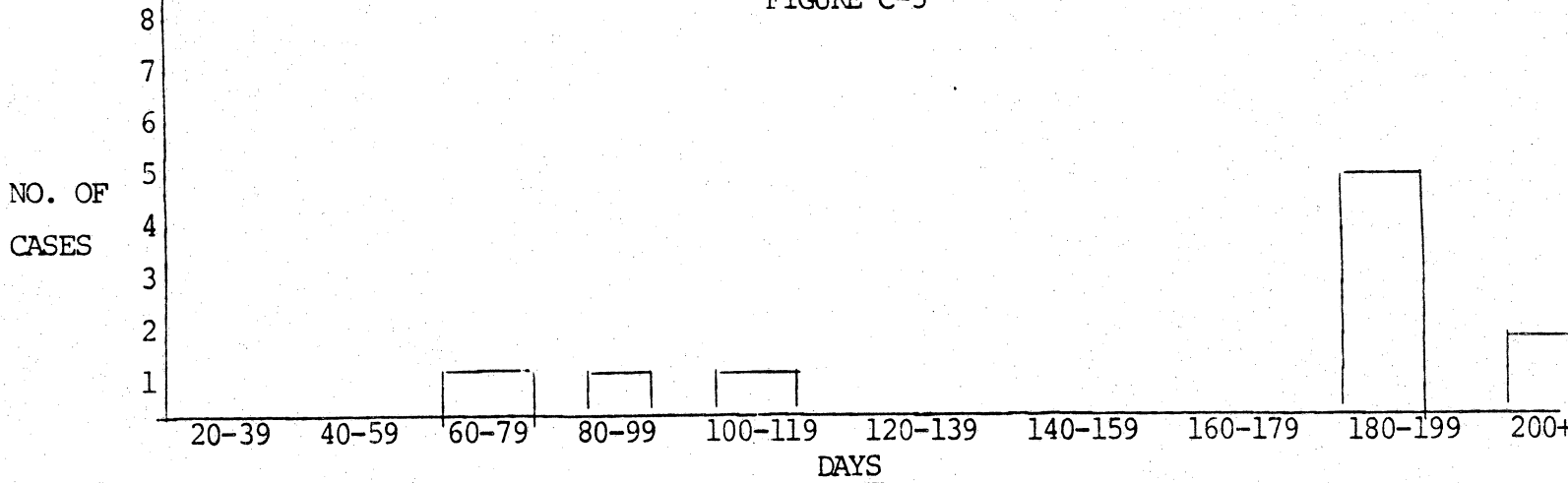
RENT ADJUSTMENTS

FIGURE C-4



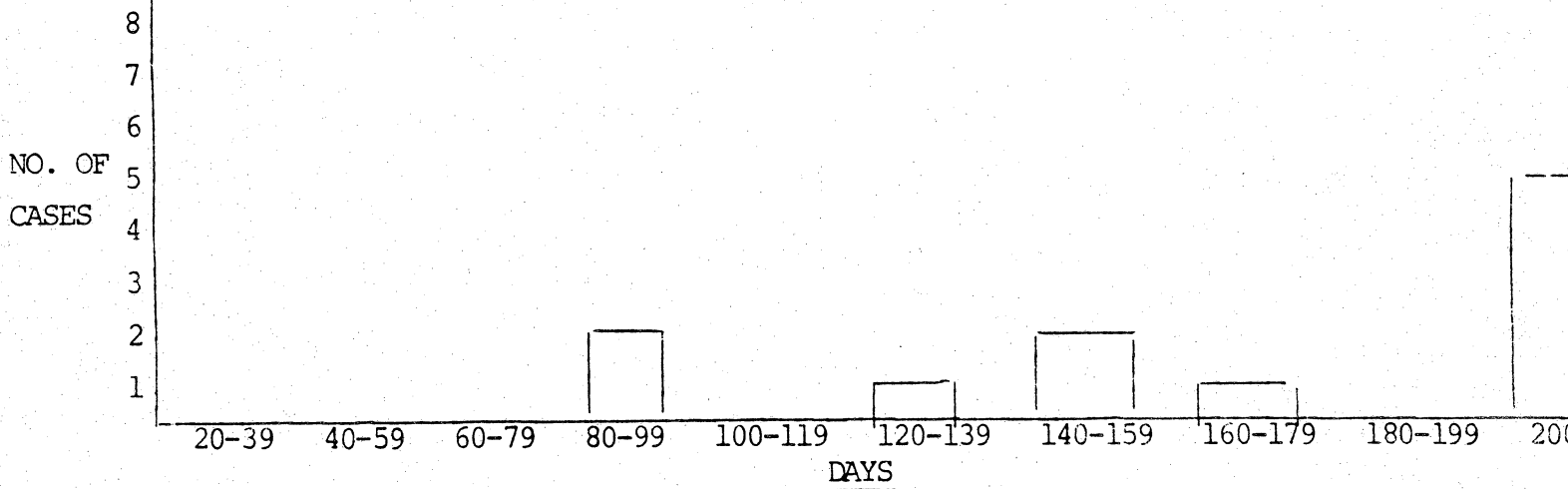
CAPITAL RENT ADJUSTMENTS

FIGURE C-5



REMOVAL PERMITS

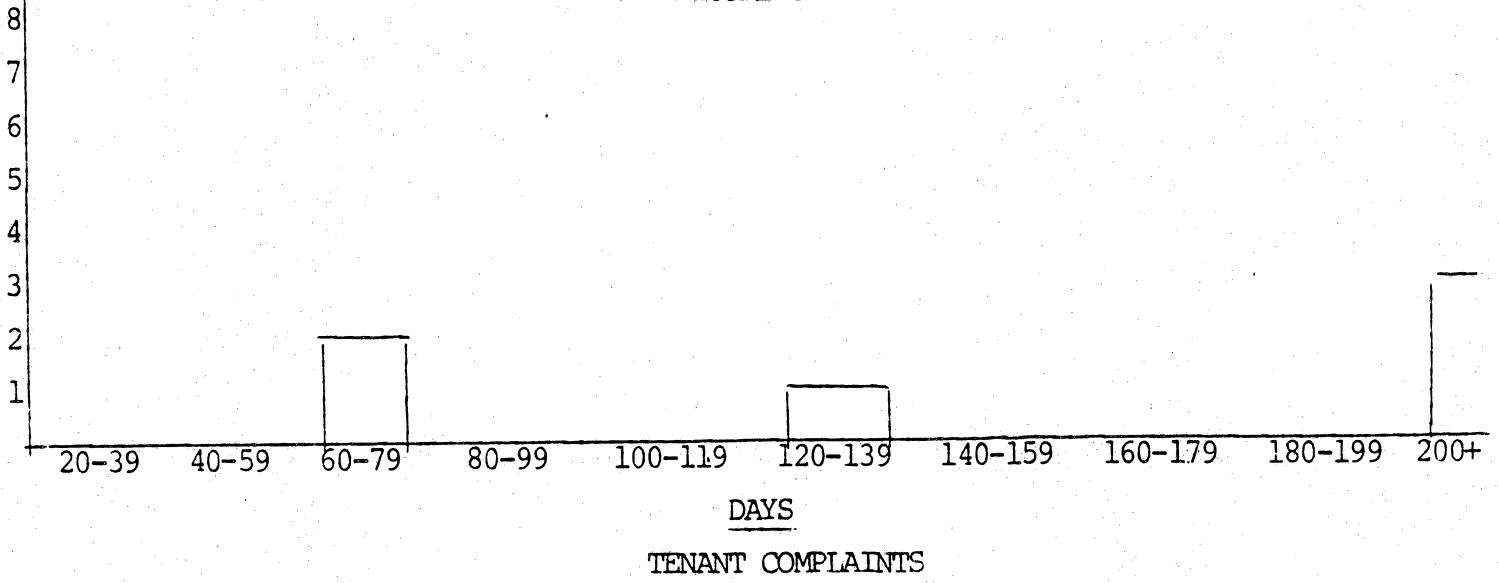
FIGURE C-6



SPECIAL CASES

FIGURE C-7

NO. OF
CASES



APPENDIX D

SUGGESTED IMPLEMENTATION TASK DETAILS

SUGGESTED IMPLEMENTATION TASK DETAILS

	1982		1983												RESPONSIBILITY	PROBABLE USE OF SUBCONTRACTOR	
	#	OCT.	NOV.	DEC.	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.			
<u>ORGANIZATION</u>																	
APPROVE REVISED ORGANIZATIONAL CHART	A.1															RCB	
WRITE NEW JOB SPECIFICATIONS																EXEC. DIRECTOR	
APPROVE REVISED '82 BUDGET	2.c															CITY MANAGER	
IMPLEMENT HEARING EXAMINER PROGRESSION	3.b															EXEC.DIR.	
APPROVE POSITIONS AND SALARY SCHEDULES	A.2															CITY MGR.	
INTERVIEW & HIRE EXECUTIVE DIRECTOR	A.4															RCB	
INTERVIEW & HIRE ASSISTANT DIRECTOR FOR SYSTEMS	A.5															RCB	
INTERVIEW & HIRE RENT ADJUSTMENT SPECIALISTS	1.a															EXEC.DIR.	
INTERVIEW & HIRE PUBLIC ASSISTANCE OFFICERS	1.b															EXEC.DIR.	
DRAFT MEDIATION PROPOSAL	A.7															CHIEF HEARING OFFICER	
DEVELOP PERFORMANCE APPRAISAL SYSTEM	3.a															ASST.DIR. SYSTEMS	
DESIGN TRAINING FOR NEW POSITIONS	A.6															ASST.DIR. SYSTEMS	
CONDUCT TRAINING																ASST.DIR. SYSTEMS	
IMPLEMENT MEDIATION PILOT PROGRAM																EXEC.DIR.	
<u>SYSTEMS</u>																	
SPECIFY DATA FOR MANAGEMENT, POLICY & PERFORMANCE APPRAISAL REPORTS	B.14															RCB & EXEC.DIR. & ASST.DIR.SYSTEMS	
SPECIFY NEW DATA REQUIRED FOR RENT ADJUSTMENT PROCESS																RCB	
SPECIFY DATA ELEMENTS TO TRACK EVICTIONS, REMOVAL PERMITS, ETC.	B.10															ASST.DIR. SYSTEMS	
REVIEW ASSESSOR AND BUILDING DEPARTMENT CODES																ASST.DIR. SYSTEMS	
DESIGN INDIVIDUAL PROPERTY RECORD	B.1															ASST.DIR. SYSTEMS	*
WRITE RFP FOR FORMS DEVELOPMENT	B.17															ASST.DIR. SYSTEMS	*
WRITE RFP FOR SYSTEMS MODIFICATION	B.17															ASST.DIR. SYSTEMS	*
WRITE RFP FOR DATABASE UPDATE & EXPANSION	B.17															ASST.DIR. SYSTEMS	*
REMOVE INCONSISTENT DATA FROM DATA BASE	B.6															RENT ADJUSTMENT SPECIALIST	*
REVIEW RE-DESIGNED PETITION FORMS																ASST.DIR.	
OBTAIN UPDATED INFORMATION	B.7															RENT ADJUSTMENT SPECIALIST	
ENTER REVISED DATA INCLUDING 1969 BASE RENTS	B.8															RENT ADJUSTMENT SPEC.	*
TEST NEW DATA BASE	B.9															ASST.DIR.	
ENTER CASES INTO SCHEDULING SYSTEM	B.13															ASST.DIR.	*
DEVELOP ADDITIONAL REPORT WRITING SOFTWARE	B.11															ASST.DIR.	*
TRAIN ALL STAFF TO USE WORD PROCESSING AND SCHEDULING SOFTWARE	B.18															ASST.DIR.	
DEVELOP MEASURES AND INDICES FOR ESTIMATING CHANGES IN OPERATING & CAPITAL IMPROVEMENT COSTS	C.1															RCB	
ADD COST INDICES TO DATA BASE																ASST.DIR.	
PROGRAM ALTERNATIVE ALGORITHMS FOR RENT ADJUSTMENTS (GENERAL & INDIVIDUAL)																ASST.DIR.	*
DEVELOP SOFTWARE TO TRACK CAPITAL IMPROVEMENTS	7.b															ASST.DIR.	
TRACK COMPUTER COSTS	B.15															ASST.DIR.	
<u>PROCESS</u>																	
ADD EVENING HOURS	5.c																
REPAIR TELEPHONES	5.f																
ADOPT FIXED TERMS FOR BOARD	5.e															EXEC.DIRECTOR	
EVALUATE PATTERNS OF DISCOURTESY	5.d															CITY MANAGER	
DETERMINE REGULAR CYCLE FOR GENERAL RENT ADJUSTMENT REVIEW	C.2															CITY MANAGER	
DESIGN PROCESS FOR PUBLIC REVIEW OF GENERAL RENT ADJUSTMENTS	C.5															RCB	
DOCUMENT NEED FOR FULL-TIME LITIGATION COUNSEL	8.0															RCB	
MODEL CONSEQUENCES FOR ALL UNITS OF GENERAL RENT ADJUSTMENTS	C.3															EXEC.DIR. & CHIEF HEARING OFFICER	
REVIEW MODIFICATION & APPEAL PROCEDURES FOR GENERAL RENT ADJUSTMENT																RCB & ASST.DIR.	
REVIEW HEALTH, BUILDING, AND ASSESSOR DATA FOR TIMELINESS OF INSPECTION & REPORTS TO RCB																RCB & EXEC.DIR.	
PREPARE INDEX OF BOARD POLICIES AND PRECEDENTS	5.b															CITY MANAGER	
COMMISSION RCB BOOKLET	5.a															RCB & EXEC.DIR.	*
<u>BACKLOG</u>																	
IDENTIFY BACKLOG TEAM	9.0															RCB	
IDENTIFY TEAM MANAGER	D.1															RCB	
SELECT EXPERIMENTAL APPROACH	10.0															RCB	
REVIEW APPROACH WITH CITY MANAGER																RCB	
PREPARE BACKLOG PLAN	D.2															CITY MANAGER	
NOTIFY CONCERNED PARTIES																EXEC.DIR.	
SUBMIT PROGRESS REPORTS	D.3															EXEC.DIR.	

APPENDIX E

Suggested Job Descriptions:

- ° Assistant Director/Management & Systems
- ° Rent Adjustment Specialist
- ° Public Assistance Officer

ASSISTANT DIRECTOR/MANAGEMENT AND SYSTEMS

CAMBRIDGE RENT CONTROL BOARD

DUTIES: Responsibilities include upgrading and maintenance of all data processing and information systems at the agency. Major improvements and expansion of such systems is contemplated. The Assistant Director will be responsible for the quality of the data base and the implementation of all rent adjustments (general and individual); will be responsible as well for creation and generation of management reports for the Executive Director and City Manager as well as policy reports for the Rent Control Board. Will be responsible for scheduling and tracking of cases.

The docket and payroll clerks, receptionists, typists, secretaries, rent adjustment specialists, and public information officers report to the Assistant Director. Also has responsibility for computer-related contracts.

Qualifications: Some experience with DEC hardware Basic programming language is desirable as well as strong management skills. Must have B.A. plus prior management experience of at least 2 years.

Should be committed to implementation of major improvements in information systems, which will require both technical and training skills in high pressure public service agency environment.

Salary: \$27,000-\$30,000 a year. Must submit a writing sample and resume.

RENT ADJUSTMENT SPECIALIST
CAMBRIDGE RENT CONTROL BOARD

DUTIES: (1) Analysis of documents submitted to the Rent Control Board by landlords and tenants in proceedings to determine allowable rents; (2) preparation of background materials and draft hearing reports to assist hearing examiners; (3) use of files and computer-based systems to analyze and implement rent adjustment policies; (4) general responsibility for the accuracy of information maintained by the Rent Control Board on rental units.

Reports to the Assistant Director.

Qualifications: Good communication and writing skills.

Strong quantitative skills.

Familiarity with data analysis and computerized data bases strongly preferred.

Familiarity with the economics of residential properties helpful.

Accounting experience helpful.

Salary: \$14,000-\$17,000, depending on experience.
Must submit a resume.

PUBLIC ASSISTANCE OFFICER

CAMBRIDGE RENT CONTROL BOARD

DUTIES: Provide direct assistance to parties with business before the Rent Control Board. Coordinate advice and information to public as to Board practices, procedures, policies; assist in filing applications and petitions; provide clear explanation of legal processes to tenants and property owners in easily understandable language; responsible for ensuring that all submissions are complete and properly organized.

Qualifications: Excellent communication and writing skills.

Legal/para-legal training desirable.

Public service experience preferred.

Available to work 1-2 evenings per week.

Salary: \$15,000-\$18,000 depending on experience
Must submit a writing sample and resume.

* * * * *

RECOMMENDATION 6: Revise the Work Scheduling System for Hearing Examiners to Emphasize Timely Preparation of Reports.

Unacceptable delays in preparation of reports is the most glaring finding from our quantitative study. Many of our recommendations are related to this central problem, at least indirectly. One important additional measure would be to restructure the way hearing examiners use their time, so that large blocks of time are cleared for writing. Deadlines would be carefully geared to reasonable expectations of productivity, and would preferably be imposed by the scheduling process, so that the Executive Director would find them easy to monitor.

For example, the examiners could schedule a series of hearings and then block out several days immediately thereafter to write the resulting reports, in much the same manner that the federal appellate courts have perhaps two weeks of "sittings" in which they hear cases, and then spend several weeks preparing opinions. Adopting such an arrangement at the RCB would have several advantages: examiners would go to work on a report very shortly after the hearing, rather than much later when the matter is "cold"; the defined writing period would create a clear deadline-- finish the reports for all of the hearings just held, before holding a new set of hearings; failure to meet deadlines and keep up with the work flow would be quite apparent to the Executive Director, who could then explore the reasons and take appropriate steps.

* * * * *

IMPLEMENTATION TASKS: Improving Procedures, Information Systems, andDealings with the Public (Recommendations 4-6).

