

# APARTMENT WIRE

## NEW EFFORTS TO OPPOSE THE FEDERAL EVICTION MORATORIUM BUILD

The Centers for Disease Control and Prevention (CDC) issued another [eviction moratorium](#) on August 3, 2021, despite acknowledgments from the Administration that the CDC moratorium that an extension was legally suspect. The legality of the latest CDC Order is already under review and there is the possibility of a quick ruling in at least one court. More information on NMHC's advocacy efforts opposing a longer extension can be found [here](#) as well as our [statement](#) vigorously opposing the extension.

Click through to get the full state of play, including legislative efforts to end the moratorium.

[FULL STATE OF PLAY](#)

### Multifamily Markup

#### INDUSTRY SUBMITS COMMENT LETTER ON RADON FOLLOWING LISTENING SESSION

Late last week, an industry coalition submitted [a comment letter](#) and [a technical report](#) to the Federal Housing Finance Agency (FHFA) on proposed changes to the multifamily radon testing protocols for loans purchased by Fannie Mae and Freddie Mac. As previously [reported](#), the comment letter was a follow-up to a listening session held by FHFA to hear industry comments on the proposed change. NMHC staff and members participated in the listening session.

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#### BIDEN ADMINISTRATION LOOKS TO APPEAL NAVIGABLE WATERS PROTECTION RULE

The Biden Administration plans to move quickly to repeal and replace the Navigable Waters Protection (NWP) rule. While the Administration claims it has curtailed federal protection of many streams and wetlands, stakeholders—from farmers to infrastructure builders and real estate developers—have hailed it as a right sizing of the previous regulation.

The announcement means that the NWP will not stay in effect while the Environmental Protection Agency (EPA) and the Army Corps of Engineers undertake a new rulemaking procedure. The law governing wetlands and other related issues will revert to a 1986 rule.

[EPA will hold a series of public meetings](#) on the issue and consider suggestions for the revised rule to be submitted by Sept. 3. NMHC has joined with colleague organizations in the Waters Advocacy Coalition to request a 30-day extension in order to prepare comments.

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#### HUD AND FHFA ANNOUNCE COLLABORATION TO ADVANCE FAIR HOUSING AND FAIR LENDING ENFORCEMENT

Yesterday, the U.S. Department of Housing and Urban Development (HUD) and the Federal Housing Finance Agency (FHFA) announced a collaborative agreement regarding fair housing and fair lending coordination. In announcing the agreement, HUD Secretary Marcia Fudge said, "Today's signing is an important and historic step to advance and strengthen the enforcement of our nation's fair housing and fair lending requirements." Under the Memorandum of Understanding (MOU), the two Agencies will focus on enhanced enforcement of the Fair Housing Act, and their oversight of Fannie Mae, Freddie Mac (the Enterprises), and the Federal Home Loan Banks regulated by FHFA. Additional information can be found [here](#).

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#### RENT PAYMENTS FALL SLIGHTLY IN JULY, REMAIN STABLE IN EARLY AUGUST

NMHC's Rent Payment Tracker found 80.2 percent of apartment households made a full or partial rent payment by Aug. 6. This was a 0.9 percentage point increase from the share who paid rent through Aug. 6, 2020, and a 1.0 percentage point decrease from the same period in 2019.

Payment rates for the full month of July came in at 94.9 percent, down from both 95.7 percent in July 2020 and 96.6 percent in July 2019.

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#### HUD FISCAL YEAR 2022 FAIR MARKET RENTS RELEASED

HUD's office of Policy Development and Research (PD&R) announced that the [Fiscal Year \(FY\) 2022 Fair Market Rents \(FMRs\)](#) are now available on [huduser.gov](#) and will be effective as of October 1, 2021.

Fair Market Rents (FMRs) are used to determine payment standard amounts for the Housing Choice Voucher program, to determine initial renewal rents for some expiring project-based Section 8 contracts, to determine initial rents for housing assistance payment (HAP) contracts in the Moderate Rehabilitation Single Room Occupancy program (Mod Rehab), rent ceilings for rental units in both the HOME Investment Partnerships program and the Emergency Solution Grants program, calculation of maximum award amounts for Continuum of Care recipients and the maximum amount of rent a recipient may pay for property leased with Continuum of Care funds, and calculation of flat rents in Public Housing units.

