



NATIONAL  
MULTIFAMILY  
HOUSING  
COUNCIL



May 12, 2025

Russell T. Vought, Director  
Office of Management and Budget (OMB)  
725 17th St NW  
Washington, DC 20503

RE: Request for Information: Deregulation, Docket No. OMB-2025-0003, FR Doc. 2025-06316

Dear Director Vought:

We are writing on behalf of the members of the National Multifamily Housing Council (NMHC) and the National Apartment Association (NAA) who represent the \$3.9 trillion apartment industry and its more than 40 million residents. We applaud your efforts to improve the federal regulatory landscape and create opportunities for innovation and growth for American businesses of all types. Costly, impractical and inconsistent regulations have stifled housing production and increased operating expenses at a time when our nation faces a severe housing supply shortage. Reducing regulatory burdens unleashes the potential for more abundant and affordable homes to meet the nation's housing needs.

Continued economic conditions pose a serious threat to housing providers' ability to leverage the private-market capital necessary to generate needed housing. Higher interest rates contribute to economic volatility, which is driving up the cost of building new housing, discouraging needed new investment, increasing the cost of rent, and pushing some housing providers out of the market altogether. In addition to increased construction and labor costs that make development financially difficult, significant increases in insurance costs, sales and property taxes, payroll costs, and other expenses have hampered our ability to deliver housing.

At a time when housing providers face increasing pressure to meet booming demand, an overly complex and costly regulatory framework is challenging financiers, developers and operators to maintain housing affordability. While many regulatory hurdles and costs, such as impact fees, onerous building codes and antiquated zoning processes, are within the purview of state and local policymakers, there are a wide array of existing federal regulations that contribute to making housing development and operation less feasible.

As the Administration explores regulatory barriers to economic development and growth, NMHC and NAA would like to highlight specific regulatory initiatives in this letter's appendix that negatively impact the provision of rental housing and should be reevaluated to align with your priorities.

Thank you for the opportunity to share our views and we look forward to working with you on our shared housing goals. Please call upon us if we can serve as a resource to you in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon Wilson Géno".

Sharon Wilson Géno  
President  
National Multifamily Housing Council

A handwritten signature in black ink, appearing to read "Robert Pinnegar".

Robert Pinnegar  
President & CEO  
National Apartment Association

# Apartment Industry Regulatory Priorities

## May 12, 2025

### FINAL RULES

RULE	CITATION	RECOMMENDATION
<b>U.S. DEPARTMENT OF AGRICULTURE (USDA)</b>		
<b>USDA Rural Housing Service's (RHS) 30-Day Notification of Nonpayment of Rent in Multi-Family Housing Direct Loan Programs Final Rule</b>	<a href="#"><u>89 FR 20539</u></a> March 25, 2024 7 CFR Part 3560	<p><b>Rescind</b> – RHS issued a final rule to amend its regulations for the Multi-Family Housing Direct Loans and Grants Programs to require that Section 515, 514, and 516 Multi-Family Housing program borrowers provide residents with at least 30 days' notice prior to a lease termination or eviction action for nonpayment of rent, which the Agency asserts as statutorily required by the pandemic-era Coronavirus Aid, Relief, and Economic Security (CARES) Act.</p> <p>In March 2020, Congress enacted the CARES Act, which included what should have been a temporary, federal enhancement of states' eviction notice procedure. The provision required at least 30-days' notice prior to filing for eviction for nonpayment of rent in covered housing, such as those assisted by the Section 8 Housing Choice Voucher (HCV) program, the USDA RHS programs and Fannie Mae or Freddie Mac-backed multifamily housing, and superseded states' established notice procedures (6 days on average).</p> <p>USDA/RHS should rescind this rule to reduce the financial risks to rural housing providers and their residents due to continued enforcement of what should have been a temporary policy.</p>
<b>DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)</b>		
<b>30-Day Notification Requirement Prior To Termination of Lease for Nonpayment of Rent</b>	<a href="#"><u>89 FR 101270</u></a> Dec. 13, 2024 24 CFR Parts 247, 880, 884, 886, 891, and 966	<p><b>Rescind</b> – This rule makes permanent for some HUD-assisted housing, a temporary COVID-era extension of states' eviction notice policies. This sets a damaging precedent for federal interference with states' authority over the eviction process.</p>