- B1. Individual property records must be redesigned. A property record should include adequate historical data as well as data relevant to policy concerns of the RCB, to the rent adjustment process, and to the other petitions presented to the RCB. Designing this individual property record should provide a comprehensive list of data elements which will guide the development of all other records and procedures within the RCB.
- B2. All of the petition and information forms for the RCB should be reviewed with two objectives in mind. First, the data required from landlords and tenants for one or another type of petition should be clarified and simplified so that hearing time will not be wasted because data required for the proceeding is not available. If the individual property record can be adequately designed, further, it should minimize the additional data required for particular petitions. Second, the public assistance staff should be able to help tenants and landlords complete forms without the assistance from the hearing examiners. All forms should also be designed in such a way that data entry of the information relevant to a hearing is easily computerized. The amount of information stored in files should be minimal, most data relevant to decisions should be computerized.
- B3. A schedule for regular updating of the data base, entering the information currently kept in the logs, and entering new petitions should be developed. There will be a fair amount of daily data entry, which can either be sent out or completed at the RCB. Estimating the amount of this work so that the computer systems are sufficiently reliable for hearing examiners and public assistance staff is critical.
- B4. Regular (at least monthly) management reports should be designed to monitor the inflow and completion of case work.
- B5. An annual management report should be required from the RCB by the City Manager and the City Council.
- B6. There is now much duplicate and inaccurate data in the RCB data base. Some of the problems can be discovered by running computer programs designed to check the consistency of information maintained on a given property. Some of the errors and omissions discovered through this checking can be resolved by simply checking files or telephoning another agency. If investigations or calculations of base rate are required, hearing examiners or rent adjustment specialists will have to be involved, otherwise most of this work can be completed by support staff.

- B7. A mailing to all owners of rent controlled property can then be completed informing them of the data the RCB maintains on their units and asking for any corrections or additional data required in order to update the data base. In addition to cleaning up the data base, awareness on the part of the landlords of what data is available on them will speed up enormously the process of rent adjustments. A follow-up mailing to landlords that did not respond will in all likelihood be required with notice given that no rent adjustments or complaints will be processed for their building until they have responded to this request.
- B8. All of the returned forms should be entered into the computer. This will need to be contracted because staff within the agency will not be able to handle this amount of data entry in addition to their ordinary assignments.
- B9. Once up, the data base should be tested for errors and inconsistencies.
- B10. Data elements which record disposition of all cases not requesting rent adjustment should be added to the data base.
- B11. For several kinds of cases before the RCB, word processing software exists which enables the hearing examiner staff to write their reports more easily. Software should be developed for those types of complaints for which the RCB currently do not have word processing programs.
- B12. It will take an estimated three weeks for one person to enter all the data needed for the scheduling software to be made fully functional. If current staff cannot do this then temporary data-entry clerks should be acquired so that the scheduling software can be used.
- B13. A schedule needs to be developed which makes it clear when the data base, scheduling, and other records will be updated and maintained.
- B14. Specifications for management and policy reports should be developed and approved by RCB staff and the City Manager.
- B15. A billing system has already been commissioned by the Rent Control Board. Once developed it should be incorporated in the management systems so that billing can be easily monitored.
- B16. The RCB currently uses timesharing computer services. It may be that it is more efficient and cheaper to in fact purchase its own equipment. A decision to buy equipment or continue to use rental service should be made this year.
- B17. Since much of the data processing, keypunch, and software development work will have to be contracted out as well as the

development of new forms and the RCB booklet, a number of requests for proposals will have to be drafted to insure that lowest cost-highest quality competitive bids are received.

- B18. Many of the tasks associated with improving RCB systems will require that all staff feel comfortable utilizing the systems, especially word processing and scheduling equipment. Backlogs will develop unless appropriate training is undertaken.

* * * * *

Group C:

Improve the Implementation of Rent Adjustment
and RCB Enforcement Policies

RECOMMENDATION 7: Make the Process for Considering General Rent Adjustments More Predictable, With More Public Participation and a Clear Advance Statement of the Formula and Data Sources.

The heart of any rent control program is the rate setting process, in this context a computation of maximum allowable rent. Landlords complain that rent adjustments lag behind cost increases, that general adjustments are too infrequent, and that adjustments for capital expenses are difficult to come by. Tenants, on the other hand, complain that adjustments only seem to recognize increases in costs, while failing to reflect savings such as a reduction in property taxes or a decrease in heating costs.

7(a): The Board, with public input, should adopt a general adjustment formula, indicate the data to be used in that formula, and adopt a predictable cycle for regular review of these to assess the need for a general adjustment.

The RCB should keep current statistics on operating and capital costs based on all relevant and established indices, together with

whatever Cambridge data can be developed and maintained by the RCB or other City departments. The Board should adopt a formula, to which these indices and data could be applied, as the basis for all general rent adjustments (and individual rent adjustments as appropriate) though obviously subject to amendment after explanation and public debate. At regular, predictable intervals, the Board should examine the figures and consider whether a general adjustment is necessary--in some cycles they may feel that the net changes in all factors of the formula are too small to justify action. In picking the frequency of these reviews, there are competing considerations. If the cycle is too long, there will be more petitions for individual adjustments and unnecessary disinvestment in the housing stock; if the cycle is too short, there will be unjustified administrative burdens and rents will be less predictable for tenants and landlords.

In making these decisions, the Board should make an exceptionally thorough effort to inform and involve the public. Its decisions with respect to the formula, the component expenses and measures, and the schedule on which the question of a general adjustment will be reviewed should all be publicized, with alternatives, in draft form and discussed in public meetings. (Publication in the legal notices section of the newspaper is not enough.) In addition, we believe the Advisory Committee could play an important role in reviewing the basic formula, considering alternatives, and commenting to the Board during the regular cycle for considering general adjustments. The general adjustment formula should be tied to and supported by a computer-based data system containing information on all units, together with models for estimating base year (1967 or other) rents. It is important to computerize this system in

the near future. Without it, there will be inevitable delays in the processing of rent adjustments, general or ad hoc, and the episodic interference of major adjustments with the work flows of the office will create bulges in caseload and severe degradations in the quality of service provided by the RCB to the public. The rent adjustment specialists (see Recommendation 1(a)) should implement general rent adjustments using the computerized formula and data.

7(b): Landlords should be able to opt for an adjustment based on capital or extraordinary operating expenses in lieu of the general rent adjustment.

Needless to say, we will never achieve the ideal of a fully automated rent regulation process--individualized adjustments must remain an essential part of the scheme. However, it is possible to reduce substantially the need for these individual rent adjustments by adopting a predictable rent adjustment cycle and then allowing landlords to waive the automatic adjustment and petition instead for an individualized determination. In this way, the RCB will be able to insure that landlords with special circumstances receive special consideration, and also that tenants are not subject to general and individual adjustments within a few months of each other.

7(c): Develop a computer-based system for downward adjustment of allowable rents when costs of a capital improvement are fully amortized, or when taxes decrease.

One common tenant concern is that RCB procedures seem geared to rent increases alone, as though rent decreases are inconceivable. The most annoying example is the rent adjustment for capital improvements.

be assured that once the landlord has recovered the costs
 t, this portion of the rent increase will lapse. Simi-
 ase in property tax rates or in an individual assessment
 automatically result in a rent decrease.

* * * * *

RECOMMENDATION 8: Hire a Full-Time General Counsel to Assist the Agency
 and the Public

The larger the gap landlords perceive between their allowable rent under rent control and the rent they estimate they could receive absent regulation, the more incentive they will have to evade RCB regulations and ignore its orders. The corollary is that if there is very little enforcement activity, landlords will perceive little cost to breaking the law. We heard many complaints that the RCB is not supported by effective, litigated enforcement measures. No one we questioned on this subject believes that the office of the city's corporation counsel would provide adequate service, and the present part-time counsel arrangement is unsatisfactory to many.

We have considered the RCB's plan to hire a full-time litigation counsel for \$25,000 per year, but we recommend that the RCB hire a full-time General Counsel, whose responsibilities will include managing RCB litigation and serving as a resource to the RCB and the public on legal issues affecting rent control. The RCB should hire an experienced attorney with a background in litigation, preferably with specific experience in Landlord-Tenant law and housing issues.

As proposed, the RCB General Counsel has primary responsibility to represent the RCB in court when its decisions are appealed or its regulations

challenged, and to co-ordinate RCB litigation generally. The General Counsel also serves as the RCB's designated legal advisor, providing legal advice and research for the Board on issues posed by RCB regulations, procedures, policy, etc. In our discussions with the RCB and Staff we frequently have been told that the agency lacks ready access to an attorney whose general function is to keep the Agency abreast of the legal issues affecting rent control, to manage litigation and to pursue enforcement measures. We agree. The broader responsibilities of the Executive Director and Chief Hearing Examiner may preclude thorough current familiarity with legal developments important to the agency.

Other tasks appropriate to the General Counsel include the assistance of Hearing Examiners with more complex cases, reviewing RCB public notices for legal accuracy and clarity, and responding to the routine legal questions received by the agency. Since the General Counsel's availability to answer legal questions from the public may often be limited, the General Counsel working with the two Public Information Specialists may find it useful to develop a call-back system. Evening sessions with agency clients who are not represented by counsel are also a possible task, if sufficient client demand exists.

* * * * *

IMPLEMENTATION TASKS: Improving the Implementation of Rent Adjustment and RCB Enforcement Policies.

- C1. It is critical that the Board consider carefully the data required to implement general rent adjustments they wish to consider. If the data is anticipated, e.g. cost components, it can be collected and entered into the data base in a timely fashion.

- C2. A cycle for general rent adjustments should be developed even if the Board decides in a given period not to grant an increase or a decrease. Landlords and tenants alike should know that at a given time the issue will be decided for that period.
- C3. The Board and staff should model the consequences of alternative formulae they are considering, before adopting a particular policy.
- C4. It should be the responsibility of RCB staff to develop an implementation plan for general rent adjustments, including adequate lead time for notice to the public once the policy is decided.
- C5. The Board should hold a public hearing to explain and get reactions to alternative formulae.
- C6. The software for testing consequences of general rent adjustments needs to be developed. It is this software that will enable the Board to develop policy relevant reports for the Council and its clientele.
- C7. The software required to implement downward adjustments necessary for capital improvement rent adjustments must be written.
- C8. Keep records on the amount and type of litigation related to the RCB.

Group D:

Undertake Temporary Measures to Eliminate
the Backlog

Because the backlog of cases is so severe, we offer some recommendations on extraordinary short-term measures the Board and the new executive director should consider. Although the current crisis would eventually yield to steady, business-as-usual efforts, both the staff the Board must recognize that the present situation is a grave concern to several of the City's leaders, as well as the RCB's clientele.

RECOMMENDATION 9: Identify Particular Members of the Staff Who Will Concentrate on the Backlog.

We recommend that a group is of staff members be immediately freed of all other tasks and assigned to work exclusively on the backlog of cases, defined as, for example, those filed more than three months ago. An especially able hearing examiner, presumably the Chief Hearing Examiner, should be designated by the Board to coordinate this effort, beginning with formulation of a workplan: which staff would be assigned to the backlog team, an estimate of the rate at which cases would be completed or closed, measures for screening backlog cases and assigning priorities (see Recommendation 10, below), etc.

In general, the staff selected to process the backlog should have extraordinary clerical support and should include examiners who are especially fast in writing reports, and someone who is skilled at mediating disputes, so that some cases might be cleared out without the full adjudicatory machinery. This group should also be fairly small so as not to bring the rest of the agency to a halt, and insofar as is possible other staff should work only on those backlog cases they are already very familiar with (for example, by having already conducted a hearing.)

* * * * *

RECOMMENDATION 10: Adopt Experimental Measures to Eliminate the Backlog.

Hand-in-hand with the idea of a backlog team, we recommend that the Board and that team consider several experimental measures which might dramatically reduce case processing times without undue risk to the interests of clients. Moreover, the opportunity to experiment with

these measures using the carefully selected backlog team will provide information on the desirability of using some of these techniques more generally.

The experimental measures might include, for example:

- (a) Suspend the usual system of processing cases in the order filed, and instead use a prioritizing scheme giving faster service to hardship cases and to cases which, on their face, seem simple.
- (b) Identify cases likely to be amenable to mediation, and use staff members with that skill as specialists.
- (c) Hearing examiners could invite "sophisticated" parties in a case, e.g., those with an attorney, to submit a proposed hearing report, analogous to the "proposed findings of fact and conclusions of law" submitted by attorneys to a trial judge; the hearing examiner could accept, reject, or revise as seemed appropriate, but would in at least some cases save time in drafting reports. Some parties might be willing to assume this burden in order to expedite a decision.
- (d) Hearing examiners could dictate less formal, conversational hearing reports, which could then be transcribed, lightly edited, reviewed by the team leader, distributed to the parties so they could give written or oral comments, and then sent on to the Board; this measure recognizes that there are no rigid legal requirements for the format or formality of a hearing report--it just needs to provide the facts and conclusions clearly.

The feasibility and degree of risk associated with these and similar measures depend in large part on the talents of the individuals selected for the backlog team.

* * * * *

IMPLEMENTATION TASKS: Temporary Measures to Eliminate the Backlog

(Recommendations 9, 10).

- D1. The Board should consider the general idea of a backlog team and, if agreeable, choose the team leader.

- D2. The team leader should quickly prepare a brief proposal: staff to be assigned, extraordinary processing measures to be employed, time frame, etc. The plan should be submitted to the Board for its approval, and then implemented as soon as possible.

- D3. The team leader and executive director should submit progress reports to the Board and the City Manager no less frequently than every month.

* * * * *

APPENDIX A

MAYORAL ANNOUNCEMENT OF THE COMMISSION



CITY OF CAMBRIDGE

MASSACHUSETTS 02139 • 617-498-9090

Alfred E. Vellucci
Mayor

HOUSING INITIATIVES

OF THE MAYOR

1982 and 1983

INITIATIVE #1

SPECIAL COMMISSION
TO STUDY THE
ADMINISTRATION OF THE
RENT CONTROL OFFICE

MARCH 26, 1982

It is with considerable pride that I announce the appointment of a Special Commission to study the Administration of the Cambridge Rent Control Board.

The Commission which I appoint today is a citizen's group who will work without compensation from the City on behalf of the Mayor, the City Council, the City Government and, above all else, the citizens of Cambridge. I appoint this group as a result of a City Council order introduced by my colleague, Councillor Sandra Graham, and voted upon with the unanimous consent of this entire City Council. As such, the Commission begins its work with a completed and bipartisan mandate of support from the city.

The reason for this is plain to see. Over the years, all Councillors have received many complaints about the administrative procedures of Rent Control, this said without prejudice or malice towards that department or its employees. Whatever the reason or reasons, people complain about the way things work at that office. This is true of landlords and tenants alike. On this at least all are united. All seem to believe that there must be a way for cases to be processed more smoothly, more efficiently and more expeditiously.

It is the charge of this Commission to investigate the operation of the Rent Control Board and to make recommendations which in the judgment of the Commission will enable the Board to carry out its responsibilities more efficiently to the benefit of all.

As such, they have a mandate for what is chiefly an administrative review. It is not their duty to determine whether or not the City should have Rent Control, whether it is a good thing or not, etc., etc. Those are policy questions which are the domain of the City Council and upon which the Council has repeatedly spoken. Most recently, it spoke with a unanimous and affirmative voice that laid to rest decisively that most fundamental of Cambridge housing questions.

Yet the City Council's unanimous consent for the need for a rent control policy is coupled with a unanimous concern for the way in which that policy is being administered on a day to day basis.

On this issue and more related to it, I am convinced that the Commission will be of great help. This is a singularly bright, dedicated and incisive group. They bring considerable understanding and power of analysis to their task. I know they will produce good work for the people of Cambridge. They have my confidence.

I have laid down groundrules for the Commission which I will now make public. I will issue no more statements about their work to the press until they are done unless requested by them and further, unless said announcements have the approval of each member. Whatever their recommendations, I will sponsor on their behalf before the City Council. I believe if you stand behind a group of good and honest people before they begin, you will wind up being proud to stand behind their work when they are finished.

This was my experience with the City Council's citizen group (CERB) on the question of municipal regulation of recombinant DNA technology. I expect this group will be equal to the quality of excellence achieved by CSRB and other citizen groups before them.

The members of the Commission are listed below and the resumes of each are attached for review:

Wendy Abt
Municipal & Financial Management Consultant

Leonard Buckle
Professor of Urban Studies & Planning, MIT

Suzann Thomas-Buckle
Professor of Urban Studies & Planning, MIT

Christopher Edley
Assistant Professor of Law, Harvard Law School

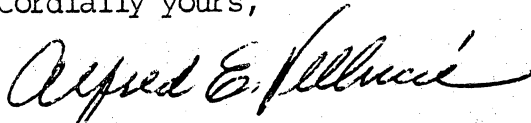
Kenneth Reeves
Attorney - National Consumer Law Center

Michael Rosenberg
Director of Housing - City of Cambridge - Community Development Department

Stephen Rosenthal
Associate Professor of Public Management, Boston University

Dvora Yanow, Ph.D
Department of Urban Studies & Planning, MIT
(Research Associate for the Mayor's Commission)

Cordially yours,



Alfred E. Vellucci
Mayor

APPENDIX B

COMMISSION MEMBERS AND RESEARCH ASSISTANTS

APPENDIX B

COMMISSION MEMBERS AND RESEARCH ASSISTANTS

Following is a list of the eight volunteer Commission members and the principal reserach assistant, including brief descriptions of relevant background:

WENDY ABT is a financial Management Consultant, currently in the Strategic Planning Department of the First National Bank of Boston. She was previously a municipal management consultant with Coopers & Lybrand, Advisor to the Massachusetts Executive Office of Human Services, and Sales Manager and Senior Analyst with Abt Associates, Inc. She has been active in Cambridge civic affairs.

LEONARD G. BUCKLE is Associate Professor of Urban Studies and Planning at M.I.T. He received his Ph.D. at M.I.T. in 1974. Since then, he has been a member of the faculty there, teaching in the areas of institutional analysis, planned change, public policy analysis, and state and local government. In addition to his teaching duties, he has done research on the nature of bargaining and negotiation in organizational and neighborhood contexts, and he has acted as a consultant in program evaluation and organizational change for a wide range of public and charitable agencies.

CHRISTOPHER EDLEY, JR. is Assistant Professor of Law at Harvard, where his teaching and research are in administrative law, federalism and the poor, constitutional and public interest litigation, and federal income taxation. He served in the Carter Administration as Associate Assistant to the President in the Office of the White House Chief of Staff, Special Assistant to the Secretary of H.E.W. (now H.H.S.), and Assistant Director of the White House Domestic Policy Staff responsible for income maintenance and social services policy.

KENNETH REEVES is an attorney at the National Consumer Law Center in Boston, where his work since 1977 has focused on federal and state regulation of consumer credit, banking, insurance and utility rates. He has testified before the U.S. Congress and before numerous state and federal agencies. He has been active in Cambridge civic affairs.

MICHAEL ROSENBERG is the Director of Housing for the Cambridge Community Development department where he is responsible for housing development and rehabilitation projects sponsored or assisted by the City of Cambridge. He also supervises planning and research related to housing issues and advises the Assistant City Manager of Community Development on housing policy. Prior to coming to Cambridge Mr. Rosenberg was the Executive Director of the Newton Community Development Foundation, a non-profit corporation that develops and manages low and moderate income housing. Mr. Rosenberg has also been the Director of housing and neighborhood programs in Brookline, MA and Portsmouth, NH.

