

# NAHMA News

PROTECTING THE INTERESTS OF AFFORDABLE HOUSING PROPERTY MANAGERS AND OWNERS

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## HUD Releases NSPIRE Scoring Methodology, Final Rule

The end of April and early May saw a flurry of activity by the Department of Housing and Urban Development (HUD) regarding the new National Standards for the Physical Inspection of Real Estate (NSPIRE) protocol.

Those activities include the issuance of the NSPIRE final rule, the release of a score calculator, and NAHMA submitting comments regarding NSPIRE-associated protocols and proposed scoring notice. Along with providing its own comments, NAHMA was one of 10 industry partners to also send joint comments.

To view the latest NSPIRE updates, including the final rule and the score calculator, visit [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/reac/nspire?utm\\_medium=email&utm\\_source=govdelivery](https://www.hud.gov/program_offices/public_indian_housing/reac/nspire?utm_medium=email&utm_source=govdelivery).

### SCORING CALCULATOR

HUD released a tool to help public housing authorities (PHAs), property owners and agents calculate their estimated inspection score under the new NSPIRE protocol.

The NSPIRE score calculator tallies a possible score based on the types and locations of deficiencies identified during an NSPIRE inspection. HUD cautions that the score is only an estimate since other factors can impact the

## Congress Passes Bipartisan Bill to Avoid National Default

**CONGRESS PASSED THE FISCAL RESPONSIBILITY ACT of 2023**, a bill that would increase the country's borrowing limit past the 2024 elections and avert a national default, and President Joe Biden signed it into law on June 3 with just days to spare.

Treasury Department Secretary Janet Yellen warned lawmakers that the U.S. would run out of money to pay its bills by June 5 unless the debt ceiling was lifted.

The bill's summary provides the following details:

This bill increases the federal debt limit, establishes new discretionary spending limits, rescinds unobligated funds, and expands work requirements for federal programs.

Specifically, the bill suspends the federal debt limit through Jan. 1, 2025, and increases the limit on Jan. 2, 2025, to accommodate the obligations issued during the suspension period.

In addition, the bill establishes new discretionary spending limits for fiscal year (FY) 2024 and FY 2025 that are enforced with sequestration (i.e.,

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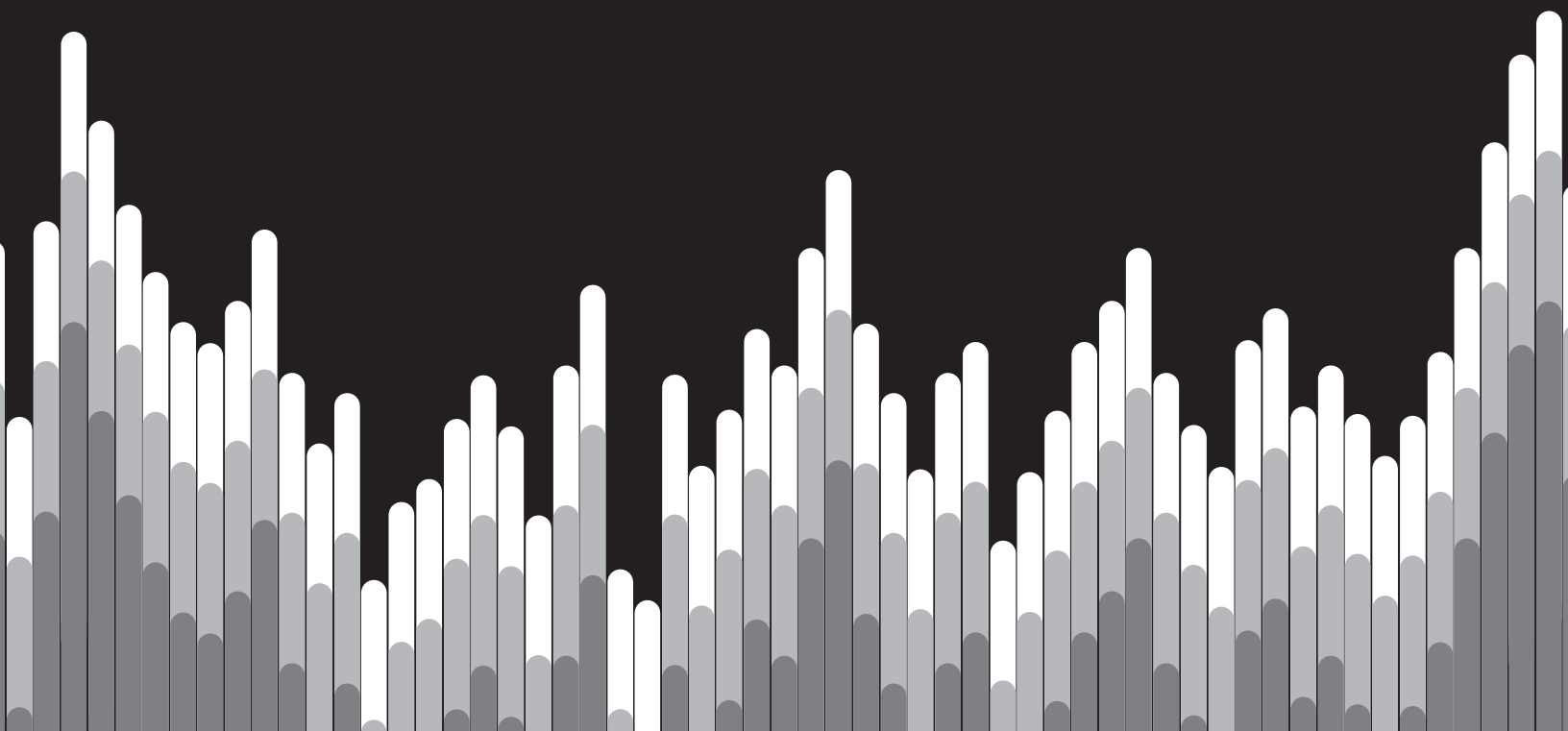


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NAHMA News is published six times a year by the National Affordable Housing Management Association, 400 North Columbus Street, Suite 203, Alexandria, VA 22314, Phone (703) 683-8630, Website: www.NAHMA.org

**SUBSCRIPTIONS:** Free for NAHMA/AHMA members, \$110 for nonmembers.

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# Changing the Perception Of Affordable Housing

THE COMMUNITIES OF QUALITY (COQ) National Recognition Program is just one of the ways NAHMA and its members are changing the perception of affordable housing. By using a series of third-party inspections and reporting, communities certify that they meet stringent standards in physical maintenance, financial management, programs and services, employee credentials and other criteria—only the best of the best qualify to call themselves a COQ property. And our smart badge program makes it easier for properties to promote the achievement.

NAHMA recently streamlined the National COQ Recognition Program application making it easier to read, understand, and complete. The revised application is available on the NAHMA website on the National Communities of Quality Recognition Program webpage.

Besides making the program more accessible for non-Department of Housing and Urban Development (HUD) properties to participate, the revamped application changed the scoring to provide more weight to the regular programs and services the properties offer. There is also an opportunity to earn extra credit in Healthy Housing, Green/Sustainable or Energy-Efficient Housing, and Accessible and/or Adaptable Housing categories.

Properties that earn a minimum of 225 points, or 200 points for properties with 49 units or less, on their application merit the COQ National Recognition. Property managers or owners of affordable multifamily rental housing in the U.S. can apply for COQ National Recognition anytime during the year.

Properties that score more than 325 points are eligible to compete in the

COQ Awards competition; see page 28 for more about this year's competition.

The program, funded initially through a Fannie Mae grant, sets national standards that objectively examine what makes an excellent multifamily affordable housing community using such independent, verifiable measuring sticks as Real Estate Assessment Center scores, HUD reports, third-party inspections, employee development and resident enrichment services.

Program recognition is a good marketing tool for management companies, allowing them to show clients how much they care about maintaining high standards and how they will effectively manage their clients' property. Additionally, it illustrates the hard work the on-site personnel and volunteer boards put in while projecting professionalism.

The program helps residents feel more secure and even proud to live in a community that has earned the COQ designation. Some properties hold resident celebrations, put up banners, and affix the COQ logo to correspondences and other communications tools to bolster that sense of pride of place year-round. The COQ certification helps attract top-notch staff.

Another benefit of the recognition program, and one of the impetuses for its creation, was establishing credibility, especially when lobbying elected officials on the importance of funding affordable housing programs. The program also helps dispel affordable housing myths for elected officials and the public. Additionally, NAHMA maintains a database of COQ properties on its website. **NN**

Kris Cook, CAE, is chief executive officer of NAHMA.

actual inspection score.

Property owners and NSPIRE Demonstration participant properties using the calculator tool are advised not to use their last Uniform Physical Condition Standards (UPCS) score or demo results in the proposed NSPIRE scoring methodology to forecast an NSPIRE score.

According to HUD, this will yield inaccurate results because the past inspections only offer a snapshot of a property at a particular point in time. Additionally, all NSPIRE Demo

this effort. While we have not always agreed on policy matters, our members have great respect for how REAC has conducted this process. The NSPIRE website, explanatory videos, webinars, road show, listening sessions, conference sessions and draft scoring calculator have been incredibly helpful for the industry,” the comments said.

The comments went on to address the following specific topics:

**Administrative Guidance:** NAHMA said its members believe REAC and HUD

**Advisory Scores:** NAHMA said members greatly appreciate REAC’s recent publication of the NSPIRE Scoring Calculator; however, members found it difficult to provide substantive comments on the draft scoring methodology without real-life data. “Owners need to know how the scoring model will apply to their properties that have been inspected during the NSPIRE demonstration program compared to their previous REAC inspections. While HUD recognizes the need for some real-world scoring in Section VI. D. of the Proposed Rule (Additional Considerations Before Finalizing NSPIRE Scoring), HUD only allows for the

## The NSPIRE website, explanatory videos, webinars, road show, listening sessions, conference sessions and draft scoring calculator have been incredibly helpful for the industry.

inspections used previous versions of the NSPIRE Standards, which have changed. Furthermore, UPCS and NSPIRE standards do not offer an apples-to-apples comparison. For example, a door deficiency in a unit under UPCS may not align directly with door deficiencies under NSPIRE, which has multiple door standards.

HUD also said if properties limit the severe life-threatening and life-threatening defects inside a unit, the chances increase for a better score as the focus is on resident health and safety.

### NAHMA RESPONDS TO NSPIRE PROTOCOLS

NAHMA commented on HUD’s continued efforts to improve the Real Estate Assessment Center (REAC) physical inspection process and protocols in April.

“NAHMA is deeply appreciative of the leadership and staff at the Real Estate Assessment Center. Not only is NSPIRE a massive programmatic undertaking, but REAC has conducted it during a pandemic and period of uncertainty. To date, NAHMA members have found REAC to be a fair, transparent, and trustworthy regulatory partner in

would benefit from the industry providing feedback on all NSPIRE guidance at one time. “We respect HUD’s implementation timeline; however, members need to review the various pieces—scoring notice, administrative procedures notice, standards, and final regulation—together to provide a thorough response,” said the comments. NAHMA requested a short public comment period before the October implementation of NSPIRE for member feedback on all the final documents.

**Tenant-Caused Damage:** NAHMA said its members are very concerned the scoring notice does not mention how tenant-caused damage in the units will factor into the scoring methodology. The comments point out that most incidents of tenant-caused damage occur in the units. Tenant-caused damages could be noted on an inspection report but should not be scored, nor should it negatively impact the property inspection score overall, NAHMA suggests.

**Unit Score Failing Entire Property:** NAHMA members believe it is arbitrary to automatically fail an entire property based on point deductions from units. “We specifically do not think a property should fail solely based on a unit scoring a 30-point deduction,” said the comments.

department to evaluate the real-world scoring without any input from owners. Owners should have the ability to see how NSPIRE would score their property before closing a comment period based on the theoretical scoring formula,” the comments said. NAHMA recommended HUD utilize the first round of NSPIRE inspections of the entire HUD portfolio to provide scores that are “advisory” only, without enforcement actions attached. These “advisory” scores would allow for more informed comments on the scoring formula. The comments said these initial NSPIRE scores could be used to improve the inspection system before the NSPIRE scores become scores of record.

