OFFICE OF THE INSPECTOR GENERAL CHICAGO HOUSING AUTHORITY

REPORT OF THE OFFICE OF THE INSPECTOR GENERAL

2018 THIRD QUARTER REPORT

JULY 01, 2018 THROUGH SEPTEMBER 30, 2018

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INSPECTOR GENERAL

OCTOBER 15, 2018



October 15, 2018

To Chairman Hooker, and Members of the Finance/Audit Committee:

Enclosed for your review is the 2018 Third Quarter Report on the activities and initiatives of the CHA Office of the Inspector General (OIG). The OIG derives its powers and jurisdiction to perform audits and investigations from the creation of the independent OIG as mandated in the *Office of the Inspector General Charter* and the *Illinois Housing Act*. Additionally, the OIG is a duly recognized Law Enforcement Agency which facilitates a broad spectrum of mutual information sharing with other State, Local, and Federal Law Enforcement Agencies.

The OIG received 154 complaints during the third quarter. The OIG provided 83 investigative support matters to internal and external stakeholders; referred 30 complaints to other CHA departments; declined 30 complaints; initiated 10 investigations; opened 1 preliminary inquiry; and closed 6 investigations during the quarter. Year-to-date the OIG has provided investigative support for 276 matters; referred 82 complaints; declined 74 complaints; initiated 15 investigations; opened 4 preliminary inquiries; and closed 15 investigations. There are 45 pending investigations.

On September 6, 2018, I met with Vice-Chairman Chico (Chair of the Finance Audit Committee) to discuss various topics that are important to the CHA's mission. I will continue to meet with Chairman Hooker and Vice-Chair Chico on significant matters that the OIG is pursing through investigations and audits.

The OIG continued to expand and foster partnerships with other law enforcement agencies. The OIG staff attended and presented at various training seminars and working groups this quarter. Specifically, the Information Analyst and Deputy Inspector General attended the 11th Annual Chicago Intelligence Training Seminar. Deputy Inspector General, Michael Kosanovich, presented at this seminar.

I thank Chairman Hooker, Vice-Chair Chico and members of the Finance/Audit Committee for your interest and support of the independent OIG and our pursuit of promoting transparency, accountability, and public trust in the administration of CHA programs.

Respectfully submitted,

Elissa Rhee-Lee Inspector General

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This quarterly report provides an overview of operations of the Office of the Inspector General (OIG) during the period of 07/01/2018 through 09/30/2018. This report includes statistical and narrative summaries of OIG activities for the past quarter.

A. MISSION OF THE INSPECTOR GENERAL'S OFFICE

The OIG is an independent oversight law enforcement agency whose mission is to promote economy, efficiency and integrity in the administration of programs and operation of the Chicago Housing Authority (CHA).

The OIG achieves this mission through:

- Criminal Investigations
- Administrative Investigations
- Program Reviews
- Performance Audits
- Analytics
- Advisories
- Fraud Awareness Training

From these activities, the OIG pursues criminal prosecutions when appropriate. Additionally, the OIG issues report of findings and disciplinary and policy recommendations to ensure that CHA officers, the Board of Commissioners, employees and vendors are held accountable for running an efficient, cost-effective operation. Furthermore, the OIG seeks to prevent, detect, identify, expose and eliminate waste, inefficiency, misconduct, fraud and abuse of public authority in CHA's use of funds.

B. <u>INVESTIGATIONS AND PROGRAM REVIEW STANDARDS</u>

The OIG conducts its investigations in accordance with the Association of Inspectors General Principles and Standards for Office of Inspectors General, generally accepted principles, quality standards and best practices applicable to federal, state, and local offices of Inspectors General. These include both general standards and qualitative standards as outlined in the above publication. Additionally, the OIG, always exercises due professional care and independent impartial judgement in conducting investigations and the issuance of reports and recommendations.

The OIG conducts audits of programs in accordance with *Generally Accepted Government Auditing Standards issued by the Comptroller General of the United States and Principles and Standards for the Offices of Inspector General.* Those standards require that we plan and perform the audit to obtain sufficient, and appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. The adherence to these standards ensures that audits and program reviews comprise the requisite independence, planning, organizing, staff qualifications, direction and control, coordination, reporting, confidentiality and quality assurance.