STEPHEN R. ROSENTHAL is Associate Professor of Public Management and Operations Management at Boston University. For the past 15 years, Rosenthal has been active in conducting applied research projects, and consultant assignments for government agencies of all types and he recently published a book called Managing Government Operations. In the late 1960's, he was Director of Operations Analysis for the Housing & Administration in New York City.

SUZANN R. THOMAS-BUCKLE is an Associate Professor of Urban Studies and Planning at M.I.T., where she received her Ph.D. Her research has been primarily in the fields of organizational structure and change, concentrating on the impact of informal relationships and processes on the ability of planners to achieve innovations in organizational contexts. She teaches public policy analysis, planning research methods, and theories of organizational and community behavior. In addition, she has acted as a consultant to governmental agencies and private firms in the areas of human services, intergovernmental relationships, and program evaluation.

DVORA YANOW has extensive experience in public sector administration and organizational analysis and serves as a consultant to public and private sector service agencies. Her current work entails the analysis of organizational settings as cultures. She holds the Ph.D. in Planning, Policy and Organizational Studies from M.I.T. She is currently Adjunct Assistant Professor at Boston College.

HECTOR J. ALEJANDRO is currently employed as a research assistant at the Cambridge Department of Community Development. Mr. Alejandro's background includes a B.A. in Economics from Harvard College and research experience at Urban Edge, Inc., Jamaica Plain Area Planning Action Council, and Harvard Institute for International Development. He has also participated in community organizing through the Cardinal Cushing Center for the Spanish-Speaking, Urban Planning Aid, Inc., Cambridge Tenants Organization, and the Boston Neighborhood Group Housing Task Force.

NOTES ON THE QUANTITATIVE RESEARCH METHODOLOGY

Objective.

The objective of the quantitative research methodology was threefold:

- 1) to construct an analytical model of the case handling process that was applicable to the maximum number of different types of cases ;
- 2) to calculate the average and median duration of those different types of cases and of key steps in the handling of those cases ; and
- 3) to determine the extent to which the duration of the handling process may vary according to the type of case, hearing examiner or number of dwelling units involved in the petition.

Analytical Model.

The process for handling most types of cases may be characterized in terms of five basic procedures:

- 1) a petition is filed ;
- 2) the parties involved attend a hearing held by an RCB examiner ;
- 3) a hearing report is prepared and submitted by the examiner ;
- 4) the case is heard by the Rent Control Board at a public meeting ;
- 5) the parties involved are notified in writing of the Board's decision.

These procedures reflect the essence of the handling process for cases involving:

(1) evictions for nonpayment of rent, (2) evictions for other reasons, (3) rent adjustments, (4) capital rent adjustments, (5) removal permits, (6) special cases, and (7) tenant complaints. Thus, for these seven types of cases, the basic procedures listed above serve as the principal points of demarcation in analyzing their respective handling processes. This model is not applicable to general rent adjustments and uncontested capital rent adjustments because these do not entail hearings or Board decisions.

Additional demarcation points were incorporated into the model in order to account for such eventualities as hearing continuances, inspections, Board continuances, and further written notifications. The flowchart in Figure A of this appendix depicts the entire sequence of procedures or demarcation points used for the analysis. Each point is represented in terms of the date when the respective procedure was carried out.

Sample Selection. The research sample was obtained from the cases heard by the Board (after processing by the staff) between September 2, 1981 and February 24, 1982. The 152 cases selected represent a 50% sample of those cases listed on the Board agendas from this six month period. That is, every other case was chosen for the sample, excluding advisory opinions and requests for rehearing. These were excluded so as to neither double-count cases already heard by the Board nor include cases that are in a sense "off-the-record".

Data Collection. The dates pertaining to each cases were sought in the corresponding docket book, the individual case file, and the inspector's case file. Some dates could not be obtained due to missing documents, misplaced files, and incomplete docket entries.

Data Analysis. The 22 procedural steps, whose mean and median durations were calculated, are listed in Figure B. These steps represent the duration of the entire handling process, as well as other key intervals in the process. The following computations were run on each of these steps:

- 1) average interval in days
- 2) average interval in months
- 3) median interval in days
- 4) median interval in months
- 5) number of cases (with sufficient data)
- 6) minimum value
- 7) maximum value

The results of these computations for the sample as a whole, as well as for each case type, can be found in Tables 1-8. The graphical analysis of the average duration of the entire handling process, as shown in Figures C1-C7, illustrates the wide variation by type of case.

The substantial variation by case type was taken into account in determining the extent to which different steps vary by hearing examiner and number of dwelling units. However, when case type is taken into account (Table 9), the relatively small samples limit the extent to which meaningful comparisons that can be made among examiners and groupings of dwelling units.

A two-fold approach was used to facilitate comparisons among hearing examiners. First, the particular case mixes were accounted for with respect to the three examiners whose cases had longest average duration, overall, and the three examiners whose cases had the shortest average duration, overall. As indicated by Table 9, the former were found to be mostly handling cases (removal permits, special cases, and tenant complaints) that generally take longer, while the latter were found to be handling cases (evictions and capital rent adjustments) that generally take less time. Therefore, the findings of this comparison among examiners were inconclusive though, as noted in the text on pages 2-16 to 2-17, significant differences in processing time may exist between some examiners with

similar types of cases. See Figure 8, page 2-18.

The second approach to comparing examiners consisted of focusing on rent adjustments, since this particular case type had both sizable and equal sample sizes for Examiner #1, Examiner #2, and Other Examiners. The results of this comparison were that Examiner #1 and Other Examiners had cases that took about the same amount of time, overall, while Examiner #2's cases took less time. See Table 10. This would seem to indicate that at least for rent adjustments there is no significant variation by examiner, except for one particular individual.

Regarding the extent of variation by number of dwelling units, the analysis was simplified by the fact that cases involving evictions and removal permits normally concern individual dwelling units. Thus, comparisons among groupings of dwelling units (1, 2-4, 5-8, 9-24, and 25+ units) were limited to rent adjustments, capital rent adjustments, tenant complaints and special cases. Even then, the small sample sizes left after case type is accounted for (Table 11) solely lead to tentative results.

As indicated in Tables 12-14, there is no clear pattern of longer or shorter duration in the handling process as the number of dwelling units increases or decreases. Rent adjustments/capital rent adjustments (Table 12) show some decrease in average duration as the number of dwelling units increases, but such a pattern is not confirmed by the corresponding median calculations. Similarly, there is no consistent, overall pattern in the findings for special cases (Table 13). Tenant complaints involving 2-4 dwelling units do seem to take less time than those involving one unit (Table 14), but this comparison is for very small sample sizes and only two groupings of dwelling units. Therefore, even for this particular case type, it is unclear whether significant time variation exists by number of dwelling units.

TABLE 1. COMPUTATIONS FOR THE SAMPLE AS A WHOLE.

<u>STEP</u>	<u>AVERAGE INTERVAL IN DAYS</u>	<u>AVERAGE INTERVAL IN MONTHS</u>	<u>MEDIAN INTERVAL IN DAYS</u>	<u>MEDIAN INTERVAL IN MONTHS</u>	<u># OF CASES</u>	<u>MINIMUM VALUE</u>	<u>MAXIMUM VALUE</u>
1	47	1.6	27	.9	143	4	406
2	120	4.0	88	2.9	31	16	424
3	148	4.9	133	4.4	101	22	541
4	230	7.7	209	7.0	51	48	583
5	140	4.7	110	3.7	145	20	540
6	85	2.9	84	2.8	149	14	271
7	37	1.2	20	.7	31	1	172
8	78	2.6	60	2.0	12	13	258
9	70	2.3	63	2.1	122	0	341
10	53	1.8	40	1.3	7	9	131
11	84	2.8	66	2.2	28	0	242
12	52	1.7	59	2.0	11	12	96
13	46	1.5	35	1.2	12	0	131
14	20	.7	15	.5	27	5	85
15	25	.9	15	.5	122	3	216
16	19	.7	14	.5	123	3	216
17	63	2.1	55	1.8	120	0	242
18	29	1.0	14	.5	27	6	126
19	5	.2	55	.2	104	0	49
20	74	2.5	14	1.7	21	6	225
21	9	.3	5	.2	104	0	119
22	170	5.7	163	5.4	132	22	541

TABLE 2. COMPUTATIONS FOR EVICTION (Other causes) CASES.

<u>STEP</u>	<u>AVERAGE INTERVAL IN DAYS</u>	<u>AVERAGE INTERVAL IN MONTHS</u>	<u>MEDIAN INTERVAL IN DAYS</u>	<u>MEDIAN INTERVAL IN MONTHS</u>	<u># OF CASES</u>	<u>MINIMUM VALUE</u>	<u>MAXIMUM VALUE</u>
1	22	.8	14	.5	25	6	233
2	77	2.6	45	1.5	5	20	233
3	92	3.1	74	2.5	19	25	324
4	170	5.7	162	5.4	10	48	269
5	85	2.9	72	2.4	25	20	323
6	60	2.0	62	2.1	28	14	125
7	23	.8	28	.9	4	7	44
8	13	.4	13	.4	1	13	13
9	46	1.6	35	1.2	25	0	140
10	.0	.0	1	.0	0	-	0
11	58	1.9	75	2.5	4	7	96
12	96	3.2	96	3.2	1	96	96
13	13	.4	13	.4	1	13	13
14	16	.6	13	.4	6	7	30
15	21	.7	15	.5	25	12	90
16	17	.6	14	.5	25	7	71
17	45	1.5	50	1.7	24	0	109
18	18	.6	7	.2	7	7	60
19	4	.2	5	.2	20	1	33
20	35	1.2	29	1.0	7	6	88
21	9	.3	5	.2	20	1	61
22	116	3.9	87	2.9	22	25	324

Public assistance officers will be less hampered in describing alternative courses of action for the client, although they must be carefully trained to avoid legally difficult matters which should be referred to a hearing examiner, and to be sensitive to the danger that clients will rely, to their detriment, on the public assistance officer's statements. With more than one public assistance officer available, it should be possible to experiment with extended office hours, at least for purposes of information and counseling. (See also Recommendation 5, below.)

There should also be an opportunity to have bilingual community outreach and information programs, targeted on landlord and tenant groups unfamiliar with rent control.

Public assistance officers should also serve the assignment function, including identification of clients who need additional help preparing their cases or would be appropriate for mediation or some other alternative means of dispute resolution. (See Recommendation 1(c).) Finally, the public assistance officers should try to ensure that all of the relevant data and documentation are assembled before the hearing is held.

We do not recommend an ombudsperson. The distinction between an ombudsperson and the public assistance officers is reflected in the general directions of our recommendations. We do not feel the RCB needs some special internal advocate or watchdog. Rather it needs better methods of helping clients and stronger management to do trouble-shooting and ensure that all of the staff are productive and responsive to the public. Recommendation 2 concerning reorganization, an Executive Director with strong management skills, and an Assistant Director for Management and Systems, addresses the need to solve problems within the organization.

1(c): The RCB and the City Manager should develop and implement a Pilot Mediation Project.

We recommend that the RCB undertake a pilot program in mediation and other alternative forms of resolving disputes. These methods, which we believe can offer substantial savings in time and resources in comparison with more formalized agency adjudication, present possibilities for the creative use of community volunteers, the universities, and evening office hours. Hearing examiners may also be able to play a critical role in this effort, although not all examiners will be suited to such activity. Clearly, effective mediation will require a brief period of staff training or orientation. To the extent that foundation or other outside funding seems desirable the City Manager will have to play a role.

An elaborate pilot program should be postponed for some months because the agency should minimize distractions as it overcomes the current workload crisis. There may, however, be an important role for concerted, ad hoc mediation efforts in attacking the backlog. See Recommendation 10, below.

1(d): Re-evaluate hearing examiner positions in 8-12 months to consider adding litigation tasks.

We are skeptical about the desirability of involving hearing examiners in RCB litigation. The evidence suggests that hearing examiners at present have too many disparate tasks to perform. At some point variety ceases to be a stimulant and becomes dissipating. Litigation by its very nature involves somewhat uncontrollable interruptions for intense periods of work, and those interruptions could have a deleterious effect on the central mission of the RCB staff--processing the

requests made by tenants and landlords. Moreover, litigation is something of a speciality among lawyers. It is simply not the case that most young attorneys have training sufficient to make them effective and efficient litigators.

Nevertheless, it may be that for particular individuals the role of hearing examiner can be effectively combined with some part-time litigation activity, if kept within very limited bounds. (See also Recommendation 8 concerning a litigation counsel.) We recommend that in 1983-84, after the RCB has completed a successful transition out of crisis, the Board and the Executive Director consider allowing carefully selected hearing examiners to engage in some litigation on an experimental basis. Until the current crisis is over, however, we urge that litigation be considered a very low priority task for hearing examiners.

* * * * *

RECOMMENDATION 2: Reorganize the Staff to Improve the Management of Information-Related Activities, Under an Assistant Director for Management and Systems.

The current organizational structure of the RCB reflects the historical emphasis of the Board on adjudication at the expense of its other functions--public assistance, price setting, and policy formulation. This has had many consequences, a major one being that efficient management of the system has received less attention than have resolution of individual disputes and the evolution of broad policies. It is clear from the complaints of the RCB's clientele that the resultant

administrative problems are so serious that they jeopardize all functions of the agency. Thus, the organization chart and the job descriptions must be changed to reflect the complexity of the administrative functions of the agency.

2(a): Divide the work of the organization into two major parts--
Information systems and case hearings

There are two major sets of activities which the organization's structure must reflect--those concerned with the quasi-adjudicatory individual case hearings and those which relate to information processing. By "information processing" we mean public assistance, scheduling, report production, quantitative analysis of allowable rents under Board regulations, and implementation of general rent adjustments. The low priority and unsatisfactory performance of information processing tasks interfere with the ability of hearing examiners to conduct hearings.

2(b): Hire a new Assistant Director for management and systems.
Convert the existing position to Assistant Director/Chief
Hearing Examiner.

In theory, it should not be necessary for an agency as small as the RCB to have an executive director and two assistant directors. But the general complexity of the agency's mission--not pushing paper, but expeditious rulings in varied landlord-tenant disputes--together with a history of lurching from crisis to crisis, present a strong case for strengthening the senior staff.

We recommend that the Assistant Director slot now held by a former hearing examiner be renamed Chief Hearing Examiner, or Assistant Director/

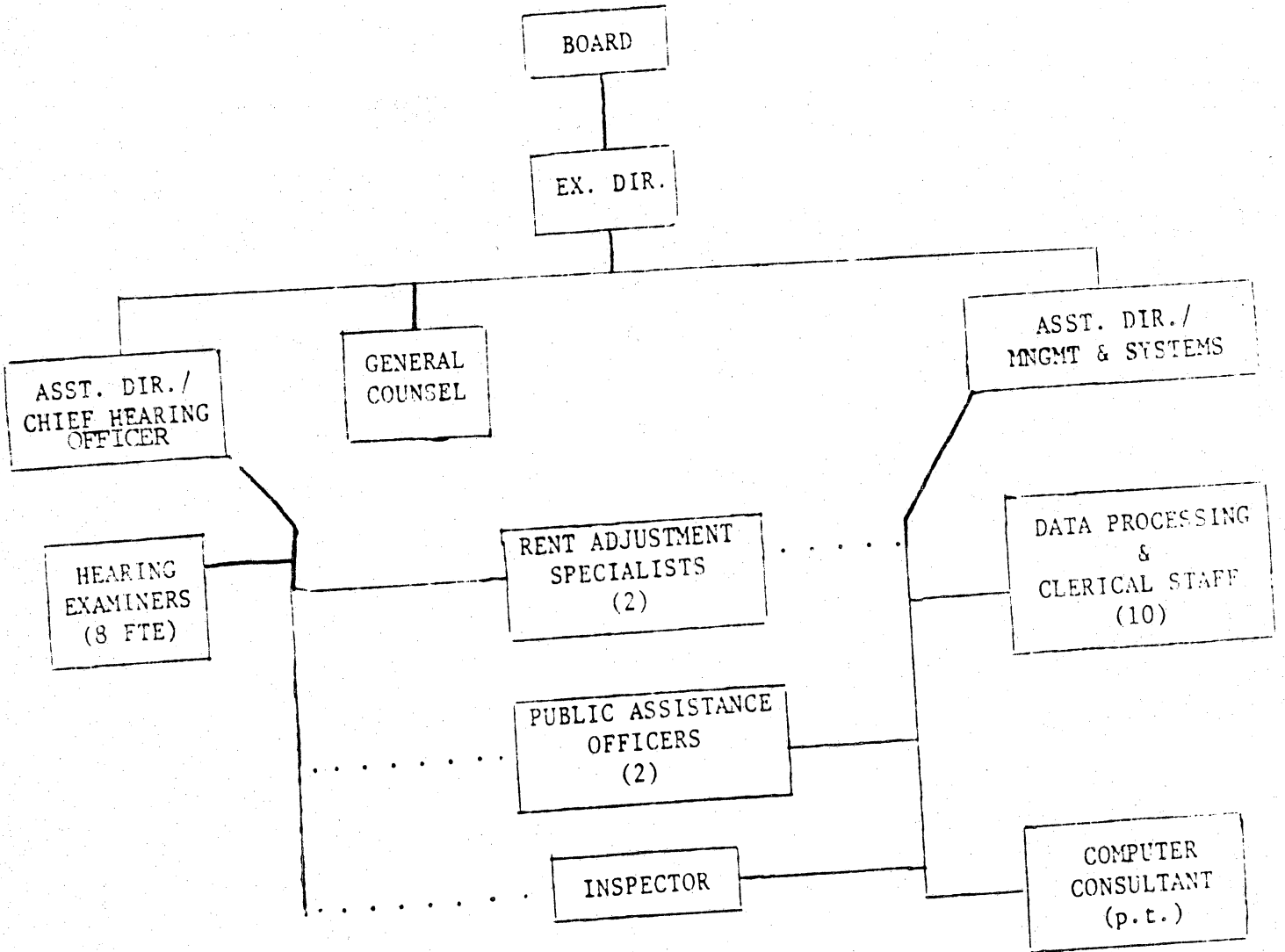
Chief Hearing Examiner. This will better reflect the priorities most appropriate for that position.

We also recommend a new Assistant Director for Management and Systems, who would have direct supervisory responsibility over all staff in the information processing functions. This person should have substantial management and data processing skills, and receive a salary only slightly less than that of the Executive Director in view of the importance of these responsibilities and the market price for people with both systems and management skills.