**Letter Grades:** NAHMA said members oppose the letter grades described in Table 8. These proposed grades do not accurately reflect HUD’s policy and could too easily be misconstrued by outside entities such as media, insurance, financial institutions, and community groups. As an alternative, NAHMA recommended keeping the current numerical score, but if some other type of additional “description” is desired, HUD should follow the typical Management and Occupancy Reviews (MOR) rating system that provides consistency between

both MOR and physical inspections (i.e., Superior, Above Average, etc.). As an example:

- 90–100 Superior
- 89–80 Above Average
- 60–79 Satisfactory
- 30–59 Below Average (Fail)
- 0–29 Unsatisfactory (Fail)

However, NAHMA believes there is no need for a letter grade, just a description after the score.

**Point Caps:** NAHMA said members are very concerned that there will no longer be point caps and that this will negatively impact scoring. UPCS inspections had unintended point deductions that would skew the overall score for any one property. For example, a trip hazard could result in a deduction of over 10 points. The proposed NSPIRE scoring model does not address how to avoid the same type of unfair point deduction. There are no caps for point deductions and no recognition of

proportionality for findings. This issue is discussed in Section VI. C. of the proposed scoring method. The proposal indicates that any limitation on point deduction is something to avoid. However, safeguards should be in place to ensure that relatively few deficiencies do not have a substantial point deduction for the overall score. There should also be some ability for a human to review the score and recognize when the score is unreasonable. There should be a vehicle to address scoring issues in the future once NSPIRE is fully implemented and inspections are “live,” the comments said.

**Acquisitions and Renovations/Rehab:** NAHMA’s comments said properties should be temporarily removed from inspection at the owner’s request if they have been recently acquired or if there is documentation of significant renovations underway to improve the property’s condition.

“Members believe they should not be penalized for acquiring troubled assets, and they request time to make improvements on the property without fear of penalty. HUD should not disincentivize owners seeking to preserve and improve troubled assets,” the comments said.

**Impact on Small Properties:** Members are also concerned that smaller properties will be negatively impacted by the proposed methodology, primarily related to the items listed above, the comments said.

### NSPIRE FINAL RULE

On May 10, HUD published the final rule for NSPIRE in the *Federal Register*. According to the press release, the rule proposes a new approach to defining and assessing housing quality and reduces regulatory burden. The final rule publication follows 16 listening sessions in 15 states with more than 3,330 attendees.

*continued on page 6*

## CONGRESS PASSES BIPARTISAN BILL TO AVOID NATIONAL DEFAULT, *continued from page 1*

automatic spending cuts). It also changes the limits to 1% below the FY 2023 base funding levels if a continuing resolution is in effect on or after Jan. 1, 2024, or on or after Jan. 1, 2025, because all 12 regular appropriations bills were not enacted by the end of the prior year.

The bill also includes provisions that:

- Rescind certain unobligated funds that were provided to address COVID-19 and to the Internal Revenue Service;
- Provide funding for the Department of Veterans Affairs Cost of War Toxic Exposure Fund;
- Provide funding for the Department of Commerce Nonrecurring Expenses Fund;
- Provide statutory authority through 2024 for the requirement for agencies that propose certain administrative actions that will increase direct spending to also propose at least one administrative action that will decrease direct spending by at least the same amount (commonly known as administrative pay-as-you-go rules);
- Terminate the suspension of federal student loan payments;
- Expand the work requirements for the Supplemental Nutrition Assistance Program (SNAP) and the Temporary

Assistance for Needy Families (TANF) program; and

- Expedite the permitting process for certain energy projects.

According to a letter from the Congressional Budget Office (CBO) to House Speaker Kevin McCarthy, “In CBO’s estimation, if H.R.3746 was enacted and appropriations that are subject to caps on discretionary funding for 2024 and 2025 were constrained by the limits specified in section 101(a) of the bill, the agency’s projections of budget deficits would be reduced by about \$1.5 trillion over the 2023–2033 period relative to its May 2023 baseline projections .... Reductions in projected discretionary outlays would amount to \$1.3 trillion over the 2024–2033 period .... Mandatory spending would, on net, decrease by \$10 billion, and revenues would, on net, decrease by \$2 billion over the 2023–2033 period .... As a consequence, interest on the public debt would decline by \$188 billion.”

To view the full bill text, visit <https://www.congress.gov/bill/118th-congress/house-bill/3746/text>. An estimate of the budgetary effects of this bill is available by visiting [https://www.cbo.gov/system/files/2023-05/hr3746\\_Letter\\_McCarthy.pdf](https://www.cbo.gov/system/files/2023-05/hr3746_Letter_McCarthy.pdf). **NN**



According to HUD, NSPIRE improves the department's oversight by aligning and consolidating inspection regulations to evaluate HUD housing across multiple programs. NSPIRE strengthens HUD's physical condition standards, formerly known as UPCS and the Housing Quality Standards. HUD's REAC inspects HUD-assisted properties in the public and Multifamily Housing programs.

The start dates for physical inspections using the NSPIRE Standards are: Public Housing inspections begin July 1, and Housing Choice Voucher, Project-Based Vouchers and Multifamily inspections begin Oct. 1.

Some of the changes the final NSPIRE rule makes include the following:

**New Self-Inspection Requirement and Report.** PHAs and owners must conduct self-inspections of all units at least

annually and correct all identified deficiencies. Property self-inspection scores under 60 must be provided to HUD. Records related to the self-inspection should be maintained for three years.

**Timeline for Deficiency Correction.** For life-threatening and severe deficiencies, the PHA or owner must correct the deficiency within 24 hours after the inspection report is received and upload evidence of that correction within 72 hours to HUD.

**New Affirmative Requirements.** HUD developed new "affirmative standards" for all units that participate in HUD's rental assistance programs. These include basic requirements for habitability, such as kitchens and flushable toilets, but also essential safety concerns like Ground Fault Circuit Interrupter outlets, a permanent heating source, and safe drinking water.

**Tenant Involvement.** HUD will allow tenants to make recommendations regarding units to be inspected and will require that the PHA or owner correct all identified deficiencies within established timeframes and provide inspection results to residents.

Additional changes in the final rule include the following:

- HUD Committing to Reviewing Standards at Least Every Three Years
- Retaining 3-2-1 Rule
- Changes to Deficiency Categories: Life-threatening, Severe, Moderate, Low (New)
- Post-Inspection Report (New)
- Smoke Detector and Carbon Monoxide Alarms Requirement
- Removal of the Occupancy Requirement Related to Children of the Opposite Sex
- Elimination of Cosmetic Deficiencies **NN**

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# A Spotlight Shines On Rural Housing

AS THE BIDEN ADMINISTRATION continues to seek efforts to address the affordable housing crisis, members of Congress, federal agencies, affordable housing organizations and stakeholders have started to shift the focus on vulnerable rural populations and the need for improved access to safe and affordable housing opportunities.

Today, there are nearly 400,000 available affordable homes providing housing opportunities for rural families in about 13,000 U.S. Department of Agriculture (USDA) financed rental properties. Efforts to increase the rural housing stock have faltered, primarily due to inadequate funding. Existing properties have started to exhaust their affordability provisions, and no new USDA direct-financed rental housing has been developed for more than a decade. This helped create the current mortgage maturation crisis—once a property's mortgage matures, the rental unit loses its subsidy. As these mortgages mature, projects and units are removed from USDA's affordable rural housing program, placing very low-income rural residents in jeopardy of untenable rent increases and possible eviction.

An alarming number of multifamily housing mortgages will mature in the next few years. The Housing Assistance Council identified 921 Section 515 properties that left the portfolio between 2016 and July 2021—nearly three times more than the USDA had projected for maturing mortgages alone during the five-year period. Over the next decade, as much as three-quarters of all Section 515 mortgages will mature, and with it, the end of related Section 521 Rental Assistance (RA) contracts, stranding approximately 250,000 families

and elderly persons and leaving them unable to house themselves. Under current law, when a Section 515 mortgage expires, Section 521 RA also expires. There is no budget authority to replace these mortgages.

Sen. Tina Smith (D-MN), chair of the Senate Banking, Housing and Urban Affairs Subcommittee on Housing, Transportation, and Community Development, held a hearing in early May focusing on improvements to the Rural Housing Service (RHS) programs at the USDA and the Rural Housing Service Reform Act of 2023. This was the third hearing Smith chaired to improve rural housing programs for many rural towns and communities as they struggle to attract new businesses, residents, and talent. "Without access to housing, nothing else in your life works. Not your job, your health, your education or your family . . . We know that the housing crisis is hurting communities across the country, with many families struggling to find a safe, affordable place to live. I look forward to hearing from our witnesses about ways we can reform Rural Housing Service programs to serve more people and better meet the needs of families," said Smith.

During the hearing, Sens. Smith and Mike Rounds (R-SD) introduced significant bipartisan legislation, the Rural Housing Service Reform Act of 2023 (S.1389), which seeks to improve federal rural housing programs, cut red tape, and strengthen the supply of affordable housing. The reform act directly resulted from those hearings and public input from stakeholders closest to the issue. The legislation would improve and build upon several USDA rural housing programs.

One key provision of the bill would allow for decoupling a Section 515 mortgage and Section 521 Rental Assistance

so that the assistance doesn't disappear when those mortgages mature. Another provision would streamline the process for Section 515 nonprofit transfers and increase the Section 515 nonprofit set aside, making it easier for nonprofits to acquire those properties.

The USDA has also taken steps to improve potential transfer and rural housing preservation activity by identifying the need to simplify the transfer of ownership for certain types of transactions. The current process places the same submission requirements on applicants regardless of the complexity of the transaction, resulting in undue burdens for relatively uncomplicated transfers. To address this issue, the USDA is implementing the Simple Transfer Pilot Program, which will offer three additional transfer options to encourage the preservation and revitalization of the portfolio.

Additionally, to ensure the USDA is successfully meeting its responsibilities when providing safe and decent housing, the RHS has created the Multifamily Physical Inspection Pilot Program, a contractor-based physical inspection protocol for all RHS properties, to replace the current outdated system. The inspection protocol is based on Mortgage Bankers Association forms, with results ranging on a scale of 1 through 5. The USDA has reported that inspections began in early 2023 and that 1,000 inspections are expected in the full pilot by August 2023.

As the need for additional support for families and tenants living in rural housing persists, NAHMA will continue to work with critical stakeholders and policymakers to ensure the spotlight on rural housing remains bright. **NN**

*Michal Machnowski is manager of government affairs for NAHMA.*



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# Housing Credit Legislation Introduced Today with Wide Bipartisan Support

TODAY, HOUSING CREDIT CHAMPIONS in both chambers of Congress reintroduced the Affordable Housing Credit Improvement Act (AHCIA), comprehensive legislation that would expand and strengthen the Low-Income Housing Tax Credit (Housing Credit). The lead sponsors of the bill are Sens. Maria Cantwell (D-WA), Todd Young (R-IN), Ron Wyden (D-OR), and Marsha Blackburn (R-TN) and House of Representatives members Darin LaHood (R-IL),

Suzan DelBene (D-WA), Brad Wenstrup (R-OH), Don Beyer (D-VA), Claudia Tenney (R-NY), and Jimmy Panetta (D-CA).

In the House, the bill has more than 60 bipartisan original co-sponsors. This is an unprecedented showing of support for the legislation at this early stage in the process. The Senate bill is being introduced with the four lead sponsors only, with a co-sponsorship drive following introduction. NCSHA

will publish soon a complete list of co-sponsors.

According to estimates by Novogradac, the AHCIA would finance more than 1.94 million additional affordable rental homes, support approximately three million jobs, and generate \$115 billion in federal, state, and local tax revenue and nearly \$333 billion in wages and business income over the next decade.

The AHCIA is a top priority for NCSHA and its state HFA members, and HFAs already have been hard at work advocating with their members of Congress, as evidenced by the strong bipartisan showing of original cosponsors. We urge all Housing Credit stakeholders to get involved in the advocacy effort by joining the ACTION Campaign, chaired by NCSHA and Enterprise Community Partners. Membership is free, and we need your help to move this bill over the finish line this year.

