April 14, 2023

To Chairperson Hurlock, Vice-Chairman Brewer, and Distinguished Members of the Finance and Audit Committee:

Enclosed is the 2023 First Quarter Report on the activities of the Chicago Housing Authority (CHA) Office of the Inspector General (OIG) from January 1, 2023, through March 31, 2023. Pursuant to the OIG Charter, this report contains statistical information and summaries of OIG investigations, audits, and other activities.

Highlights of OIG work this quarter include the following:

- **Release of OIG's Audit of CHA Tracking and Management of Vacant Public Housing Units** – The OIG's audit identified persistently high vacancy rates for CHA public housing units, including units that had been vacant for a long period of time without documented reasons. The impact of extended vacancies is particularly harmful at scattered sites, where a unit may be a single family home. While a significant number of CHA units are vacant for justifiable reasons, including the necessary redevelopment of entire properties, CHA should work to ensure the timely disposition or rehab of units that are currently uninhabitable.

- **$115,820 in Court Ordered Restitution** – This quarter, two OIG investigations resulted in criminal convictions and court orders for restitution to the CHA. Both cases involved falsifications and concealment of income, assets, and family composition to defraud the HCV program.

- **OIG Provided Significant Support For the Federal Trial of Robert Kowalski** – OIG investigators provided significant support to the federal investigation of the collapse Washington Federal Bank for Savings and Kowalski's role in embezzling funds and concealing his assets from creditors. OIG helped to prep and present two CHA staff to testify at trial to explain key CHA records showing the income Kowalski received as an HCV landlord.
• **OIG Senior Investigator Edward J. Maloney Appointed Associate Judge of the Circuit Court of Cook County** - In March 2023, Senior Investigator Ed Maloney was one of 22 attorneys selected in a vote of Cook County Circuit Court judges to serve as an Associate Judge. Ed had worked for the OIG for more than two years following a 30-year career as an Assistant States Attorney for Cook County. His appointment is a testament to the remarkable experience and integrity of our OIG staff as a whole. We are all so proud of Ed and gratified that he will continue his public service in this new role.

• **OIG Analytics Resulted in Two Management Advisories** – the advisories addressed internal procedures to better prevent employee conflicts of interest and recommendations to facilitate procurement integrity monitoring. These advisories will be summarized in next quarter's report once management has had an opportunity to respond.

Finally, I want to thank the CHA Board of Commissioners for its continued commitment to effective oversight and its willingness to afford the OIG with the necessary powers, resources, and independence to do this work. I am also appreciative of CHA management's willingness to engage in frank and productive dialog to identify solutions wherever possible. The OIG staff are deeply committed to promoting integrity, transparency, and effectiveness at CHA, all in the service of the overarching mission of providing safe and affordable housing.

As always, please do not hesitate to contact me directly with any questions, concerns, or suggestions at krichards@thecha.org or 312-913-7114.

Respectfully submitted,

Kathryn B. Richards
Inspector General
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Mission

The OIG is an independent oversight agency, created by the CHA Board of Commissioners, to promote economy, efficiency, and integrity in the administration of programs and operations of the Chicago Housing Authority. The OIG achieves this mission through:

- Criminal and Administrative Investigations
- Investigative Support to Partner Agencies
- Performance Audits
- Program Reviews & Advisories
- Analytics
- Training and Fraud Prevention
- Communications and Outreach

The OIG partners with law enforcement agencies to pursue criminal prosecutions of fraud or other crimes affecting the CHA. In administrative matters, the OIG issues reports of findings and recommendations to ensure that CHA participants and residents are in compliance with program requirements, and that officers, employees, and vendors are held accountable for operating with integrity and running an efficient, cost-effective operation. Through audits, reviews, and analytics, the OIG seeks to prevent, detect, and eliminate fraud, waste, abuse, and misconduct in CHA’s programs and operations. Finally, through training, communications, and outreach, the OIG seeks to prevent fraud and other misconduct, raise awareness of common fraud indicators, and provide multiple avenues for reporting such concerns to ensure the CHA remains responsive and accountable to its stakeholders.