In the past, assistant directors have been more like administrative assistants, with few management responsibilities different from those of the Executive Director. Among the many responsibilities we envision for the Assistant Director/Management and Systems are: responsibility for the design and implementation of major improvements in the data base and software, with some support from outside consultant and clerical (key-punching) services; ongoing responsibility for the quality and usefulness of the data base; design of a personnel performance appraisal system for the RCB staff; design and generation of periodic management reports; supervision of the support staff; training of support and salaried staff on word processing and computer equipment; supervision of rent adjustment specialists in quantitative analysis of Board policies and implementation of general adjustments; production and distribution of information publications; and general management tasks, such as contracting, telephones and budget. (A proposed job description is included in Appendix E.)

FIGURE 10

Proposed Organization



Case Processing
Functions

Mixed
Functions

Information
Functions

FIGURE 11
Budget Estimate

SALARIES

Executive Director	\$ 31,143	
Asst. Dir./Mngmt & Systems	25,000	
Asst. Dir./Chief Hearing Examiner	22,058	
 Hearing Examiners	 145,842	
(8 F.T.E. avg. 18,230)		
Rent Adjustment Specialists	30,000	
(2 at 15,000)		
Public Assistance Officer	32,000	
(2 at 16,000)		
General Council	25,000	
	<u>SUBTOTAL</u>	<u>\$310,043</u>

SUPPORT STAFF (RCB Budget)

1 Inspector	15,301	
2 Senior Clerk Steno	27,159	
5 Clerk Typist (1 new)	59,507	
2 Data Processing	27,490	
	<u>SUBTOTAL</u>	<u>129,457</u>

OPERATIONS (RCB Budget)

	<u>SUBTOTAL</u>	<u>147,000</u>
--	---------------------------	----------------

TOTAL ANNUALIZED

	<u>SUBTOTAL</u>	<u>586,500</u>
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ONE TIME EXPENDITURES

Booklet (printer-ready)	2,500	
Index of Law & Policy	3,840	
New Software	25,000	
Key punching, et.	12,000	
Forms Development	14,000	
	<u>SUBTOTAL</u>	<u>56,340</u>

<u>TOTAL</u>		<u>\$600,171</u>
------------------------	--	------------------

Notes:

1. Total annualized cost is \$24,430 below the FY '83 appropriation of \$610,930.
2. One time expenditures necessary for full implementation of the Commission's recommendations total \$57,340, for a difference of \$32,910.
3. Between \$20,000 & \$40,000 in salaries and wages budgeted for FY 1983 may be unspent in FY '83 because of vacancies and lead time on new hiring. We anticipate that between these savings and the possibility of lower costs than we have estimated for software, keypunching, etc., there will be sufficient funds to cover the \$32,041 difference.

2(c): Adopt a new organization structure and budget.

Figure 10 shows our proposed organizational structure. (The present structure was discussed in Section IIA, above.) The chart includes two new Rent Adjustment Specialists (Recommendation 1(a)), two new Public Assistance Officers (Recommendation 1(b)) a General Counsel (Recommendation 8), and a new Assistant Director for Management and Systems (Recommendation 2(b)). We do not recommend an ombudsperson (See Recommendation 1(b)). Figure 11 shows our proposed budget reflecting these staffing and organizational proposals.

The rationale for our proposed reorganization is implicit in several of the recommendations discussed earlier. With respect to the systems manager, the Board's proposed salary in the low 20's may not assure the City and the department of anything closely resembling first-rate programming, design and management talents. Moreover, after some months of transition the narrowly technical computer problems should not require full-time attention. Ideally, therefore, the Board should try to hire a more senior person with both computer expertise and a broader interest in and talent for management and administration.

Figure 10 shows the rent adjustment specialists reporting to hearing examiners for purposes of assisting on particular cases, but the Assistant Director for Management and Systems would have direct supervisory responsibility for other tasks, such as maintenance of the data base and quantitative policy analyses.

* * * * *

RECOMMENDATION 3: Revise and Formalize Personnel Evaluation and Other Management Tools.

3(a): Develop staff performance measures and implement a performance appraisal process.

More sophisticated computerized data support systems should make it far easier for the Executive Director and Assistant Directors to monitor current staff activity easily and without disrupting case processing with special reporting demands. Using such systems, it should be possible to address such questions as: What are the characteristics of each examiner's caseload, with respect to types of cases, stage of the process, timeliness, etc.? Are the rent adjustment specialists accumulating backlogs sufficient to require additional help from an extra hearing examiner? Is a particular hearing examiner too slow in preparing reports, or apparently disinclined to mediate eviction disputes?

We urge the Board and senior staff to develop reasonable reporting and evaluation schemes, and use them. In addition to identifying and correcting poor performance, sound personnel evaluation can sharply increase morale which, according to some staff members, has been damaged because, in the past, incompetent personnel were not identified, brought up to their job requirements, or dismissed for years at a time.

3(b): Introduce at least limited opportunities for a progression in professional job responsibilities.

Even with the addition of staff dedicated to public assistance and rent adjustment computations, hearing examiners serve several roles:

- processing many different types of cases, of varying complexity;
- supervising rent adjustment specialists;

- training new personnel;
- mediating;
- developing special policy development for the Board;
- litigating;
- supervising other personnel when the Executive Director is absent or otherwise occupied.

We recommend that these job responsibilities be ranked in some manner, so that the more challenging and interesting tasks will, as a general matter, be assigned to the more experienced staff, with the assignment criteria and process made explicit. Even if accompanied by no significant salary increase, creating clearer job definitions and some ranking of tasks may have a beneficial impact on staff morale and retention.

3(c): Reduce the use of part-time Hearing Examiners.

Although there are several considerations in support of part-time personnel, this flexible staffing pattern complicates the management of the RCB and can make examiners less accessible to their clients. We recommend, therefore, that until the very major immediate challenges of backlog, new personnel, and new systems are past, the Board and City Manager exercise great caution in using part-time staff, particularly hearing examiners. As a general matter it should be easier to define and enforce expectations for productivity and to create some group cohesion and sense of mission if part-time staff play a smaller role during this period of crisis. We do not, however, recommend elimination of current part-time positions that are filled.

As with the matters of a full-time litigation counsel (see Recommendation 8) and litigation activity for the hearing examiners (see Recommendation 1(d)), this topic should be reconsidered next year.

* * * * *

IMPLEMENTATION TASKS: Revising Staff Roles and Organizational Structure
(Recommendations 1-3).

- A1. The new organization chart for the RCB should be reviewed and adopted. This will involve title changes and establishing new salary ranges, all of which must go through the City's standard procedures for such personnel changes. These changes must be expedited by the City Manager.
- A2. Job descriptions must be written for both new and current positions since we are proposing to change the responsibilities of, for example, hearing examiners. It is important to begin to develop quite specific and objective performance standards for all positions so that all employees will have a clear sense of what the expectations for them are in terms of number of cases they will be expected to handle, the turn-around expected on typing, the requirements for data entry and updating, the management reports the Executive Director is expected to produce, etc.
- A3. Before hiring for any new positions proceeds any further, the three most senior positions at the RCB should be filled: the Executive Director and the Assistant Directors. People interviewed for those positions should be informed of the Commission's recommendations and plans. Criteria for selection should include applicant's ability and willingness to implement these plans.
- A4. Interviews for RCB Executive Director should be extensive. The City Manager or his representative should participate extensively in those interviews to insure that all candidates presented to the RCB meet his standards in terms of their ability to manage the RCB during this period.
- A5. Interview sessions for the Assistant Director for Management and Systems should include persons who are themselves knowledgeable about the scope and requirements for computerized systems of the RCB. It is hard for someone inexperienced with systems to judge the technical capabilities of candidates. While the candidates do not need superior technical skills, they should enjoy systems work and be able to set priorities and scope technical work for subcontractors, as well as train internal RCB staff.

- A6. The public assistance and rent adjustment, together with the General Counsel, staff are new positions for the RCB, even though their functions are not totally new. Some thought must be given to the appropriate training for these positions to insure, for example, that public assistance staff understand the limits on their advice-giving function. The Board must develop criteria and a process for deciding what tasks the General Counsel will undertake.
- A7. A proposal to appropriate funding authorities must be drafted to secure the monies required for an experiment with mediation. Help from volunteers should be sought.
- A8. If performance appraisal is to be feasible it must be linked to an automated management system monitoring case flow.

* * * * *

Group B:

Improve Procedures and Information Systems

It is hard to tell whether the RCB's current problems are more a function of its structure than of its administrative procedures, but there is no doubt that the RCB's information systems and procedures do little to enhance the efficiency or equity of its operations. It is important to understand that what seem like trivial procedures--answering a question on a case's status, telling a landlord what the 1967 base rent is, scheduling a hearing on a tenant complaint, or putting out a mailing on a general rent adjustment--are as critical to the RCB's effectiveness as the actual hearing of a case. For the administrative problems at the RCB to be improved in any systematic way, much more effective use needs to be made of the computer and word processing equipment. This will require training of personnel, a shift in working attitudes and habits, and expenditures to obtain needed equipment and programs. New approaches should incorporate existing programs and procedures; much of what is in place is sound, but now needs to be augmented and implemented at a higher degree of sophistication.

RECOMMENDATION 4: Modify all Systems to Obtain Maximum Benefit from
Computerized Systems.

4(a): Rewrite all petition forms, back-up documentation and instruction sheets in non-legal language, with the additional requirement that they be computer-compatible.

The forms are too difficult to use, and fail to signal clearly what information and documentation must be submitted before a hearing.

Clear instructions would save time for everyone, and those instructions should and can be written in simple language, even while being revised to support an effective, computerized information management system.

(See below.) Given the history of the RCB and its current backlog, we recommend that a small contract be let to accomplish this task quickly.

4(b): Improve the data base and add information now maintained in paper files.

The data base from which rent adjustments are now made badly needs attention. It currently has much missing and conflicting data. Its inadequacies must be addressed systematically. Fortunately, since the size of the RCB data base is not enormous, a complete overhaul is quite feasible. A new record for each property under rent control should be designed and made compatible with related data bases in other city departments by using existing assessor and building department codes. New data elements that will be useful for tracking cases, accomplishing rent adjustments, and completing policy studies should be added. Material which is now kept in a haphazard fashion should be reviewed and organized so that the maximum amount of data will be kept in computerized form-- readily accessible and easily updated.

The new record should include 1967 base rents calculated for every unit, by means of an estimating model if necessary. After designing the new record format, a printout of each property record, including the base year rent, should be mailed to the landlord with a request for corrections or missing information.

4(c): Implement Scheduling Software.

The RCB has software which, if implemented, will make it possible to track every case accurately and quickly by computer, and also produce information helpful to the Executive Director in managing the case hearing process. This software should be implemented and linked to a property data base containing data relevant to rent adjustments, tenant complaints, removal permits, and evictions.

* * * * *

RECOMMENDATION 5: Improve Dealings with the Public

Both our observations and comments by several people within and outside the organization suggested that relationships between the RCB and the public are not smooth. For example, there are commonplace complaints about inconvenient office hours and rude Board members. For the RCB an inadequate job of public assistance inevitably erodes public support for the agency and its policies, makes it difficult for clients to press their cases efficiently, and feeds a culture of community resentment towards the Board and government in general. The most significant of our recommendations in this area concerns the public assistance officers (Recommendation 1(b)), but other measures are necessary.

5(a): Prepare and distribute a comprehensive informational booklet.

The RCB is not doing enough to inform landlords and tenants about the rights and obligations of tenancy and management, the procedures of rent control hearings, how to prepare documentation for a hearing, the appeals process, etc. Detailed, clear information would relieve RCB staff of many burdens. Public assistance demands might slacken. Clients might prepare for hearings more effectively, thereby simplifying those proceedings. A decreased sense of helplessness might make clients more cooperative, and thus better able to express their needs and receive assistance. A booklet for landlords and tenants was last prepared in 1976, but it was inadequate and is outdated. As with the preparation of new forms, we recommend that a new booklet be prepared as soon as possible by an outside consultant so that current staff can concentrate on the backlog. The consultant, should, of course, work closely with experienced RCB staff.

5(b) Prepare and maintain an index or digest of board policies and precedents.

The lack of an authoritative compilation of Board policies, as developed through case-by-case adjudication, is troublesome for several reasons: it complicates the Board's own task of providing consistent enforcement; it clouds the guidance for hearing examiners and the general public and it gives unfair advantage over the uninitiated to those individuals with long experience and good memories. The RCB should develop an index or digest to provide the staff and the public with a simple, authoritative tool for finding important Board and court precedents. We recommend that the one-time-only job of developing an initial digest be contracted out--perhaps to some combination of experienced attorneys and

local law students, coordinated by a senior member of the RCB staff-- since that initial work will require a substantial amount of effort, and skills not otherwise critical for a public assistance officer (or ombuds-person). The maintenance of such an index, once created, will be a simple matter if individual hearing examiners make the appropriate entries in the digest as the Board decides cases which they handle.

The general problem of communicating with the public would also be eased if the Board were to state systematically the reasons for its decisions, and thus make explicit the decision principle(s) to be entered in the digest of policies and precedents. The Executive Director should press for such statements if necessary. An obvious way to implement this would be to have examiners include in every significant report to the Board a highlighted statement of principles, which the Board would then expressly adopt or modify orally at the Board session. Such oral modifications, presumably stated by the chairman in summarizing discussion, could be tape recorded for use by the executive director or the staff in preparing an update for the digest, if one seems called for.

5(c) Add evening office hours.

One of the easiest ways to address the frequently heard complaints about limited office hours would be to provide public assistance two or more evenings each week. Both landlords and tenants would find these sessions helpful in preparing for hearings or simply learning about RCB practices. We also believe that the staff should conduct some limited hearing and mediation work during at least two evenings per week, e.g., Tuesdays and Thursdays from 5-9:00 p.m.

5(d): Curb discourtesy; Fix the Telephones.

It seems a bit foolish to remind the Board members and RCB professional staff that it is good to be nice to the public, but we cannot ignore the substantial number of complaints we heard from people who either suffered or observed inappropriate treatment. Even isolated incidents of rudeness seem to us particularly unfortunate and unacceptable for the custodians of a public agency and policy under siege. Moreover, the responsibility to adjudicate fairly matters of often critical importance to the parties requires a sensitive and civil demeanor. The City Manager should be mindful of this problem in making and renewing the appointments of Board members.

There is a similar problem with the RCB support staff, with some lapses into unbusiness-like behavior. For example, staff behind the front desk sometimes continue to eat, conduct personal telephone conversations, or chat while clients wait for service. The Assistant Director for Management and Systems should be responsible for resolving such problems.

Finally, the telephone problem described above in subsection II.B.5 strikes the public as some combination of discourtesy and inefficiency. Fix the phones.

5(e): Make appointments to the Board for fixed terms, with performance reviews by the City Manager.

There is no set term for appointments to the Board. While the City Manager should be able to remove a Board member at any time, we believe that a clear practice of reviewing the performance of members periodically--perhaps every three years, staggered--would increase accountability. The manager could evaluate the member's performance with respect to a

number of criteria, such as level of effort, attendance, contribution to the solutions of policy and management problems at the RCB, demeanor (see 5(d), above), etc. We doubt that such a review process would result in seriously increased politicization of the Board or the selection process. Multiple terms seem desirable, so long as this periodic evaluation occurs.

5(f): Establish a Rent Control Advisory Committee.

We recommend that the Board appoint, with approval by the City Manager, a volunteer committee to advise the Board on matters of policy and administration. Such a committee could serve many purposes. It would provide both more depth and a wider range of expertise and perspectives than is possible on the five-member Board itself. For example, as the RCB develops more sophisticated computer-based systems, it would be sensible to invite one or more Cambridge residents expert in this field to serve on the Advisory Committee. Lawyers on the Committee might be able to offer informal advice on enforcement or litigation strategies. And, of course, the Committee could provide a broad forum for public debate on major policy issues, such as the nature of general rent adjustments. The Committee should not, however, have a formal role in Board deliberations or decisions.

The Advisory Committee could also serve as a proving ground for future Board members, and as a "retirement" home for alumni of the Board and staff, so that their experiences would still be readily available to the RCB.

FIGURE 5

Slice of Life

SAMPLE--

- 7 Hearing Examiners
- Each Reported on a Full Week
- Part-Time Examiners Reported on Part-Time Week
- Different Days Were Reported by Different Examiners; Total = 192 Staff Hrs.
- Sample Period Was Late April/Early May

29 DIFFERENT REPORTING CATEGORIES, COLLAPSED INTO 10:

<u>CATEGORY</u>	<u>% of Total</u>
1. General Rent Adjustment	32
2. Public Assistance	13
3. Hearings	9
4,5. Reports:	28
(Typing, Proofing, Organizing)	(11)
(Writing)	(17)
6. Telephoning	2
7. Inspection	1
8. Assignment Officer	1
9. Lunch	10
10. Other	4
	<u>100%</u>

COMMENTS

1. Very little time on assignment.
2. Hearings take up less time than lunch or public assistance.
3. Substantial amount of time on reports (28%), but process seems complex.
4. General adjustment was very time consuming--almost 1/3.

it physically difficult to use the files, to the larger problems of missing documents and data. Finally, the RCB does a poor job of providing certain kinds of information, including "how-to" packages for landlords and tenants, and organized descriptions of Board precedents and policies.

4. Personnel Administration.

Hearing examiners have a "life expectancy" in the job of about two years, which is shorter than seems to us desirable. Three frequently cited reasons for high attrition are that (a) many of their tasks are not commensurate with their professional training, (b) there is no perceived career ladder within the organization, so salary and job responsibilities cannot grow over time, and (c) the workload is oppressive.

The use of part-time staff, together with a pattern of flexible hours for work in the office, has created a public perception that the staff is not diligent.

Finally, there is no formal staff performance appraisal system to track the productivity of hearing examiners, provide feedback, and tie performance explicitly to job advancement and salary increases. This is a very basic violation of sound management principles.

5. Relationships with Outside Groups.

RCB staff perceive that the public and the City Council hold them in low esteem. This is a major contributor to job dissatisfaction. Staff members also believe that Board orders are not being enforced, especially with regard to condominium conversion. Moreover, we heard

some complaints from the staff, Board, and others about political pressure on the staff from some councillors.

There are a number of small problems which compound the major problem of delay and contribute to these problems of low esteem and poor public support for the RCB. The biggest obstacle to public support is, of course, substantive disagreement with the policy of rent regulation. We believe, however, that even when this substantive disagreement is put aside there remains potential for major improvement in the public's regard for the RCB through administrative reforms. There are five such small matters which might be addressed through this kind of reform:

First, practical information about how rent control works is unavailable in written form to the citizens who have business with the agency. There is no simple written advice for landlords and tenants on how to prepare for a hearing. The book of regulations is difficult to understand. Guiding principles in the Board precedents are buried in unindexed archives. All of this shrouds RCB policies and processes in mystery.