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#### 2021 NMHC STUDENT HOUSING CONFERENCE SET FOR OCTOBER 4-6 IN CALIFORNIA

Register today for the 19th annual [NMHC Student Housing Conference](#) October 4-6, 2021, in Huntington Beach, Calif. We will be delivering the knowledge, tools and NMHC's exclusive networking that have made this conference the premier event for student housing executives. Most important, we will convene *in person* as the new school year begins to look back at the lease-up season and ahead to coming challenges and opportunities.

[REGISTER TODAY](#)



#### NMHC LEADERS ATTEND NMHC EVENT FOR CONGRESSWOMAN LIZ CHENEY (R-WY)

On August 9, NMHC PAC hosted a personal dollar fundraiser with NMHC Chair [David Schwartz](#) and NMHC PAC Chair [Ken Valach](#) for [Congresswoman Liz Cheney \(R-Wyo.\)](#) in Jackson Hole, Wyo.

Note: This article is available to NMHC members only. If you are not an NMHC member, learn more about joining the council.

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## NEWS



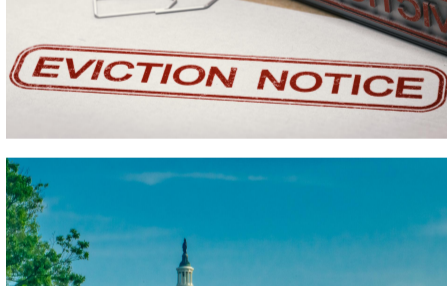
#### COVID-19 RENT-RELIEF PROGRAM MARRED BY DELAYS, CONFUSION, BURDENSOME PAPERWORK

Treasury counts on more than 450 state and local governments and agencies to distribute nearly \$47 billion in aid.



#### THE EVENTUAL END OF THE EVICTION MORATORIUM WILL HURT RENTERS — AND NOT IN THE WAY YOU EXPECT

An estimated 3 million households nationwide are at risk of eviction, but not all of those families will be displaced from their homes.



#### SENATOR TOOMEY LAUNCHES LONG SHOT BID TO REPEAL EVICTION BAN

Sen. [Pat Toomey](#) (R-Pa.), the top Republican on the Senate Banking Committee, launched an uphill battle this week to repeal the Centers for Disease Control and Prevention's (CDC) new eviction moratorium. His [proposed resolution](#) would repeal the CDC measure under the Congressional Review Act (CRA) and asks the Government Accountability Office (GAO) to determine whether the moratorium qualifies as a formal regulation.



#### AS AMERICANS PAY MORE FOR RENT, LANDLORDS GET SOME RELIEF

Americans are paying more to live in apartments, as demand for housing increases and many would-be homebuyers are forced to rent because prices for houses have gotten too steep.



#### SENATE PASSES \$550 BILLION INFRASTRUCTURE PLAN IN BIDEN WIN

The Senate passed a \$550 billion infrastructure plan that would represent the biggest burst of spending on U.S. public works in decades, sending the legislation to the House where its fate is in the hands of the fractious Democratic caucus.



#### CLASS C MULTIFAMILY PROPERTIES FACE GREATEST EXPOSURE AS MORATORIA EXPIRE

The average rental arrears is about 2.9 months' rent and to make up for those costs the new rent would need to be at least 25 percent higher, according to a new report.



#### LUMBER PRICES FALL TO 2018 LEVELS

After lumber set an all-time price record of \$1,515 per thousand board feet in May, the "cash" market price dropped to \$472 per thousand board feet this week of August, according to data from Fastmarkets Random Lengths and [reported by Fortune](#). Driving the [free fall](#) has been an inversion of the supply-and-demand equation. Just as Lumber producers increased their capacity and shrunk backlogs, developers and construction firms started [planning for delays](#), pivoting to other materials or [halting projects](#) altogether.



#### SENATE ADOPTS BUDGET THAT PAVES WAY FOR \$3.5T SPENDING PLAN

The chamber adopted on party lines a 92-page framework for the package of climate and social initiatives Democrats hope to enact this fall.

### NMHC MEMBER BENEFIT: COMPLIMENTARY EVENT REGISTRATION!

One of the added benefits of NMHC membership are the complimentary meeting registrations available to our members. If your company is an NMHC member, take advantage of your firm's free registration slots to our upcoming [Student Housing Conference](#) or [OPTTECH](#) Conference and Expo. To see how many spots you have available, please email NMHC's membership team at [membership@nmhc.org](mailto:membership@nmhc.org).

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