For more information about the bill and its impact, see the ACTION Campaign Advocacy Toolkit, where you can find a one-page bill summary and a detailed section-by-section bill summary, as well as program fact sheets for every state and congressional district and more. **NN**

*Jennifer Schwartz is the director of Tax and Housing Advocacy at the National Council of State Housing Agencies.*

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# NAHMA Responds to the Resident-Centered Housing Challenge

**N**AHMA has submitted comments in response to the White House's release of the Resident-Centered Housing Challenge as part of the administration's recent announcement of its Blueprint for a Renters Bill of Rights.

The Resident-Centered Housing Challenge encourages housing providers, property managers, and investors to strengthen practices and commitments

standards than are required by state or local law.

According to the comments, NAHMA will continue championing and advancing its Communities of Quality Program. In 2003-2004, NAHMA won a Fannie Mae Foundation grant to research and report on best practices in affordable housing management. Through this research, NAHMA created one of its signature

comments, since the NSPIRE demonstration's origin in 2019, NAHMA members have been essential partners with HUD's Office of Multifamily Housing and the Real Estate Assessment Center (REAC).

"Our members are key participants in the NSPIRE demonstration program, through which they have been involved in thousands of on-site/in-unit testing, stakeholder feedback sessions, and

assisting REAC in finalizing its guidance. We commit to continuing this partnership as NSPIRE shifts from demonstration to regulation later this year," the comments said.

## ■ Education, Enforcement, and Enhancement of Renter Rights:

Such as creating new benefits and/or services for residents that enhance their economic mobility, build credit, and/or prepare them for homeownership.

According to the comments, NAHMA commits to supporting federally assisted renters in their upward mobility goals, including closing the digital divide, building assets, and reaching financial self-sufficiency. NAHMA said it strongly supports the Affordable Connectivity Program (ACP) and HUD's Family Self-Sufficiency (FSS) program, the federal government's largest asset building program for low-income families. According to the HUD fiscal year 2024 budget request, an estimated 57,000 households participate in the FSS program, a fraction of the more than 2.2 million households across the country that benefit from FSS. NAHMA advocated

**In its comments, NAHMA said members participate in the federal government's affordable housing and rental assistance programs, which already include regulations on communication with tenants, eviction prevention, allowable fees, permissible charges and add-ons, and innumerable other requirements established by the programs' frameworks. NAHMA said its members will continue to monitor and comply with all guidance and requirements issued by regulators at all levels of government.**

to improve the quality of life for renters. According to NAHMA's comments, as part of this pledge, housing providers commit to one or more of these actions:

■ **Alignment With the Overall Blueprint:** Such as developing a code of ethics or membership standards that align with the Blueprint principles.

NAHMA and its members have long supported a variety of resident-centered management practices, said the comments. As one example, NAHMA will continue to research and report on "Mission-Driven: Seven Things Best-in-Class Affordable Housing Providers Do to Balance Their Financial and Social Goals," which focuses on the steps leading affordable housing providers take to remain mission-driven in the face of significant financial constraints.

■ **Access to Safe, Decent, Affordable Housing:** Such as adopting higher

initiatives that remains a cornerstone of what NAHMA and its members stand for and advocate—NAHMA's Communities of Quality program, which promotes and measures benchmarks of safe, quality affordable housing. Benchmarks include physical appeal, financial management, and programs and services provided to residents.

Additionally, the comments said NAHMA members commit to continuing the partnership with federal regulatory agencies, including the departments of Housing and Urban Development (HUD), Agriculture—principally the Rural Housing Service—and Treasury/IRS, to modernize and implement new physical inspection protocols, the National Standards for the Physical Inspection of Real Estate (NSPIRE). According to the



for ACP and FSS access to tenants in HUD's rental assistance programs and continues to advocate for funding and non-federal funding resources to expand the programs to all eligible households.

In addition to advocating for ACP and FSS to help residents reach financial self-sufficiency, the comments said that NAHMA supports and participates in the XPRIZE adult literacy campaign, Transforming Lives Through Literacy.

■ **Access To Clear and Fair Leases:** Such as reducing or eliminating rental "junk fees," which are the hidden fees, charges, and add-ons.

■ **Right To Organize:** Such as enhancing and increasing communication between tenants, residents, and housing providers and other types of resident-centered housing communication practices.

■ **Eviction Prevention Diversion and Relief:** Such as expanding pathways to eviction mitigation and prevention.

In its comments, NAHMA said members participate in the federal government's affordable housing and rental assistance programs, which already include regulations on communication with tenants, eviction prevention, allowable fees, permissible charges and add-ons, and innumerable other requirements established by the programs' frameworks. NAHMA said its members will continue to monitor and comply with all guidance and requirements issued by regulators at all levels of government.

#### OTHER COMMENTS

Besides submitting comments on behalf of its members, NAHMA submitted comments as a member of a coalition consisting of 12 industry partners.

The joint comments said the organizations agree that the U.S. faces a

serious housing affordability crisis. "And while the administration has correctly made addressing this crisis a priority, we are disappointed that today's release [announcing the Blueprint for a Renters Bill of Rights] is solely focused on renter protections, creating potentially duplicative and onerous federal regulations that interfere with state and local laws meant to govern the housing provider and resident relationship. Unfortunately, this effort does nothing to address the underlying cause of the housing affordability crisis," according to the industry comments.

The comments said the U.S. needs to build more housing of all types and at all price points. The industry partners urge the administration to priori-

tize the Housing Supply Action plan it issued last year.

"We agree with President Biden's own words when he released that plan: 'The best thing we can do to ease the burden of housing costs is to boost the supply of quality housing,'" the comments said. "The competitive and professionally managed apartment industry is, by definition, resident-centered. There is no rental housing industry without our residents. We reiterate the message we conveyed in both meetings with and letters sent to the administration in July and December of last year—removing obstacles to new housing production should be the administration's priority." **NN**

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# Industry Speaks Out Against Consolidating HAP Contracts

**T**hirteen industry partners, including NAHMA, provided comments to the Department of Housing and Urban Development (HUD) regarding the Advance Notice of Proposed Rulemaking for consolidating Housing Assistance Payment (HAP) contracts.

HUD proposes transitioning to a single Section 8 regulation and a single HAP contract for its Section 8 Project-Based Rental Assistance programs.

According to the joint comments, the “proposal appears to be reasonable and well-intentioned; however, HUD clearly has not considered the impact that consolidation would have on long-standing contractual relationships and the future of this scarce resource.”

Congress enacted the Multifamily Assisted Housing Reform and Affordability Act (MAHRA) in 1997 to address the expiration of thousands of Section 8 housing assistance payment contracts to preserve over 1.3 million assisted units. MAHRA provides for the “renewal” of such contracts based on the original contractual agreement in the original HAP. Since its passage, HUD has offered renewal contracts under the current regulatory framework—New Construction; Substantial Rehabilitation; State Housing Agency; Loan Management Set-Aside; Section 202/8; Section 515/8; and Property Disposition.

“HUD’s proposal would lead to the loss of thousands of low-income units by creating an incentive for owners to opt out of the program. Not only is this result contrary to MAHRA, it is inconsistent with this Administration’s focus on increasing (not decreasing) the supply of affordable housing,” the joint comments said. “We also take issue with particular proposals contained in the notice relating to distributions, reserve for replacement accounts, audit requirements, and periodic Capital Needs Assessments, as well as the notion

that the renewal process and other policy guidance be promulgated in a regulation. Such proposals will serve as disincentives to pursue long-term preservation transactions.”

The comments said owners and HUD have relied on the various forms of HAP contracts for decades, as have their lenders and investors.

“Based upon over 40 years of contract rights and policy, owners have had a reasonable expectation that HUD would continue the policy of not limiting distributions on certain projects. Parties have relied on such expectations and invested substantial funds into the preservation of these affordable housing communities through acquisition and rehabilitation. Altering the HAP contracts to add a limitation on distributions would be a disincentive for owners to continue operating their properties as low-income housing. As noted, the whole point of MAHRA was to preserve the existing inventory,” said the comments.

Based on the advanced notice, the partners concluded that HUD proposes incorporating all existing Section 8 program guidance into a regulation.

“Consolidation of the regulations along with the incorporation of existing guidance would amount to a substantive change of the regulations, which is not in keeping with the MAHRA statute. Further, such action would prevent HUD from adapting its program guidance to exceptional circumstances or changes in law, policy, market conditions and resident considerations. Any change or deviation from the regulation would require a waiver, which is an onerous and cumbersome process, or a formal amendment of the regulation, which requires solicitation of public comments, HUD review of the comments, internal review of the regulations by various HUD offices and the review and approval of the Office of Management and Budget. HUD’s ability to respond quickly to a policy or

legislative change becomes impossible,” according to the comments.

The joint comments said HUD’s intention to reduce complexity by creating a consolidated HAP contract would, in fact, add an additional form of HAP. The industry partners said complete consolidation would not occur until every HAP contract is renewed, which could take decades.

The advanced notice suggests that HUD wants to impose a reserve requirement. However, according to the comments, HUD cannot do so under the existing contracts.

“Most owners maintain reserve accounts already because it is prudent to do so, plus many lenders require owners to demonstrate adequate reserves. We would not support HUD adding a HUD-controlled replacement reserve deposit on top of a reserve deposit already required by the lender as part of the underwriting. We believe HUD should defer to lenders and investors, particularly for preservation transactions. Adding a new reserve deposit requirement would lessen the amount of rehabilitation that could be done, including addressing immediate capital needs and otherwise reduce the scope of work. In some cases, a duplicative reserve requirement could derail a preservation transaction (particularly those with LIHTC),” the comments said.

The imposition of an arbitrary periodic capital need assessment (CNA) is unnecessary since conventional lenders, state housing finance agencies, tax credit investors, and the Multifamily Accelerated Processing guide already require it. The comments said whether a CNA should be necessary at a certain time should be subject to several factors, such as when the last rehabilitation work was done, the level of reserve funding, whether items previously identified as necessary improvements or replacement have been addressed, and whether there is oversight by a state agency. **NN**



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# 2023 NAHMA AFFORDABLE 100

How many housing units receive at least one form of federal subsidy in the United States today? The annual NAHMA Affordable 100 list provides this important data!

**THE NAHMA AFFORDABLE 100** comprises the largest affordable multifamily property management companies, ranked by subsidized unit counts. The NAHMA Affordable 100 list contributes vital data to the ongoing national dialogue on the future of federal funding for affordable housing. In an effort to accurately determine the portfolio of units receiving federal subsidy in the United States, NAHMA publishes this annual listing of affordable units containing at least one of the following federal subsidies:

- HUD Project-based Assistance (Project-based Section 8, Section 202, Section 811)
- Section 42 LIHTC
- HOME and CDBG funds
- USDA Section 515
- Bonds

The National Affordable Housing Management Association (NAHMA) is the leading voice for affordable housing management, advocating on behalf of multifamily rental property managers and owners whose mission is to provide quality affordable housing.

NAHMA supports legislative and regulatory policy that promotes the development and preservation of decent and safe multifamily affordable housing. NAHMA serves as a vital resource for technical education and information, fosters strategic relations between government and industry, and recognizes those who exemplify the best in affordable housing.