The OIG operations undergoes an independent peer review conducted by members of the National Association of Inspector General every three years to ensure compliance with the aforementioned governing standards.

C. <u>INVESTIGATIONS</u>

The OIG conducts both criminal and administrative investigations into the performance of officers, employees, contractors, functions, and/or programs, either in response to complaints, audits or upon the OIG's initiative.

The OIG received 154 complaints/matters during the third quarter of 2018. Out of the 154 complaints, the OIG provided investigative support to both internal and external stakeholders for 83 matters. The OIG initiated 10 investigations, opened 1 preliminary inquiry, referred 30 complaints to other agencies or departments and declined 30 cases. Matters can be declined for a variety of reasons such as insufficient information provided, insufficient resources to address, no actionable information contained in the allegation, or not within the OIG's jurisdiction. The OIG closed 6 investigations during the third quarter.

Table # 1 Complaint by Method

Complaint by Method

Source	Number
Emails	38
Website Submissions	95
Hotline	14
In Person	3
Dropbox	0
Mail	3
Fax	0
Analytics	1
Total	154

Table # 2 Complaint Disposition

Complaint Disposition

Disposition	Number
Investigations	10
Preliminary Inquiry	1
Investigative Support	83
Referrals	30
Declined	30
Total	154

Table # 3 Subject of Investigation

Subject of Investigation

Subject	Number
Program Participants	4
Contractors, Subcontractors, Vendor	5
Employees	1
Other	0
Total	10

Table # 4 Investigative Classification

Investigative Classification

Classification	Number
Administrative	9
Criminal	1
Total	10

Table # 5 Closed Investigations

Closed Investigations During the Quarter

Classification	Number
Administrative	4
Criminal	2
Total	6

Table # 6 Indictments/Convictions

Indictments/Convictions

Action Category	Number				
Indictments	0				
Convictions	1				
Restitutions	1				
Debarment	0				
Total	2 ¹				

¹ One OIG investigation resulted in a conviction. As part of sentencing, the subject was required to pay restitution (See Page 8-Closed Criminal Cases for details).

Table # 7 Pending Investigations / Preliminary Inquiries

Pending Investigations / Preliminary Inquiries

Classification	Number
Administrative	20
Criminal	22
Preliminary Inquiry	3
Total	45

Table #8 Pending Audits

Pending Audits

Audit Name	Time Frame		
CHA Fleet Vehicles Audit	12/31/2018		
CHA Elevator Services	12/31/2018		
CAC Youth Program Audit	12/31/2018		
CPD Intergovernmental Agreement Audit	03/31/2019		

INVESTIGATIONS NOT CONCLUDED WITHIN SIX MONTHS

Under the *Inspector General Charter*, the OIG must provide quarterly statistical data on pending investigations/matters open for more than six months. Of the 45 pending matters, 27 have been open for at least six months. The following table shows the general reasons why these matters remain open.

Table # 9 Investigations Not Concluded within Six Months from Initiation

Re	asons	Number of Investigations
A.	Complex investigation, generally involve difficult issues of multiple subjects and/or under review by prosecuting agency	23
В.	Indicted cases, but no criminal disposition	4
C.	On-hold, to not interfere with another on-going investigation	0
	Total	27

D. NOTABLE INVESTIGATIVE SUPPORT

CHA Health Partnership Initiative

In collaboration with CHA's Resident Services Department, the OIG reviewed seventeen health partnership applications this quarter utilizing open source information. Of the seventeen

applications reviewed, there was no derogatory information identified. The OIG will continue to review partnerships on an ad-hoc basis and ensure activities provided by health partners are in the best interests of the CHA and its residents.

E. CLOSED INVESTIGATIONS SYNOPSIS

An OIG investigation can be either administrative, criminal or both. Administrative investigations generally involve violations of HUD regulations and/or CHA rules, policies or procedures. For sustained administrative investigations, the OIG prepares a summary report of the investigation and its findings. These summary reports are presented to the CEO and the impacted department to facilitate an appropriate resolution. They are available upon request to the Audit Committee. In order to maintain confidentiality and integrity of the pending investigations, the OIG has omitted any information on pending/open investigations. In criminal investigations, if there is sufficient evidence gathered for potential prosecution, the investigation will be presented to a prosecuting agency for review.