Second, the office hours (8:30 to 5:00 on weekdays) are very inconvenient for many clients. The agency therefore appears to be uncooperative and insensitive.

Third, that same message is communicated by problems in the scheduling of cases. Poor scheduling not only wastes clients' time, it is inefficient, humiliating and irritating.

Fourth, while most interview subjects who commented on the topic generally complimented the staff's civility and professionalism, we heard several complaints about individual Board members who have, at times, seemed rude, harsh, or insensitive to citizens in public hearings.

Fifth, the telephone system creates the impression that agency personnel are not working, since there are only two lines and the busy signal sounds similar to the signal that a phone is ringing. This problem, itself a seemingly simple administrative issue, has become an extraordinarily prominent and compelling part of the negative community lore; indeed, for many people outside and inside the agency, the "unanswered telephone" has become a major symbol.

C. Quantitative Analysis of the Case Flow

With the cooperation of the RCB staff, the Commission conducted a study of case flows to test the common complaints that delays are excessive and inequitably distributed across types of cases or clients. The sample of 152 cases consisted of 50% of all those heard by the Board during the six month period from September 2, 1981 through February 24, 1982. The methodology for this aspect of our study is described in Appendix C. We also reviewed a great deal of background and supplementary data provided by the RCB staff.

The subsections which follow will report: (1) the current caseload and backlog; (2) elapsed time between key steps in the processing of cases; (3) processing time variations by examiner and building size; and (4) issues we could not investigate and some methodological caveats.

1. Current caseload and backlog.

In Figure 4, above, we reported the caseload and case mix data for 1976-81. In Figure 6, we focus on 1981-82 and present data on caseload, case mix, and backlog as of June 2. Thirteen (13) percent of cases filed in calendar year 1981 were still unfinished, and 81% of those

FIGURE 6
Backlog as of 6/2/82

<u>1981</u>	<u>FILED</u>		<u>WITHDRAWN</u>		<u>UNFINISHED</u>	
					#	(%)
Rent Adjustment	388	-	26	=	362	38 (11%)
Eviction - Non-Payment	366	-	195	=	171	3 (2%)
Eviction - Other	194	-	91	=	103	3 (3%)
Removal Permit	127	-	7	=	120	0 (0%)
Tenant Complaint	101	-	46	=	55	14 (26%)
Special Cases	<u>254</u>	-	<u>59</u>	=	<u>195</u>	<u>75 (39%)</u>
	1,430	-	434	=	996	133 (13%)
<u>1982</u>						
Rent Adjustment	185	-	0	=	185	161 (87%)
Eviction - Non-Payment	158	-	116	=	42	24 (57%)
Eviction - Other	109	-	25	=	84	57 (68%)
Removal Permit	13	-	0	=	13	12 (92%)
Tenant Complaint	42	-	3	=	39	35 (90%)
Special Cases	<u>101</u>	-	<u>6</u>	=	<u>95</u>	<u>83 (87%)</u>
	608	-	150	=	458	372 (81%)
 GRAND TOTAL 1981 & 1982 BACKLOG CASES.					<u>505</u>	

FIGURE 6

filed (and not withdrawn) in 1982 were unfinished. At any given instant, of course, there will be a substantial fraction of cases filed still being processed--the RCB cannot act instantaneously. Nevertheless, even assuming a generous average processing time, the figures suggest very low productivity on the normal RCB caseload during the first half of 1982. Staff attribute this to the diversion of energies for processing the March fuel adjustment.

Whatever the cause, it is clear to us that in early 1982 the backlog problems reached crisis proportions, and this situation remains substantially unchanged. If the RCB closed its door to new business and worked full time on clearing the present backlog it would take 5 months to eliminate under current staffing and management arrangements--and meanwhile, another backlog would build up. The Commission has, therefore, given particular attention in its interviews and deliberations to the problem of short-term measures to address the backlog and move out of this immediate crisis. See Recommendations 9 and 10 in Section III, below.

Because of the 1982 general adjustment and backlog surge, we conducted our detailed quantitative case flow analysis for a comparatively "normal" but recent time period, the six months ending 2/24/82. We now turn to the results of that study.

2. Elapsed time between key process steps.

Figure 7 is a summary of our findings on the elapsed time (in calendar days) between key steps, reported both in the aggregate and for the seven general types of cases: (1) Evictions-Other; (2) Evictions-Non-Payments; (3) Rent Adjustments; (4) Capital Improvement Rent Adjustments;

FIGURE 7

Time Elapsed Between Principal Steps

By Type of Case, in Days

(average : median : 80th percentile)

	# of cases	Filing to Hearing avg : med : 80%	Hearing Complete to Report Done avg : med : 80%	Filing to Board Decision avg : med : 80%
Eviction (other)	(28)	22 : 14 : 17	45 : 50 : 78	92 : 74 : 133
Eviction (non-payment)	(16)	14 : 13 : 19	33 : 30 : 56	78 : 80 : 111
Rent Adjustment	(39)	67 : 61 : 78	75 : 66 : 116	180 : 161 : 238
Capital Rent Adjustment	(15)	50 : 57 : 64	56 : 63 : 105	120 : 111 : 185
Removal Permit	(32)	15 : 19 : 19	89 : 78 : 154	160 : 181 : 181
Special Cases	(13)	110 : 128 : 153	94 : 97 : 144	229 : 161 : 349
Tenant Complaints	(9)	124 : 49 : 329	52 : 33 : 71	226 : 221 : 369
<hr/> ALL CASES	(152)	47 : 27 : 65	63 : 55 : 97	148 : 133 : 190

* Technical Notes:

(1) Substantial spread between the average and median indicates that some extreme values have strongly influenced the average; the median is then arguably a better measure of "typical" performance. (2) The columns correspond to steps 1, 17 and 3 in the file variables. See Appendix C.

(5) Removal Permits; (6) Special Cases; and (7) Tenant Complaints. Of some 22 different time intervals we studied (see Appendix C), the following three are the most important for analyzing delays:

- from filing of the petition to start of the examiner's hearing;
- from the end of the examiner's hearing to filing of the examiner's report for Board consideration; and
- from filing of the petition to the mailing of the Board's decision.

In the first two intervals are the tasks which account for the major differences in processing time: assembling the relevant evidence, scheduling a hearing and writing the hearing report.

As Figure 7 shows, for all cases the median total processing time is 133 days, or more than $4\frac{1}{2}$ months. Thus, during this study period a new filing, if carried through to a conclusion with a Board decision, had only a 50% chance of being processed within $4\frac{1}{2}$ months. There is substantial variation by type of case:

- evictions and capital improvement adjustments $2\frac{1}{2}$ -4 months
- other individual rent adjustments, and special cases 5 months
- removal permits and tenant complaints. 6-7 months

The data clearly reflect the priority assigned by the Board and staff to evictions, with these cases handled expeditiously in setting the initial hearing (2 weeks) and writing the hearing report (4-7 weeks). The hearings for ordinary rent adjustments and contested capital improvement adjustments take a median of two months rather than two weeks to schedule. (Uncontested capital improvement rent adjustments under Regulation 76 are not included in our sample because they do not receive plenary Board

consideration and our sample was taken from the Board agenda. These priority cases are, we understand from interviews, processed by the staff so that the landlord receives preliminary approval making the rent increase collectible approximately 3 weeks after submitting the appropriate documentation.)

For all types of cases other than evictions and removal permits, there is delay in holding a hearing that seems unacceptable, ranging from almost two months for tenant complaints to over four months for special cases. Some of these delays seem due to agency scheduling problems, but others are related to landlords' difficulties in assembling base year or other documentation. The delays are strong evidence that the problems of filing a complete petition and preparing for a hearing may be too complex for many RCB clients.

The time taken in writing the hearing reports is barely acceptable for evictions due to non-payment of rent and tenant complaints (1 month), but clearly unacceptable for all other types of cases (7 weeks to 3 months). Recall that these figures are only medians, so that 50% of the cases were processed even more slowly.

Figure 7 also shows the elapsed times by which 80% of all cases were completed. These statistics underscore the conclusions suggested by the analysis of averages and medians: processing times vary substantially by type of case, and if judged by reasonable standards of prompt and efficient service, are generally very poor.

3. Processing time variations by examiner and number of dwelling units.

Processing time varies significantly among examiners. A large amount of the variation can be explained by differences in the composition of

caseloads assigned to the examiners, but the remaining differences are significant. See Figure 8. While the Commission is not prepared to draw conclusions with respect to the performance of individual examiners, the data indicate that systematic monitoring of these processing speeds would be a useful management tool. Thus, for example, Figure 8 suggests the following findings, which a manager could investigate further:

- Examiners #1 and #2 had very similar case mixes, but #1's performance was much weaker.
- Similarly, #7 and #9 seem comparable as to case mix, but #9 appears much slower.
- #4 and #10 can be compared; #10 takes twice as long to write reports.
- There are very substantial differences among examiners in the time required to finish reports; these do not seem to be satisfactorily explained by differences in case mix.

A murkier picture emerges from the statistics on processing time as related to number of dwelling units involved in each case. With this analysis we sought to test a hypothesis that "small" landlords receive poorer service from the RCB in comparison with "large" landlords. Since the files do not contain information on the number of buildings or units owned by a petitioning landlord, we were forced to use a somewhat unsatisfactory proxy variable: the number of dwelling units involved in the case. The results are shown in Figure 9.

The most striking result is that single unit properties, many of which are condominiums, are ready for hearing quickly. The staff attributes this to the landlord's simpler task of preparing documentation. We have no evidence that the agency gives preferential treatment to these single unit owners; indeed, there is a strong commitment among the staff to a "first-come, first-served" policy. Otherwise, no strong

Hearing Examiner vs. Processing Time

(median and 80th percentile)

<u>EXAMINER</u>	<u>(# of cases)</u>	<u>Filing to Hearing</u> median: 80%	<u>Hearing to Report</u> median: 80%	<u>Comment on Case Mix</u>
1	(32)	51 : 63	71 : 94	38% evictions; 53% adjustments; 9% other
2	(31)	29 : 68	17 : 50	29% evictions; 52% adjustments; 19% other
3	(36)	19 : 46	78 : 105	56% removal permits; 17% evictions; 28% adjustments
4	(11)	13 : 29	35 : 55	82% evictions; 18% adjustments
5	(11)	26 : 61	154 : 154	45% removal permits; 45% adjustments; 10% other
7	(8)	79 : 131	33 : 97	63% tenant complaints; special cases
9	(9)	135 : 206	97 : 144	67% tenant complaints; 33% special cases
10	(6)	13 : 33	66 : 105	67% evictions; 33% adjustments
Other	(9)	49 : 96	7 : 71	
TOTAL CASES	(153)	27 : 65	55 : 97	

- NOTES: For that part of the process involving hearing examiners (i.e. from filing to report)
- (1) Evictions tend to be easier to process quickly; then rent adjustments and removal permits; special cases and tenant complaints are the most time consuming. See Figure 7.
 - (2) The case mix percentages are shown in Table 10, Appendix C.

FIGURE 9
Number of Dwelling Units vs. Processing Time
 (median: 80%)

<u># Units</u>	<u># Cases</u>	<u>Filing to Hearing</u>	<u>Hearing to Report</u>	<u>Filing to Decision</u>	<u>Comment</u>
1	(91)	19 : 42	50 : 94	163 : 209	Many condominiums
2-4	(25)	62 : 135	61 : 88	167 : 252	
5-8	(19)	49 : 118	42 : 112	158 : 201	
9-24	(9)	38 : 78	65 : 124	135 : 300	Small sample
25+	(4)	54 : 63	91 : 209	360 : 364	Very small Sample

trends in the relationship of building size to processing time appear in the data. We found this result surprising since we had predicted three possible influences on case processing time:

- The complexity of multi-unit cases would make processing times longer;
- The sophistication of multi-unit owners would make their preparation more effective, and processing times shorter;
- The greater number of units and people involved in multi-unit cases would cause the RCB to give them priority treatment, and shorter processing time.

These data suggest that either these effects do not exist or they generally balance each other.

4. Issues not studied.

Appendix C includes a technical discussion of the methodological limitations of our quantitative study. We mention the major considerations in this subsection.

First, our sample was taken from cases heard by the Board, and we therefore did not analyze the approximately 30% of filings which are withdrawn or dismissed and hence fall out of the system before final Board action: the amount of staff time devoted to these dead-end cases; the speed with which they moved through the process until the withdrawal or dismissal; the reasons for withdrawal or dismissal, including possible links to subsequent filings. For example, we have only qualitative descriptions of the use of mediation as a method of resolving eviction disputes and obviating the need for a hearing and certificate. As a result, we know that the mediation of cases affects workload and case processing statistics, but we are unable to quantify those effects.

Second, because our resources were limited and the need for a timely report great, we limited this study to data readily available from the RCB files. We did not undertake the special survey research necessary to add important information about the parties and properties in our sample. For example, instead of testing number of dwelling units as an explanation for processing time, we would rather have focused on more direct measures of landlord and tenant sophistication, such as literacy, education, income, and representation by counsel.

In creating a comprehensive data base and developing regular management reports, the RCB should look to the future and consider what additional data should be collected in the system for evaluation purposes. Representation by counsel is a good example. Only if that information is readily available will the Board be able to consider whether its policies and procedures are fair to clients without lawyers.

Third, like most quantitative studies, ours made no effort to develop much larger scale measures of performance such as public satisfaction and staff morale. We are confident, however, that taken as a whole the recommendations which follow will provide a basis considering broader issues like these.

III. RECOMMENDATIONS AND IMPLEMENTATION

In this section of the Report we offer our recommendations in detail, provide the basic reasoning behind them, and describe specific implementation tasks. The ten basic recommendations fall into four broad groups, A through D:

- A. Revise Staff Roles and Organizational Structure:
 - 1. Redefine and reallocate hearing examiner tasks; hire rent adjustment and public assistance specialists.
 - 2. Reorganize the staff to improve the management of information-related activities, under an assistant director for management and systems.
 - 3. Revise and formalize personnel evaluation and other management tools.
- B. Improve Procedures, Information Systems, and Dealings with the Public:
 - 4. Modify all systems to obtain maximum benefit from computerized systems.
 - 5. Improve dealings with the public.
 - 6. Revise the work scheduling system for hearing examiners to emphasize timely preparation of reports.
- C. Improve the Implementation of Rent Adjustment and RCB Enforcement Policies:
 - 7. Make an annual computer-based rent adjustment, based on increases and decreases in key identifiable costs.
 - 8. Increase emphasis on enforcement.
- D. Undertake Temporary Measures to Eliminate the Backlog.
 - 9. Identify particular members of the staff who will concentrate on the backlog.
 - 10. Adopt experimental procedures to expedite selected cases.

* * * * *

There have been several previous studies of Cambridge rent control and its administration. Their record of success at improving the RCB is not impressive. As we performed this study we could not escape the sense that we were repeating history: asking the same questions, noting the same problems, and recommending substantially the same reforms. While our final product does depart from the previous studies with respect to both the detail of some recommendations and the substance of our position with respect to certain recurring issues, each of us has sufficient experience in writing and receiving consultants' reports to be very concerned that our efforts and advice will be for naught.

We spent much time thinking and talking about what we could do that might increase the probability that our recommendations would be implemented. We considered some dramatic organizational changes. For example, the Executive Director could serve on the Board, which would perhaps enable the Board to appreciate the salience of administrative issues to substantive problems. We also considered recommending that the RCB be put directly under the management authority of the Assistant City Manager for Community Development. In the final analysis, however, we have not recommended such sweeping structural change. Rather, we have chosen to concentrate on smaller, more easily achieved reforms. Many of our recommendations, in fact, are ones that the staff and RCB itself feel comfortable with, and several were suggested by them. If these reforms are to make the impact we anticipate, they must be implemented according to a clear plan and agreement among the parties to act in specific ways at specific times.

We thus present both a set of recommendations and some elements of a detailed implementation plan. Only with agreement to such a package

can the systems, procedures and organization change sufficiently to improve the performance of the RCB: We strongly believe that, if these reforms are not adopted in substantial measure, there will be next year or the year after another critical backlog, another request for significant increase in resources, and another Commission to sort out how the situation occurred.

Following each group of recommendations in this section, therefore, we have identified some of the implementation tasks for the staff, Board and City Manager should the recommendations be accepted. Appendix D contains a suggested schedule for completion of the tasks.

* * * * *

Group A:

Recommendations to Revise Staff Rules and Organizational Structure

RECOMMENDATION 1: Redefine and Reallocate Hearing Examiner Tasks;
Hire Rent Adjustment and Public Assistance Specialists.

The key figure in most RCB processes is, of course, the hearing examiner. Under the current organizational scheme and allocation of tasks, hearing examiners serve not only as the presiding officials in fact-finding sessions, but also as analysts for rent adjustments, as public assistance officers, and as clerk typists. Perhaps our most important recommendation, therefore, is that the restaffing of the RCB be undertaken with a special eye towards remodeling the role of the hearing examiner.

1(a): Hearing examiners should not do rent adjustments.
Hire two rent adjustment specialists, not necessarily lawyers, to assist hearing examiners.

Our review of RCB files and interviews with several staff members suggest that the great bulk of work involved in processing rent adjustment cases does not require the legal talents of a hearing examiner, but rather skills related to quantitative reasoning and systems and policy analysis. To be sure, there are occasional cases posing thorny problems of evidence or law. When such matters are at stake, it is appropriate to involve an attorney. Routine rent adjustment work, however, is perhaps the least attractive part of the hearing examiner's present workload, and seems to give rise to a substantial level of alienation and perhaps poor staff productivity. Overall it is undesirable and inefficient to allocate legal resources to essentially non-legal tasks.

The numerical assessment and processing of rent adjustments should be handled in the first instance by new non-legal professional staff hired and trained for those specific tasks. There is every reason to believe that with appropriate training and reasonably effective supervision by one or two hearing examiners, the rent adjustment specialists will be able to perform the great bulk of work on rent adjustments more effectively and efficiently than under present arrangements. The specialists would be expected to exercise judgment in identifying cases or issues appropriate for intensive review by hearing examiners. They should develop specific expertise in estimating the costs of services and capital improvements, and could be trained for this by the rehabilitation specialists in the Community Development Department. (The RCB's inspector should also develop this expertise.) They would also assist

the Board in its policy-making function by simulating and evaluating the consequences of alternative policies. There is currently far too much speculation about, rather than analysis of, the likely consequences of alternative policies.

1(b): Hearing examiners should not perform public assistance except in unusual circumstances. Hire two new public assistance assignment officers.