RANK / MANAGEMENT COMPANY (2022 rank shown in parentheses)	HEADQUARTERS	TOTAL NUMBER OF UNITS	
		SUBSIDIZED <sup>1</sup>	RESIDENTIAL <sup>2</sup>
1 WinnCompanies* (3)	Boston, MA	65,179	105,673
2 FPI Management, Inc.* (1)	Folsom, CA	61,263	141,903
3 Asset Living (8)	Houston, TX	40,135	150,095
4 Related Real Estate* (2)	New York, NY	40,000	87,000
5 The Michaels Organization* (4)	Camden, NJ	38,056	67,231
6 Dominion* (5)	Dallas, TX	36,426	38,059
7 The John Stewart Company (6)	San Francisco, CA	31,640	34,748
8 MMS Group (14)	Suffern, NY	30,245	48,395
9 KMG Prestige, Inc. (7)	Mount Pleasant, MI	28,070	32,140
10 Royal American Management, Inc.* (15)	Panama City, FL	26,280	27,311
11 CONAM Management Corporation* (16)	San Diego, CA	26,218	53,162
12 Envolve Communities/Envolve Client Services Group* (9)	Memphis, TN	25,214	28,553
13 Capstone Real Estate Services, Inc. (11)	Austin, TX	24,921	36,073
14 Mercy Housing Management Group* (10)	Denver, CO	24,210	24,210
15 National Church Residences* (13)	Columbus, OH	22,641	23,120
16 Millennia Housing Management, Ltd.* (12)	Cleveland, OH	22,299	31,463
17 Reliant Realty Services* (49)	New York, NY	19,900	20,700
18 SPM, LLC* (56)	Birmingham, AL	19,646	109,112
19 Capital Realty Group* (116)	Spring Valley, NY	17,584	17,584
20 Gateway Management Company (19)	Birmingham, AL	17,320	19,210
21 Edgewood Management Corporation* (17)	Gaithersburg, MD	17,182	20,073
22 Elmgton Property Management, LLC (38)	Nashville, TN	16,718	40,581
23 S.L. Nusbaum Realty Co. (20)	Norfolk, VA	16,651	28,420
24 The Franklin Johnston Group (28)	Virginia Beach, VA	16,172	21,369
25 C&C Apartment Management LLC (18)	New York, NY	16,077	20,482
26 Fairway Management Inc.	Columbia, MO	16,000	17,000
27 Allied Orion Group (27)	Houston, TX	15,947	26,790
28 Fairfield Residential (23)	San Diego, CA	15,885	36,146
29 TRG Management Company, LLP (85)	Weston, FL	15,100	21,300
30 Volunteers of America* (21)	Alexandria, VA	15,000	15,000
31 Wallick Communities* (43)	New Albany, OH	14,421	15,341
32 CAHEC Management, Inc. (31)	Columbia, SC	14,201	14,201
33 Wingate Management* (39)	Newton, MA	14,198	18,511
34 Cushman and Wakefield (88)	Chicago, IL	14,069	171,713
35 Woda Cooper Companies, Inc. (32)	Columbus, OH	13,968	14,156
36 Retirement Housing Foundation (29)	Long Beach, CA	13,880	17,044
37 Beacon Communities* (44)	Boston, MA	13,734	18,477
38 Conifer Realty, LLC (26)	Rochester, NY	13,546	14,723
39 Fairstead*	New York, NY	13,418	15,330
40 Gene B. Glick Company, Inc.* (24)	Indianapolis, IN	13,355	20,935
41 EAH Housing (68)	San Rafael, CA	13,171	13,171
42 United Apartment Group (37)	San Antonio, TX	13,000	18,000
43 The Hallmark Companies, Inc. (36)	Atlanta, GA	12,833	14,506
44 Kittle Property Group, Inc. (34)	Indianapolis, IN	12,772	16,927
45 The NRP Group, LLC (30)	Cleveland, OH	12,500	20,500
46 TM Associates Management, Inc.* (41)	Rockville, MD	12,457	13,669
47 Aperto Property Management* (35)	Irvine, CA	12,400	16,400
48 McCormack Baron Management, Inc. (46)	St. Louis, MO	12,300	16,000
49 Preservation of Affordable Housing (POAH)* (45)	Boston, MA	12,007	12,466
50 Winterwood, Inc.*	Lexington, KY	11,889	12,689

FOR AFFORDABLE 100 COMPANY LINKS AND THE "NEXT 20" COMPANIES ON THE LIST VISIT:



RANK / MANAGEMENT COMPANY (2022 rank shown in parentheses)	HEADQUARTERS	TOTAL NUMBER OF UNITS	
		SUBSIDIZED <sup>1</sup>	RESIDENTIAL <sup>2</sup>
<b>51 Peabody Properties, Inc.* (57)</b>	<b>Braintree, MA</b>	<b>11,682</b>	<b>15,291</b>
52 Peak Living (49)	Provo, UT	11,600	31,500
<b>53 Enterprise Residential, LLC (63)</b>	<b>Baltimore, MD</b>	<b>11,589</b>	<b>11,589</b>
54 Lincoln Property Company (51)	Dallas, TX	11,500	204,000
<b>55 Partnership Property Management* (54)</b>	<b>Greensboro, NC</b>	<b>11,465</b>	<b>11,594</b>
56 NDC Real Estate Management, Inc. (53)	Pittsburgh, PA	11,345	11,457
<b>57 Pennrose (67)</b>	<b>Philadelphia, PA</b>	<b>11,333</b>	<b>12,368</b>
58 Wilhoit Properties (55)	Springfield, MO	11,100	12,100
<b>59 Evergreen Real Estate Group (101)</b>	<b>Chicago, IL</b>	<b>11,000</b>	<b>11,350</b>
<b>59 Seldin, LLC* (48)</b>	<b>Omaha, NE</b>	<b>11,000</b>	<b>20,176</b>
<b>61 CRM Residential* (61)</b>	<b>Pleasantville, NJ</b>	<b>10,922</b>	<b>11,213</b>
62 Avanath Realty, Inc.	Irvine, CA	10,800	10,800
<b>63 Hayes Gibson Property Services/ Excel Property Management (42)</b>	<b>Bloomington, IN</b>	<b>10,771</b>	<b>14,492</b>
<b>64 Cascade Management, Inc. (64)</b>	<b>Portland, OR</b>	<b>10,423</b>	<b>10,862</b>
<b>65 USA Properties Fund (60)</b>	<b>Roseville, CA</b>	<b>10,362</b>	<b>11,133</b>
<b>66 Solari Enterprises, Inc.* (79)</b>	<b>Orange, CA</b>	<b>10,253</b>	<b>10,253</b>
<b>67 AWI Management Corporation (78)</b>	<b>Auburn, CA</b>	<b>10,085</b>	<b>10,105</b>
68 Eden Housing (64)	Hayward, CA	10,000	10,000
68 Picerne Management (58)	Altamonte Springs, FL	10,000	21,600
70 Mayfair Management Group LLC (51)	Dallas, TX	9,800	11,500
<b>71 Maloney Properties, Inc.* (66)</b>	<b>Wellesley, MA</b>	<b>9,738</b>	<b>9,983</b>
<b>72 Pedcor Management Corporation (68)</b>	<b>Carmel, IN</b>	<b>9,500</b>	<b>17,300</b>
<b>73 Preservation Management, Inc.* (62)</b>	<b>South Portland, ME</b>	<b>9,244</b>	<b>9,244</b>
<b>74 The Community Builders, Inc.* (76)</b>	<b>Boston, MA</b>	<b>9,134</b>	<b>10,067</b>
75 MACO Management Company, Inc. (82)	Clarkton, MO	9,100	9,600
<b>76 Hyder &amp; Company</b>	<b>San Marcos, CA</b>	<b>9,075</b>	<b>9,088</b>
77 Barker Management, Inc. (73)	Anaheim, CA	9,000	10,000
77 Continental Management (70)	Bingham Farms, MN	9,000	9,700
<b>79 National Community Renaissance* (71)</b>	<b>Rancho Cucamonga, CA</b>	<b>8,847</b>	<b>9,444</b>
<b>80 RLJ Management Co., Inc. (80)</b>	<b>Columbus, OH</b>	<b>8,765</b>	<b>8,810</b>
<b>81 Habitat America, LLC* (84)</b>	<b>Annapolis, MD</b>	<b>8,619</b>	<b>10,116</b>
82 Buckingham Property Management	Clovis, CA	8,600	9,200
<b>83 Community Management Corporation* (74)</b>	<b>Winston-Salem, NC</b>	<b>8,387</b>	<b>8,427</b>
<b>84 Monroe Group, Ltd.* (91)</b>	<b>Denver, CO</b>	<b>8,378</b>	<b>8,378</b>
85 Rose Community (82)	Brooklyn, NY	8,300	10,200
<b>86 SHP Management Corp.* (75)</b>	<b>Cumberland Foreside, ME</b>	<b>8,003</b>	<b>8,090</b>
87 MetroPlains Management LLC	Fargo, ND	7,800	9,300
88 Burlington Capitol Properties* (89)	Omaha, NE	7,700	10,600
88 Cohen-Esrey Real Estate Services LLC	Overland Park, KS	7,700	11,000
<b>90 Hispanic Housing Development Corporation</b>	<b>Chicago, IL</b>	<b>7,649</b>	<b>8,219</b>
<b>91 Cambridge Management, Inc. (40)</b>	<b>Tacoma, WA</b>	<b>7,551</b>	<b>8,872</b>
<b>92 RPM Living</b>	<b>Dallas, TX</b>	<b>7,549</b>	<b>124,834</b>
93 Yarco Company, Inc. (92)	Kansas City, MO	7,500	11,000
<b>94 Rampart Multifamily Management</b>	<b>Baton Rouge, LA</b>	<b>7,493</b>	<b>9,250</b>
<b>95 Housing Management Resources, Inc.* (100)</b>	<b>Quincy, MA</b>	<b>7,369</b>	<b>7,599</b>
<b>96 Trinity Management, LLC* (96)</b>	<b>Boston, MA</b>	<b>7,317</b>	<b>7,824</b>
97 California Commerical Investment Group	Westlake Village, CA	7,300	8,200
98 LHP Management* (94)	Knoxville, TN	7,200	7,400
98 PK Management, LLC* (90)	Cleveland, OH	7,200	13,500
100 Greystar (95)	Charleston, SC	7,191	726,826

Companies in bold provided data for NAHMA's survey. All others are based on industry estimates.

\* A NAHMA Communities of Quality National Recognition Program Participant

<sup>1</sup> and <sup>2</sup> All unit data represent only units directly managed (not owned) that were rented or available to rent on Dec. 31, 2022. Down units, abated units, units under construction or rehabbing units not available for rent are not included.

<sup>1</sup> Total affordable units managed. Federal programs only, including HUD, LIHTC, USDA, HOME, and Bond programs. Data do not include state or local subsidy, public housing, tenant-based vouchers (Section 8 or RD tenant-protection vouchers), or federal mortgage insurance or loan guarantee programs. If a unit has more than one subsidy, it is counted only once.

<sup>2</sup> Total residential units managed (including market or affordable).

NAHMA would like to extend its sincere thanks to the NAHMA Affordable 100 Task Force, without whose hard work and support this survey would not have been possible. In particular, sincere appreciation goes to task force chair Nathan Burnett, Watchtower Security and vice chair Jeffrey Promnitz, Zeffert & Associates, Inc.; Guthrie Alberts, Paysafe Merchant Services, Inc.; Joe Anderson, The Buckner Company; Phil Bogucki, Watchtower Security, Inc.; Andrew Boyle, New Hampshire Housing Finance Authority; Mike Coco, Choice Property Resources, Inc.; Amber Day, TrashPro; Leo Delgado, Converged Services, Inc.; Rue Fox, ResMan; Janel Ganim, ResMan; Eddie Garrett, McGriff Insurance Services; Tracey Gray, Watchtower Security, Inc.; Jenny Hidalgo, Omnia Partners; Babbie Jaco, CAHEC Management; Jennifer Kelly, MRI Software; Mark Livanec, Yardi Systems, Inc.; Amy Losek, Converged Services, Inc.; Carlita Mendez, CMS Results; Scott Nelson, RealPage, Inc.; Dion O'Brien, Watchtower Security, Inc.; Andrew Pieplow, Watchtower Security, Inc.; Scott Ployer, National Property Management Strategies Group, LLC; Greg Proctor, Lumina Partners; Scott Scharlach, Columbus Metropolitan Housing Authority; Christopher Voss, Yardi Systems, Inc.; Colleen Winship, Appfolio; and John Yang, Rental Housing Deals.com, Inc.

If you believe your company should be included in next year's survey, please contact Jennifer Jones, [jjones@nahma.org](mailto:jjones@nahma.org).

