



400 North Columbus Street  
Suite 203  
Alexandria, VA 22314  
(703) 683-8630  
(703) 683-8634 FAX  
[www.nahma.org](http://www.nahma.org)

May 11, 2012

HUD Desk Officer  
Office of Management and Budget  
New Executive Office Building  
Washington, DC 20503  
[OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov)

**RE: OMB Approval Number 2502–New  
Docket No. FR–5603–N–29  
Notice of Proposed Information Collection for Public Comment Emergency Comment Request;  
Office of Housing Assistance Contract Administration Oversight, Multifamily Housing  
Programs**

To Whom It May Concern:

Thank you for the opportunity to comment on the Department of Housing and Urban Development's (HUD) proposed information collection "Annual Customer Service Survey of Performance-Based Contract Administrators," originally published in the *Federal Register* on April 24, 2012. The requirement for the customer service survey was included in the new Annual Contributions Contract (ACC) for the 11 states/territories that completed their Performance-Based Contract Administrator (PBCA) transitions in October 2011. The survey will act as a tool to determine an additional incentive fee for PBCAs. It will be administered to randomly chosen project-based Section 8 property owners, management agents, and tenants in the following states/territories: Iowa, Maine, Minnesota, Montana, New Hampshire, North Dakota, Puerto Rico, South Dakota, Vermont, Wyoming, and the U.S. Virgin Islands.

The National Affordable Housing Management Association (NAHMA) originally requested that the survey be released for public comment in our July 12, 2010 comments to HUD on the draft PBCA ACC Revisions. NAHMA strongly supports the implementation of a customer service survey in order to incentivize good PBCA relationships with property owners and management agents (O/A), as well as tenants, of project-based Section 8 properties. We believe this will help build a better sense of partnership between HUD, the PBCAs, and the O/As as they work toward their mutual goal of providing quality, affordable housing to low-income tenants.

However, NAHMA does have a few concerns with the survey as drafted. Our comments will discuss our concerns with both the methodology and the survey questions themselves.

### **Methodology**

NAHMA commends HUD and the survey contractor for their plans to protect the PBCA customer service survey responses under the Privacy Act and keep the responses anonymous. We believe it is important to protect the privacy of the individuals taking the survey, ensure those responses remain confidential, and guarantee the responses are used only for the purposes of determining the PBCA incentive fee. O/As and tenants are more likely to participate in the survey if they do not fear their responses will result in retaliation. We also support the operations features associated with the web-based survey, particularly the securitized web page, passwords, and "save survey" option. Because it may not be possible to complete the survey in one sitting, these features allow O/As to securely finish the survey at their own pace.

Nevertheless, NAHMA has some major concerns regarding the methodology for randomly selecting owners and tenants for survey participation. First, we believe that all project-based Section 8 O/As should be allowed to participate in the survey. Project-based Section 8 O/As work with PBCAs on a regular basis, usually across multiple properties. As a result, O/As are able to provide the most valuable and reliable feedback in assessing the efficiency and effectiveness of a PBCA. Furthermore, HUD's contractor will be contacting O/As regarding the customer service survey via email, administering the survey through a web based platform, and digitally processing the results. Therefore, NAHMA feels that there would be very minimal burdens on HUD's contractor associated with expanding the survey to all project-based Section 8 O/As.

Second, NAHMA worries that the HUD contractor's methodology for random tenant selection for the PBCA customer service survey will create an unfunded mandate on project-based Section 8 property O/As. The contractor's survey proposal assumes that tenant information—like names, addresses, and phone numbers—will be readily available at randomly selected properties. However, O/As would need to devote staff hours towards generating this type of list for HUD's contractor. This additional time and cost burden on O/As does not appear to be included in Tables A.12-1 and A.12-2 of the methodology. We oppose placing any new unfunded administrative burdens on O/As. In fact, NAHMA strongly believes it is HUD's responsibility to ensure the contractor has the information it needs—i.e., the tenant lists and contact information—to perform the survey without burdening a project-based Section 8 property's staff. However, the contractor and HUD must ensure that this tenant information collection is done in such a way that honors the survey's commitment to the Privacy Act. The collection must not reveal the specific owners, properties, and tenants being surveyed to HUD or the local PBCA.