Ultimately, the OIG seeks to ensure the CHA is best equipped to serve its overarching mission to "leverage the power of affordable, decent, safe, and stable housing to help communities thrive and low-income families increase their potential for long-term economic success and a sustained high quality of life."
Professional Standards

OIG INVESTIGATIONS

The OIG conducts investigations in accordance with the Association of Inspectors General Principles and Standards for Offices of Inspectors General (the "Green Book"), 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. Additionally, the OIG always exercises due professional care and independent, impartial judgment in conducting investigations and the issuance of reports and recommendations.

OIG AUDITS & PROGRAM REVIEWS

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 (the "Yellow Book").

Yellow Book 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, staff qualifications, direction and control, confidentiality, and quality assurance.

Every three years, the OIG submits to an independent peer review conducted by members of the national Association of Inspectors General to ensure compliance with these governing standards.

The CHA OIG has been found to meet all relevant standards in each period reviewed, including the most recent review, which encompassed OIG’s work for the years 2019-2021. The CHA OIG's next peer review will occur in 2025.
Complaints

The OIG accepts complaints through its online web portal, by email, telephone hotline, employee complaint drop boxes, and in-person reports. Complainants may choose to remain anonymous. The OIG initiates investigations, reviews, and audits in response to complaints or concerns it receives or upon the OIG’s initiative. Following a preliminary review and assessment of the complaint, OIG staff make a determination on whether to open an investigation or other matter. Matters may be declined for a variety of reasons including but not limited to: insufficient information, lack of jurisdiction, or no violation presented.

The OIG received 219 complaints in the first quarter of 2023. Of those complaints, the OIG opened 6 for investigation, referred 119 complaints to various relevant CHA departments and outside agencies; provided investigative support to internal and external stakeholders in response to 8 complaints, and declined 71 complaints. At the end of the quarter, 15 complaints remained pending for evaluation.

Below are a series of tables showing statistical information on the OIG complaints received in the first quarter of 2023.
Complaints by Disposition

Investigation 125
Investigative Support 100
Referred 75
Declined 50

Subjects of Complaints

Program participants 200
Contractor 150
Employee 100
Other 50

Investigative Support

The OIG regularly receives requests from various external and internal partners for investigative support on matters within the OIG's jurisdiction. These requests often take the form of discrete requests for information, due diligence, or data analysis. In the first quarter of 2023, the OIG provided investigative support in response to 1 complaint from the Illinois Department of Health and Family Services OIG and 7 requests for support from CHA Resident Services Healthcare Partnerships.
Investigations

An OIG investigation may be administrative, criminal, or both. Administrative investigations generally involve violations of HUD regulations and/or CHA rules, policies, or procedures. An administrative case is sustained if the preponderance of the evidence establishes a violation or the case identifies a particular issue that warrants an advisory to CHA management. For sustained administrative investigations, the OIG produces either an advisory or summary report of investigation with findings and recommendations for appropriate disciplinary, administrative, or other action to the CEO and the impacted department. The OIG will report management’s response in each quarterly report.

In criminal investigations, if there is sufficient evidence for potential prosecution, the OIG presents the evidence to a prosecuting agency for review. Investigations that result in criminal charges are reported to CHA management and the Finance and Audit Committee. A criminal matter that results in a final criminal conviction is closed sustained.

A case is not sustained when the OIG concludes that the available evidence is insufficient to prove a violation under applicable burdens of proof. A case is closed with no further action warranted ("closed -NFA") when, in OIG’s assessment, the matter has been or is being appropriately addressed by another agency or department, the matter was consolidated with another investigation, or, the OIG determines that no further investigative action is warranted based on the specific circumstances presented.