The current scheme for allocating tasks includes requiring hearing examiners to spend 10-20% of their time on public assistance. This approximate figure greatly understates the extent to which public assistance activity interferes with the thinking and writing more central to the role of a hearing examiner. Most people find it difficult to write productively if they are constantly interrupted, or if forced to juggle several competing demands on their time. Even when not actively serving as public assistance officers, hearing examiners often receive telephone calls as a necessary part of following up on consultations begun while they were on duty. Since the great bulk of inquiries received through public assistance requires only lay or paralegal expertise, it is inefficient to allocate hearing examiner time to these tasks. This inefficiency more than balances any benefit from having hearing examiners participate in public assistance.

We therefore recommend that two individuals be hired and trained specifically for these tasks. This increase in staff allocated to public assistance will help the public get clear and prompt answers to their information requests and advice on how they might proceed with their cases. Clearly separating the public assistance and hearing officer functions should remove any problems of potential bias.

FIGURE 4

Case Mix Data and Growth

counts : (% of total)

<u>Category of Case</u>	<u>1976</u>		<u>1977</u>		<u>1978</u>		<u>1979</u>		<u>1980</u>		<u>1981</u>	
Application for non-payment	333	: (45)	415	: (44)	358	: (38)	407	: (33)	413	: (30)	365	: (26)
Application - other	158	: (21)	214	: (23)	187	: (20)	287	: (23)	221	: (16)	195	: (14)
Rent adjustment*	123	: (17)	176	: (19)	233	: (25)	249	: (20)	309	: (23)	364	: (26)
Removal Permit	-		-		-		54	: (4)	104	: (8)	108	: (8)
Warrant complaint	67	: (9)	69	: (7)	108	: (11)	123	: (10)	131	: (10)	97	: (7)
Special cases initiated by staff	59	: (8)	63	: (7)	57	: (6)	105	: (9)	191	: (14)	265	: (19)
<u>TOTAL</u>	740		937		943		1,225		1,369		1,394	

* Covers all rent adjustment cases, including those for capital improvements. The Board established a separate and expedited process for capital improvement rent adjustments in its Regulation 76 (6/11/80).

real terms. This belated increase brings the resources of the RCB into line with the growth in workload over the period; there remain the problems of using those resources effectively to eliminate the administrative crisis which has now become overwhelming.

With this brief overview, we now turn to the results of our efforts to understand that crisis.

B. Qualitative Analysis of the Problems.

We conducted numerous interviews,--with most RCB professional staff, a majority of the Board, key City officials, some Council members, some former members of the RCB staff and the Board, and attorneys who practice before the RCB. In addition, our public hearing on May 11th was well attended. Over 30 people spoke. We reviewed some of the complaint letters received by the RCB, the Mayor, Council members, and this Commission itself. We spent more than 30 hours observing hearing examiners and Board meetings. Finally, we reviewed the RCB files, forms, regulations, governing laws, and previous reports on its operations. In this section we present our key findings from this qualitative investigation with respect to (1) overall workload of the RCB, (2) task allocation among staff, (3) information processing, (4) personnel administration, and (5) relationships between the RCB and outside groups.

1. Workload.

The RCB workload exceeds the agency's capacity--not because the staff lacks dedication, but because there are problems of management, organization, and resources. These problems are compounded when, as this year, an ad hoc across-the-board rent adjustment diverts staff from the routine processing of individual rent adjustments, evictions, tenant complaints and removal permits. Beyond identifying several serious inefficiencies in the current organization and work methods of the agency, we also believe that an increase in staff efforts or dollars alone cannot eliminate the backlog and prevent its recurrence; there must be a thorough overhaul of the way the agency handles its workload.

Ordinary cases vary substantially; some are much more complex, time-consuming, delay-prone, etc., than others. Many cases (we could not develop a reliable estimate, but it is perhaps as high as 30%) consume staff time, then are withdrawn or defaulted. The parties to ordinary cases have widely varying capacities to participate effectively; some are emotionally and intellectually unprepared to present their cases, and some are involved in complex interpersonal or financial disputes which only tangentially involve the legal and factual issues a hearing is supposed to address. Each of these complications contributes to the difficulty of the RCB's job, particularly the problem of efficient scheduling of cases and allocation of hearing examiners.

Public assistance, the second major task for hearing examiners, competes with their primary task of processing cases and thus compounds workload problems. General adjustments, including the recent fuel adjustments, cut significantly into these major tasks. While some Board members think this interference is overstated both for the recent fuel adjustment and for general adjustments in the past, the problems have been significant and in any case could be alleviated by improved management practices. The implementation of the recent fuel adjustment, for example, was not thoroughly planned by the Board and staff. Unless major episodic tasks are made more routine and handled by computer and by personnel other than hearing examiners, those special tasks will generally create significant workload interruptions and cause serious interference, ripple effects, and traffic jams. (See Recommendations 4 and 7 below, on tailoring general adjustments to the computer and administrative capacities of the agency.)

Finally, a particularly troublesome feature of the rent control system is the reliance upon 1967 base year rents. Many landlords seem to find this information difficult to obtain. It therefore complicates the filing of petitions and consumes hearing examiner time.

2. Task Allocation.

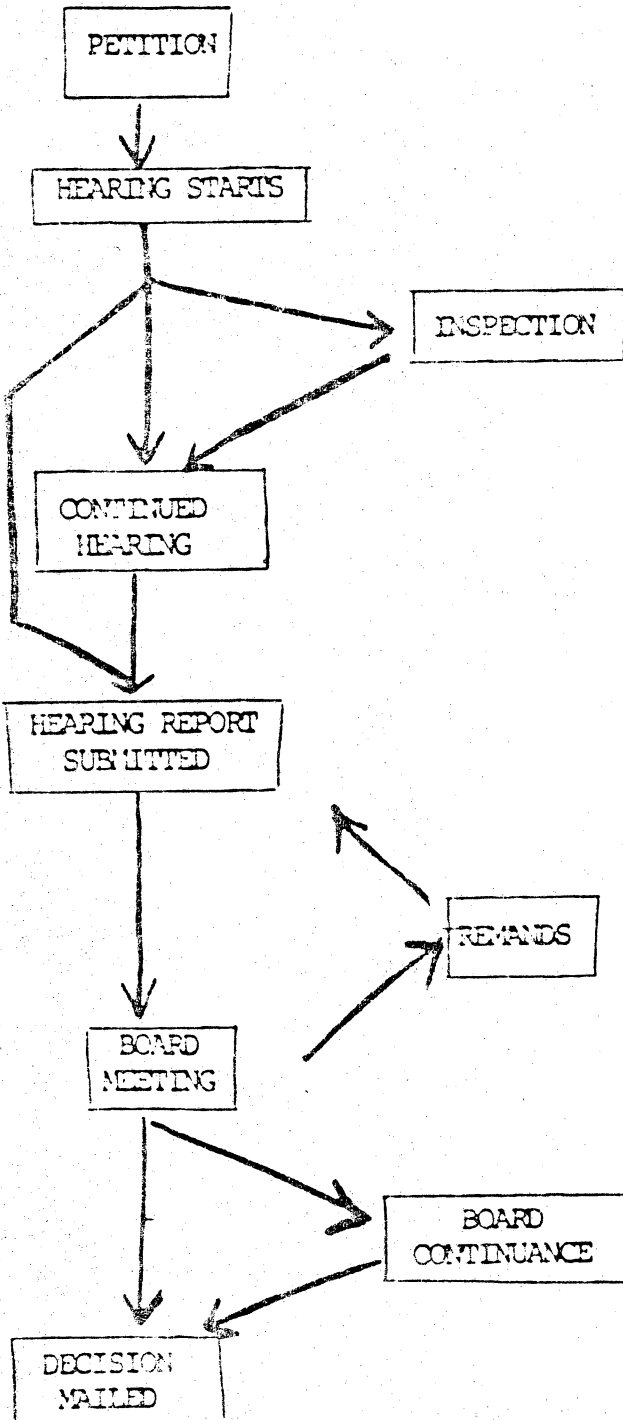
Apart from the unanimous indictment of backlog and delays, we were most struck in this qualitative study by the instances of inefficient allocation of tasks among RCB staff. Hearing examiners not only process several different kinds of cases of widely varying complexity, but also perform public assistance, mediation, general adjustments, clerical tasks, and some litigation. See Figure 5. Yet there is little division of labor. The predictable result is a serious loss in efficiency.

Giving public assistance, for example, involves much repetition and routine; the staff attorneys estimate that 75% of their time on public assistance is spent on simple, general, non-legal questions. Individual rent adjustments also infrequently pose legal questions, and usually involve careful attention to bookkeeping details, together with arithmetic skills. In general, most staff lawyers report that they find both of these tasks unappealing, and it is likely that many hearing examiners therefore do them less effectively than other personnel might.

3. Information Processing.

Great amounts of time are spent preparing hearing reports for the Board. Preparing hearing and other notices generally involves repetitive clerical work by hearing examiners. The files are in very poor condition, suffering from problems ranging from a shortage of drawer space making

FIGURE 3

Key RCB Processing Steps

Approximately 1/4 of hearings must be continued; scheduling or preparation delays can be significant.

Sometimes an inspection is necessary-- occasionally before the report, but usually after an initial hearing, as the hearing is continued.

Board remands appear in our data as a delay in submitting the examiner's report.

The decision mailed, if not final, may be contingent on some further action by a party. For example, the rent adjustment may be contingent on completion of a repair.

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I. INTRODUCTION

A. Mandate and Membership

The Special Commission to Study Administration of the Rent Control Board (RCB) was appointed by Mayor Vellucci on March 26, 1982 pursuant to the unanimous resolution of the City Council. The Mayor directed us:

to investigate the operation of the Rent Control Board and to make recommendations which in the judgment of the Commission will enable the Board to carry out its responsibilities more efficiently to the benefit of all. As such, they have a mandate for what is chiefly an administrative review.

We have interpreted this charge to exclude, insofar as possible, questions of an essentially policy character. While sensitive to the many considerations underlying each area of our inquiry, we focused on matters of administration and management. Thus, for example, we declined to investigate the substantive merits of the maximum allowable rent formula, the use of 1967 as a base year for rent adjustments, or the relative mix of taxes and fees in financing the RCB. We did, however, review the administrative consequences of key policy choices, and tried to consider alternative remedies for those difficulties. We examined not only questions of workload and case processing, but also the staffing, organization, and resources of the Department.

The eight volunteer members of the Commission all have professional experience relevant to our undertaking. We include:

- a municipal and financial management consultant;
- two M.I.T. faculty members expert in organizational behavior, social policy implementation, and dispute resolution;
- a public interest attorney expert in matters of agency regulation;
- a Harvard Law School faculty member and former White House domestic policy aide expert in administrative law;

- the Director of Housing for the City of Cambridge, with more than a decade of work in the fields of housing, planning, and neighborhood revitalization in Cambridge and nearby communities;
- an M.I.T. researcher in policy implementation, organization behavior, and social policy planning, with extensive experience in both the U.S. and Israel;
- a Boston University School of Management faculty member with over 15 years of experience as a consultant, public manager and academic; expert in the operation of service delivery organizations, including housing and rent control programs, and both qualitative and quantitative analysis of those programs.

B. Workplan and Methodology

Early in our investigation we decided to conduct both qualitative and quantitative assessments of RCB activities. These different forms of investigation were designed not only to familiarize Commission members with the workings of the Board, but also to give us a reliable picture of its problems and opportunities as perceived by people inside and outside the organization.

With respect to qualitative information, we used several approaches: held a public hearing and received testimony from thirty individuals; interviewed members of the RCB staff and Board; observed hearings before the examiners and Wednesday evening sessions of the Board; examined files of the RCB to get a sense of the methods of document preparation, organization, and content; reviewed regulations and laws; interviewed several people outside the organization, including attorneys who have practiced before the RCB, City Councilors, and the City Manager; and familiarized ourselves for comparative purposes with rent control administration in Brookline and Santa Monica.

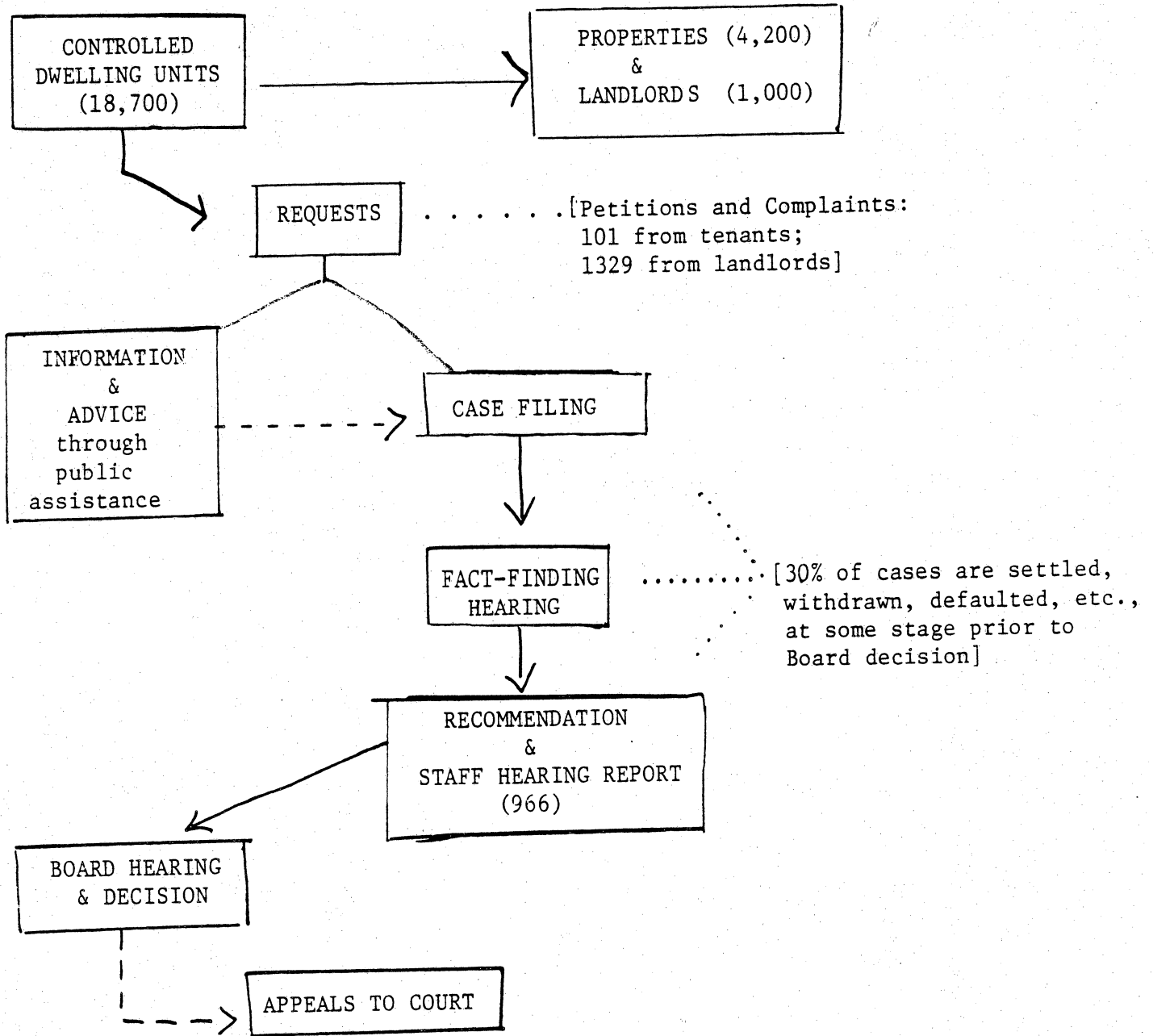
With respect to quantitative analysis, we analyzed typical staff workloads for a two week period, and performed a statistical analysis of a sample of over 150 cases completed between September 1981 and February 1982.

Even as we began to define our information needs, however, we recognized the importance of developing a basic picture of RCB activities, both to help organize our inquiry and to give structure to our data collection efforts. Generally, the RCB is similar to many other service organizations in the overall flow of its operations. First, requests are made to the agency for information or for processing a "case." Second, there is a fact-finding process conducted by the staff. Third, the staff formulates a recommendation and prepares a report. Finally, there is an authoritative decision--in this case, by the Board itself. (See Figure 1).

From this sketch, a number of questions occurred to us immediately: What is the mix of requests made to the RCB? What proportion of staff resources are devoted to providing advice or information, as opposed to processing actual cases? How do cases flow through the stages of fact-finding, recommendation, and decision? What time delays or bottlenecks occur at various stages of this case flow? Are there systematic differences in the way this process operates, depending upon the nature of the case (e.g., are tenant complaints processed at the same speed as rent adjustments), or depending upon characteristics of the parties involved (are small and large landlords treated equitably, does representation by a lawyer make a big difference)? How is the staff organized to process the variety of requests and cases, and what specific professional and non-professional tasks are involved at each stage of the process?

Collecting this information was only a first step, however, since our ultimate goal was to assess the performance of the RCB and recommend improvements. We therefore addressed directly the question of what

FIGURE 1
Schematic of the RCB Process*



* 1981 approximate figures

criteria should be used for judging performance. At a general level we have been concerned with the equity and efficiency of the RCB. Thus, we have continuously asked whether different groups served by the RCB receive comparable treatment and whether the available resources are deployed in the most productive manner. More specifically, we have focused on four indicators of performance: (1) timeliness of the RCB in responding to requests and disposing of cases; (2) public satisfaction with the administration of the RCB (as distinguished from the policy of rent control); (3) RCB staff morale; (4) fairness of the RCB processes. One important criterion to which we have paid very little attention, however, is the effectiveness with which the substantive policies of the statute and Board have been implemented by the Board itself and the staff.

C. Conclusions and Acknowledgments

The administration of rent control needs reform in many ways, some minor and some quite major. We offer, in Part III, a detailed and interrelated package of recommendations, together with several specific implementation tasks. Any study of this sort has its limitations, as "outsiders" we can have only a very limited role in encouraging or facilitating adoption of our recommendations. But in hopes of being useful, our every effort has been to conduct and present a balanced analysis of the problems, and then confidently propose changes rooted in our sense of the broad public interest--not factional interests.

Our recommendations are a package rather than a menu. Accepting some while rejecting others will seriously decrease the likelihood of substantial improvement in RCB administration, because the proposals are so interrelated. As a consequence, the recommendations are not

ranked. Their order of presentation in Part III is only meant to make the presentation clear.

Finally, we want to acknowledge the cooperation and assistance provided to this commission by the staff of the RCB and members of the Board. Their help was essential, and we are very grateful. We also thank Hector Alejandro and Anne Whittington, both of the Community Development Department, for their patient, thorough and most able efforts as research assistants.

II. OUR FINDINGS

In this section of the report we present an abbreviated description of the procedures of the RCB, together with a review of our qualitative and quantitative findings. In general, we found long delays in processing "cases"; client confusion regarding the various regulations and processes; inconvenient hours and scheduling; and low morale among staff members. These problems and others are described in this section. The next section (III) contains our recommendations for dealing with these issues.

