June 6, 2019

SUBMITTED ELECTRONICALLY

HUD Desk Officer
Office of Management and Budget
New Executive Office Building
Washington, DC 20503
OIRA_Submission@omb.eop.gov

Re: Notice of Emergency Approval of an Information Collection: National Standards for the Physical Inspection of Real Estate (NSPIRE) Demonstration [FR-7011-N-21]

To Whom It May Concern:

On behalf of the National Association of Housing and Redevelopment Officials (NAHRO), I would like to offer the following comments to the United States Department of Housing and Urban Development (HUD or the Department) in response to the Notice of Emergency Approval of an Information Collection: “National Standards for the Physical Inspection of Real Estate (NSPIRE) Demonstration” published in the Federal Register on May 23, 2019.

Formed in 1933, NAHRO represents over 20,000 housing and community development individuals and agencies. Collectively, our members manage over 970,000 public housing units, 1.7 million Housing Choice Vouchers (HCVs), and receive over $1.5 billion in Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program funding to use in their communities. NAHRO has the unique ability to represent public housing agencies, local redevelopment agencies, and other HUD grantees of all sizes and geography.

The Department is requesting comments on the information participants in the demonstration would be required to submit to HUD. This demonstration would change the way public housing agencies, owners, and agents (POAs) inspect public housing properties. NAHRO’s comments focus on the fourth requirement included within HUD’s Notice, reporting local code violations, because this obligation treats agencies unequally and would add administrative burden to certain participants.

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1. Background

HUD’s Real Estate Assessment Center (REAC) is developing the NSPIRE protocol as a new method for inspecting public housing units to ensure that they are sanitary and consistently well-maintained. NSPIRE will be designed to emphasize POAs regular upkeep throughout the year—rather than immediately before inspections—as well as focusing property qualities critical to public health. At HUD’s REAC Industry Day on May 20th, 2019, HUD officials indicated that this plan should influence landlords to responsibly maintain properties throughout the year and that the purpose of the reporting was to show that they entered, inspected, and cared for units regularly. Before implementing these standards at the national level, the Department will deploy NSPIRE through a demonstration in order to receive feedback and adjust the protocol and information-gathering requirements.

2. Specific Recommendations

NAHRO appreciates HUD’s renewed emphasis on sanitary, safe, and quality affordable housing. We support the majority of the data requirements that HUD has included in the information collection. However, requiring participants to report local code violations for which the property was cited would create an unfair burden for agencies with more stringent local codes and could deter them from participating. Therefore, HUD should remove this component from the list of information that POAs will submit under NSPIRE.

Eliminating Reporting Requirements for Local Code Violations

HUD already collects most of the information included in this notice. However, agencies do not currently submit local government code violations. Adding this requirement will set agencies on an uneven playing field because local ordinances can create additional or stricter regulations than those established by HUD. HUD’s intent when choosing these five criteria was to ensure that POAs are keeping properties clean and safe throughout the year. Since local ordinances may set a higher threshold than what is required by NSPIRE, the demonstration may inaccurately portray acceptable properties as subpar because of the higher standards to which they are held. If NSPIRE wishes to gauge whether properties have their most important features maintained as required federal standards, they should not use the standard of local code violations.

NAHRO is concerned that the additional burden of reporting local code violations may suppress participation in the demonstration. Agencies may not volunteer if the data that they are asked to report would require more effort than the information REAC currently collects. Furthermore, since local codes may use stricter standards than HUD does, POAs may be dissuaded from joining the demonstration due to the harsher standard by which they would be judged.
3. Conclusion

As always, NAHRO appreciates the opportunity to comment on such an important matter. NAHRO thanks HUD for their efforts in trying to guarantee that all public housing units are regularly maintained to a high standard. NAHRO recommends that HUD continue to consider what information will satisfy their goals without unnecessarily burdening some agencies and not others.

Sincerely,

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Policy Intern