Investigations Closed During the Quarter

In the first quarter of 2023, the OIG closed 15 investigations. Of those cases, 6 were sustained, 5 were not sustained, and 4 closed with no further action warranted. Of the sustained cases, 3 were sustained for administrative violations, and 3 were sustained with a criminal conviction.
Disposition of Closed Investigations

Closed Criminal and Administrative Cases

Pending Criminal and Administrative Investigations

At the close of the first quarter, the OIG had a total of 59 pending investigations. Of the 59 pending investigations, 37 are administrative and 22 criminal.
Investigations Not Concluded Within Six Months

Under the Office of the Inspector General Charter, the OIG must provide statistical data on pending investigations/matters open for more than six months. Of the 59 open investigations, 50 have been open for at least six months. The following table shows the reasons why these matters remain open.

<table>
<thead>
<tr>
<th>Reasons</th>
<th>Number of Investigations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complex investigations, generally involve difficult issues of multiple subjects and/or under review by prosecuting agency</td>
<td>24</td>
</tr>
<tr>
<td>Indicted cases, but no criminal disposition</td>
<td>7</td>
</tr>
<tr>
<td>On–hold or delayed due to other ongoing time-sensitive investigations</td>
<td>19</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>50</strong></td>
</tr>
</tbody>
</table>

Recoveries

This quarter, the OIG secured two new orders of restitution for the CHA following fraud on the HCV program. The OIG received actual funds from two defendants.

<table>
<thead>
<tr>
<th>Case Name</th>
<th>Date of Restitution Order</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>People v. Townsend, 22–CR-0017401 (Cook Cty Cir. Ct.)</td>
<td>1/12/23</td>
<td>$106,634</td>
</tr>
<tr>
<td>People v. Carney, 21–CR-1492801 (Cook Cty Cir Ct)</td>
<td>3/31/23</td>
<td>$9,186</td>
</tr>
<tr>
<td><strong>Q1 Total Ordered</strong></td>
<td></td>
<td><strong>$115,820</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Case Name</th>
<th>Date of Restitution Payment</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>People v. Hawthorne, HCVP #9708719; (Cook Cty. Cir. Ct.)</td>
<td>3/14/23</td>
<td>$500</td>
</tr>
<tr>
<td>People v. Wanda Goodloe, 16–CR-0628801, (Cook Cty. Cir. Ct.)</td>
<td>3/13/23</td>
<td>$200</td>
</tr>
<tr>
<td><strong>Q1 Total Received</strong></td>
<td></td>
<td><strong>$700</strong></td>
</tr>
</tbody>
</table>
Criminal Case Summaries

This quarter, OIG investigations resulted in two guilty pleas and sentencing of two defendants. A third investigation resulted in a guilty verdict following a nearly four-week long jury trial. All three matters have been closed sustained. These cases are summarized below.

At the end of the first quarter of 2023, 9 OIG criminal investigations were pending in court, including one investigation that resulted in two separate criminal indictments. The chart below outlines the status of those cases.

**Guilty Plea and Sentencing of Former HCV Landlord Lanell Townsend**

*People v. Townsend, 22-CR-0017401 (Cook Cty Cir. Ct.), OIG # 2017-06-00003*

On January 12, 2023, Lanell Townsend, a former HCV landlord, pleaded guilty in the Circuit Court of Cook County to one count of theft by deception greater than $100,000, relative to a scheme to defraud the CHA. He was sentenced to 12 months’ probation and ordered to pay restitution to the CHA in the amount of $106,634, including $20,000 payable on the date of the plea. On the same day, Townsend tendered the $20,000 payment in court.

The CHA OIG’s investigation, worked in conjunction with the U.S. Department of Housing and Urban Development (HUD) OIG, revealed that, from approximately February 2010 to January 2020, Townsend fraudulently received Housing Assistance Payments (HAP) as an HCV landlord by residing with the HCV participant and their daughter in two subsidized properties that he owned.

First, from February 2010 through May 2015, Townsend received payments from the CHA as a landlord for a property he owned in Chicago, IL. Later, from May 2016 to January 2020, Townsend received payments from the Housing Authority of Cook County (HACC) as a landlord for a property he owned in Sauk Village, IL. For both properties, he failed to disclose he resided with the HCV participant and was the father of a minor occupant on the voucher. While receiving HAP for the property in Sauk Village, HACC administered the voucher, but the CHA was still responsible for the HAP funds. In total, Townsend fraudulently received HAP totaling over $106,000.

