

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. At this time, HUD will not pursue revisions to existing project-based Section 8 regulations or the existing Section 162 regulations related to Vacancy.</p>	Continuing	This final rule is projected for publication in January 2017.	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.

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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 September 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	This interim rule was published on June 14, 2016 (81 FR 38581).	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 was published in the Federal Register on March 8, 2016 (81 FR 12354). This rule will be removed from HUD's report at the next update.	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	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 March 2017.	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 February 2017.	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 was published on June 16, 2016 (81 FR 39218).	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>	Continuing	The notice announcing the demonstration was published on May 4, 2016 (81 FR 26815).	N/A	Demonstration for Public Comment	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) and HQS. 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, enhance oversight and risk management capabilities, and reduce burden for PHAs that will participate in the demonstration.

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HUD	Office of Public and Indian Housing and Office of Housing	Streamlining Administrative Regulations for Multifamily Housing Programs and Implementing Family Income Reviews under the Fixing America’s Surface Transportation (FAST) Act (FR 5743-I-04)	2577-AJ36	HUD published a final rule on March 8, 2016, that streamlined certain regulatory requirements regarding the Housing Choice Voucher (HCV), Public Housing (PH), and various multifamily housing rental assistance programs. The goal of the final rule was to reduce the administrative burden on public housing agencies (PHAs) and multifamily housing (MFH) owners, including changes pertaining to annual income reviews in the HCV, PH, and Project-Based Section 8 (PBRA) programs for families with sources of fixed income. This interim final rule seeks to extend some of these streamlining changes that were proposed for and made only to the HCV and PH programs to MFH programs. In addition, on December 4, 2015, the President signed the Fixing America’s Surface Transportation Act (FAST Act) into law. The FAST Act contains a section that allows PHAs and MFH owners to conduct full income recertification for families with 90 percent or more of their income from fixed-income every three years instead of annually. This interim final rule also implements the FAST Act to align the current streamlined requirements with the addition flexibilities provided in the FAST Act.	New	This interim rule is projected for publication in October 2016.	N/A	Public Comment	This interim rule continues HUD's effort to reduce the regulatory burden on entities administering key HUD affordable housing programs, including Section 8 Project-Based Assistance, Section 202 and Section 811, and increase their administrative flexibility, including applying a COLA to all incomes of families with incomes made of up at least 90 percent fixed income. The streamlining changes made by this rule would facilitate the ability of entities to more efficiently and expeditiously continue, without interruption and with minimal burden, the delivery of rental assistance to eligible families in their communities.

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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 September 2017.			

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HUD	Office of Public and Indian Housing	Energy and Performance Information Center	2577-0274	<p>HUD is currently expanding the data collected in the Energy and Performance Information Center (EPIC) to include the amount and type of Public Housing development, including development in conjunction with Low Income Housing Tax Credits; other planning collections and performance reports presently collected in hard copy; the Physical Needs Assessment; and modernization undertaken by PHAs through Energy Performance Contracts. The EPIC data system is necessary in order to support the Department’s Agency Performance Goals (APGs), specifically APG # 4, Measure # 13 which sets numeric targets for completing green retrofits and creating energy efficient units. In addition to the direct support of HUD APG # 4, Measure # 13, the implementation of the EPIC data system will enable HUD to provide reports on the progress of EEMs completed with PIH funding. The EPIC data system will also improve PHA planning by making the five year plan and annual statement process electronic and also enabling HUD to aggregate this information in order to track APG # 2, Measure # 5, which sets goals for expanding the number of families housed. The EPIC data system will also allow improved tracking of the Energy Performance Contract process and will include the Physical Needs Assessment tool.</p>	New	The targeted completion date is November 2016	N/A	HUD has used the Energy Efficiency Measure, EEM data to track progress made toward Agency Priority Goal # 4, Measure 13, to improve the energy efficiency of Public Housing.	HUD anticipates reducing the number of responses per year for Core Activity from 50,400 to 12,600 and the number of hours per year from 151,200 to 37,800. The total number of responses was reduced from 69,600 to 31,800 and the total hours from 183,045 to 69,645.

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HUD	Office of Public and Indian Housing	Public Housing (PHA) Lease and Grievance Requirements	2577-0006	The PHA must enter into a lease agreement with each individual or family that occupies a Public Housing unit (24 CFR 966.4); and must provide each tenant with an opportunity to request informal settlement of a grievance (24 CFR 966.54) or to obtain a grievance hearing (24 CFR 966.55); and maintain records of the outcome of the hearing. Grievance procedures are included in, or incorporated by reference in all tenant leases (24 CFR 966.52). HUD does not provide any lease templates. The number of responses and respondents were decreased due to the estimated number of new admissions and households who changed units subsequently executing a new lease. The reduction in burden hours is attributable to a fewer number of tenants in public housing covered by these lease and grievance procedures.	New	The targeted completion date is December 2016	N/A	HUD will assure compliance with its statutory and regulatory requirements by conducting monitoring reviews to determine whether or not a PHA has accurately computed tenants' income and rent, complied with the lease and grievance procedures, and other requirements related to a PHA's occupancy functions.	The number of burden hours were reduced from 339,822 to 330,939, a difference of 8,883