# President Biden Requests FY 2024 Budget for HUD and USDA

On March 9, President Joe Biden submitted to Congress his administration’s fiscal year 2024 (FY 2024) budget. The budget request totals \$6.9 trillion and provides the administration’s spending and policy priorities.

“The budget reflects our values as a nation—a nation of good people, growing in a new age of possibilities, and standing as a beacon to the world. Together, let us put those values into practice and prove that democracy delivers as we keep building a stronger, fairer economy that leaves no one behind,” said President Biden in a statement.

Of the nearly \$7 trillion proposed budget, \$73.3 billion is requested for the Department of Housing and Urban Development (HUD), and \$30.1 billion is requested for the U.S. Department of Agriculture (USDA).

## HUD PROGRAMS BUDGET REQUEST

The administration’s FY 2024 HUD budget requests \$73.3 billion, a \$1.1 billion increase above the current FY 2023 level. Here is the draft funding breakdown of essential HUD programs.

**Tenant-Based Rental Assistance (vouchers):** The FY 2024 budget proposes over \$32.7 billion for the voucher program, a \$1.4 billion increase from the funding level provided in FY 2023 enacted levels. This includes \$27.8 billion for Housing Assistance Payment Contract Renewals, \$385 million for Tenant Protection Vouchers, \$686 mil-

lion for Section 8 Mainstream Renewals, \$25 million for Mobility Services, a new program that will assist families in moving to high-opportunity neighborhoods, and \$565 million for Incremental Vouchers, a new effort that could result in 200,000 additional families receiving support, including those who are homeless or fleeing from domestic violence.

**Project-Based Rental Assistance (PBRA):** The budget proposes about

allow HUD to increase the contract rents for 10 to 15 properties to address their deficiencies. The budget also requests several legislative proposals for the PBRA program. A few notable policy proposals include:

■ **Align M2M With Section 8 for MOR Schedule:** This proposal would allow HUD to conduct Management and Occupancy Reviews (MORs) for M2M properties on the same schedule as other

“The budget reflects our values as a nation—a nation of good people, growing in a new age of possibilities, and standing as a beacon to the world. Together, let us put those values into practice and prove that democracy delivers as we keep building a stronger, fairer economy that leaves no one behind.”

\$15.9 billion for PBRA, including \$15.3 billion to renew all expiring contracts. This PBRA request includes \$448 million for performance-based contract administrators and \$31 million for Budget-Based Rent Increases (BBRIs) to cover the cost of service coordinators. The budget includes \$28 million to support BBRIs for at-risk Mark-to-Market (M2M) properties—\$25 billion—and other PBRA properties with health and safety deficiencies. This funding would

PBRA properties. Currently, M2M properties must be reviewed annually, while other PBRA properties are subject to a risk-based schedule (e.g., low-risk properties inspected less frequently, up to once every three years).

■ **Permanent Authority for Performance-Based Contract Administrators (PBCA) Modifications:** This proposal would permanently allow HUD to make the PBCA solicitation process a Notice of Funding Opportunity—awarding coopera-

HUD Programs	FY 2023 Enacted	FY 2024 Requested
Tenant-Based Rental Assistance	\$27,599	\$32,700
Project-Based Rental Assistance	\$13,938	\$15,900
Section 202 Housing for the Elderly	\$1,075	\$1,023
Section 811 Housing for Persons with Disabilities	\$360	\$356
Public Housing Capital Fund	\$3,405	\$3,225
Public Housing Operating Fund	\$5,062	\$5,133
Community Development Block Grant	\$3,300	\$3,400
HOME	\$1,500	\$1,800

FIGURES EXPRESSED IN MILLIONS



To read the president’s proposed fiscal year 2024 budget, visit [https://www.whitehouse.gov/wp-content/uploads/2023/03/budget\\_fy2024.pdf](https://www.whitehouse.gov/wp-content/uploads/2023/03/budget_fy2024.pdf)

USDA-RHS Programs		
	FY 2023 Enacted	FY 2024 Requested
Section 521 Rental Assistance	\$1,488	\$1,650
Section 515 Rental Housing Direct Loans	\$70	\$200
Multifamily Housing Revitalization	\$36	\$39
Section 542 Rural Housing Vouchers	\$48	\$38
Section 538 Loan Guarantee	\$400	\$400
FIGURES EXPRESSED IN MILLIONS		

tive agreements—rather than a federal acquisition regulations procurement.

■ **Rental Assistance Demonstration (RAD):** This provision makes programmatic changes to RAD, including making the program permanent, expanding funding access, and other technical changes. Overall, the budget includes a total of \$62 million for RAD activities: \$50 million in RAD conversion subsidy in the PBRA account—as well as \$50 million in RAD conversion subsidy in the Tenant-Based Rental Assistance account—to support the cost-effective conversion of 30,000 public housing properties that are unable to convert using only the funds provided through existing appropriations, \$10 million in RAD conversion subsidy to support the cost-effective conversion of 3,000 Section 202 Project Rental Assistance Contracts properties that could not otherwise participate in a RAD conversion to support a more sustainable long-term operation, and \$2 million to provide direct support to lower capacity and small property owners for the due diligence requirements of the RAD conversions under both components of RAD.

■ **Tenant Complaint Customer Relationship Management System:** The budget requests \$1.5 million and states, “HUD does not have a system to enable Multifamily Housing Asset Management staff, Performance-Based Contract Administrators,

the Multifamily Clearinghouse call center, and Field Program Management staff, to conduct unified intake, tracking and resolution of tenant contacts related to unsafe and unsanitary property conditions or exigent health and safety conditions in Multifamily-assisted properties. The various parties maintain multiple systems with uncoordinated logging and tracking of information, which significantly limits Multifamily Housing’s ability to understand, track, and address complaints in a coordinated manner.”

**Section 202 Housing for the Elderly:** The budget requests \$1 billion for Section 202 housing, a decrease of \$52 million from the FY 2023 enacted levels. This includes \$797 million for contract renewals, \$110 million in new Capital Advance funding to increase the supply of affordable housing for seniors by approximately 1,000 units, and \$112 million to fund service coordinators. In addition, to support HUD’s focus on climate resilience, Section 202 property owners who seek to improve their properties may be eligible to receive grants or loans under the forthcoming Green and Resilient Retrofit Program (GRRP) funded by the Inflation Reduction Act (IRA).

**Section 811 Housing for Persons With Disabilities:** The budget requests \$356 million for Section 811 housing, a decrease of \$4 million from the FY 2023 enacted levels. This also includes \$148

million in Capital Advance to support approximately 1,200 new Section 811 units. Additionally, Section 811 property owners that seek to improve their properties may be eligible to receive grants or loans under the forthcoming GRRP funded by the IRA.

**Energy Efficiency, Climate Resilience and Preservation:** The budget provides \$3.2 billion for public housing modernization and \$300 million to improve the public housing stock’s energy efficiency, climate resilience, and physical condition. To complement these investments, the budget provides \$7.5 billion in mandatory funding for the comprehensive preservation of distressed public housing communities.

**HOME Investment Partnerships Program:** The budget requests \$1.8 billion for the HOME Investments Partnerships Program, which is \$300 million more than the FY 2023 enacted level. This request includes \$100 million for the FirstHOME Downpayment Assistance initiative to states and insular areas to ensure sustainable homeownership better.

**Community Development Block Grant:** The president’s FY 2024 budget requests \$3.8 billion for the Community Development Fund, which is \$295 million more than the FY 2023 enacted level. The budget also proposes \$10 billion to help states and local jurisdictions expand supply and increase housing choice by reducing barriers to affordable housing development through planning and housing capital grants.

**Family Self-Sufficiency (FSS):** The president proposed \$125 million for the FSS program, \$15 million for Jobs Plus, and \$35 million for Resident Opportunities and Self-Sufficiency. With funding at the requested level, FSS will be able to fund approximately 1,450 FSS coordinators to support at least 74,000 families in public housing,

*continued on page 20*

voucher housing, and Multifamily Housing. The draft includes the new budget-neutral Resident Health Equity Demonstration program, which will encourage public housing authorities to partner with local qualified health centers using their current Public Housing Fund resources to improve access to health resources for HUD-assisted residents.

**REAC-Operational Performance Evaluations and Risk Assessments (OPERA):** The budget includes \$61 million for the new OPERA account. Operated by the Real Estate Assessment Center (REAC), the OPERA program funds HUD's ability to evaluate physical, financial, and other operational conditions impacting HUD-assisted housing, residents, and their communities. The proposed funding would support the following key activities in 2024:

- Creating an enterprise assessment model that will enhance housing evaluations.
- Expanding work started under National Standards for the Physical Inspection of Real Estate (NSPIRE) to align HUD's assessments and associated analytics across rental housing assistance programs.
- Performing, analyzing, and scoring physical inspections under the NSPIRE program for properties in Public Housing and Multifamily programs.
- Performing, analyzing, and scoring financial assessments of approximately 7,000 Public Housing properties and 30,000 Multifamily properties.
- Improving scheduling and planning of inspections and increasing capacity for timely follow-up.
- Performing on-site and remote quality assurance and risk-based follow-up reviews of inspection and assessment activities.
- Enhancing the equity, quality, and accuracy of HUD's performance evaluations and risk assessments by including additional inputs that provide enhanced information

tied to health, safety, and viability, such as feedback from residents of HUD housing, and by adopting new data sources and modern data analytics capabilities.

Physical inspection activities will have transitioned to NSPIRE for all programs under OPERA by 2024. HUD anticipates that up to approximately 7,000 Public Housing properties and 9,000 Multifamily properties will receive a scored inspection of record or non-scored informational review.

### **HUD MANDATORY AFFORDABLE HOUSING PROGRAMS**

The president's budget requests over \$100 billion in mandatory funding over 10 years for programs at HUD as well as tax credits to provide affordable housing. This is a new proposal for 2024 and would have the following HUD components:

- Extremely Low-Income Housing Supply Subsidy, \$15 billion
- New Project-Based Rental Assistance Contracts, \$7.5 billion
- Preserve Distressed Public Housing, \$7.5 billion
- Grants to Reduce Barriers to Afford-

**The president's budget requests over \$100 billion in mandatory funding over 10 years for programs at HUD as well as tax credits to provide affordable housing.**

- able Housing Production, \$10 billion
- Housing Vouchers for Vulnerable Low-Income Populations, \$22 billion
- All Youth Aging Out of Foster Care, \$9 billion
- Extremely Low-Income Veterans, \$13 billion
- First Generation Homebuyer Down Payment Assistance, \$10 billion
- Sustainable Eviction Prevention Reform, \$3 billion
- Low-Income Housing Tax Credit (LIHTC) Expansion, \$28 billion to expand LIHTC to boost supply by permanently increasing the allocation of tax

credit states receive, reducing the private activity bond financing requirement from 50% to 25%, and repealing the qualified contract provision and right of first refusal provision

### **USDA RURAL HOUSING SERVICE BUDGET REQUEST**

The president's FY 2024 draft budget includes \$30.1 billion for the Rural Housing Service (RHS), a \$3.8 billion increase from the FY 2023 enacted level. This includes \$1.7 billion for 521 Rental Assistance and to make the Pandemic Emergency Rental Assistance contracts permanent, \$200 million for Section 515 Rental Housing Direct Loans, \$38 million for Section 542 vouchers, \$39 million for the Multifamily Preservation and Revitalization program, and \$400 million for the Section 538 Multifamily Loan Guarantee program.

**Service Coordinator/Congregate Housing Services:** The budget includes \$112 million to renew approximately 1,600 existing Service Coordinator/Congregate Housing Services grants that support independent living and guard against premature transitions to nursing home care.

**Decoupling Request:** The budget proposes new appropriation language requesting to decouple rental assistance from a multifamily mortgage. The decoupling request will allow the RHS to continue to provide rental assistance to certain properties that no longer have Multifamily Housing direct loans (Section 515). The additional rental assistance ensures safe and affordable housing for tenants and helps rehabilitate and preserve housing properties in rural areas. For paid-off properties that do not decouple, instead of new Rural Development vouchers for the affected tenants, the budget continues to include \$20



million within the HUD Tenant Protection Vouchers.

