

Department of Housing and Urban Development Report on Implementation of Executive Order 13563, Improving Regulation and Regulatory Review and HUD Initiatives to Reducing Reporting and Paperwork Burdens

Agency	Sub-agency	Title	RIN/ OMB Control Number	Summary of Initiative	Status of Initiative	Target Completion Date	Does the Initiative include regulatory flexibilities	What methods will you engage in to Identify Improvements.	Anticipated or realized savings in costs &/or burdens and anticipated or realized changes in benefits
HUD	Office of Housing	Streamlining Management and Occupancy Reviews for Section 8 Housing Assistance Programs and Amending Vacancy Payments for Section 8 and Section 162 Housing Assistance Programs (FR-5654-F-02)	2502-AJ22	<p>This final rule would follow a proposed rule published on January 14, 2015 (80 FR 1860). This final rule would amend existing project-based Section 8 regulations related to Management and Occupancy Reviews (MORs) for the following programs: the Section 8 Housing Assistance Payments (HAP) Programs for New Construction, Substantial Rehabilitation, and State Housing Agencies, New Construction financed under Section 515 of the Housing Act of 1949, the Loan Management Set-Aside Program, the HAP Program for the Disposition of HUD-Owned Projects, and the Section 202/8 Program. Under existing regulations, the frequency of MORs across the seven project-based Section 8 programs is inconsistent. Contract administrators are required to review a project’s operations “at least annually” to determine whether the owner is in compliance with the HAP contract. Completion of MORs can require Contract Administrators to visit the site and can cause interruption in project operations. The Contract Administrator spends approximately 8 hours of staff time and additional resources to review every project. HUD has found that over the last three years projects have been rated “Below Average” or “Unsatisfactory” only eight percent of the time. A full or limited review of all projects, including those that consistently receive high marks, puts a strain on HUD and project resources. Under this rule, MORs would be conducted in accordance with a schedule published in the Federal Register and subject to public comment, and the frequency of a MOR would be based on results of the prior MOR. This final rule would also amend the existing project-based Section 8 regulations mentioned above and the existing Section 162 regulations related to Vacancy. Under current regulations, an owner is entitled to vacancy payments in the amount of 80 percent of the contract rent for a period of no more than 60 days after initial rent up or after an eligible family vacates the unit. HUD has observed that the 60-day period for vacancy payments may be too long in high volume areas, resulting in contract units staying vacant for longer periods and extending the time it takes for eligible families to secure housing.</p>	Continuing	This final rule is projected for publication in September 2016.	N/A	Public Comment	The amendments made to the MORs would reduce burden on project owners. Many of the properties have consistently received high marks on their MORs, reducing the frequency of a MOR would result in fewer unnecessary interruptions in project operations. The amendments made to the vacancy payments regulations would make units available to eligible families earlier. Additionally, HUD wants to incentivize owners, when appropriate, to see that vacant units are rented more expeditiously.

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HUD	Office of Housing	Previous Participation Reviews of Prospective Multifamily Housing Program Participants Final Rule (FR-5850)	2502-AJ28	This final-rule would revise HUD’s regulations for assessing the previous performance in federal programs of certain participants seeking to take part in HUD multifamily housing programs. Specifically, the rule would clarify and simplify the process by which participants that have decision-making authority over their projects demonstrate that they have met their legal, financial, and contractual obligations when participating previously in federal programs	Continuing	This proposed rule was published on August 10, 2015 (80 FR 47874). The projected publication date for the final rule is July 2016.	N/A	Public Comment	The amendments to these regulations will streamline the previous participation review process and strike an appropriate balance between allowing HUD to effectively assess the suitability of applicants to participate in HUD’s multifamily housing and healthcare programs, while interjecting sufficient flexibility into the process in order to remove a one-size-fits-all review process. Such a balance best allows HUD to make determinations of suitability in order to accurately assess risk and relieves burden on applicants who wish to participate in HUD’s multifamily housing and healthcare programs.