Prosecution of the matter was handled by the Illinois Attorney General’s Office, Special Prosecutions Bureau. The CHA OIG investigation is now closed.
On March 10, 2023, Robert M. Kowalski, an attorney, real estate developer, and former CHA HCV landlord, was found guilty by a federal jury in the U.S. District Court of the Northern District of Illinois, on two counts of embezzlement, six counts of bankruptcy fraud, and seven counts of tax fraud, following a nearly four week-long trial. Kowalski served a key role in the embezzlement scheme which caused the collapse of the Washington Federal Bank for Savings in Chicago’s Bridgeport neighborhood.

Kowalski was a CHA landlord from 2011 until 2018. Kowalski conducted business with the CHA through limited liability corporations including Indomitable LLC, Piorun Properties LLC, and Mountain Duck Properties LLC. From 2011 through 2018, these entities were paid over $2,000,000 in Housing Assistance Payments (HAP) on behalf of CHA participants.

As it relates to the CHA, Kowalski concealed from his bankruptcy creditors his interest in Mountain Duck Properties and five related land trusts. Between March 2018 through March 2019, Kowalski collected approximately $34,600 in rent checks, which he concealed from his creditors, and understated income on related tax returns. In addition, the embezzlement, in part, involved the improper diversion of property to Kowalski, which he subsequently leased to HCV participants for his own benefit.

The CHA OIG worked in partnership with the U.S. Attorney's Office and federal law enforcement agencies, including, but not limited to, HUD OIG, the IRS Criminal Investigation Division, and the FBI.

Additionally, the OIG thanks the two CHA employees in the HCV and Finance departments who were called to testify as to CHA records at trial. Both individuals represented the CHA with the highest degree of professionalism.

Kowalski’s sentencing is set for June 2, 2023. Kowalski could face a sentence of up to 82 years in federal prison. The CHA OIG has closed this matter but will monitor the outcome of Kowalski’s sentencing.
Sentencing of Former HCV Participant Jeanette Carney
People v. Carney, 21-CR-1492801 (Cook Cty Cir Ct), OIG # 2019-08-00024

On March 31, 2023, Jeanette Carney, a former HCV participant, was sentenced in the Circuit Court of Cook County to 30 months’ felony probation and ordered to pay restitution to the CHA in the amount of $9,186, for her scheme to defraud the CHA. Carney had previously pleaded guilty to one count of wire fraud, a Class 3 felony, on March 2, 2023.

The OIG’s investigation revealed that from August 2015 through November 2021, Carney fraudulently received housing benefits totaling over $90,000 by failing to report her husband, David Thompson, as a household member or his income from employment with the City of Chicago. Additionally, Carney falsely reported four dependents, a daughter and four grandchildren, who did not reside in the unit. This resulted in additional loss to the CHA. The evidence shows Carney had reported between $4,680 and $21,600 in annual household income since 2015. In fact, evidence shows that Carney’s husband, a former laborer with the City of Chicago Department of Transportation, earned as much as $94,000, annually, while residing with Carney. Carney’s husband reported each HCV unit address to his employer, on signed City of Chicago employee residency affidavits.

Carney had been indicted on December 1, 2021, in a five-count indictment for Class 1 felony theft, wire fraud, and forgery. Prosecution of the matter was handled by the Illinois Attorney General’s Office, Public Integrity Bureau.

The OIG also referred this matter and relevant non-grand jury records to the HCV department for appropriate administrative action. HCV terminated the voucher in 2022 following an administrative hearing. The CHA OIG investigation is now closed.
## OIG Criminal Cases Pending in Court

At the end of Q1 2023, the OIG had 9 criminal cases pending in court.