		<p>HUD should rescind this rule to prevent undue financial strain on housing providers and protect HUD-assisted renters who become increasingly unable to repay mounting rent debt as a consequence of this policy.</p>
<p><b>Reinstatement of HUD's Discriminatory Effects Standard</b></p>	<p><a href="#">88 FR 19450</a> Mar. 31, 2023 24 CFR Part 100</p>	<p><b>Rescind, Reinstate Prior Rule and Revise Guidance</b> - Also known as the Disparate Impact Rule, this Rule formalized the framework for assessing whether a given practice violates the Fair Housing Act even when there is no intent to discriminate and can put limitations on necessary business practices like resident screening.</p> <p>The apartment industry strongly supports fair housing laws, but we have long-raised concerns that an overly expansive view of disparate impact theory could create liability for basic housing development and operational practices. In 2013, HUD issued its first disparate impact rule establishing the agency's concept of liability for seemingly neutral housing policies that nonetheless have discriminatory effects on a protected class.</p> <p>In 2020, the Trump Administration revised the Rule to acknowledge the limitations of disparate impact liability imposed by courts subsequent to the development of the 2013 Rule – namely the Supreme Court's decision in <i>Texas Department of Housing &amp; Community Affairs v. Inclusive Communities Project, Inc.</i> (2015), which established important guardrails around disparate-impact liability.</p> <p>In 2023, the Biden Administration abandoned the 2020 Trump Rule and reinstated the 2013 Disparate Impact Rule. The reinstated Rule fails to acknowledge superseding legal outcomes, undermines the use of necessary business practices and imposes new obstacles to reducing housing costs and addressing the country's housing supply shortage.</p> <p>On April 23, President Trump signed an <a href="#">Executive Order</a> to curtail federal reliance on disparate-impact liability and, among other efforts, directed</p>

		<p>identification of “all existing regulations, guidance, rules, or orders that impose disparate-impact liability.” Pursuant to the Order, HUD should reinstate the 2020 Rule, which aligned the rule with Supreme Court and other legal action and included important safeguards for housing providers against litigation stemming from legitimate, nondiscriminatory policies. HUD should also rescind and revise all guidance and memoranda that rely on the disparate impact rule including the “Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions” (April 2016) and the “Implementation of the Office of General Counsel’s Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions” (June 2022).</p>
<p><b>HOME Investment Partnerships Program: Program Updates and Streamlining</b></p>	<p><a href="#"><u>90 FR 746</u></a> Jan. 6, 2025 24 CFR Parts 91, 92, 570, and 982</p>	<p><b>Rescind</b> - This Rule imposes numerous additional requirements on housing providers which deter private sector participation in the program. While the effective date for certain provisions of this Rule was delayed in <a href="#"><u>April 2025</u></a> to allow for further public comment, the Administration should take further steps to rescind this rule. The provisions of the Rule that are not subject to delay by the April publication became effective as of April 20, 2025.</p>
<p><b>Affirmatively Furthering Fair Housing (AFFH) Revisions</b></p>	<p><a href="#"><u>90 FR 11020</u></a> Mar. 3, 2025 24 CFR Parts 5, 91, 92, 570, 574, 576 and 903</p>	<p><b>Finalize</b> - The Administration issued an interim final rule that returns AFFH requirements to the original understanding of statutory conditions, which was a general commitment that grantees will take active steps to promote fair housing. The Interim Rule was open for comment and the Administration should move forward with the proposed revisions.</p>
<p><b>Floodplain Management and Protection of Wetlands; Minimum Property Standards for Flood Hazard Exposure; Building to the Federal Flood Risk Management Standard</b></p>	<p><a href="#"><u>89 FR 30850</u></a> Apr. 23, 2024 24 CFR Parts 50, 55, 58, and 200</p>	<p><b>Rescind</b> - This rule imposes substantial compliance costs on property owners without robust data on actual risk reduction benefits nationwide.</p>
<p><b>DEPARTMENT OF ENERGY (DOE)</b></p>		