CLOSED CRIMINAL CASES

Two criminal cases were closed this quarter and sustained. The following are summaries of the closed criminal cases.

OIG Ref #2017-06-00032

In May 2017, Veterans Affairs (VA) Office of the Inspector General (OIG) contacted the CHA OIG regarding a CHA Housing Choice Voucher (HCV) holder. The VA OIG had opened an investigation regarding this voucher holder for misusing \$16,000 in VA benefits that were intended for her father. The voucher holder had been appointed as her father's fiduciary by the VA in December 2013. The VA determined that this voucher holder failed to provide proper evidence to explain numerous expenditures for items such as ATM withdrawals, casino charges, liquor charges, beauty shop charges, nail salon charges, hotel charges and purchases of women's clothing. VA records also reflected that voucher holder's father resided with the voucher holder in her subsidized unit.

The OIG investigation determined that the voucher holder had been receiving housing benefits since 11/1/2012. The voucher holder was the only occupant listed on the voucher and the voucher holder did not list her father as a family member, nor did the voucher holder include the father's VA benefits or his Social Security benefits in her family income, as required. The voucher holder had received over \$45,000 in housing assistance from the CHA.

OIG Investigator Lischka completed an investigative summary for the CHA voucher holder and referred the case to the Cook County State's Attorney's Office in October 2017. The case was accepted for investigation.

In July 2018, the State's Attorney's Office informed the CHA OIG that their office would not be pursuing criminal charges against the voucher holder. A major factor in their decision was that the father of the voucher holder passed away in October 2017 at the age of 89. In addition, the State's Attorney's office felt that that the amount and nature of the misappropriated VA funds

were not significant enough to pursue criminal charges and proving willful intent would be difficult. The OIG subsequently closed its investigation into this matter.

OIG Ref# 2015-12-00080

An investigation involving former CHA HCV participant Lorraine Johnson was initiated in December 2015. The investigation revealed that between August 2003 and June 2016, Johnson received in excess of \$212,000 (approximate CHA loss - \$134,039) from the CHA and the Social Security Administration (SSA) by concealing income and assets through the use of a second Social Security number. In addition, Johnson submitted forged documents to allow her to collect housing assistance payments while residing as a HCV participant in a house that she owned.

Johnson was indicted on 07/21/2016 in U. S. District Court in Chicago for stealing government funds from the CHA and SSA.

On 07/17/18, Johnson pled guilty to federal wire fraud charges. Johnson's sentencing date is scheduled for 12/13/2018. The investigation was worked jointly with the Chicago field office of SSA OIG.

CLOSED ADMINISTRATIVE CASES

There were four closed administrative cases this quarter. Three cases were sustained and one case was not sustained. The following are summaries of the sustained cases.

OIG Ref# 2017-12-00001

An investigation involving a CHA contractor was initiated in December 2017. The contractor had been an active CHA vendor since approximately 2000, primarily receiving contracts through CHA's Private Property Management (PPM) companies. The contractor had performed a variety of work related to unit rehab and had received approximately \$1,862,266 from CHA contracts.

The investigation revealed that the contractor attempted to bribe a PPM employee during a meeting discussing their contracts by placing \$300 in the bag of the PPM employee. The contractor had also previously admitted to doing work on the private residences of several PPM employees at no cost and had been put on notice by the OIG that this was not acceptable.

Based on the contractor's attempt to bribe a PPM employee and their prior history of similar misconduct, the CHA OIG recommended the contractor be barred from doing any future work for the CHA and its vendors.

OIG Ref# 2017-10-00031

An investigation involving a CHA HCV participant was initiated in October 2017. The investigation revealed the owner of the HCV unit was the father of two occupants on the

participant's voucher. The participant had resided in the HCV unit since April 2012. From April 2012 through October 2017, the CHA paid the landlord \$61,907 in Housing Assistance Payments (HAP) on behalf of participant's voucher. After being confronted regarding the finding, the owner submitted management authorization forms identifying a family friend as the property's landlord.

Based on the findings, the CHA issued an Intent to Terminate (ITT) letter proposing the termination of the participant's housing assistance. An informal hearing was conducted on 03/15/2018. On 04/05/2018, a decision was entered terminating the participant's housing assistance from the CHA. Due to the participant's removal from the HCV program and several other factors, the findings were not presented for criminal prosecution and the OIG considers this investigative matter to be closed.