**Proposal to Eliminate the Low-Income Borrower Penalty:** The budget also includes a new proposal to eliminate the existing low-income borrower penalty requiring individuals to repay subsidy costs for Single-Family Direct loans—a requirement that only exists for rural housing. This initiative would reduce rent burdens for low-income borrowers while also increasing the resiliency of rural housing to the impacts of climate change through a proposal to require energy and water efficiency improvements and green features in USDA's rural housing programs that include construction.

**Improving Energy Efficiency and Climate Resilience:** The budget recommends \$34.5 million for the Rural Energy Savings Program to implement cost-effective energy efficiency measures in rural

areas to advance clean energy and decrease energy use or costs for rural families and small businesses. Furthermore, the budget includes \$15 million in new administrative and technical assistance funding to support the Rural Clean Energy Initiative. This initiative will increase coordination between the departments of Agricultural, Energy, and Interior to achieve the president's clean energy goals and ensure funding reaches rural areas.

**Broadband and Connectivity Programs:** The budget includes \$400 million for the Broadband ReConnect Program, which provides loans and grants to provide funds for the construction, improvement, or acquisition of facilities and equipment needed to provide broadband service in eligible rural areas. In addition, the budget continues to include \$35 million for broadband grants to support new or improved broadband

access in communities with populations of up to 20,000.

## NEXT STEPS

Presidential budget requests are symbolic documents that outline an administration's funding and policy priorities for future fiscal years. Republicans have already opposed President Biden's proposed FY 2024 budget request. Congress controls the power to fund the government. Current government funding expires on Sept. 30, 2023. Due to the divided government—Democrats hold a majority in the Senate while Republicans control the House of Representatives—there remains a high possibility that Congress will be unable to meet the September deadline to pass a budget for FY 2024. NAHMA will work with Congress to increase investments in affordable housing and community development programs. **NN**



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# HUD Publishes Updated Guidance for Section 8 PBRA Contract Renewals

**T**he Department of Housing and Urban Development's (HUD) Office of Multifamily Housing Programs announced newly updated guidance for owners of properties participating in its Section 8 Project-Based Rental Assistance (PBRA) program. The changes published in Chapter 9 of HUD's *Section 8 Renewal Policy Guidebook* are designed to streamline the contract renewal process by making it easier for owners to prepare and submit the Rent Comparability Studies (RCS) used to establish contract rents. The changes also clarify the conditions under which such rents may reflect the value of providing services to residents. HUD last updated the guidebook in 2017, according to a HUD press release.

The updated guidebook chapter was developed by HUD following feedback received from program stakeholders on its draft published in April 2022. The updates became effective on May 1.

## NOTABLE UPDATES

■ Alternatives to a Rent Comparability Study have been expanded (Section 9-4). For Option 2, renewals and comparability adjustments, some renewals may use 90% of the Small Area Fair Market Rent (SAFMR) instead of an RCS (Section 9-5). For Option 1 and

2 renewals and comparability adjustments, unassisted units in a project may be used in lieu of an RCS in some scenarios (Section 9-6).

■ An owner can update an RCS if submitted more than 180 days before Housing Assistance Payments renewal by submitting a letter from the appraiser (Section 9-7 E).

■ The criteria for identifying project amenities and services and assign-

ment submitted by the association: "NAHMA members would like HUD to clarify how 150% was determined to be the appropriate threshold. If this threshold is being adopted from a similar Housing Choice Voucher cap, does Census data still show that only 1% of all metropolitan ZIP codes had rents above 150%? ... Given inflation, 160% maybe more appropriate than 150%." ■ HUD provided clearer instructions for

**The changes published in Chapter 9 of HUD's *Section 8 Renewal Policy Guidebook* are designed to streamline the contract renewal process by making it easier for owners to prepare and submit the Rent Comparability Studies (RCS) used to establish contract rents. The changes also clarify the conditions under which such rents may reflect the value of providing services to residents**

ing a valuation to those features were updated to provide clear appraiser guidelines (Section 9-9 C).

This final change reflects a NAHMA recommendation to draft guidance, specifically NAHMA argued, "Appraisers are better positioned to determine if non-shelter services that may be unavailable at comparable properties or in the local market add value. Additionally, denying such services because they may be uncommon in the market penalizes innovation and discourages investments for the benefit of the tenant population."

■ The mandatory market rent threshold criteria have been updated. A HUD-commissioned independent RCS will only be ordered if a project's gross rent exceeds 150% of the SAFMR (Section 9-14).

HUD did not respond to a com-

owners who identify mistakes of fact in a HUD-commissioned RCS (Section 9-14).

This final change reflects a NAHMA recommendation to draft guidance, "HUD should be required to perform a substantive review of the HUD-commissioned RCS, just as it does to the owner-commissioned RCS. This will ensure fairness, transparency, and due process for the owner."

■ The process for owner appeals of substantive review of an RCS has been clarified. Timelines are more specific, and the owner may submit one revised version of the RCS with the appeal (Section 9-18).

This final change reflects a NAHMA recommendation to draft guidance: "Denying owners the ability to appeal the HUD-commissioned RCS is a denial of due process." **NN**



The updated guidebook is available by visiting [https://www.hud.gov/sites/dfiles/Housing/documents/Section\\_8\\_Renewal\\_Guidebook-20March\\_2023.pdf](https://www.hud.gov/sites/dfiles/Housing/documents/Section_8_Renewal_Guidebook-20March_2023.pdf).

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# Multifamily Housing Office Releases Memo of VAWA Updates

In March, the Department of Housing and Urban Development (HUD)'s Office of Multifamily Housing issued a memorandum, *Housing Provisions of the Violence Against Women Act Reauthorization Act of 2022*, from Deputy Assistant Director Ethan Handelman. The memo summarizes the key changes to the law relevant to covered housing providers, identifying provisions that became effective immediately and those that are yet to be implemented. It also includes a description of a study, forms, and whom to contact for additional information.

On March 15, 2022, President Joe Biden signed into law the Consolidated Appropriations Act of 2022, including the Violence Against Women Act Reauthorization Act of 2022 (VAWA 2022). VAWA is a federal law originally enacted in 1994 that today protects individuals who are survivors of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, sexual orientation, or gender identity. It includes protections for survivors applying for or residing in covered housing programs. Many amendments enacted as part of VAWA 2022 took effect on Oct. 1, 2022.

## PROVISIONS EFFECTIVE AS OF OCTOBER 2022

VAWA 2022 revises the definition of domestic violence and adds the definitions of economic abuse and technological abuse. HUD interprets its current regulatory definitions of domestic violence and stalking to include what is covered in these revised and new statutory definitions.



To read the memorandum in its entirety, visit <https://www.nahma.org/wp-content/uploads/2023/03/VAWA-2022-Letter-to-Covered-Housing-Providers.pdf>.

VAWA 2022 adds HUD's Section 202 Direct Loan program to the list of covered housing programs, which means that VAWA now applies to the following housing programs administered by Multifamily Housing: Project-Based Rental Assistance under Section 8 of the U.S. Housing Act of 1937, as amended; Section 202 Supportive Housing for the Elderly program; Section 202 Direct Loan program; Section 811 Supportive Housing for Persons with Disabilities; Multifamily rental housing under Sec-

intimidate, threaten, interfere with, or retaliate against any person who exercises or assists or encourages a person to exercise any rights or protections under VAWA's housing provisions.

HUD will implement this section through rulemaking and issue guidance for federal financial assistance recipients and grantees.

**Right to Report Crime and Emergencies:** VAWA 2022 adds a section that protects the right to report crime and emergencies from one's home. The

**NAHMA is appreciative of HUD's commitment to the safety and soundness of the portfolio, but the pandemic continues to have major consequences to our members' properties and staff.**

tion 221(d)(3) of the National Housing Act with a below-market interest rate under Section 221(d)(5); and Multifamily rental housing under Section 236 of the National Housing Act.

VAWA 2022 also provides that HUD may identify additional "covered housing programs" programs through the issuance of regulations, notices, and/or other means.

## ENACTED PROVISIONS NOT YET IMPLEMENTED

**Prohibition on Retaliation:** VAWA 2022 adds a section prohibiting retaliation in covered housing. Under the new section, it is illegal for a public housing agency (PHA) or Multifamily owner or manager of covered housing to discriminate against any person because that person has opposed any act or practice made unlawful by VAWA's housing provisions or because that person testified, assisted, or participated in any related matter. The new section also provides that it is illegal for a PHA or Multifamily owner or manager of covered housing to coerce,

new section provides that landlords, homeowners, tenants, residents, occupants, and guests of, and applicants for, housing shall have the right to seek law enforcement or emergency assistance on their behalf or behalf of another person in need of assistance. The section also prohibits penalizing or threatening to penalize persons because they request assistance or report criminal activity of which they are a victim or otherwise not at fault under the laws or policies adopted or enforced by "covered governmental entities."

These entities must also certify compliance with these protections or explain how they will come into compliance or ensure compliance among subgrantees within 180 days of submitting the report to HUD.

HUD will issue grantees and federal financial assistance recipients guidance on this process. HUD also anticipates issuing implementing regulations or guidance to include any costs of conforming to the requirements that may be allowable under HUD programs affected by this provision. The law, however, became effective



on Oct. 1, 2022, so covered governmental entities are advised not to engage in any practices that violate the right to report provided for in Section 603 of VAWA 2022. Furthermore, covered governmental entities should update applicable policies and procedures to include the statutory right to report to avoid potential liability under the law.

**New Enforcement Authority:** VAWA 2022 provides that HUD and the Department of Justice shall implement and enforce VAWA consistent with and in a manner that provides the same rights and remedies as those provided for under the Fair Housing Act. HUD's Offices of Fair Housing and Equal Opportunity and General Counsel will enforce VAWA 2022 using the existing Fair Housing Act complaint process.

**Gender-Based Violence Prevention Office and VAWA Director:** VAWA 2022 requires HUD's secretary to establish a Gender-based Violence Prevention Office with a VAWA director. The VAWA director will support the implementation of VAWA's housing provisions; coordinate with other federal agencies and with state and local governments; ensure the provision of technical assistance and support for agencies and housing providers; implement internal systems to track, monitor, and address compliance failures; and address the housing needs and barriers faced by persons who are survivors of sexual assault, sexual coercion or sexual harassment by a PHA, or Multifamily owner or manager of housing assisted under a covered housing program.

**VAWA Training and Technical Assistance:** Multifamily is exploring how it can provide training and technical assistance for Multifamily owners using existing contract vehicles. In addition, VAWA 2022 authorizes funding for HUD for the fiscal years 2023-2027

for training and technical assistance to support VAWA implementation, including technical assistance agreements with entities whose primary purpose and expertise are assisting survivors of sexual assault and domestic violence or providing culturally specific services to survivors of domestic violence, dating violence, sexual assault, and stalking. HUD expects to select a technical assistance provider or providers through a competitive process in the spring/summer of 2023 and anticipates being in a position to provide technical assistance and training shortly after that.

#### ADDITIONAL INFORMATION

As required by VAWA 2022, HUD has begun a study of the availability and accessibility of housing and services for survivors of trafficking or those at risk of being trafficked who are experiencing homelessness or housing instability. VAWA 2022 outlines the key requirements for the study, a definition for the terms "survivor of a severe form of trafficking" and "survivor of trafficking," the requirements for coordination and consultation while conducting the study, and the contents of the study. HUD has embarked on this study, which is due to Congress by September 2023.

Additionally, the following VAWA forms are currently undergoing revision and renewal: Form HUD-5380, Notice of Occupancy Rights under VAWA; Form HUD-5381, Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking; Form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking, and Alternate Documentation; and Form HUD-5383, Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking. **NN**

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# NAHMA

# Residents Illustrate Acts of Kindness That Help People

Judging for the 2023 AHMA art and poster contest has wrapped, and the winners are being notified they will appear in the 2024 NAHMA Drug-Free Kids calendar. The underlying message for the annual competition is always a drug-free theme. Still, the association wanted to open the door for more avenues of expression, so a subtheme was incorporated into the poster contest. The subtheme for this year is People Helping People: Promote Acts of Kindness.