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HUD	Community Planning & Development	Continuum of Care Program – Increasing Mobility Options for Homeless Individuals and Families with Tenant-Based Rental Assistance (FR-5476-I-01)	2502-AC29	On July 31, 2012, HUD published an interim rule entitled “Homeless Emergency Assistance and Rapid Transition to Housing: Continuum of Care Program,” a program designed to address the critical problem of homelessness through a coordinated community-based process of identifying needs and building a system of housing and services to address those needs. This rule amends the Continuum of Care program regulations to allow individuals and families to choose housing outside of a CoC’s geographic area, subject to certain conditions, and to retain the tenant-based rental assistance under the CoC program. In addition to allowing individuals and families to choose housing outside of the Continuum of Care’s geographic area, this interim rule exempts recipients and subrecipients from compliance with all non-statutory regulations when a program participant moves to flee domestic violence, dating violence, sexual assault, or stalking. This relaxation of conditions is consistent with the Violence Against Women Reauthorization Act of 2013, directing greater protections for victims of domestic violence, dating violence, sexual assault, or stalking.	New	HUD anticipates publishing this rule in June 2016.	N/A		This interim rule would decrease burden on CoCs by removing regulatory requirements when CoC program participants who have tenant-based rental assistance move outside of the CoC's geographic area when fleeing imminent threat of further harm from domestic violence. This final rule would also provide the opportunity for persons who are experiencing homelessness to have access to additional possible housing options while still maintaining their TBRA from the recipient within the CoC where they were determined eligible for, and began receiving assistance.

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HUD	Offices of Housing, CPD and PIH	Streamlining Administrative Regulations for Public Housing, Housing Choice Vouchers, Multifamily Housing, and Community Planning and Development Programs (FR-5743-F-03)	2577-AC92	This rule amends HUD’s regulations governing aspects of the Housing Choice Voucher (HCV), and Public Housing (PH), and Multifamily housing programs. This rule streamlines regulatory requirements pertaining to verifying tenants’ incomes, setting rents, determining utility allowances, determining compliance with community service requirements, setting grievance procedures, setting move-in dates for tenants, and re-inspecting units previously found to have had housing quality standards violations. The purpose of these changes is to reduce administrative burdens on entities administering these programs to assist their efforts to serve more families requiring assistance in an environment of decreasing financial resources. One change also affects the HOME Investment Partnerships Program Housing Opportunities for Persons with AIDS and the Supportive Housing Program which are administered by HUD’s Office of Community Planning and Development.	Continuing	This proposed rule was published on January 6, 2015 (80 FR 423). This final rule will be published in the Federal Register on March 8, 2016.	N/A	Public Comment	By decreasing the regulatory burden on entities administering key HUD affordable housing program and increasing their administrative flexibility, HUD intends to enable these entities to deliver rental assistance more efficiently and expeditiously, and to better manage their programs within current allocated budget authority. The streamlining changes proposed to be made by this rule would facilitate the ability of entities to continue, without interruption and with minimal burden, the delivery of rental assistance to eligible families in their communities.

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HUD	Public and Indian Housing	Section 8 Programs: Housing Choice Voucher Program: Streamlining the Portability Process (FR-5453-F-02) Final Rule	2577-AC86	This rule would amend HUD’s regulations governing portability in the Housing Choice Voucher program (HCV program). Portability is a feature of the HCV program that allows an eligible family with a housing choice voucher to use that voucher to lease a unit anywhere in the United States where there is a public housing agency (PHA) operating a housing choice voucher program. The purpose of HUD’s changes to the portability regulations is to streamline the process for such inter-jurisdictional moves. Reducing the administrative burdens involved with processing portability requests will enable initial and receiving PHAs to better serve families and expand housing opportunities. The final rule follows publication of a March 28, 2012, proposed rule.	Continuing	This final rule was published in the Federal Register on September 21, 2015 (80 FR 50564). NOTE: This rule will be removed from HUD's report at the next update.	N/A	Public Comment	The rule would remove the administrative burdens involved with processing portability requests, making it easier for low-income families to move with their vouchers. The changes to the HCV regulations would not have a significant incidence on the program budget. The rule, however, would yield certain non-tangible benefits to program participant and, if successful, increase financial transfers between PHAs.