<p><b>Energy Conservation Program for Appliance Standards: Procedures, Interpretations, and Policies for Consideration in New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Commercial/Industrial Equipment (i.e. the “Process Rule”)</b></p>	<p><a href="#"><u>89 FR 24340</u></a> Apr. 8, 2024 10 CFR Part 430</p>	<p><b>Rescind and Revise</b> – The Process Rule establishes a general framework for DOE to develop energy conservation standards and test procedures for both consumer products and commercial equipment pursuant to the Energy Policy and Conservation Act (EPCA). In January 2025, President Trump issued an <a href="#"><u>Executive Order</u></a> “to safeguard the American people’s freedom to choose from a variety of goods and appliances” among other purposes. To implement the Order, the DOE is <a href="#"><u>seeking information</u></a> on potential improvements to the Process Rule. The RFI is currently open for comment and the Administration should move forward with changes that protect housing affordability and promote the development and renovations of housing supply.</p> <p>While we strongly support improved energy performance in the residential sector, the practical implementation of new appliance efficiency standards can create serious, and sometimes cost-prohibitive, challenges for housing providers and our residents. Moving forward, DOE’s analysis on the necessity and justification of new standards must balance the impact on the nation’s housing conditions. Apartment providers are bulk purchasers of consumer appliances and are responsible for ensuring our residents’ homes are well-equipped with safe, effective and affordable products that meet their performance expectations.</p> <p>The Process Rule should ensure that the unique needs of the apartment industry are recognized and support the development of housing at all price points, which is essential to address the nation’s critical housing challenges and ensure economic stability for American households.</p>
<p><b>Energy Conservation Program for Appliance Standards: Energy Conservation Standards for Residential Furnaces and Commercial Water Heaters</b></p>	<p><a href="#"><u>86 FR 73947</u></a> Dec. 29, 2021 10 CFR Parts 430 and 431:</p>	<p><b>Rescind and Revise</b> - This Rule establishes higher efficiency requirements for non-weatherized gas furnaces without considering the impact of burdening use of this equipment type in the marketplace. It poses particular cost and constructability challenges for renovation and system replacement in existing buildings that can exacerbate high housing costs. A revised rule</p>

		should account for impacts on housing costs and availability.
<b>Energy Conservation Program: Energy Conservation Standards for Consumer Water Heaters</b>	<a href="#"><u>89 FR 37778</u></a> May 6, 2024 10 CFR Parts 429 and 430	<b>Rescind and Revise</b> - The analysis underpinning this Rule suffers serious deficiencies with respect to apartment properties and lacks proper consideration of cost-effectiveness in housing, technical needs in existing buildings and resulting electrification issues. A revised rule should specifically account for the differing needs of the existing buildings and new construction markets.
<b>Energy Conservation Program: Energy Conservation Standards for Consumer Conventional Cooking Products</b>	<a href="#"><u>89 FR 11434</u></a> Feb. 14, 2024 10 CFR Part 430	<b>Rescind and Revise</b> - Part of a series of new efficiency standards for critical home appliances, the Rule fails to consider the impacts of numerous new requirements enacted in the same period. A revised rule should ensure new requirements protect housing affordability, enable critically needed new housing production and preserve product choice.
<b>Energy Conservation Program: Energy Conservation Standards for Residential Clothes Washers</b>	<a href="#"><u>89 FR 19026</u></a> Mar. 15, 2024 10 CFR Part 430	<b>Rescind and Revise</b> – These new standards will result in new costs and impact the product choice and performance expected by residential consumers. A revised rule should ensure new requirements protect housing affordability, enable critically needed new housing production and preserve product choice.
<b>Energy Conservation Program: Energy Conservation Standards for Refrigerators, Refrigerator-Freezers, and Freezers</b>	<a href="#"><u>89 FR 3026</u></a> Jan. 17, 2024 10 CFR Part 430	<b>Rescind and Revise</b> – Part of a series of new efficiency standards for critical home appliances, the Rule fails to consider the impacts of numerous new requirements enacted in the same period. A revised rule should ensure new requirements protect housing affordability, enable critically needed new housing production and preserve product choice.
<b>DEPARTMENT OF TREASURY</b>		
<b>Beneficial Ownership Information Reporting Requirements</b>	<a href="#"><u>87 FR 59498</u></a> Sept. 30, 2022 31 CFR Part 1010	<b>Rescind</b> – While the Corporate Transparency Act (CTA) required the establishment of a national approach to identifying illicit actors who hid behind shell companies, the rollout by the Financial Crimes Enforcement Network (FinCEN)(part of the Department of the Treasury) has been fraught with bad communication, unclear