OIG Ref# 2018-03-00004

In March 2018, the OIG received a complaint from a CHA HCV landlord that an inspector had solicited business during an HQS inspection of the landlord's unit. The inspector presented himself as a contractor with the ability to convert the landlord's basement to an apartment. The investigation revealed that the landlord signed a contract with the inspector and provided a \$7,250 check as payment. Soon after, the landlord found out that the project would require permits and subsequently canceled the contract due to negligence. The inspector returned \$2,646, and the landlord was seeking legal remedies to recoup the remainder of monies owed.

The investigation determined that the inspector violated the CHA Ethics Policy which specifically states: "Officers and Employees shall engage in no business or financial transaction with any individual, organization or business that is inconsistent with the performance of their CHA duties." The OIG recommend appropriate disciplinary action up to and including his removal from all CHA HCV Inspections and placed on a 'Do Not Rehire' list. The HCV inspection function is outsourced to a CHA contractor.

In June 2018, the OIG was notified by the contractor that the inspector was terminated and placed on a 'Do Not Rehire' list. The OIG considers this investigative matter closed.

F. CLOSED AUDITS AND REVIEWS SYNOPSIS

The investigative team continues to rely heavily on the audit and analytics team for investigative support in financial frauds and forensic accounting matters. This support is critical to allow the OIG to conduct and lead multi-jurisdiction, complex investigations. The audit staff's support on investigative matters will continue to be an integral part of OIG investigations.

The OIG finalized the Occupancy Follow-Up Audit in August 2018. Below is CHA management's response to the audit.

Occupancy Follow-Up Audit

Based on observations and concerns of CHA's Chief Property Officer, the OIG selected a performance audit of CHA's occupancy process.

Of the four observations and recommendations in the original audit report, the OIG determined that all four recommendations were substantially implemented. The below reference table identified the significant reduction in vacancy rate from the audit period to when this follow-up review was conducted.

1. Observation 1: High Vacancy Rate

Table I. Analysis of Vacancy Rate of CHA Traditional Portfolios by Region								
Region	Total Units	Occupied Units	Vacant Units	Unadjusted Vacancy Rate	Exempted Units (Non- Leasable)	Leasable Units	Adjusted Vacant Units	Adjusted Vacancy Rate
REGION 1	4,786	3,742	1,044	22%	855	3,931	189	5%
REGION 2	3,222	2,547	675	21%	518	2,704	157	6%
REGION 3	2,948	2,689	259	9%	59	2,889	200	7%
REGION 4	4,778	3,984	794	17%	379	4,399	415	9%
CHA TOTAL	15,734	12,962	2,772	18%	1,811	13,923	961	7%

Risk Level: High

CHA's vacancy rate, which is graded an "F" may indicate that CHA's occupancy policies and procedures are **not** in compliance with Housing and Urban Development (HUD) requirements.

CHA lacks the controls to accurately monitor and track available units throughout the five regions. This observation shows that there is actual waste.

Recommendation:

- a) CHA should develop a strategic plan and forecast to reduce the number of vacant units, including measurable procedures to manage vacant units and ensure units are back in available status in a reasonable amount of time.
- b) Portfolio Managers and PPMs should conduct quarterly on-site assessments of vacant units in their portfolios.

Current Status Provided by Management:

The Property Office's **Job Order Contracting (JOC) program** is working to turn existing and newly vacated units to ensure availability for new residents. In Q4 2017, JOC conducted assessments of long-term vacant units and found undiscovered conditions which resulted in longer redevelopment periods.

As JOC works to complete the backlog of vacant units, they will be able to more quickly address the newly vacant units which should require less work.

Current Status of Recommendation Evaluated by the OIG: Implemented

2. Observation 2: Units Not Returned to Rent Ready in Allotted Time Risk Level: High

The average amount of time it takes CHA to turn back a vacant unit to leasable status is well beyond the recommended guidelines.