## **Survey Questions**

Overall, NAHMA believes the owner and tenant survey questions in Attachment B ask many of the questions necessary to effectively evaluate a PBCA's performance and customer service. However, we have some concerns with specific survey questions as they are currently written. We believe the changes suggested below will help eliminate irrelevant and redundant information collection, while improving the survey's ability to effectively evaluate the customer service of PBCAs.

### *Owner Survey B.1*

We believe that some of the questions in Owner Survey B.1 are very subjective. NAHMA would suggest including a section in the Owner Survey either immediately after Questions 7 through 10 (page B-6), Questions 11 through 15 (pages B-7 through B-8), and Question 32 (page B-15) or at the very end of the survey to solicit specific comments from the O/As to help explain the O/As responses to these questions. This may help provide some additional objectivity to the survey as HUD works to determine the annual incentive fees for PBCAs.

NAHMA also would suggest adding a question on the Owner Survey B.1 asking if the PBCA went above its regulatory oversight requirements and imposed additional paperwork, policies or procedures on O/As beyond what is required by HUD's regulatory policies. This question would demonstrate whether or not a PBCA exceeding the scope of its authority under its ACC with HUD, which should be considered as a negative indication in HUD's determination to award an annual incentive fee.

Finally, NAHMA would request that the following clarifications and technical corrections be made to the Owner Survey B.1:

- In Question 1 on page B-4 through Question 4 on page B-5, the survey should specify these properties are participating in the "Project-Based Section 8 program (units subsidized through Section 8 housing assistance payments (HAP))" instead of "Section 8 program (units subsidized through government rental vouchers)." We believe that, without the clarification, O/As may believe

they are taking a survey related to the tenant-based Section 8 housing choice voucher program and NOT the project-based Section 8 program.

- In Questions 8-11 on page B-9, the survey should read “Management and Occupancy Reviews” for those questions instead of “Maintenance and Occupancy Reviews.”
- In Question 16 on page B-8, the survey should define what a “significant delay” is.
- In Question 17 on page B-9, there should be a comment box or follow up question so the O/A can specify if a HAP payment delay was the result of delays on behalf of the PBCA, an issue with processing from HUD, the result of federal funding issues, or if there was some other reason for the delay.

### *Tenant Survey B.2*

The living conditions questions (Question 3 beginning on page B-17 through Question 6 on page B-18) are irrelevant in evaluating the customer service provided by the PBCA administering the housing assistance payment (HAP) contracts. They relate to a tenant’s subjective view of the management of and safety at the property and not the performance of the PBCA. These issues are already dealt with separately under the Management and Occupancy Reviews (MOR) conducted by PBCAs. In fact, we believe that Question 16 on page B-22 and Question 17 on page B-23 of the Tenant Survey B.2 are more appropriate questions to determine if the tenant contacted the PBCA about health, safety, and maintenance issues. As a result, we would request that Questions 3 through 6 be struck from the PBCA customer service survey.

We also believe that some of the questions in the Tenant Survey B.2 are very subjective. NAHMA would suggest including a section in the Tenant Survey either immediately after Questions 11 through 15 (pages B-20 through B-22) or at the very end of the survey to solicit specific comments, which will help explain the tenants’ responses. This may help provide some additional objectivity to the survey as HUD works to determine the annual incentive fees for PBCAs.

NAHMA would request that the following clarification and technical corrections be made to the Tenant Survey B.2. First, Question 2 on page B-17 is confusing. It should not refer to a “housing authority” as the source of payments. Tenants may not understand that HUD provides the project-based Section 8 subsidy to the PBCA who, in turn, distributes it to the owner. “HUD” should replace “housing authority” in this question.

Next, Question 12 on page B-21 should change “they” to “the [CONTRACTOR].”

Finally, in Question 17 on page B-23 the term “recent contact” with the PBCA is vague. It should be clarified to refer to “recent contact about health, safety, or maintenance inquiries or concerns” in order to provide a follow up response to the PBCA contact asked about in Question 16.

### **Conclusion**

In conclusion, I would like to thank you again for allowing NAHMA to comment on the draft “Annual Customer Service Survey of Performance-Based Contract Administrators.” Please do not hesitate to contact me at 703-683-8630 if you would like further information about our comments.

Sincerely,



Kris Cook, CAE  
Executive Director