		<p>compliance requirements and a short compliance timeline.</p> <p>On March 3, 2025, Treasury announced that they would not enforce any penalties or fines regarding reporting rules and subsequently issued an <a href="#">Interim Final Rule</a> that formally narrows the existing beneficial ownership information (BOI) reporting requirements under the CTA to only cover foreign reporting companies. Additionally, the Interim Rule exempts foreign reporting companies from reporting the BOI of any U.S. persons who are beneficial owners of the foreign reporting companies. The Interim Rule is currently open for comment and the Administration should move forward with the proposed revisions.</p>
<p><b>Certain Partnership Related-Party Basis Adjustment Transactions as Transactions of Interest</b></p>	<p><a href="#">90 FR 2958</a> Jan. 14, 2025 26 CFR Part 1</p>	<p><b>Rescind</b> - The final regulations identify certain transactions involving positive basis adjustments exceeding \$10 million for tax years after 2025 (\$25 million for tax years before 2025) to which no corresponding tax is paid as so-called transactions of interest, which are reportable transactions. Compliance with these requirements is costly and difficult due to the long look-back period. Transactions must be reported on a going-forward basis too.</p> <p>On April 17, 2025, Treasury and the Internal Revenue Service (IRS) <a href="#">announced</a> their intention to withdraw final regulations through a Notice of Proposed Rulemaking (NPRM) that will propose removing the basis-shifting TOI regulations. The Administration should move forward with such a NPRM.</p>
<p><b>Guidance on the Definition of Domestically Controlled Qualified Investment Entities</b></p>	<p><a href="#">89 FR 31618</a> Apr. 25, 2024 26 CFR Part 1</p>	<p><b>Rescind and Revise</b> - The Treasury Department and IRS issued final regulations (TD 9992) on the definition of domestically controlled qualified investment entities. While the final regulations represent an improvement over the proposed regulations released in December 2022, the final regulations inhibit foreign investment in the multifamily industry at a time when all capital is necessary to address the housing supply crisis.</p>
<p><b>ENVIRONMENTAL PROTECTION AGENCY (EPA)</b></p>		



<b>Phasedown of Hydrofluorocarbons: Technology Transitions Program Residential and Light Commercial Air Conditioning and Heat Pump Sector</b>	<a href="#">88 FR 88825</a> Dec. 26, 2023 40 CFR Part 84:	<b>Delay Implementation</b> - This Rule establishes a rapid transition timeline that raises significant cost and compliance concerns in the housing sector. In particular, it fails to address unique building code and constructability challenges faced by multifamily buildings. A delay in implementation will allow for necessary changes to building codes addressing new refrigerant use.
<b>Revised Definition of “Waters of the United States” (WOTUS); Conforming</b>	<a href="#">88 FR 61964</a> Sept. 8, 2023 40 CFR Part 120	<b>Rescind and Revise</b> – This Rule is part of a long-term effort to define federal jurisdiction under the Clean Water Act (CWA). After the Rule was finalized, the Supreme Court, in the case <i>Sackett v. EPA</i> , narrowed the agency’s authority under the CWA and the Rule is subject to ongoing litigation. The Administration is seeking revision of the Rule and is currently considering comments on how to comply with the <i>Sackett</i> decision. The Administration should continue its efforts to remedy the inaccuracies and ambiguities of the current WOTUS definition and decline to defend the current Rule in litigation.
<b>Reconsideration of the Dust-Lead Hazard Standards and Dust-Lead Post Abatement Clearance Levels</b>	<a href="#">89 FR 89416</a> Nov. 12, 2024 40 CFR Part 745	<b>Rescind and Revise</b> – This Rule dramatically alters how dust hazards from lead-based paint are defined in housing. Without Administrative action, properties that appropriately remediate lead hazards to EPA clearance levels may nevertheless be classified as a hazard moving forward. A revised rule should restore the important, previously existing relationship between the dust-lead hazard standards and clearance levels.
<b>SECURITIES AND EXCHANGE COMMISSION (SEC)</b>		
<b>The Enhancement and Standardization of Climate-Related Disclosures for Investors</b>	<a href="#">89 FR 21668</a> Mar. 28, 2024 17 CFR 210, 229, 230, 232, 239, and 249	<b>Rescind</b> - This rule requires all public companies to establish a reporting framework that identifies and analyzes a set of climate-related impacts by and to the company. This is subject to an ongoing legal challenge and the SEC stayed effectiveness of the Rule pending completion of litigation. As <a href="#">announced</a> , the Administration should discontinue defense of the rule in litigation and withdraw the rule.
<b>FEDERAL COMMUNICATIONS COMMISSION (FCC)</b>		