Table II. Average Number of Days a Unit is Vacant at Scattered Sites						
Region	gion Total Occupied Adjusted Number of Average Days of Vac				Average Days of Vacancy	
			Vacancy	Units Selected	for Units Selected	
Region 1	1,433	1,266	128	68	447	
Region 2	570	469	85	29	419	
Region 3	337	302	27	17	352	
Region 4	424	354	53	38	608	
SS Total	2,764	2,391	293	152		

Based on the guidelines for unit turnaround time, CHA would be graded an "F" for unit turnaround time based on the sampled selection. CHA's PPM contract states that unit turnaround time is expected within 20 days.

Recommendation:

- a) See Recommendation 1(a).
- b) The PO should work diligently with PPMs to reduce the average turnaround time depending on HUD's guidelines and a units' condition.
- c) CHA should develop procedures to coordinate and oversee the repair of vacant units and return them to rent ready.
- d) CHA should ensure that PPM's are holding tenants accountable for the damage incurred in their units beyond normal wear and tear, pursuant to lease agreement.
- e) PPM's should have a consistent centralized approach to selecting applicants on the wait list to fill the unit.

Current Status Provided by Management:

Due to Property Management's inability to properly use direct procurement for unit turns, JOC is now responsible for turning all units (old, new, and significant rehab), which has slowed progress of completing the back log.

The Chicago Housing Authority, in conjunction with The Gordian Group, set out to establish a Job Order Contract program exclusively for Section 3 business interests. In 2016 the CHA and the Gordian Group developed a Request for Proposals (RFP) in which certified Section 3 Contractors meeting a predefined set of minimum requirements were qualified and awarded a Job Order Contract with CHA. The program originally awarded contracts to 46 Section 3 Job Order Contractors in 2016 and in 2017 expanded to include 107 Section 3 Contractors.

This more than doubled the vendor pool and allowed the CHA to not only expand the opportunity to more Section 3 businesses, but also take on more critically needed renovations and repair tasks at CHA properties across the City. This expansion of participation was a critical part of the CHA reaching 90% occupancy in 2017 for the first time in decades by renovating more than 500 units. We anticipate completion of the backlog by Q4 of 2018.

Current Status of Recommendation Evaluated by the OIG: Implemented

3. Observation 3: Vacant Units Slated for Modernization / or Make Ready Are Not Completed Within Reasonable Time

The renovation for some of these units have been ongoing for years. As shown in the following table (Table III), 188 units were vacant for over one year.

Risk Level: High

Table III. Vacancy for Modernization or Major Repairs Days		
Number of Years Units Vacant	Total Units	
Greater than 4 Years.	15	
Between 3 Years and 4 Years	15	
Between 2 Years and 3 Years	39	
Between 1 Year and 2 Years	188	
Between 50 days and 1 Year	538	
Total Units Under Modernization or Make ready	795	

Recommendation:

- a) See Recommendation 1(a)
- b) See Recommendation 2(c)
- c) CHA should reallocate necessary resources for repair and modernization of units to rent them out efficiently.
- d) CHA should monitor and inspect construction and repair work conducted by contractors and sub-contractors to ensure that work is carried out effectively. *

Current Status Provided by Management:

Below reflects an updated Vacant Units by Category

Time Frame	Number of Vacant Units
Greater than 4 Years	23
Between 3 Years and 4 Years	9
Between 2 Years and 3 Years	45
Between 1 Years and 2 Years	63
Between 50 days and 1 Year	453
Total Vacant Units	593

Data comparison

Time line	During the Audit	Currently	Difference
Greater than 4 Years	15	23	+8
Between 3 Years and 4 Years	15	9	-6
Between 2 Years and 3 Years	39	45	+6
Between 1 Years and 2 Years	188	63	-125
Between 50 days and 1 Year	538	453	-85

- Greater than 4 years increased by 8 units due to unforeseen conditions found in long term vacancies.
- Between 3 years and 4 years decreased by 6 units.
- Between 2 years and 3 years increased by 6 units due to unforeseen conditions found in the units
- Between 1 years and 2 years decreased by 125 units
- Between 50 days and 1 years decreased by 85 units

In 2017 the Occupied Unit Count increased by more than 300 units.

2017 Total Move-Ins	2017 Total Move-Outs	2017 Net Move-Ins
2,115	1,787	328

Current Status of Recommendation Evaluated by the OIG: Implemented

* We did not test the effectiveness of works performed by the contractors and sub-contractors.

