



**NAHMA**  
**Joint Federal and**  
**Regulatory Affairs Policy**  
**Discussion**

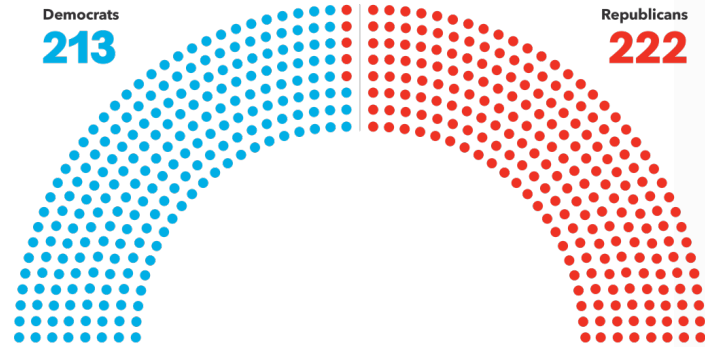
MARCH 8, 2023

# Federal Affairs

- **Biden Administration Housing Priorities:**
  - **Actions to Protect Renters and Promote Rental Affordability**
    - Blueprint for a Renters Bill of Rights
    - Resident-Centered Housing Challenge Deadline April 28<sup>th</sup> \* Conference Session\*
  - Housing Supply Action Plan
  - **Inflation Reduction Act – 2023 Implementation** (Climate/Energy Provisions) \* Conference Session\*
  - **Bipartisan Infrastructure Law** (Broadband/Closing Digital Divide)
  - **American Rescue Plan** (ERAP & State and Local Fiscal Recovery Funds)

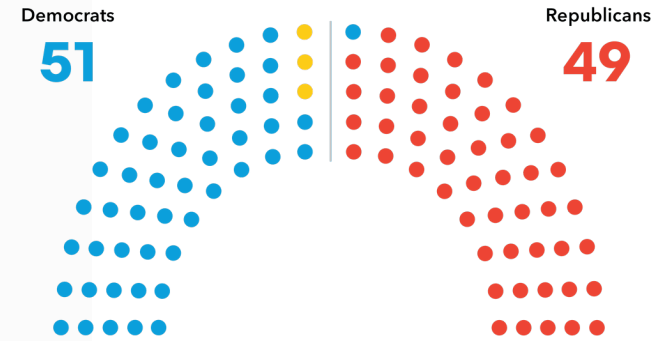
# 118<sup>th</sup> Congress – Divided Government

## House Balance of Power



Bloomberg Government

## Senate Balance of Power



Bloomberg Government

## ■ Legislative Outlook:

- **Spending Battles** (Funding Freezes, Debt Ceiling, Continuing Resolutions)
- **Focus on Bipartisan Legislation** (Offset/No Impact on Deficit)
- **Tax Opportunities:** [The Decent, Affordable, Safe Housing for All Act \(LIHTC, MIHTC, Renter's Tax Credit\)](#)
- **Additional Legislation** that NAHMA supports or monitoring: Home Internet Accessibility Act; End Cares Act Notice to Vacate; Expanding Service Coordinators Act
- **Recent Senate Hearings:** [State of Housing 2023](#); [Tax Policy's Role in Increasing Affordable Housing Supply for Working Families](#); & [Federal Strategic Plan to Prevent and End Homelessness](#)

# Regulatory Affairs

- **HOTMA Final Rule**
  - **Section 102:** Changes requirements related to income reviews for the Public Housing, Housing Choice Voucher (HCV), and Section 8 Project-Based Rental Assistance (PBRA) programs.
  - **Section 103:** Modifies the continued occupancy standards of Public Housing residents (does not apply to Multifamily Housing programs).
  - **Section 104:** Sets maximum asset limits for eligibility and continued assistance in the Public Housing, HCV, Section 8 PBRA programs.
  - MFH [Resource Page: Training Video Series](#) & [Slide Deck](#) *Introduction to HOTMA for MFH Programs*; MF Housing also included a [one-pager](#)
- **ANPR: PBRA Standard Program Regulation and Renewal Contract**
  - [PBRA Standard Program Regulation and Renewal Contract](#)
- **NSPIRE**
  - HUD Issues [Notice of Modification to the Demonstration and Associated Protocols](#) (Opt-out)
    - [FAQs](#)
    - NSPIRE Get Ready Series
- **Green and Resilient Retrofit Program (GRRP)** – HUD MF Seeks to Obtain Feedback Regarding Contractor Support Services and Draft Performance Work Statement

