On behalf of LHAC, we write to offer the following comments in response to HUD's notice, "60-Day Notice of Proposed Information Collection: Management Review of Multifamily Housing Projects; OMB Control No.: 2502-0178" [FR-6356-P-01].

Local Housing Administrators Coalition, Inc. (LHAC) members are federally recognized public housing agencies (PHAs) under the United States Housing Act of 1937. All LHAC members are public housing agencies or their instrumentalities that act as Performance Based Contract Administrators (PBCAs) and work to support residents and owners who receive project based rental assistance (PBRA) in providing safe, decent, and affordable housing to America's most vulnerable residents and families.

LHAC members serve 6 of the nation's 8 most populous states and representing nearly 40% of the 1.2 million PBRA program's resident units, nationwide, half of whose residents are children, a third of whom are elderly, and 20% of whom are living with a disability. We serve in 14 states, the U.S. Virgin Islands, and the District of Columbia including Alabama, Arkansas, California, Connecticut, Florida, Georgia, Illinois, Mississippi, Nebraska, Ohio, Texas, Utah, Virginia, and Washington. In this partnership with HUD, LHAC members have vast experience in performing high-quality Management and Occupancy Reviews (MORs) for close to a quarter of a century.

LHACs comments center on larger issues related to (a) the form HUD 9834; (b) the recent impact(s) of the MOR Final rule; and (c) other MOR streamlining challenges/recommendations.

Form HUD 9834

It is unclear from this Notice if an updated draft of the HUD 9834 is available as the email address provided to request copy(s) of the proposed forms or other available information did not accept emails. If a draft is available, it would be helpful to provide this to stakeholders to elicit more informed comments. In either instance, current/future HOTMA updates and future TRACS 203A revisions will have significant impact on the HUD 9834 and we welcome an opportunity for further comment on a draft form in consideration of these and other important updates.

MOR Final Rule ("the Rule")

As PBCAs, we support HUD's efforts to streamline MORs using a risk-based scheduling protocol. Nevertheless, as we enter year 3 of the Rule, we note that PBCAs ability to anticipate MOR volume, and associated staffing needs, is compromised. Additionally, staffing demands are further complicated as the resident certification file review ‘look back’ period now enters year 3 and our time on site increases. We can report that Owners have been troubled/ concerned about the extended interruption to their operations resulting from the requirement. As mentioned, elements of budget and regulatory relief for HUD and owners has LHAC support. However, we note that there are significant financial and operational impacts of the Rule, and we reiterate these concerns merit full consideration/ attention as HUD undertakes the next procurement effort.

MOR Streamlining Challenges/Recommendations

PBCA MOR scheduling has become incredibly complicated and time consuming. Annual MOR plans are due to HUD on or about August of each year and provide HUD the necessary information on a PBCAs anticipated budget authority needs. However, given the ‘ins/outs’ resulting from owner/agent changes and HUD risk classifications from the MOR Final Rule, LHAC recommends that PBCAs be afforded the opportunity to adapt MOR schedules without additional HUD approval(s)provided that (a) any changes remain within HUD approved budget authority; and (b) owners are provided the minimum 14 days advance notice prior to MOR.

On a related MOR scheduling matter, HUD’s guidance for Presidentially Declared Disasters (PDDs) is also having an outsized impact on PBCAs ability to perform MORs. Presently, a property in a PDD declared county is immediately subject to a 60-day postponement of MOR even if the property is unaffected by the disaster. These postponements can be extended beyond 60 days and additional counties can be added at a later date. This impact has resulted in unnecessary postponements of MORs for unaffected properties. LHAC recommends delegating the authority for PBCAs to contact the properties and collaborate with owners and HUD Multifamily to more exactly assess whether an MOR can/should remain as scheduled.

Lastly, as MOR time on site increases and further challenges such as HOTMA and TRACS 203A approach, LHAC recommends that HUD undertake new streamlining efforts for MORs. As an example: HUD should consider allowing PBCAs and owners early and broader flow of policy and procedure documentation. PBCAs have already proven to be great stewards of Publicly Identifiable Information (PII) information through HUD’s TRACS system or EIV system. The ability to review elements of a MOR such as Tenant Selections Plans, Waiting Lists, and EIV information before an MOR affords an opportunity for more thorough reviews to better protect taxpayer dollars, resident protections and minimize disruptions to owner operations.

Thank you for this opportunity to comment.