4. Observation 4: Lack of Data Consistency

The PO uses two sets of data for the same process, making it challenging to audit CHA's vacancy rate using the Yardi system.

Risk Level: High

Recommendation:

- a) Establish a written procedure regarding the classification of vacant units based on HUD guidelines.
- b) The PO should consider cleaning current data in Yardi using the same criteria that the PO has used when scrubbing data that is sent to HUD.

Current Status Provided by Management:

Property Office continues to clean exception reports on a weekly basis to ensure that Yardi data is reflected accurately.

Current Status of Recommendation Evaluated by the OIG: **Substantially Implemented**. The Yardi data cleanup was implemented. Property Office emphasized adherence to HUD

procedures pertaining to exempt status for vacancy requirements. They did not however establish internal written procedures.

G. ANALYTICS

The following are significant data analytic projects for this quarter:

Registered Sex Offender List Analysis

As part of a quarterly analysis, the OIG continues to identify the number of lifetime registered sex offender names (offenders) listing a public housing or HCV address, pursuant to the *Quality Housing and Work Responsibility Act of 1998 (Section 578)*.²

Quarter 3 Results

The OIG found 14 lifetime registered sex offenders who listed CHA addresses on the registry for this quarter. Seven of these individuals were identified in previous quarterly analyses. One of the seven additional individuals was listed as a CHA household member. Five offenders registered at the same address as an HCV participant and were not listed as household members to the according participant's voucher. This indicates that these CHA participants may have unauthorized occupants living in their unit. As a result, HCV sends each participant a notice requesting proof of residency for the offender and must provide documentation showing the subsidized address has been removed from the registry.

There was one newly registered sex offender who listed a Project Based Voucher unit on the registry and who is a CHA head of household.

Status from Previous Quarterly Analyses

Enforcement Action	Total (67)
Terminated	4
Settlement Agreement	1
Under Eviction	2
PAC Agreement or	14
Warning Notice	
ITT issued	0
Document Outstanding	13
Notice Sent	
No Further Action	33

² This Act became effective on June 25, 2001.

H. LAW ENFORCEMENT AND OIG PARTNERSHIPS

Throughout the year, the OIG staff participate in various professional meetings and seminars, in order to share intelligence, discuss case information, and obtain training. Below are three meetings that staff attended this quarter.

Executive Leadership Group meets on a quarterly basis to discuss various issues related to the participating agencies. The group is comprised of law enforcement executives from various federal agencies. The Deputy IG attended a meeting on 07/17/18 at the US Department of Labor, Office of Inspector General.

<u>Illinois Fraud Working Group</u> is a quarterly meeting of law enforcement investigators and provides presentations, training, and discussion of fraud matters within the Chicago area of responsibility. Attendees include representatives from federal and state law enforcement agencies and many of their related OIGs; the US Attorney's Office; and the Illinois Attorney General's Office.

<u>Benefits Fraud Working Group</u> is sponsored by the Cook County State's Attorney's Office (CCSAO) and meets on a regular basis. The OIG investigators attended the meeting on 07/16/18 to discuss the status of current CHA OIG Benefits Fraud cases with prosecutors from the CCSAO.

In addition to the regular meetings above, the OIG staff attended the following two trainings this quarter.

Cook County State's Attorney's Regional Organized Crime Conference

The OIG staff attended this conference on September 5th & 6th that was held in Oak Brook, IL. The training covered Bank Fraud schemes; Interrogation Techniques; Intelligence Work: Connecting the Dots; Open Source/Social Media Investigations; and Money Laundering. Presenters were from the US Secret Service, FBI, Cook County Sheriff's Office; Cook County State's Attorney's Office; Walgreens; University of Chicago; and others.

11th Annual Chicago Intelligence Training Seminar

The OIG staff attended this seminar on September 19th & 20th, hosted by the Drug Enforcement Agency. In attendance were investigators and intelligence analysts from over 30 federal, state, and local law enforcement agencies and corporate security entities. A variety of topics were covered, including trends on Chicago gun violence, investigative resources, and electronic communications. The Deputy IG and an OIG analyst gave a presentation on the overview of the CHA OIG. Topics in this presentation included an overview of the Chicago Housing Authority; CHA OIG structure; OIG as a Law Enforcement Partner; OIG Investigations; and recent joint cases with other Law Enforcement Partner agencies.