<p><b>The Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination</b></p>	<p><a href="#"><u>89 FR 4128</u></a> Jan. 22, 2024 47 CFR Parts 0, 1, and 16</p>	<p><b>Rescind or Revise</b> - The FCC was required to enact rules to define and prevent digital discrimination as part of the Infrastructure Investment and Jobs Act. In its final rule, the FCC included property owners as a "covered entity," which would hold housing providers liable under the FCC's enforcement scheme for action's related to broadband availability outside of their control. The FCC should rescind or revise the rule to ensure property owners are not deemed "covered entities" under the FCC Rule.</p>
<p><b>Updating the Improving Competitive Broadband Access to Multiple Tenant Environments</b></p>	<p><a href="#"><u>87 FR 17181</u></a> Mar. 28, 2022 47 CFR Parts 64 and 76</p>	<p><b>Rescind</b> - The FCC issued a Report and Order and Declaratory Ruling under to examine the terms of agreements between broadband providers and owners of residential, office and retail properties. The Rule should be rescinded and the docket (Docket No: 17-142) officially closed to ensure the market's continued success in deploying superior service to most apartments.</p>
<p><b>DEPARTMENT OF LABOR, NATIONAL LABOR RELATIONS BOARD AND OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION</b></p>		
<p><b>Updating the Davis-Bacon and Related Acts Regulations</b></p>	<p><a href="#"><u>88 FR 57526</u></a> Aug. 23, 2023 29 CFR Parts 1, 3, and 5</p>	<p><b>Rescind and Revise</b> – This Rule updates the wage-setting provisions for the Davis-Bacon Act, which apply to federal and federally-assisted apartment construction projects. The Rule skews the prevailing wage determination by over relying on larger builders who often use union-negotiated wage rates. This impacts the ability to develop and rehabilitate these properties affordably. A revised rule should consider the repeal of these wage requirements entirely on federally funded or assisted housing projects.</p>
<p><b>Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees</b></p>	<p><a href="#"><u>89 FR 32842</u></a> Apr. 26, 2024 29 CFR Part 541</p>	<p><b>Rescind</b> – This Rule increases the number of employees eligible for overtime pay and is subject to ongoing litigation. On November 15, the U.S. District Court for the Eastern District of Texas issued a ruling in the case <a href="#"><u>Texas v. Department of Labor</u></a>, invalidating the entirety of the Final Rule. The Administration should rescind this Rule and drop its appeal to the Eastern District of Texas, stopping its defense of the Rule in this and future litigation.</p>

<b>Standard for Determining Joint Employer Status</b>	<a href="#">88 FR 73946</a> Oct. 27, 2023 29 CFR Part 103	<b>Rescind and Revise</b> - This Rule replaces the National Labor Relations Board’s (NLRB) 2020 Rule, which had addressed the damaging standard adopted by the Obama-era NLRB in Browning Ferris Industries (BFI). The final rule is very closely aligned with the NLRB’s Notice of Proposed Rulemaking (NPRM) and represents a drastic expansion to joint employer status for purposes of the Act. The Administration should withdraw and revise the Rule to reinstate the 2020 Rule with improvements.
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## GUIDANCE, STANDARDS AND NOTICE

DOCUMENT	RECOMMENDATION
<b>DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</b>	
<b>Joint Statement of HUD and DOJ on Reasonable Accommodations Under the Fair Housing Act (May 17, 2004)</b> <b>&amp;</b> <b>Notice FHEO-2020-01: Assessing a Person’s Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act (January 28, 2020)</b>	<p><b>Review and Revise</b> – These <a href="#">documents</a> establish the compliance framework for housing providers to address the use of animals as an accommodation under the Fair Housing Act (FHA). While we support disabled renters’ rights to reside with their assistance animals, fraudulent reasonable accommodation requests for assistance animals - specifically emotional support animals – create significant concern for apartment owners and operators.</p> <p>In January 2020, the Trump Administration issued guidance on handling assistance animal accommodation requests. Despite the Administration’s best efforts to tackle this issue, the volume of fraudulent requests continues to inflate housing providers’ compliance costs and their administrative requirements to process requests timely in accordance with fair housing laws. We urge the Administration to reaffirm housing providers’ right to question the authenticity or reliability of required documentation, enforce limitations on the types of healthcare professionals who can verify disability-related need and reexamine the applicability of routine pet policies to non-service animals.</p> <p>In addition, we suggest reconsideration of whether the process to evaluate a request for a service animal under the Americans with Disabilities Act (ADA) should also be the basis for considering service animal requests under the FHA. We also strongly support safe harbors for housing providers that ensure housing providers acting in good faith in approving a resident’s assistance animal request are not subject to liability for injuries or damages caused by the animal.</p>