# Regulatory Affairs

- Nov. 2022 - HUD MF Requested Feedback on RAD Notice for Section 811 and Section 202 RAD Conversions
- Build America, Buy America Act (BABA)
  - [HUD OGC Website](#)
- **Recent Member Concerns:**
  - March Funding Delays
  - Increased APPS flags, delaying tax credit transactions/closings
  - Notice H2012-27 Requirements for PCNA's at 10yrs, requests from my lenders to approve \$5k+
- New Member Concerns?



# Senior Housing

- **Notice** Supportive Housing for the Elderly—Supportive Services Plans and Supportive Services Funds in 202 Capital Advance Projects with PRACs;
- **HUD Launches [COVID-19 Antigen Test Ordering Portal](#)**

# Fair Housing

- **VAWA**

- [Implementation 2022 Rule](#)

- [FHEO Notice](#): Notice to Public Regarding FHEO Enforcement Authority and Procedures: VAWA

- **HUD Announces New Proposed AFFH Rule**

- [Factsheet](#)

- OMB Publishes [Initial Proposals For Updating OMB's Race and Ethnicity Statistical Standards](#)

- On January 26, 2023, OMB released an [initial set of recommended revisions](#) proposed by the Working Group to revise OMB's SPD 15, last revised in 1997.

- Collecting race and ethnicity together with a single question;

- Adding a response category for Middle Eastern and North African, separate and distinct from the “White” category; and

- Updating SPD 15's terminology, definitions, and question wording.

- The public is invited to provide feedback through the [Federal Register Notice](#) on the proposed revisions by April 12, 2023 and hosting [Town Halls on](#) March 14<sup>th</sup> , 17<sup>th</sup> , and 18<sup>th</sup>

# Rural Housing

- **Tenant Notification Stakeholder Listening Session** - March 9, 2023 at 2pm EDT
- **Section 515 Availability of Funds:** Information Session Will Be Held on March 23, 2023
- **Proposed Rule Issued on Sec. 538 Guaranteed Rural Rental Housing Program**, comments due by April 3, 2023
- Recent revisions to the **Guaranteed Rural Rental Housing Program Origination and Servicing Handbook**
- RD's **implementation waiver** for the Build America, Buy America Act
- **Takeaways** from February Stakeholder Call:
  - Multifamily housing leadership updates: Nancie-Ann and Jennifer departure, Karlissa Stiers will be Acting Assistant Deputy Administrator
  - Recap of recent funding opportunities: Seven NOFAs/NOSAs issued in last 18 months—single use (repair, new construction, debt deferral, technical assistance) or single program (Farm Labor, Sec. 515, MPR)
    - Feedback from industry: prolonged processing timeframes, lack of compatibility with other public funding rounds, lack of execution predictability,
  - SuperNOSA update (funding round in Spring 2023 and all applications will have the same application submission timeframe): Combined multiple NOFAs and NOSAs, HOWEVER, technical assistance will remain a separate technical assistance



# Tax Credit

- Average Income Test (AIT) [Final Rule](#) Implementation – [ongoing](#) (NCSHA blog 10/22)
- Initial [Guidance Establishing Qualifying Advanced Energy Project Credit Allocation](#);
- Treasury [Welcomes Clear Guidance on Pillar Two Global Minimum Tax](#), incl. LIHTC protections
- Status of Compliance Monitoring?
- New Member Updates?