<table>
<thead>
<tr>
<th>Case Name</th>
<th>Indictment</th>
<th>Summary of Charges</th>
<th>Scheme</th>
<th>Updates</th>
</tr>
</thead>
</table>
Sustained Administrative Case Summaries

The following summaries provide information regarding sustained administrative investigations and any management response received within 30 days of the matter's closing. An administrative investigation is sustained if a preponderance of the evidence establishes a violation of law, policies, rules, or regulations or finds waste or inefficiency. In such cases, the OIG issues recommendations to management for enforcement action, discipline, debarment, or other corrective action.

Abandonment of HCV Unit, Failure to Disclose Homeownership and Business Income, OIG #2021-1000035, HCV Participant

An OIG investigation found that an HCV participant failed to notify the CHA that they had been residing in a house the participant owned in Oak Park, Illinois, since approximately 2021. The participant failed to report income from the real estate asset and further failed to report business income, which was the purported basis for the participant’s application for two Paycheck Protection Program (PPP) loans.

In response, the HCV department initiated the process to terminate benefits.

Abandonment of HCV Unit Due to Incarceration, Failure to Disclose Income, OIG #2021-09-00062, HCV Participant

An OIG investigation found that an HCV participant failed to notify the CHA of long periods of incarceration and was therefore not residing in their subsidized unit for significant periods of time. The incarceration was the result of a series of four convictions, including two for identity theft. The participant, who was associated with multiple social security numbers, also failed to report business income, which was the purported basis for the participant’s application for two Paycheck Protection Program (PPP) loans.

In response, the HCV department initiated the process to terminate benefits.
Audits and Reviews

Closed Audits

The OIG closed one audit during the first quarter of 2023. The OIG's Audit of CHA's Tracking and Management of Vacant Public Housing is summarized below.

Draft Audits Issued

The OIG issued a draft Audit of the HCV Abatement Process. The audit is expected to be closed by the end of next quarter.

Pending Audits

The OIG is currently working on two pending audits. The Procurement Reform Task Force Audit is expected to be finalized by the end of Q2 2023. The Mixed Finance/Mixed Income Property Rent Collection Audit is expected to be finalized by the end of Q3 2023.

The OIG appreciates CHA management for its willingness to engage in the audit process and continue to improve CHA programs.

Audit of CHA's Tracking and Management of Vacant Public Housing

On March 10, 2023, the OIG issued a performance audit of CHA's management of its vacant housing stock, with a focus on scattered site public housing units. The audit reviewed CHA public housing vacancy rates as of September 2021 as compared to December 2016, when the OIG last audited CHA’s occupancy and vacancy rates. The audit further sought to determine whether CHA has adequate controls to ensure scattered site properties are monitored, repaired, and put back into service promptly. Finally, the audit assessed whether CHA complies with the City of Chicago's vacant building registration ordinance and requirements regarding the maintenance of vacant buildings.

The OIG initiated this audit in response to a complaint received in July 2021 regarding a CHA scattered site property, a single-family home that has been vacant for more than 10 years, as well as OIG’s preliminary review of CHA records, which suggested that CHA’s long-term vacancy rates had increased compared to 2016 when the OIG last audited CHA’s vacancy rate.

The full audit report may be located on the OIG's website: https://www.thecha.org/about/office-inspector-general/oig-audits
Summary of Audit Findings

1. CHA’s public housing vacancy rate as of September 1, 2021, remained very high.
   a. CHA’s vacancy rate remained very high at 14.63% as compared to the HUD national standard of 4%.
   b. Units remained vacant for an extended period of time with no documented reason.
   c. Scattered site vacancy rates were consistent with vacancy rates for the entire PH portfolio.

2. CHA’s internal methodology for tracking and calculating its vacancy rate was inconsistent with HUD methodologies for measuring vacancy rates during the audit period.
   a. CHA’s inconsistent classification of vacant units resulted in discrepancies between the data reflected in CHA’s Yardi database and HUD’s IMS/PIC reporting system, used to track public housing metrics nationwide.

3. CHA was not in compliance with the City of Chicago’s Vacant Buildings Ordinance.
   a. CHA had not registered its vacant buildings with the Chicago Department of Buildings.
   b. In a sampling of vacant scattered site units, 31% were observed to be not properly secured or maintained.

