



OFFICE OF THE INSPECTOR GENERAL

Montgomery County, Maryland



MEMORANDUM OF INVESTIGATION

TO: Kayrine Brown
Acting Secretary-Treasurer and Executive Director
Housing Opportunities Commission

Roy O. Priest
Chair
Housing Opportunities Commission

FROM: Megan Davey Limarzi, Esq. *ML*
Inspector General

DATE: August 11, 2021

SUBJECT: Investigation Involving the Misuse of HOC Vehicles

The Office of the Inspector General (OIG) recently concluded an investigation to determine if a Housing Opportunities Commission (HOC) Senior Facilities Manager inappropriately used their assigned HOC vehicle for personal use. We found that the employee used an HOC vehicle to transport trash and other household items from their residence to a transfer station, seemingly in violation of HOC's intended limited use restrictions. While HOC policy permits employees to use an agency vehicle for "necessary" personal travel while on-call, and only if they do not have access to another vehicle, the policy does not define what constitutes a necessity. The lack of clarity and/or enforcement of established policies regarding the personal use of HOC vehicles could lead to excess costs and increased liability for HOC.

Background

This investigation was predicated on a complaint alleging that a box truck bearing a local government license plate was used to move trash, furniture, and other items from a private residence in Gaithersburg, MD. The complainant further alleged that the vehicle had been utilized to transport wood, cement, and other building materials to the residence. Lastly, the complainant alleged that other pick-up trucks bearing local government license plates have occasionally been parked at the residence for several consecutive days and questioned if the vehicles could be better utilized.

A query of County Department of General Services records revealed that the two vehicles noted in the complaint were owned by HOC. Management at HOC confirmed that one of the vehicles was assigned to a Senior Facilities Manager. As a Senior Facilities Manager, the employee is on-call 24 hours a day and seven days a week to respond to emergencies.

HOC's *Safe Driver and Vehicle Operations Procedure* (Safe Driver Policy) states that "use of an Agency-owned or leased vehicle by any employee, registered volunteer, or contractor for

activities not related to an assigned HOC activity is prohibited”¹ except under the following conditions:

“An employee... who is assigned on-call duty and who leaves their own vehicle at an HOC facility and takes an Agency-owned or leased vehicle to carry out their on-call assignment may use ... vehicle for non-HOC activities” for “necessary personal travel in the vicinity of their primary residence if they do not have access to another vehicle.”²

The Safe Driver Policy further mandates that employees “maintain a record of starting and ending milage and the purpose of each trip using the Agency-owned or leased vehicle.”³

Inquiry and Investigation

During an interview with the OIG, the subject HOC employee admitted that in preparation for an upcoming move, they used their assigned HOC vehicle to move furniture and other items, such as a treadmill, from their home to a transfer station on their way to work. The employee said they typically do not notify supervisors prior to making quick stops on their way to or from work in their assigned vehicle. The employee shared that they also occasionally make personal stops at Home Depot on their way home from work. The employee provided that they previously used their assigned vehicle to pick up pavers for a project they were doing in their front yard. The employee noted that their personal use was limited to these types of quick stops.

In a separate interview, the subject employee’s supervisor stated that they were aware of the employee’s personal use of the vehicle to move furniture and other large items from their house to a transfer station. The supervisor noted that they learned of the employee’s use of the vehicle through a “casual conversation” with the employee. The supervisor contended that if the employee had formally requested permission to use the vehicle in this manner, the supervisor would have forwarded the request to the Executive Director. The supervisor told OIG investigators that they did not seek additional approval on behalf of the employee because these types of “smaller errands” have historically been approved for those using take-home or on-call vehicles. Further, the supervisor provided that though HOC policy requires staff to maintain a record of mileage associated with personal use, this has not been enforced.

Conclusion and Recommendation

It appears from discussions with HOC staff and from what we learned in conducting this investigation that HOC has lax enforcement of established vehicle policies and weak oversight of vehicle usage. Additionally, HOC policy is vague in that it permits personal use of a vehicle by on-call staff when “necessary” but fails to define or provide examples of what constitutes necessary travel.

Although hauling personal items to a transfer station and stopping by Home Depot to purchase items for a project at an employee’s personal residence would likely not be considered necessary, the ambiguity of the policy makes it difficult to enforce. These conditions could lead to HOC

¹ Housing Opportunities Commission, *Safe Driver and Vehicle Operations Procedure*, p. 8.

² Ibid.

³ Ibid.

Memorandum of Investigation

August 17, 2021

Attachment: HOC Response to OIG MOI #22-02

incurring needless expenses related to maintenance and fuel charges. The HOC could also be subjecting itself to substantial liability risks by not managing the use of HOC vehicles. We recommend that HOC clarify the *Safe Driver and Vehicle Operations Procedure* and strengthen internal controls and processes to ensure compliance by both management and staff.

The OIG provided the Housing Opportunities Commission of Montgomery County with a confidential version of this report containing employee information that we believe is protected, and therefore not publicly releasable. The OIG removed this information from this version of the report.



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August 16, 2021

VIA EMAIL

Megan Davey Limarzi, Esq.
Inspector General
Email: Megan.Limarzi@montgomerycountymd.gov

RE: HOC Response – Office of the Inspector General Confidential Memorandum –
Investigation Involving the Misuse of HOC Vehicles

Dear Ms. Limarzi,

On August 11, 2021, the Housing Opportunities Commission of Montgomery County (“HOC”) received the Office of the Inspector General Confidential Memorandum (“Memorandum”) regarding the result of your investigation of allegations that an HOC employee misused an assigned vehicle. In light of the information in the Memorandum, HOC will review its Safe Driver and Vehicle Operations Procedure and will work to establish stronger oversight to prevent unnecessary expenses and liability.

HOC respects the work of the Office of the Inspector General and the important role the office plays in helping agencies identify potential liabilities. HOC is continuously working to improve its operations and acknowledges the value of having the Office of the Inspector General investigate complaints in order to ensure HOC’s resources are being utilized to their fullest.

DocuSigned by:
Respectfully,

A handwritten signature in blue ink, appearing to read "KBrown".

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Kayrine Brown
Acting Executive Director