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HUD	Public and Indian Housing	Streamlining Requirements Applicable to Formation of Consortia by Public Housing Agencies (FR-5578-P-01) Proposed Rule	2577-AC89	<p>On July 11, 2014, HUD published the “Streamlining Requirements Applicable to Formation of Consortia by Public Housing Agencies” proposed rule. The changes proposed by this rule are intended to increase administrative efficiencies associated with forming a consortium and to help ensure maximum family choice in locating suitable housing. In this regard, the proposed rule focused on establishing a new category of cross-jurisdictional consortia for administration of the Section 8 Housing Choice Voucher (HCV) program. The current regulations do not allow for such cross-jurisdictional consortia. Since publishing the July 11, 2014, proposed rule, HUD has decided to build upon the rule by revising the categories of programs eligible to be administered under a cross-jurisdictional consortium. Although the July 11, 2014, proposed rule proposed to establish a single-ACC consortium as a new category of consortium, that rule did not extend single-ACC consortia beyond the Section 8 HCV program. As a result, HUD is drafting a second proposed rule that further revises the consortium regulations to allow the formation of a single-ACC consortium for administration of either the Section 8 HCV program (referred to as “HCV single-ACC consortia”) or the public housing program (referred to as “public housing single-ACC consortia”). This second proposed rule would revise the July 11, 2014, proposed rule with respect to single-ACC consortia in 24 CFR part 943. HUD intends to issue a single final rule that takes into consideration all public comments received on both the July 11, 2014, proposed rule and on this second proposed rule.</p>	Continuing	The projected publication date of the second proposed rule is December 2016.	N/A	Public Comment	The proposed rule will enable PHAs to establish cross-jurisdictional consortia that would be treated as a single PHA, with a single jurisdiction and a single set of reporting and audit requirements, for purposes of administering the HCV program in a more streamlined and less burdensome fashion.

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HUD	Public and Indian Housing	Aligning the Public Housing Assessment System and Section Eight Management Assessment Program Proposed Rule	2577-AC95	This proposed rule would align and streamline HUD’s regulations for assessing the performance of public housing agencies (PHAs) operating the public housing and Section 8 tenant-based assistance programs. Currently, the Public Housing Assessment System (PHAS) is used to assess PHA performance in conducting the public housing program. HUD has established the separate Section 8 Management Assessment program (SEMAP) to assess the performance of PHAs operating tenant-based rental assistance. The use of separate assessment systems, with differing performance indicators and different regulatory structures, makes it difficult to comprehensively assess overall PHA operations under both the public housing and tenant-based programs. The proposed rule would address these issues by aligning the PHAS and SEMAP regulations into a single part of the Code of Federal Regulations and, to the greatest extent feasible, harmonizing the two sets of regulations into a single set of performance indicators	Continuing	This proposed rule is projected for publication in May 2016.	N/A	Public Comment	The proposed rule would enable HUD to establish a performance assessment system for use in assessing a PHAs operation of both public housing and Section 8 tenant-based assistance programs. This would reduce burden on HUD and the PHAs that operate both a public housing and tenant-based program.

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HUD	Policy Development and Research	Establish a More Effective Fair Market Rent System; Using Small Area Fair Market Rents in Housing Choice Voucher Program Instead of Current 50th Percentile FRMs (FR-5855-P-02) Proposed Rulemaking	2501-AD74	This rule proposes the use of Small Area Fair Market Rents (Small Area FMRs) for certain metropolitan areas. HUD proposes to use several criteria for determining which metropolitan areas would be subject to using Small Area FMRs in the administration of the Housing Choice Voucher (HCV) program. These criteria include a threshold number of vouchers within a metropolitan area, the concentration of current HCV tenants in concentrated low-income areas, and the percentage of renter occupied units within the metropolitan area with gross rents above 110 percent of the metropolitan Fair Market Rents (FMR). Public housing agencies (PHAs) operating in the designated metropolitan areas would be required to use Small Area FMRs. PHAs not operating in the designated areas would have the option to use Small Area FMRs in administering their HCV programs. HUD's goal in pursuing this rulemaking is to provide HCV tenants with a greater ability to move into areas where jobs, transportation, and educational opportunities exist.	Continuing	The proposed rule is projected to be published in May 2016.	N/A	Public Comment	This rule follows HUD's issuance on June 2, 2015, at 80 FR 31332, of an advance notice of proposed rulemaking (ANPR). In the ANPR, HUD announced its intention to amend HUD's FMR regulations applicable to the HCV program to provide HCV tenants with subsidies that better reflect the localized rental market, including subsidies that would be relatively higher if they move into areas that potentially have better access to jobs, transportation, services, and educational opportunities. As a result of that ANPR, HUD is moving forward with this proposed rule to use Small Area FMRs for certain areas, and thus increase mobility for HCV tenants.