Summary of Recommendations

The OIG recommended that CHA take the following actions:

- Develop clear, written procedures and benchmarks to accurately track and manage all vacant units to ensure units are returned to the rent roll in a reasonable time or appropriately disposed of.

- Establish a dedicated process to regularly review long-term unit vacancies, including those approved as vacant by HUD, to ensure progress is made in rehabbing, developing, or disposing of properties.

- Develop written procedures regarding the classification of vacant units and methodology for reporting vacancy rates to ensure transparency and accountability in CHA reporting.
• Work with the HUD Field Office to submit the necessary applications to HUD for approval to classify units as Demo-Disposition, Modernization, and Litigation, as appropriate, to ensure CHA reporting in PIC is accurate and consistent with internal Yardi records.

• Develop internal procedures to ensure CHA Property and Asset Management staff monitors and manages PPMs' performance of their obligations to register vacant buildings with the City of Chicago DOB and to secure and maintain vacant properties in accordance with the City of Chicago municipal code.

Summary of Management's Response

Findings 1 and 2 - Management did not concur with the findings and recommendations.

Management responded that it "strongly objects to the characterization that CHA uses its own formulae for calculating occupancy. While the OIG may question the soundness of HUD's methodology, CHA must continue to use and comply with HUD's prescribed MASS methodology for calculating and reporting vacancy rates. HUD's definitions and classification of unit status (HUD PIH Notice 2021-35) are incorporated in CHA's system of record, Yardi."

Additionally, management stated, "[s]ince the 2021 study period, CHA has substantially improved occupancy of leasable units and has implemented several measures to monitor, track and incentivize PPMs to reoccupy units." The response further suggested that, "of the 1,019 long-term vacancies noted, most are [likely] due to units under development or comprehensive rehabilitation projects."

The response continued: "In accordance with HUD PIH Notice 2021-35 which was issued after the 2021 study period, CHA has submitted, and HUD has approved all PIC classifications for CHA units (as of December 2022). CHA has also begun implementation of procedures consistent with HUD's classifications and requirements."

Finding 3 - Management concurred in part.

Management stated, "CHA has registered properties it believes fall within the scope of City of Chicago ordinance requirements. Management will continue to regularly evaluate PPMs' performance under their contractual obligations which include securing and maintaining properties."
Management Advisories and Memos

OIG management advisories and memos seek to notify the CHA of various management and operational issues identified by OIG through analytics, audits, or investigations. The OIG provides advisories to describe opportunities to strengthen program administration, improve program controls, or eliminate waste or inefficiencies.

This quarter, the OIG issued two advisories and one management memo. These will be summarized next quarter to allow management time to respond.

- **OIG Advisory #26 -- Tracking, Disclosure, and Handling of CHA Employee-Participants and Other Housing-Based Conflicts of Interest**

- **OIG Advisory #27 -- The Need for Accurate, Complete, and Reliable Procurement Data to Facilitate Proactive Fraud Monitoring and Procurement Integrity**

- **Management Memo -- Indictment of Alex Nitchoff, Owner of CHA Contractor Oakk Construction**
The OIG had a 42% increase in complaints received in Q1 2023 from Q4 2022.

The OIG secured 2 new orders of restitution, totaling $115,820.

The OIG closed 15 investigations in Q1 2023.

The OIG reduced its backlog of pending cases by 40% from Q1 2022 to Q1 2023.
The Office of the Inspector General (OIG) is an independent body within the Chicago Housing Authority (CHA). Its purpose is to investigate and audit matters concerning fraud, theft, waste, abuse, and misconduct within or affecting CHA. The OIG promotes economy, efficiency, and integrity in the administration of programs and operations of CHA. The OIG ensures that violations are investigated and prosecuted, as they relate to CHA residents and employees, contractors, subcontractors, or any entity receiving funds from CHA.

For more information regarding this report, please contact
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Chicago, IL 60605

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