<b>Guidance on Application of the Fair Housing Act to the Screening of Applicants for Rental Housing</b> <b>Apr. 29, 2024</b>	<b>Rescind</b> - This <a href="#">guidance</a> advances liability theories and best practices that lack legal and practical foundation and create uncertainty for housing providers.
<b>Guidance on Application of the Fair Housing Act to the Advertising of Housing, Credit, and Other Real Estate-Related Transactions through Digital Platforms</b> <b>Apr. 29, 2024</b>	<b>Rescind</b> - While AI tools help housing providers improve efficiency, reduce bias and detect fraud, this <a href="#">guidance</a> unduly restricts their use. The Administration should rescind this guidance to allow flexible and responsible AI adoption in housing operations.
<b>National Standards for the Physical Inspection of Real Estate</b> <a href="#">88 FR 40832</a> <b>June 22, 2023</b>	<p><b>Review and Revise</b> – HUD is implementing its National Standards for the Physical Inspection of Real Estate (NSPIRE). This new set of standards is meant to replace and consolidate the two previously used for HUD housing programs: the Housing Quality Standards and the Uniform Physical Condition Standards. The NSPIRE standards were implemented in July 2023, with an extension for Section 8 housing compliance until October 1, 2025.</p> <p>HUD should review the standards and protocols in effect for multifamily and FHA-insured properties, focusing on results over process i.e. evaluate whether something does or does not work instead of how it works.</p>
<b>Changes to the Methodology Used for Calculating Section 8 Income Limits Under the United States Housing Act of 1937</b> <a href="#">89 FR 1583</a> <b>Jan. 10, 2024</b>	<b>Rescind and Reinstate</b> - This Notice changes how renter households' income limits are calculated for Section 8 eligibility and other federally assisted housing programs, including housing financed by the low-income housing tax credit (LIHTC), creating a new, absolute cap on annual income limits. This restricts participation in these programs and burdens LIHTC properties, which could be more deeply rent restricted because their rent increases are tied to HUD's income limits and imposes a form of rent control. The Administration should withdraw this Notice and reinstate the pre-Notice standard.
<b>CPD Implementation Guidance for the Build America, Buy America Act's (BABA) Buy America Preference</b> <b>Jan. 13, 2025</b>	<b>Rescind and Reissue</b> - BABA establishes a domestic content procurement preference for all federal financial assistance (FFA) used to finance infrastructure projects, including real estate. This requirement, called the Buy America Preference (BAP), adds cost to the construction of multifamily housing. The Administration should rescind the <a href="#">CPD Implementation Guidance</a> and issue a new directive exempting multifamily housing projects from BABA.
<b>Adoption of Energy Efficiency Standards for New Construction of</b>	<b>Delay and Suspend Litigation Defense</b> - In April 2024, HUD and the USDA issued a final determination adopting the 2021 International Energy Conservation Code (IECC) and ASHRAE 90.1-2019 as minimum

<b>HUD- and USDA-Financed Housing; Extension of HUD Compliance Dates</b> <u>90 FR 11622</u> <b>Mar. 10, 2025</b>	energy standards for new multifamily construction and rehabilitation projects financed by these agencies. These overly ambitious, aggressive climate goals force housing providers to meet code standards that are not required in the vast majority of states nationwide. These requirements are subject to ongoing litigation and the Administration should decline to defend the Final Determination and continue to delay implementation pending the outcome of litigation.
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## PROPOSALS AND OTHER REGULATORY ACTION

