

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
ADMINISTRATION, OPERATIONS AND MANAGEMENT  
**OFFICE OF HEARINGS AND APPEALS**

The Office of Hearings and Appeals (OHA) is an independent judicial office within the Office of the Secretary. The OHA is headed by a Chief Administrative Law Judge, appointed by the Secretary, who supervises the judges and the administrative support staff. OHA judges conduct hearings and make determinations regarding formal complaints or adverse actions initiated by HUD, based upon alleged violations of federal statutes and implementing regulations. These statutes include: the Fair Housing Amendments Act of 1988, the Program Fraud Civil Remedies Act, the Deficit Reduction Act of 1984, the Debt Collection Improvement Act of 1996, etc. OHA hearing procedures are governed by HUD regulations, and are guided by the rules applicable to trials in federal court. In each case, the judge seeks to make a fair and impartial decision based upon the law, and the facts established by the evidence.

In fiscal year 2013, OHA requests \$1.765 million which includes 10.5 FTE and \$190,000 in non-personnel services (NPS) to achieve its mission. The Office of Fair Housing and Equal Opportunity (FHEO), the Departmental office responsible for OHA's most complex and time-consuming cases, has projected a 25 percent increase in the number of cases to be charged in fiscal year 2013 over those charged in fiscal year 2012, with a particular increase of 50 percent in the number charged in the first three quarters. Charges generated by FHEO are expected to result in a workload increase of at least 25 percent for OHA Judges and support staff, with the burden mostly allocated to OHA's Administrative Law Judges who will be responsible for the new case assignments, some of which will cover areas previously not litigated by the Department. The remaining case workload (that resulting from programmatic areas other than FHEO) is expected to increase by 10 percent over fiscal year 2011.

Administration, Operations and Management-Office of Hearings and Appeals

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	FY 2010 Actual	FY 2011 Actual	FY 2012 Enacted	FY 2013 Request	Increase/Decrease compared to 2012
Personal Services	\$1,391,007	\$1,403,059	\$1,480,000	\$1,575,000	\$95,000
Non-Personal Services:					
Travel	117	860	56,000	100,000	44,000
Printing	-	104	-	-	-
Other Services	203,447	148,126	164,000	90,000	(74,000)
Supplies	1,210	2,114	-	-	-
Furniture	465	-	-	-	-
Subtotal Non-Personal Services	\$205,239	\$151,204	\$220,000	\$190,000	(\$30,000)
Total	\$1,596,246	\$1,554,263	\$1,700,000	\$1,765,000	\$65,000
FTE	10.0	10.0	10.0	10.5	0.5

OHA is requesting 10.5 FTE’s for fiscal year 2013 and \$1.765 million; this is an increase from fiscal year 2012 of 0.5 FTE and a total reduction in non-personnel services of \$30 thousand.

OHA requests travel dollars to provide the necessary resources for judges to preside over mandated hearings and appeals as required by law and Departmental Regulations. Because of workload issues, in fiscal years 2010 and 2011 HUD contracted with the Environmental Protection Agency to hear cases that HUD could not adjudicate, resulting in few travel expenses for OHA. OHA anticipates increased travel expenses in fiscal years 2012 and 2013 as OHA judges take on more cases involving travel to hearings. In some instances, OHA judges are required to travel to adjudicate hearings due to the needs of the complainant. OHA is balancing the increase in travel expenses with a corresponding decrease in Other Services spending.

Other Services funding will primarily support establishment of a legal case management system and commercial legal research services. The ability to effectively track, research, and monitor the life cycle of cases—to include a complete electronic archive of completed actions—is essential for this office. Once this system is implemented, costs for it will decrease as travel expenditures increase. Other Services funding will also provide other general support to include visual arts or graphics services.



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December 18, 2011