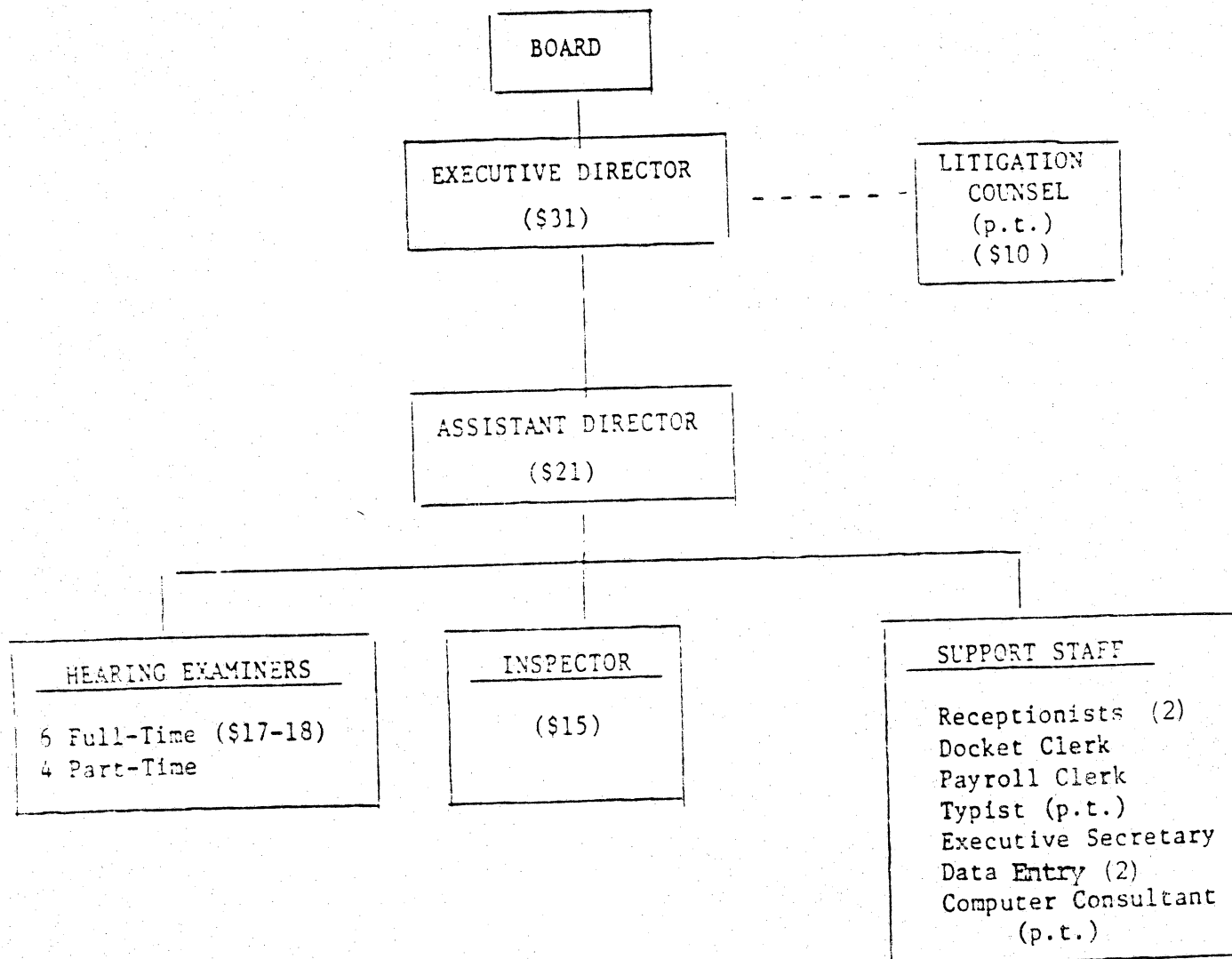
A. Structure, Budget and Processes of the RCB -- An Overview

The RCB was established under 1972 State legislation. The organization is comprised of: a volunteer Board of five, appointed by and serving at the pleasure of the City Manager, who have final power in administrative adjudication and rulemaking under the statute; and an Executive Director and subordinate staff proposed by the Board to the City Manager, for appointment by the City Manager. The subordinate staff positions and approximate salaries, immediately prior to the budget and staffing increase approved by the City Council in June, 1982, were as shown by the organization chart in Figure 2.

The organization's basic managerial mission is to process a variety of petitions, or "cases", typically through quasi-adjudicatory hearings in which a staff hearing examiner--an attorney--holds an evidentiary hearing, writes proposed findings and a decision, and submits that report to the Board for final determination in an open meeting at which

FIGURE 2

Organization Chart, June 1982
 (Approximate salary in \$ thousands)



the parties may comment on the examiner's report. In roughly one-fifth of all cases the staff hearing examiner must grant a continuance extending the hearing for some reason. Less frequently, the Board will remand a case for further staff work or hold over a case to a later meeting. This process is sketched in Figure 3, showing the stages that were the focus of our quantitative study of elapsed processing times.

For our purposes, there are seven types of cases handled by the RCB. They are listed in Figure 4 together with data on the overall workload and case mix for 1976-1981.

As Figure 4 indicates, the overall caseload growth for 1976-1981 was 88%, with the serious surges in year-over-year growth in 1976-1977 (27%) and 1978-79 (30%). The highest growth rates have occurred for rent adjustment filings (196%), removal permits (108%) first required by City Ordinance in 1978-79, and special cases initiated by the staff (350%). Caseload growth, therefore, has been highly variable over the years and across the RCB's different types of business. Moreover, there is no simple characterization of the interactions of caseload and mix of case types with the timing and nature of the irregular across-the-board General Adjustments (1976, 1977, 1979, 1981, 1982). (For our purposes the March 1982 fuel adjustment can be considered a general adjustment.)

In contrast to the 88% caseload growth, RCB expenditures over this period have increased only 49% in nominal terms, and only roughly 15% when adjusted for inflation. See Figure 4. The RCB has claimed a fairly constant share of total city expenditures--less than 1/3 of 1 percent. The three-quarters increase provided in the FY 1983 appropriation gives the RCB a share of less than one-half of 1%, and makes the budget growth since 1976 over 130% in nominal terms, and roughly 80% in

REPORT OF THE SPECIAL COMMISSION
TO STUDY ADMINISTRATION OF THE RENT CONTROL BOARD

September 24, 1982

Wendy Abt
Leonard Buckle
Christopher Edley, Jr.
Kenneth Reeves
Michael Rosenberg
Stephen Rosenthal
Suzann Thomas-Buckle
Dvora Yanow

REPORT OF THE
SPECIAL COMMISSION TO
STUDY ADMINISTRATION
OF THE RENT CONTROL
BOARD

September 27, 1982

THE MAYOR'S SPECIAL

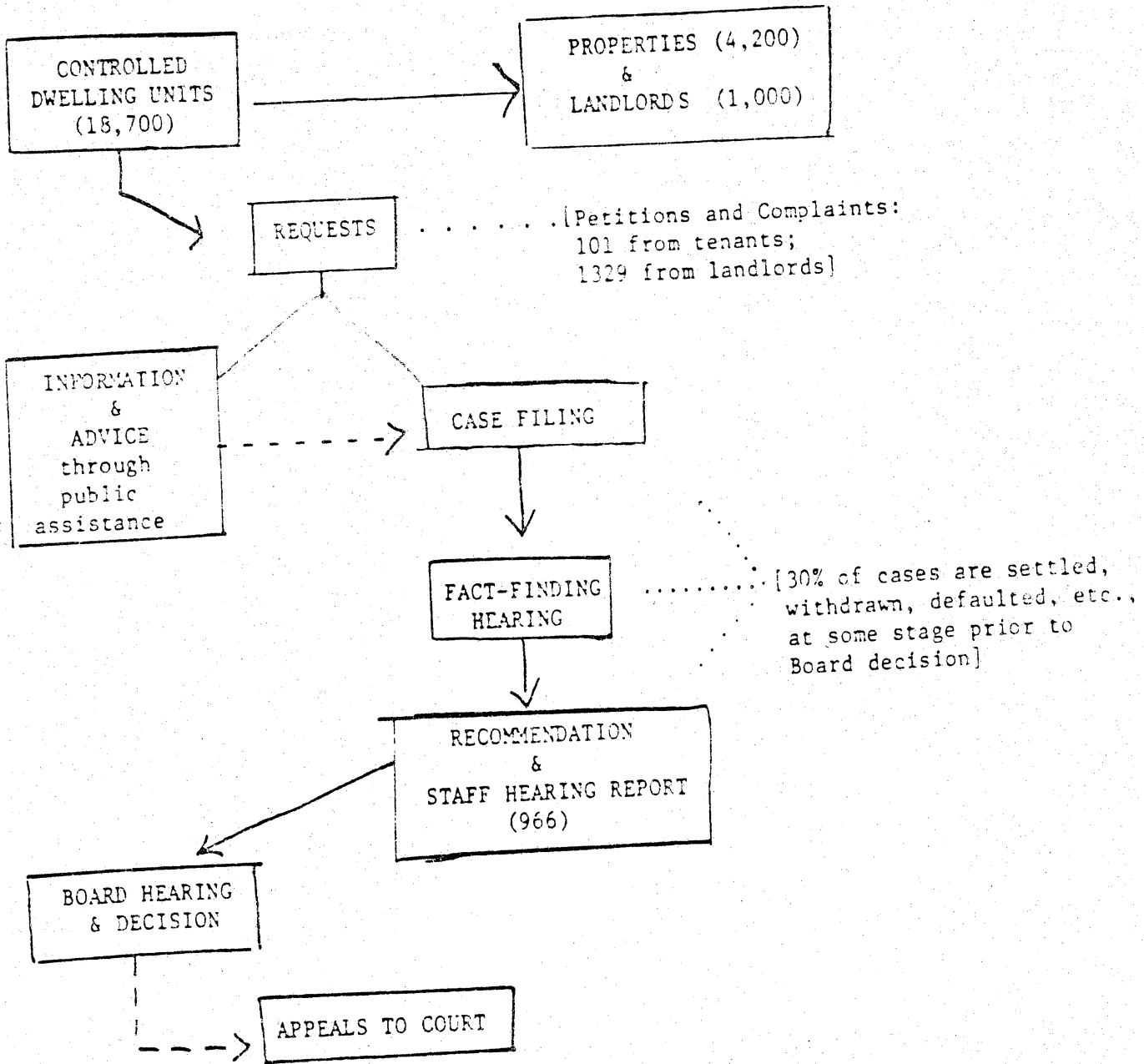
COMMISSION

- ° "INVESTIGATE OPERATIONS"
- ° "MAKE RECOMMENDATIONS. . .
(On How Rent Control Can Operate. . .
More Efficiently To The Benefit Of All)"
- ° "CHIEFLY AN ADMINISTRATIVE REVIEW"

AREAS OF EXPERTISE OF EIGHT
COMMISSION MEMBERS

- MUNICIPAL AND FINANCIAL MANAGEMENT
- CONFLICT RESOLUTION AND ORGANIZATIONAL BEHAVIOR
- AGENCY AND REGULATORY LAW
- ADMINISTRATIVE LAW
- HOUSING AND PLANNING
- PUBLIC MANAGEMENT
- RENT CONTROL

FIGURE 1
Schematic of the RCB Process *



* 1981 approximate figures

FIGURE 2

Organization Chart, June 1982
(Approximate salary in \$ thousands)

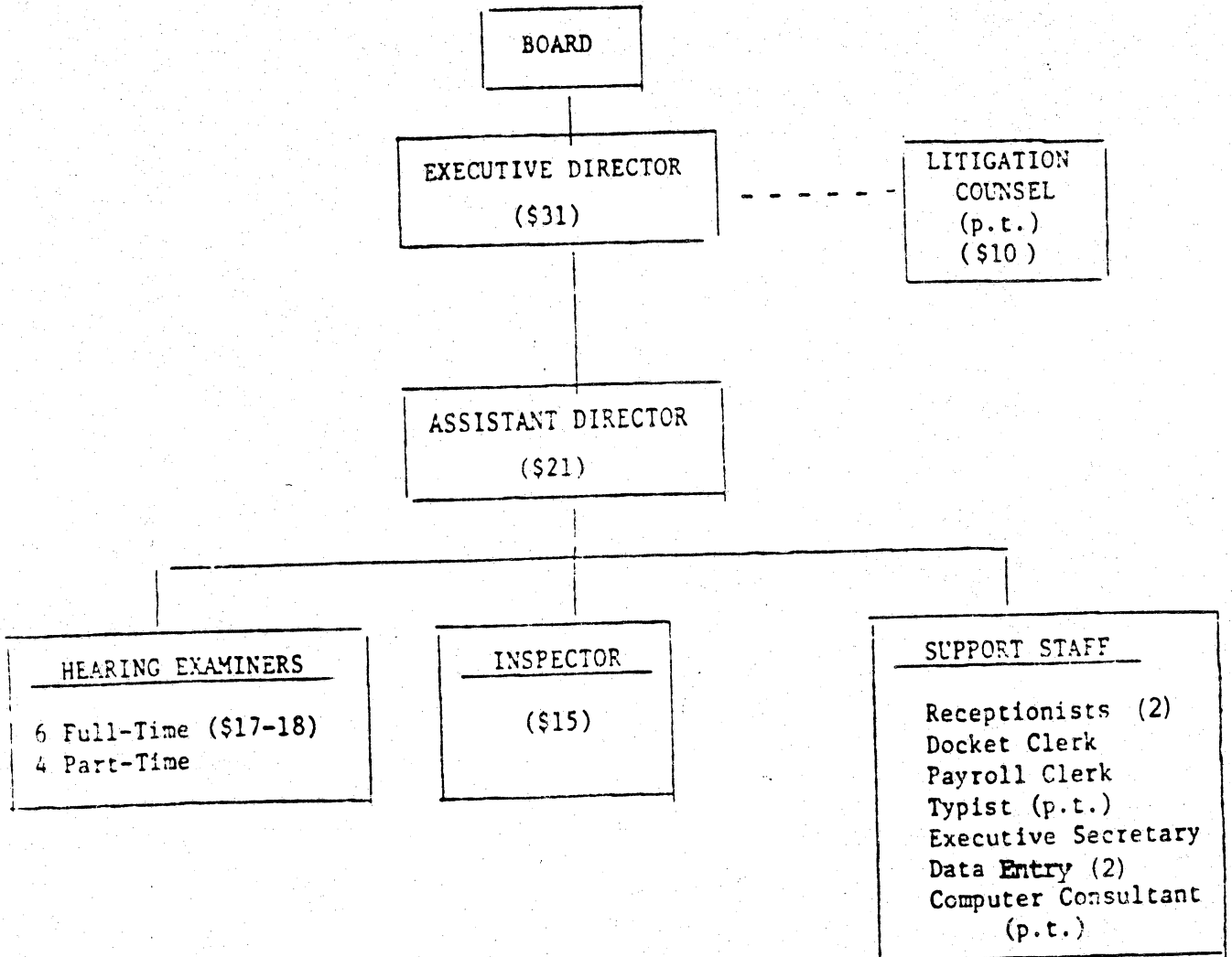
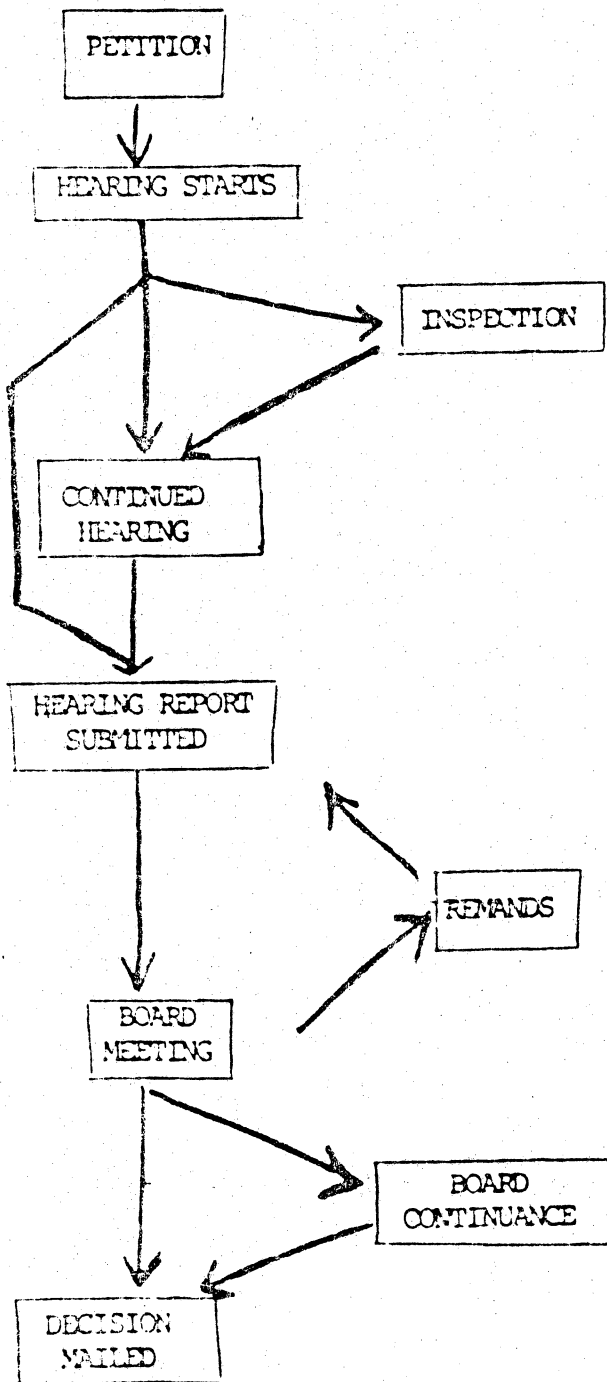


FIGURE 3

Key RCB Processing Steps



Approximately 1/4 of hearings must be continued; scheduling or preparation delays can be significant.

Sometimes an inspection is necessary-- occasionally before the report, but usually after an initial hearing, as the hearing is continued.

Board remands appear in our data as a delay in submitting the examiner's report.

The decision mailed, if not final, may be contingent on some further action by a party. For example, the rent adjustment may be contingent on completion of a repair.