The poster contest is open to children and senior residents 55 years or older who live in a community of a NAHMA- or a local AHMA-member company, as well as residents with special needs who live in a permanent supportive housing community or Section 811 community of a NAHMA- or a local AHMA-member company.

"Everyone looks forward to seeing the fantastic artwork produced by the talented residents. The auction is always a fun time and supports a great program," said Kris Cook, CAE, NAHMA CEO.

The contest attracts entries from across the country. The artwork is first sent to the artist's local AHMA, where it is divided into categories. For each grade category for children and the elderly and

special needs levels, the local AHMAs selected up to three winning posters, which can consist of photographs, websites, computer art, or other media. The AHMAs set the deadlines for their regional contests.

The grade categories for children are based on the grade the contestants have completed by June 2023: kindergarten-first grade, second-third grade, fourth-sixth grade, seventh-ninth grade, and 10th-12th grade.

All AHMA winning submissions were then forwarded to NAHMA by the June 1 deadline, where a distinguished panel of judges selected the 13 winning entries for inclusion in the 2024 calendar. One special entry is chosen as the grand prizewinner, which will appear on the cover. Only children are eligible for the top prize.

In addition to appearing on the cover of the 2024 calendar, the national contest's grand prizewinner receives a \$2,500 educational scholarship and a trip to Washington, D.C., where the artist will be honored at NAHMA's Biannual Top Issues in Affordable Housing Fall Conference in October 2023.

Regardless of the entry category,

each national winner of the NAHMA contest receives a \$1,000 educational scholarship from the NAHMA Educational Foundation. All winners are also featured in the 2024 calendar.

Furthermore, participants in the annual art contests held by the local AHMAs are eligible to be selected as Regional AHMA Art Contest Honorable Mentions. Those chosen for this distinction are featured in a special NAHMA 2023 Drug-Free Kids Calendar section and receive a \$100 scholarship check.

All art submitted to NAHMA becomes the association's property, and NAHMA has the right to use the art for publicity, publications, and advertisements.

The winners of each local contest also receive various prizes from their AHMA.

For complete rules or to see a list of past winners, visit <http://www.nahma.org/awards-contests/calendar-contest/>.

The NAHMA 2024 Drug-Free Kids Calendar will go on sale in September. The calendar cost is \$5.50 and is a Department of Housing and Urban Development and a U.S. Department of Agriculture allowable project expense. **NN**

## Class of 2023 NAHMA Scholars To Be Announced Soon

**THE NAHMA EDUCATIONAL FOUNDATION** Scholarship Committee met in early June to select the 2023 class of NAHMA scholars. This is the 17th consecutive year that scholarships have been awarded to resident students living at AHMA-affiliated apartment communities nationwide. Over the scholarship program's history, more than 690 individuals have been selected to receive scholarships totaling more than \$2,500,000. Each 2023 scholarship was worth \$3,500, all part of the NAHMA Educational Foundation's continuing effort to make financially significant

awards to the outstanding resident students chosen.

This year, applications were received from 25 different states. Thirteen different AHMAs are represented in that total. Last year, the foundation awarded 96 scholarships worth a total of \$336,000. NAHMA scholars attend a wide variety of community colleges, universities and trade/technical schools. The scholars are an extremely diverse group with varied backgrounds from a wide age range, from high school seniors to senior citizens.

"As a result of the steadfast and unwavering support

of the foundation's donors and sponsors, we have been able to continue our proud tradition of providing financial support to students living in NAHMA apartment communities throughout the country. We remain extremely grateful for their enduring generosity. Over the past four years, the foundation has been able to make scholarships available to over 85% of residents submitting a completed application. Additionally, over the life of the program, more than 250 scholarship recipients have graduated from their respective programs. The NAHMA Educational Foundation

is very proud of those kinds of milestones that are the hallmark of the program's legacy," said Alicia Stoermer Clark, chairperson of the NAHMA Educational Foundation, during a recent foundation board meeting.

The entire class of 2023 NAHMA scholars will be announced soon. The complete list of this year's recipients will be published in an upcoming edition of the NAHMA News. Please watch this space for the list of selected students from various apartment communities, management companies and AHMAs across the United States. **NN**



## What is the Single Biggest Threat to Quality of Life for Residents and Staff in Affordable Housing?

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# COQ Awards Honor Achievements Of Affordable Housing Providers

**N**ow is the time to start thinking about your entry for the NAHMA 2023 Communities of Quality (COQ) Awards competition. The awards competition submission deadline to NAHMA is Nov. 2. The COQ Awards recognize outstanding property management companies providing the highest quality of safe, affordable multifamily rental housing in communities nationwide.

A property must first apply for and achieve national recognition as a NAHMA Community of Quality with a minimum score of 325 points on its National Recognition application to be eligible for the awards competition. The deadline for submitting a COQ National Recognition application to a local AHMA for consideration in the national program is Sept. 7.

If a property initially received less than 325 points when its COQ National Recognition application was first submitted, the property may elect to update the original application to earn more points if improvements have since been made. Detailed

instructions for updating the initial COQ National Recognition application are included in the COQ Awards application brochure.

"The Communities of Quality Awards honor the achievements of affordable housing providers who make an unprecedented contribution to developing outstanding properties for families of modest means. NAHMA believes it is essential that outstanding affordable properties—and the individuals who maintain them—be publicly recognized for providing quality housing that offers a safe, healthy environment," Larry Sisson, FHC, SHCM, NAHP-e, CGPM, chair of the NAHMA Board of Directors, said. "They are communities supplying essential programs and services for their residents. These awards bring well-deserved valuable attention to the important work we are all doing."

The COQ Awards competition has five categories: Exemplary Family Development; Exemplary Development for the Elderly; Exemplary Development for Residents with Special Needs; Exemplary Development for Single Room Occupancy Housing; Outstanding Turnaround of a Troubled Property.

Management companies are invited to enter more than one category and/or multiple entries in a single category; how-

ever, each property may only be entered in one category.

Award winners will be notified in early January 2024, and will receive their awards in a special ceremony at the NAHMA Biannual Top Issues in Affordable Housing Winter Conference, March 6-8, 2024, in Washington, D.C.

This year's COQ Awards program is jointly sponsored by Navigate Affordable Housing Partners, a nonprofit engaged in developing, owning, and managing affordable housing, and also a federal contractor providing compliance and financial services on behalf of the Department of Housing and Urban Development (HUD) as the Section 8 Performance-Based Contract Administrator (PBCA) for multiple states; and Yardi, which develops and supports industry-leading compliance, accounting and property management software for every type and size of affordable housing provider.

An overview of the COQ program and the awards' detailed application information and submission materials are available at the NAHMA website at <http://www.nahma.org/awards-contests/communities-of-quality/>.

The National COQ Recognition Program application was recently revised, making it easier to read, understand, and complete. The changes also make it accessible for non-HUD properties to participate in the national recognition program.

The AHMAs will also honor their local NAHMA Communities of Quality program participants. Please check the local AHMA's program details; a directory of the AHMAs is available on the NAHMA website <http://www.nahma.org/membership/ahma-directory/>.

For more information about the COQ program and awards, contact Paulette Washington at 703-683-8630, ext. 110 or [pwashington@nahma.org](mailto:pwashington@nahma.org).

NAHMA looks forward to judging numerous applications in every category from every AHMA. **NN**



An overview of the COQ program and the awards' detailed application information and submission materials are available at the NAHMA website at <http://www.nahma.org/awards-contests/communities-of-quality/>.

## About the COQ Awards Sponsors

**ABOUT NAVIGATE AFFORDABLE HOUSING PARTNERS:** Based in Birmingham, Ala., Navigate Affordable Housing Partners is a nonprofit engaged in developing, owning, and managing affordable housing. Navigate is also a federal contractor providing compliance and financial services on behalf of HUD as the Section 8 PBCA for multiple states. Navigate's core values—Service, Respect, Transparency, Quality, and Innovation—are applied to every aspect of their work and have resulted in an exemplary reputation in the housing industry. For further information, visit [NavigateHousing.com](http://NavigateHousing.com).

**ABOUT YARDI:** Yardi develops and supports industry-leading compliance, accounting and property management software for every type and size of affordable housing provider. Yardi solutions streamline compliance with HOME, USDA Rural Housing, HUD 50059 and Low-Income Housing Tax Credit programs. Clients choose Yardi for quality products, expert support and stability. They stay with us for evolving solutions that outpace the ever-changing technology landscape. For more information on how Yardi is Energized for Tomorrow, visit [yardi.com](http://yardi.com) or call 800-866-1144.



## USDA NEWS

**THE RURAL HOUSING SERVICE POSTED REVISIONS** to the following Multifamily Housing handbooks. For the *Multifamily Housing Loan Origination Handbook*, <https://www.rd.usda.gov/sites/default/files/hb-1-3560.pdf>, revisions were made to Chapters 1 and 5. For the *Multifamily Housing Guaranteed Rural Rental Housing Origination and Servicing Handbook*, <https://www.rd.usda.gov/sites/default/files/hb-1-3565.pdf>, revisions were made to Chapters 3 and 8.

## HUD NEWS

**ON MAY 11, THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) ANNOUNCED THE AVAILABILITY OF FUNDING** to support green and resilient retrofits of properties participating in Multifamily Assisted Housing programs. HUD published three notices of funding opportunity for the Green and Resilient Retrofit Program, along with implementation guidance in Housing Notice H 2023-05. The Inflation Reduction Act of 2022 provided HUD \$837.5 million in grant funding and \$4 billion in loan authority for this new program. The bill also included \$42.5 million for a new HUD initiative which will launch later this summer to collect and assess energy and water usage data from assisted multifam-

ily housing properties. For more information, visit [https://www.hud.gov/press/press\\_releases\\_media\\_advisories/HUD\\_No\\_23\\_093?utm\\_medium=email&utm\\_source=govdelivery](https://www.hud.gov/press/press_releases_media_advisories/HUD_No_23_093?utm_medium=email&utm_source=govdelivery).

**HUD ALLOCATED \$382 MILLION THROUGH THE NATION'S HOUSING TRUST FUND (HTF)** on May 3. HTF is an affordable housing production program that complements existing federal, state and local efforts to increase and preserve the supply of decent, safe, and sanitary affordable housing for extremely low- and very low-income households, including families experiencing homelessness. The fund is a formula-based program for states and U.S. territories. By law, each state is allocated a minimum of \$3 million. To see a list of state allocations, visit [https://www.hud.gov/program\\_offices/comm\\_planning/budget/fy23](https://www.hud.gov/program_offices/comm_planning/budget/fy23).

**THE OFFICE OF MULTIFAMILY HOUSING PROGRAMS HAS CREATED A WEBSITE** that guides owners who have converted their projects to Section 8 Project-Based Rental Assistance (PBRA) authorized under Rental Assistance Demonstration (RAD). This guidance applies only to public housing conversions, Section 8 Moderate Rehabilitation, Rent Supplement, Rental Assistance Payment, and Section 202 Project Rental Assistance Contract assistance to

PBRA. It does not apply to RAD conversions of assistance to Project Based Voucher assistance. To view the website, visit [https://www.hud.gov/program\\_offices/housing/mfh/RAD\\_Post\\_Conversion?utm\\_medium=email&utm\\_source=govdelivery](https://www.hud.gov/program_offices/housing/mfh/RAD_Post_Conversion?utm_medium=email&utm_source=govdelivery).

**HUD HAS RELEASED A MEMO, CNA REQUIREMENTS FOR PROPERTIES WITH AN FHA-INSURED LOAN**, to clarify under what circumstances a Capital Needs Assessment (CNA) is required for multifamily properties with a Federal Housing Administration (FHA)-insured loan, particularly as it pertains to 10-year update CNAs. These requirements are not uniform for all FHA-insured loans and vary based on authorizing statute and final endorsement date. The memo provides guidance for determining if and when a CNA is required based on a property's FHA-insured loan. To read the memo, visit [https://www.hud.gov/sites/dfiles/Housing/documents/CNAs\\_for\\_FHA\\_insured\\_Loans\\_Memo\\_April\\_2023.pdf?utm\\_medium=email&utm\\_source=govdelivery](https://www.hud.gov/sites/dfiles/Housing/documents/CNAs_for_FHA_insured_Loans_Memo_April_2023.pdf?utm_medium=email&utm_source=govdelivery).