DOCUMENT	RECOMMENDATION
<b>DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</b>	
<b>Review and Reform Rules and Regulations Pertaining to the Section 8 Housing Choice Voucher Program (HCV)</b>	<p>The public-private Section 8 HCV program could be the nation's most effective affordable housing and community development tool. However, it is plagued with inefficiencies, onerous regulatory requirements and a flawed funding system. We urge the Administration to perform a thorough review of the HCV program, remove the barriers to utilization and incentivize greater private sector participation.</p> <p>Specific reforms could include ensuring that rents and rent increases keep pace with market rates, requiring public housing agencies (PHAs) to disburse “timely payment” within 18 days of tenancy approval, imposing dedicated landlord liaisons, creating housing provider risk mitigation funds and housing provider incentives and streamlining the inspection process. Overall, HUD must enforce uniform standards for PHAs that administer the HCV program. Current Section 8 Management Assessment Program (SEMAP) standards are insufficient. We also recommend establishing a national pilot program transitioning the housing assistance payment system to an electronic benefits transfer.</p>
<b>DEPARTMENT OF ENERGY</b>	
<b>Building Code Program</b>	<p>DOE has expanded efforts to enact specific building energy codes and building performance standards to promote climate change goals. While cost-effective and technically feasible codes and standards are essential construction tools, federal policies that create expansive, new energy and zero emissions requirements for buildings will unnecessarily burden home construction and increase housing costs. In particular, DOE should ensure states and localities have the ability to enact building performance requirements that address their unique market conditions and DOE should avoid grants and other incentives that attach specific, one-size-fits-all energy code, electrification or emissions requirements to funding opportunities.</p>
<b>DEPARTMENT OF TREASURY</b>	

<p><b>Proposed Rule: Regulatory Capital Rule: Large Banking Organizations and Banking Organizations with Significant Trading Activity</b> <a href="#"><u>88 FR 64028</u></a> Sept. 18, 2023</p>	<p>Banking regulators proposed to have the US banking industry comply with the next stage of the international Basel banking regulations. Basel III endgame would go further than the regulation and potentially constrain capital from the largest banks in the United States. We recommend against the issuance of this rule.</p>
<p><b>FEDERAL HOUSING FINANCE AGENCY (FHFA)</b></p>	
<p><b>Address COVID-era 30-Day Notice of Eviction Requirement</b></p>	<p>We urge the Administration to clarify that the federal, CARES Act 30-day notice of eviction requirement ended in 2020 and encourage FHFA's General Counsel to issue a legal opinion fully restoring eviction policy to states and localities. This issue remains a contested issue in eviction courts today and results in increased financial risk for housing providers and renters alike.</p>
<p><b>2025 Scorecard for Fannie Mae, Freddie Mac, and Common Securitization Solutions</b></p>	<p>FHFA formalized its expectation that the Enterprises must “[e]nhance resident-centered practices, such as tenant protections, at Enterprise-backed multifamily properties” in its <a href="#"><u>2025 Scorecard</u></a>, including new, federal landlord-tenant requirements and enforcement of the COVID-era CARES Act 30 Day Notice to Vacate eviction requirement. The Administration should remove these provisions.</p>
<p><b>Withdraw Directive to the Enterprises to Consider Federally-Mandated Landlord-Tenant Requirements</b></p>	<p>As part of the Biden White House Blueprint for a Renters Bill of Rights, FHFA and the Enterprises committed to continue to evaluate resident-centered practices that should be codified and enforced on housing providers with enterprise-backed rental communities.</p> <p>Policy proposals under consideration included failed policies like rent control, a “source of income”- style mandate intended to require housing providers to participate in the Section 8 HCV program and just cause eviction requirements that limited housing providers’ rights to nonrenew at the end of a lease contract thereby resulting in tenancies in perpetuity.</p> <p>While FHFA has already eliminated 3 servicing requirements for enterprise-backed multifamily housing, FHFA should take a step further and rescind this Biden-era directive that would result in the opposite of intended public interest goals, i.e. to reduce access to quality, affordable housing options for renters.</p>
<p><b>DEPARTMENT OF HOMELAND SECURITY</b></p>	

<p><b>Proposed Rule - Cyber Incident Reporting for Critical Infrastructure Act (CIRCIA) Reporting Requirements</b>  <a href="#"><u>89 FR 23644</u></a>  <b>Apr. 4, 2024</b></p>	<p>This proposed rule includes a broad definition of “covered cyber incident” that would increase the administrative cost and decrease regulatory clarity for rental housing providers. The Administration should withdraw and narrow the scope of this rule.</p>
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