FIGURE 4

Case Mix Data and Growth

counts : (% of total)

<u>Type of Case</u>	<u>1976</u>		<u>1977</u>		<u>1978</u>		<u>1979</u>		<u>1980</u>		<u>1981</u>	
Eviction for non-payment	333	: (45)	415	: (44)	358	: (38)	407	: (33)	413	: (30)	365	: (26)
Eviction - other	158	: (21)	214	: (23)	187	: (20)	287	: (23)	221	: (16)	195	: (14)
Rent adjustment*	123	: (17)	176	: (19)	233	: (25)	249	: (20)	309	: (23)	364	: (26)
Removal Permit	-		-		-		54	: (4)	104	: (8)	108	: (8)
Tenant complaint	67	: (9)	69	: (7)	108	: (11)	123	: (10)	131	: (10)	97	: (7)
Special cases initiated by staff	59	: (8)	63	: (7)	57	: (6)	105	: (9)	191	: (14)	265	: (19)
<u>TOTAL</u>	740		937		943		1,225		1,369		1,394	

* Covers all rent adjustment cases, including those for capital improvements. The Board established a separate and expedited process for capital improvement rent adjustments in Its Regulation 76 (6/11/80).

FIGURE 5

Slice of Life

SAMPLE--

- 7 Hearing Examiners
- Each Reported on a Full Week
- Part-Time Examiners Reported on Part-Time Week
- Different Days Were Reported by Different Examiners; Total = 192 Staff Hrs.
- Sample Period Was Late April/Early May

29 DIFFERENT REPORTING CATEGORIES, COLLAPSED INTO 10:

<u>CATEGORY</u>	<u>% of Total</u>
1. General Rent Adjustment	32
2. Public Assistance	13
3. Hearings	9
4,5. Reports:	28
(Typing, Proofing, Organizing)	(11)
(Writing)	(17)
6. Telephoning	2
7. Inspection	1
8. Assignment Officer	1
9. Lunch	10
10. Other	4
	<hr/> 100%

COMMENTS

1. Very little time on assignment.
2. Hearings take up less time than lunch or public assistance.
3. Substantial amount of time on reports (28%), but process seems complex.
4. General adjustment was very time consuming--almost 1/3.

FIGURE 6
Backlog as of 6/2/82

<u>1981</u>	<u>FILED</u>	<u>WITHDRAWN</u>	<u>UNFINISHED</u>
			# (%)
Rent Adjustment	388	- 26 =	362
Eviction - Non-Payment	366	- 195 =	171
Eviction - Other	194	- 91 =	103
Removal Permit	127	- 7 =	120
Tenant Complaint	101	- 46 =	55
Special Cases	<u>254</u>	- <u>59</u> =	<u>195</u>
	1,430	- 434 =	996
<u>1982</u>			
Rent Adjustment	185	- 0 =	185
Eviction - Non-Payment	158	- 116 =	42
Eviction - Other	109	- 25 =	84
Removal Permit	13	- 0 =	13
Tenant Complaint	42	- 3 =	39
Special Cases	<u>101</u>	- <u>6</u> =	<u>95</u>
	608	- 150 =	458
GRAND TOTAL 1981 & 1982 BACKLOG CASES.			<u>505</u>

FIGURE 6

FIGURE 7

Time Elapsed Between Principal Steps

By Type of Case, in Days

(average : median : 80th percentile)

	<u># of cases</u>	<u>Filing to Hearing</u> avg : med : 80%	<u>Hearing Complete to Report Done</u> avg : med : 80%	<u>Filing to Board Decision</u> avg : med : 80%
Eviction (other)	(28)	22 : 14 : 17	45 : 50 : 78	92 : 74 : 133
Eviction (non-payment)	(16)	14 : 13 : 19	33 : 30 : 56	78 : 80 : 111
Rent Adjustment	(39)	67 : 61 : 78	75 : 66 : 116	180 : 161 : 238
Capital Rent Adjustment	(15)	50 : 57 : 64	56 : 63 : 105	120 : 111 : 185
Removal Permit	(32)	15 : 19 : 19	89 : 78 : 154	160 : 181 : 181
Special Cases	(13)	110 : 128 : 153	94 : 97 : 144	229 : 161 : 349
Tenant Complaints	(9)	124 : 49 : 329	52 : 33 : 71	226 : 221 : 369
<hr/> ALL CASES	(152)	47 : 27 : 65	63 : 55 : 97	148 : 133 : 190

* Technical Notes:

(1) Substantial spread between the average and median indicates that some extreme values have strongly influenced the average; the median is then arguably a better measure of "typical" performance. (2) The columns correspond to steps 1, 17 and 3 in the file variables. See Appendix C.

FIGURE 8

Hearing Examiner vs. Processing Time
(median and 80th percentile)

<u>EXAMINER</u>	<u>(# of cases)</u>	<u>Filing to Hearing</u> median: 80%	<u>Hearing to Report</u> median: 80%	<u>Comment on Case Mix</u>
1	(32)	51 : 63	71 : 94	38% evictions; 53% adjustments; 9% other
2	(31)	29 : 68	17 : 50	29% evictions; 52% adjustments; 19% other
3	(36)	19 : 46	78 : 105	56% removal permits; 17% evictions; 28% adjustments
4	(11)	13 : 29	35 : 55	82% evictions; 18% adjustments
5	(11)	26 : 61	154 : 154	45% removal permits; 45% adjustments; 10% other
7	(8)	79 : 131	33 : 97	63% tenant complaints; special cases
9	(9)	135 : 206	97 : 144	67% tenant complaints; 33% special cases
10	(6)	13 : 33	66 : 105	67% evictions; 33% adjustments
Other	(9)	49 : 96	7 : 71	
ALL CASES	(153)	27 : 65	55 : 97	

NOTES: For that part of the process involving hearing examiners (i.e. from filing to report)
 (1) Evictions tend to be easier to process quickly; then rent adjustments and removal permits; special cases and tenant complaints are the most time consuming. See Figure 7.
 (2) The case mix percentages are shown in Table 10, Appendix C.

FIGURE 9
Number of Dwelling Units vs. Processing Time
 (median: 80%)

<u># Units</u>	<u># Cases</u>	<u>Filing to Hearing</u>	<u>Hearing to Report</u>	<u>Filing to Decision</u>	<u>Comment</u>
1	(91)	19 : 42	50 : 94	163 : 209	Many condominiums
2-4	(25)	62 : 135	61 : 88	167 : 252	
5-8	(19)	49 : 118	42 : 112	158 : 201	
9-24	(9)	38 : 78	65 : 124	135 : 300	Small sample
25+	(4)	54 : 63	91 : 209	360 : 364	Very small Sample

A CAUTIONARY NOTE

OUR RECOMMENDATIONS

- ARE COMPREHENSIVE & INTEGRATED
- REQUIRE TENACIOUS IMPLEMENTATION
- REQUIRE A FULL YEAR TO SEE RESULTS
- REQUIRE ACTIONS BY COUNCIL, CITY MANAGER,
RENT CONTROL BOARD AND STAFF

FIGURE 10

Proposed Organization

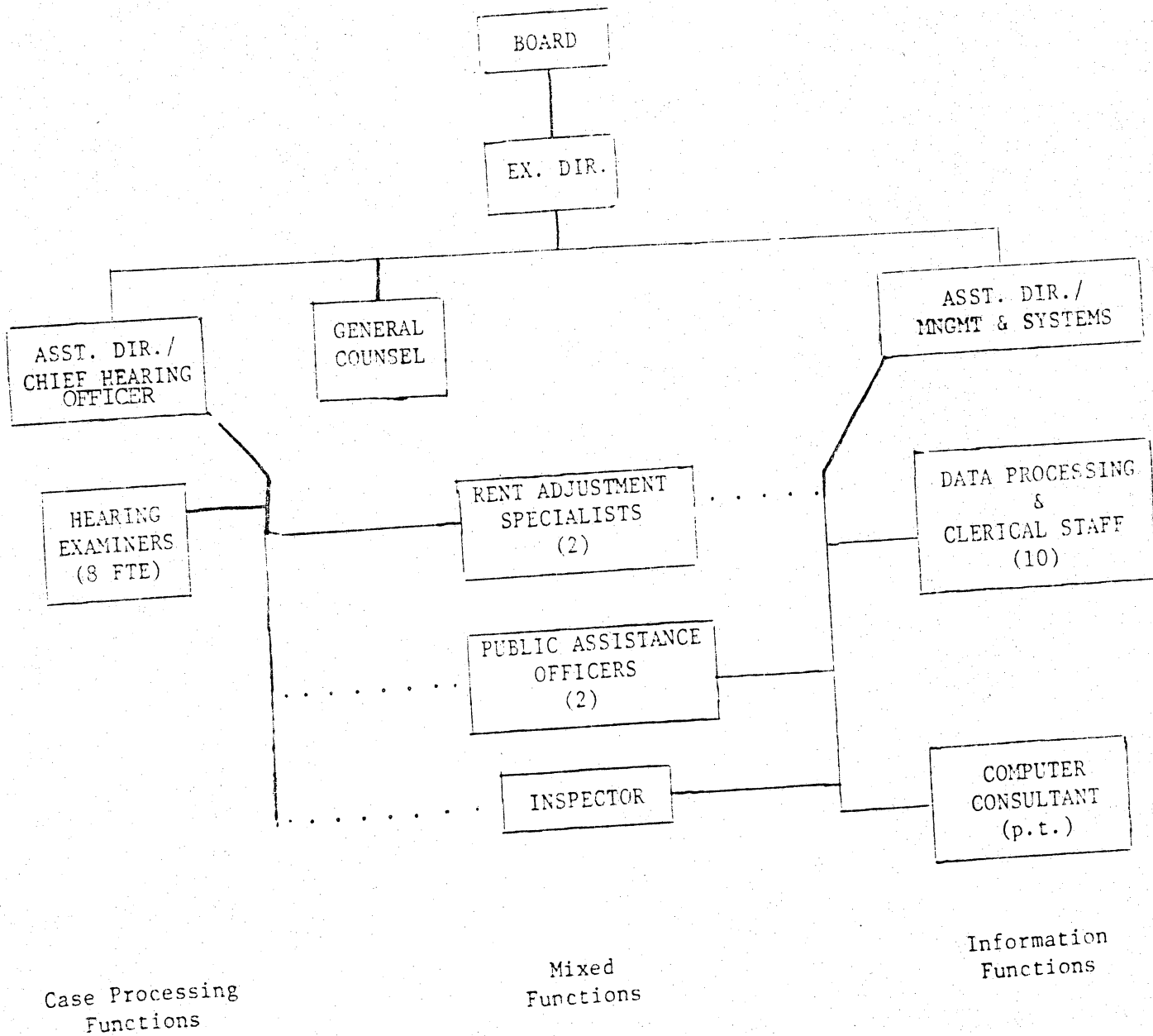


FIGURE 11
Budget Estimate

SALARIES

Executive Director	\$ 31,143	
Asst. Dir./Mngmt & Systems	25,000	
Asst. Dir./Chief Hearing Examiner	22,058	
Hearing Examiners (8 F.T.E. avg. 18,230)	145,842	
Rent Adjustment Specialists (2 at 15,000)	30,000	
Public Assistance Officer (2 at 16,000)	32,000	
General Council	25,000	
<u>SUBTOTAL</u>		<u>\$310,043</u>

SUPPORT STAFF (RCB Budget)

1 Inspector	15,301	
2 Senior Clerk Steno	27,159	
5 Clerk Typist (1 new)	59,507	
2 Data Processing	27,490	
<u>SUBTOTAL</u>		<u>129,457</u>

OPERATIONS (RCB Budget)

	<u>SUBTOTAL</u>	<u>147,000</u>
--	---------------------------	----------------

TOTAL ANNUALIZED

	<u>SUBTOTAL</u>	<u>586,500</u>
--	---------------------------	----------------

ONE TIME EXPENDITURES

Booklet (printer-ready)	2,500	
Index of Law & Policy	3,840	
New Software	25,000	
Key punching, et.	12,000	
Forms Development	14,000	
<u>SUBTOTAL</u>		<u>56,340</u>

<u>TOTAL</u>		<u>\$600,171</u>
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Notes:

1. Total annualized cost is \$24,430 below the FY '83 appropriation of \$610,930.
2. One time expenditures necessary for full implementation of the Commission's recommendations total \$57,340, for a difference of \$32,910.
3. Between \$20,000 & \$40,000 in salaries and wages budgeted for FY 1983 may be unspent in FY '83 because of vacancies and lead time on new hiring. We anticipate that between these savings and the possibility of lower costs than we have estimated for software, keypunching, etc., there will be sufficient funds to cover the \$32,041 difference.

RECOMMENDATION 1: REDEFINE AND REALLOCATE HEARING EXAMINER TASKS;
HIRE RENT ADJUSTMENT AND PUBLIC ASSISTANCE SPECIALISTS.

- 1(a): HEARING EXAMINERS SHOULD NOT DO RENT ADJUSTMENTS.
HIRE TWO NON-LEGAL RENT ADJUSTMENT SPECIALISTS TO
ASSIST HEARING EXAMINERS.
- 1(b): HEARING EXAMINERS SHOULD NOT PERFORM PUBLIC ASSISTANCE
EXCEPT IN UNUSUAL CIRCUMSTANCES. HIRE TWO NEW PUBLIC
ASSISTANCE OFFICERS.
- 1(c): THE RCB AND THE CITY MANAGER SHOULD DEVELOP AND IMPLEMENT
A PILOT MEDIATION PROJECT.

RECOMMENDATION 2: REORGANIZE THE STAFF TO IMPROVE THE
MANAGEMENT OF INFORMATION-RELATED ACTIVITIES,
UNDER AN ASSISTANT DIRECTOR FOR MANAGEMENT
AND SYSTEMS.

2 (a) : DIVIDE THE WORK OF THE ORGANIZATION INTO TWO MAJOR PARTS--
INFORMATION SYSTEMS AND CASE HEARINGS.

2 (b) : HIRE A NEW ASSISTANT DIRECTOR FOR MANAGEMENT AND SYSTEMS.
CONVERT THE EXISTING POSITION TO ASSISTANT DIRECTOR/
CHIEF HEARING EXAMINER.

2 (c) : ADOPT A NEW ORGANIZATION STRUCTURE AND BUDGET.

RECOMMENDATION 3: REVISE AND FORMALIZE PERSONNEL
EVALUATION AND OTHER MANAGEMENT TOOLS.

- 3(a) : DEVELOP STAFF PERFORMANCE MEASURES AND IMPLEMENT
A PERFORMANCE APPRAISAL PROCESS.
- 3(b) : INTRODUCE AT LEAST LIMITED OPPORTUNITIES FOR A
PROGRESSION IN PROFESSIONAL JOB RESPONSIBILITIES.
- 3(c) : REDUCE THE USE OF PART-TIME HEARING EXAMINERS.

RECOMMENDATION 4: MODIFY ALL SYSTEMS TO OBTAIN MAXIMUM BENEFIT
FROM COMPUTERIZED SYSTEMS.

4(a) : REWRITE ALL PETITION FORMS, BACK-UP DOCUMENTATION
AND INSTRUCTION SHEETS IN NON-LEGAL LANGUAGE,
WITH THE ADDITIONAL REQUIREMENT THAT THEY BE
COMPUTER-COMPATIBLE.

4(b) : IMPROVE THE DATA BASE, AND ADD INFORMATION NOW
MAINTAINED IN PAPER FILES.

4(c) : IMPLEMENT SCHEDULING SOFTWARE.

RECOMMENDATION 5: IMPROVE DEALINGS WITH THE PUBLIC.

- 5(a): PREPARE AND DISTRIBUTE A COMPREHENSIVE INFORMATIONAL BOOKLET.
- 5(b): PREPARE AND MAINTAIN AN INDEX OR DIGEST OF BOARD POLICIES AND PRECEDENTS.
- 5(c): ADD EVENING OFFICE HOURS.
- 5(d): CURB DISCOURTESY; FIX THE TELEPHONES.
- 5(e): MAKE APPOINTMENTS TO THE BOARD FOR FIXED TERMS, WITH PERFORMANCE REVIEWS BY THE CITY MANAGER.
- 5(f): ESTABLISH A RENT CONTROL ADVISORY COMMITTEE.

RECOMMENDATION 6: REVISE THE WORK SCHEDULING SYSTEM
FOR HEARING EXAMINERS TO EMPHASIZE
TIMELY PREPARATION OF REPORTS.

RECOMMENDATION 7: MAKE THE PROCESS FOR CONSIDERING GENERAL RENT ADJUSTMENTS MORE PREDICTABLE, WITH MORE PUBLIC PARTICIPATION AND A CLEAR ADVANCE STATEMENT OF THE FORMULA AND DATA SOURCES.

- 7(a) : THE BOARD, WITH PUBLIC INPUT, SHOULD ADOPT A GENERAL ADJUSTMENT FORMULA, INDICATE THE DATA USED IN THAT FORMULA, AND ADOPT A PREDICTABLE CYCLE FOR REGULAR REVIEW OF THESE TO ASSESS THE NEED FOR A GENERAL ADJUSTMENT.
- 7(b) : LANDLORDS SHOULD BE ABLE TO OPT FOR AN ADJUSTMENT BASED ON CAPITAL OR EXTRAORDINARY OPERATING EXPENSES IN LIEU OF THE GENERAL RENT ADJUSTMENT.
- 7(c) : DEVELOP A COMPUTER-BASED SYSTEM FOR DOWNWARD ADJUSTMENT OF ALLOWABLE RENTS WHEN COSTS OF A CAPITAL IMPROVEMENT ARE FULLY AMORTIZED, OR WHEN TAXES DECREASE.

RECOMMENDATION 8: HIRE A FULL-TIME GENERAL COUNSEL
TO ASSIST THE AGENCY AND THE PUBLIC.

RECOMMENDATION 9: IDENTIFY PARTICULAR MEMBERS OF THE STAFF
WHO WILL CONCENTRATE ON THE BACKLOG.

RECOMMENDATION 10: ADOPT EXPERIMENTAL MEASURES TO
ELIMINATE THE BACKLOG.

THE COMMISSION ASKS

FROM THE CITY COUNCIL

- ° YOUR ENDORSEMENT OF THE REPORT'S DIRECTION
- ° JOB DEFINITION CHANGE
(Ombudsman to Public Assistance Officer)
- ° RE-ALLOCATION OF STAFF \$'s TO DIRECT EXPENSE \$'s

FROM THE CITY MANAGER

- ° DIRECT HELP EXPEDITING SOME TASKS
(Phones, Salary Schedules)
- ° MONITORING OF IMPLEMENTATION
- ° POLICY DECISION ON FIXED TERMS

THE COMMISSION WISHES TO THANK

- THE HONORABLE MAYOR ALFRED VELLUCCI
- ROBERT HEALY
- RICHARD ROSSI

- CARMEN POLACK
- HECTOR ALFJANDRO
- ANNE WHITTINGTON
- ROBERT LUCAS
- SAUNDRA MORETTI
- GINA VELLUCCI
- RICHARD MCKINNON

S-587A