**IN APRIL, HUD AWARDED ALMOST \$15 MILLION TO 13 NONPROFIT ORGANIZATIONS** and a state government to fund programs that make safety and functional home modifications to meet the needs of low-income elderly homeowners that allow them to age in place. Provided through HUD's Older Adults Home Modification Program, these grants enable low-income elderly persons to remain in their homes through low-cost, low-barrier, high-impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and improve their functional abilities in their home. These investments will enable older adults to remain in their homes—to "age in place"—rather than move to nursing homes or other assisted care facilities. To read a complete project-by-project summary of the programs awarded grants, visit [https://www.hud.gov/sites/dfiles/PA/documents/FY22\\_OAHMP\\_Project\\_Descriptions.pdf](https://www.hud.gov/sites/dfiles/PA/documents/FY22_OAHMP_Project_Descriptions.pdf). **NN**

## IRS NEWS: REVENUE RULING 2023-10

**THE IRS ISSUED REVENUE RULING 2023-10**, which provides various prescribed rates for federal income tax purposes, including applicable federal interest rates, adjusted applicable federal interest rates, and adjusted long-term and tax-exempt rates for June 2023. As the ruling provides, Table 4 contains LIHTC Appropriate Percentages Under Section 42(b)(1) for June 2023. The appropriate percentage for the 70% present value low-income housing credit is 7.85%, and the appropriate percentage for the 30% present value low-income housing credit is 3.36%. Under section 42(b)(2), the applicable percentage for non-federally subsidized new buildings placed in service after July 30, 2008, shall not be less than 9%. For more information, visit <https://www.nahma.org/wp-content/uploads/2023/05/Revenue-Ruling-2023-10.pdf>.

## Learning Important Lessons From Residents

TIM BEERY IS A REGIONAL manager for Tomlinson & Associates in Boise, Idaho. He is also an Air Force veteran, a husband, a father of four, a college graduate, Idaho AHMA president, a political geek, a creator who makes music, podcasts, videos and writes books (albeit never published), and still finds time to be a Dungeons & Dragons game master for a group consisting of his

ment industry.

"She saw a position for a property manager that had become available. It was OK," Beery said. "Then a position at her company opened up, and it was amazing."

He became an on-site property manager at a community with a high refugee population, which Beery said opened his eyes.



and share was a big deal. I never advertised it as a potluck. They started to on their own."

He stayed at the property for seven years while earning a degree in political science then he was offered a position in

compliance.

"I'm good at that sort of stuff.

The only reason I left compliance was because the regional manager position came up," Beery said. "I like residents. Nobody stays in housing, especially affordable housing, if they don't like the residents."

He feeds his love of politics by serving as president of his local AHMA.

"When I took over as president at the Idaho AHMA, it gave me more resources than I thought I had," he said. "I'm able to let our legislators know how their policies affect the people in the most need. It was mind-blowing for me."

Beery's goals for the AHMA while president are providing educational opportunities and becoming more active in advocacy.

"I want Idaho AHMA to be the resource for anything related to affordable housing," he said. **NN**

*Jennifer Jones is senior director of communications and public relations for NAHMA.*

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two sons and five of their friends. Oh, and he is addicted—his word—to Minecraft.

While in the military, Beery traveled worldwide as an aircraft tech. That experience taught him a lesson he now passes on to the site personnel he oversees.

"It helped teach me there is nothing wrong with trying to do things to the best of your ability and don't be afraid to mess up," he said. "There are very few things we can break catastrophically, but there are millions of things we can break a little and learn from it."

After his four years in the Air Force were over, Beery's aunt helped get him into the affordable manage-

"I was lucky to have the residents I did," he said. "While I was teaching them, they were teaching me."

Beery began holding cookouts where he would man the grill and invite the residents. Gradually, the cookouts morphed into what he calls a worldwide potluck. He said the residents took it upon themselves to start bringing dishes from their cultures to the cookouts.

"It's not just about managing properties. It's about building communities. We were a community, and I'm proud of that," he said. "A lot of the residents came from tight-knit communities and would only associate with their family and friends. So, for them to come out

# EDUCATION CALENDAR

For information on specific classes, contact the AHMA or organization directly. All dates and locations are subject to change. For the most up-to-date listings, visit the NAHMA Education & Event Calendar at [www.nahma.org/education/education-event-calendar..](http://www.nahma.org/education/education-event-calendar..)

## JULY

### 6 MOR Preparation

Webinar  
SAHMA  
800-745-4088  
[www.sahma.org](http://www.sahma.org)

### HUD—Qualifying Households

Webinar  
SAHMA  
800-745-4088  
[www.sahma.org](http://www.sahma.org)

### 11 The Management and Occupancy Review (MOR): Ready, Set, Go!

Webinar  
AHMA-NCH  
833-AHMA-NCH (246-2624)  
<https://ahma-nch.org>

### Intermediate HUD Occupancy

Webinar  
Oregon AHMA  
503-357-7140  
[www.oregonaffordablehousingmanagement.com](http://www.oregonaffordablehousingmanagement.com)

### 11–12 Tax Credit/SHCM Exam

Webinar  
NEAHMA  
781-380-4344  
[www.neahma.org](http://www.neahma.org)

### 13 Service Programs on a Shoestring Budget

Webinar  
NEAHMA  
781-380-4344  
[www.neahma.org](http://www.neahma.org)

### Service Programs on a Shoestring Budget

Webinar  
AHMA-PSW  
866-698-AHMA (2462)  
[www.ahma-psw.org](http://www.ahma-psw.org)

### 18 Challenges in Layered Properties

Webinar  
AHMA-NCH  
833-AHMA-NCH (246-2624)  
<https://ahma-nch.org>

### 18 Complying With Farm Labor Housing Rules

Webinar  
Oregon AHMA  
503-357-7140  
[www.oregonaffordablehousingmanagement.com](http://www.oregonaffordablehousingmanagement.com)

### Do the Right Thing-Property Management Ethics

Webinar  
AHMA-PSW  
866-698-AHMA (2462)  
[www.ahma-psw.org](http://www.ahma-psw.org)

### 18–19 Virtual Southeast Affordable Housing Conference

SAHMA  
800-745-4088  
[www.sahma.org](http://www.sahma.org)

### 19 HOME & LIHTC Compliance Challenges

Webinar  
Oregon AHMA  
503-357-7140  
[www.oregonaffordablehousingmanagement.com](http://www.oregonaffordablehousingmanagement.com)

### 20 Creating Communities of Caring: Creating Empathy for Residents Living With Mental Health Conditions

Webinar  
AHMA-NCH  
833-AHMA-NCH (246-2624)  
<https://ahma-nch.org>

### Conducting Effective RD File Reviews

Webinar  
Oregon AHMA  
503-357-7140  
[www.oregonaffordablehousingmanagement.com](http://www.oregonaffordablehousingmanagement.com)

### RD Annual & Interim Recertifications & Unauthorized Assistance

Webinar  
Oregon AHMA  
503-357-7140  
[www.oregonaffordablehousingmanagement.com](http://www.oregonaffordablehousingmanagement.com)

### 20 Understanding 202 PRACS

Webinar  
AHMA-PSW  
866-698-AHMA (2462)  
[www.ahma-psw.org](http://www.ahma-psw.org)

### SHCM Exam Prep: Eligibility of the Unit

Webinar  
SAHMA  
800-745-4088  
[www.sahma.org](http://www.sahma.org)

### 25 Compassion Fatigue: Cultivating Work-Life Balance to Avoid Burnout

Webinar  
AHMA-NCH  
833-AHMA-NCH (246-2624)  
<https://ahma-nch.org>

### Mastering the HUD Rent Increase

Webinar  
Oregon AHMA  
503-357-7140  
[www.oregonaffordablehousingmanagement.com](http://www.oregonaffordablehousingmanagement.com)

### Indoor Air Quality

Webinar  
NEAHMA  
781-380-4344  
[www.neahma.org](http://www.neahma.org)

### 25–26 Fair Housing Compliance (FHC) Certification

Virtual Training  
SAHMA  
800-745-4088  
[www.sahma.org](http://www.sahma.org)

### 27 How to Implement an AFHMP

Webinar  
AHMA-NCH  
833-AHMA-NCH (246-2624)  
<https://ahma-nch.org>

### 27 Section 8 Contract Renewals & Rent Increases: Where Are We Now?

Webinar  
MAHMA  
614-481-6949  
<https://mahma.com>

## AUGUST

### 8 Certified CPO Course

Virtual  
AHMA-PSW  
866-698-AHMA (2462)  
[www.ahma-psw.org](http://www.ahma-psw.org)

### Fair Housing for Maintenance

Webinar  
SAHMA  
800-745-4088  
[www.sahma.org](http://www.sahma.org)

### 9 SHCM Exam Prep: Certifying Income Eligibility

Webinar  
SAHMA  
800-745-4088  
[www.sahma.org](http://www.sahma.org)

### 10 Blended Occupancy Challenges

Webinar  
Oregon AHMA  
503-357-7140  
[www.oregonaffordablehousingmanagement.com](http://www.oregonaffordablehousingmanagement.com)

### 15 Tax Credit Continuing Education Seminar

King of Prussia, PA  
PennDel AHMA  
856-786-2183  
[www.penndelahma.org](http://www.penndelahma.org)

### Working With Assets

Webinar  
NEAHMA  
781-380-4344  
[www.neahma.org](http://www.neahma.org)

## the last word

# Plan Grassroots Advocacy Over the August Recess



THE CALENDAR MAY SAY JUNE, but now is the perfect time to plan to advocate on behalf of the affordable housing industry. The U.S. Congress recesses for August, and many of the elected officials use that time to return to their districts and meet with constituents.

This provides an opportunity to arrange an in-person meeting with your elected officials or their staff. It is also an opportunity to invite federal decision-makers to visit one of your properties to see the good works the affordable housing industry does every day and why it is so important to continue to fund the programs we, and more importantly, your residents, count on. On-site advocacy actions, such as letter writing or social media campaigns, could be built into summer programming as a civics lesson for students or volunteer activism for adults. And these are just a couple of ideas for grassroots advocacy that can be undertaken this summer.

Whether you have experience advocating on Capitol Hill or not, NAH-

MA's government affairs team can help. Plus, you can find easy-to-use tools, including frequently asked questions, best practices, tips for congressional visits, legislative priorities and talking points, and short how-to videos ranging from building relationships to strategies for influencing undecided lawmakers under the Grassroots Advocacy tab on the NAHMA website.

Of course, the most persuasive arguments are the real-life antidotes only you and your residents can provide.

As for what you are advocating for, NAHMA can help there, too. Here is just a sample of some of the bills and measures that NAHMA, and its industry partners, are supporting:

■ Passage of the final fiscal year 2024 spending bills that provide the highest level of funding possible for vital federal affordable housing, rental assistance, and community development programs, and to urge Congress to reject cuts to these essential programs.

■ Yes In My Back Yard (YIMBY) Act would help eliminate discriminatory

land-use policies and remove barriers that depress housing production.

■ Choice in Affordable Housing Act would address overlapping and redundant programmatic procedures that have deterred professional owners and operators from participating in the Section 8 Housing Choice Voucher Program.

■ Low-Income Housing Tax Credit expansion (see the Tax Credit Compliance column on Page 10), and enact the Middle-Income Housing Tax Credit to support workforce housing as included in the Decent, Affordable, Safe Housing for All Act.

A primary purpose of NAHMA is to advocate on behalf of multifamily property managers and owners whose mission is to provide quality affordable housing. It is a duty NAHMA staff takes seriously, and as a result, the association has become a leading voice in the industry, but we can't do it without you. **NN**

*Larry Sisson, FHC, SHCM, NAHP-e, CGPM, is president of TESCO Properties Inc. and serves as chair of the NAHMA Board of Directors.*