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HUD	Office of Public and Indian Housing	Proposed New Method of Assessing the Physical Conditions of Voucher-Assisted Housing (FR-5928)	2502-AJ22	<p>The HCV program is administered by public housing agencies (PHAs) at the State and local levels and allows participants the opportunity to rent from private landlords in the neighborhood of their choosing. The goal of the HCV program is to enable access to decent, safe and sanitary affordable housing for low-income families. In the 1970's HUD established housing quality standards (HQS) for housing assisted under the HCV program. These standards are codified in HUD regulations at 24 CFR 982.401. In the Joint Explanatory Statement accompanying the Consolidated Appropriations Act of 2016, which enact appropriations FY 2016 funds for HUD, Congress directed HUD to implement a single inspection protocol for public housing and voucher units. The direction to implement a single inspection protocol is to reduce burden on PHAs that administer public housing and voucher programs. To implement this direction, and to aid in ensuring that the merger of the two inspection protocols reduces burden without sacrificing important elements of inspection, HUD will commence a demonstration, incorporating elements from the Uniform Physical Condition Standard (UPCS) codified at 24 CFR 5.703, to determine the effectiveness of a single inspection protocol (UPCS-V). The results of this Demonstration will inform HUD as to the UPCS-V model's suitability as a possible replacement for HQS, to verify to what extent the model fosters alignment among HUD inspection programs, improves service delivery, enhances oversight and risk management capabilities, and better identifies health and safety hazards in the home. The demonstration will reduce burden for the PHAs (approximately 250) that will participate in the demonstration by allowing these PHAs to use a single inspection protocol and the demonstration holds out the promise to reduce burden for all PHAs once implemented permanently based on the results and evaluation of the demonstration.</p>	New	The notice announcing the demonstration will publish in June 2016.	N/A	Demonstration for Public Comment	<p>This demonstration will test a new inspection model called Uniform Physical Condition Standard-Voucher (UPCS-V). UPCS-V contains concepts of the Uniform Physical Condition Standard (UPCS), codified in HUD regulations at 24 CFR 5.703, and HQS, codified at 24 CFR 982.401. In the new UPCS-V, HUD will use current housing research to develop a unique standard and protocol to better meet HCV program needs. This Demonstration will test the effectiveness of the UPCS-V inspection model's ability to assess the physical condition of assisted housing, foster alignment among HUD inspection programs, improve service delivery, enhance oversight and risk management capabilities, better identify health and safety hazards in the home and reduce burden for PHAs that will participate in the demonstration.</p>

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HUD	Office of Housing	Removal of Nehemiah Housing Opportunity Grants Program Regulations (FR-5878)	2502-AJ31	This final rule removes 24 CFR part 280, regulations for the Nehemiah Housing Opportunity Grant Program (NHOP) which is no longer operative. Under NHOP, HUD made grants to nonprofit organizations to be used to provide loans to families purchasing homes constructed or substantially rehabilitated in accordance with a HUD approved program. NHOP was repealed by Section 289(a) of the National Affordable Housing Act. HUD removed much of part 280 in 1996, keeping only those sections deemed necessary to the administration of existing NHOP grants. Almost 20 years later, there is only one NHOP grant remaining and no need to maintain these provisions. To address this last grant, this final rule would add a savings clause to part 200.	Complete	This final rule was published in the Federal Register on January 11, 2016 (81 FR 1120). NOTE: This rule will be removed from HUD's report at the next update.	N/A		Consistent with Executive Order 13563, "Improving Regulation and Regulatory Review," HUD reviewed its regulations to identify regulations that are "outmoded, ineffective, insufficient or excessively burdensome." HUD has determined that the NHOP regulations removed by this final rule are obsolete and unnecessary because they govern a program for which authority has been repealed and is no longer funded.
HUD	Office of Housing	Federal Housing Administration (FHA) Multifamily Housing: Replacement of Development Application Processing system		Reengineering efforts are currently underway to replace the Development Application Processing (DAP) system with a new commercial-off-the-shelf software product to improve the application review process by being: A simple, user-friendly, intuitive, flexible, and trustworthy guide. The software is being tailored to reflect FHA multifamily procedures on an online system for easy application, third party reports, and various documents and data uploads. The new system will generate staff-generated review documents, pre-populated standardized documents and offers communication capability between HUD staff reviews and Lender coordination. Procurement for a contractor was accomplished in early FY 2013 and configuration and enhancements, such as e-signatures, are in process. The proposed target date for implementation is subject to the satisfaction of any IT security concerns.	Ongoing	The projected completion date for system implementation is March 2016.			