

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 December 2015	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 Proposed Rule	2502-AJ28	This proposed 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 proposed 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 is projected for publication in August 2015	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	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-02)	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). The projected publication date for the final rule is October 2015.	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	The projected publication date of the final rule is August 2015	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 2015.	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		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 January 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 (FMR) System (FR-5855) Advanced Notice of Proposed Rulemaking	2501-AD74	Section 8(c)(1) of the United States Housing Act of 1937 (USHA) requires the Secretary to publish Fair Market Rents (FMRs) periodically, but not less than annually, adjusted to be effective on October 1 of each year. Currently, HUD calculates FMRs based on the 40th percentile of the distribution of gross rents for standard quality units occupied by recent movers. Based on an interim rule published in 2000, in some large metropolitan areas where voucher tenants are highly concentrated, however, HUD sets the FMRs at the 50th percentile to provide tenants with additional subsidy to expand the portion of the FMR area in which they can find suitable units. HUD has determined that setting FMRs at the 50th percentile is not an effective tool for deconcentrating voucher tenants and is difficult to administer for areas moving in and out of 50th percentile status. Additionally HUD has instituted a Small Area FMR demonstration, both as part of a court settlement and through a number of selected Public Housing Authorities, to ascertain the efficacy of FMRs set at the ZIP Code level with metropolitan areas instead of metropolitan area-wide FMRs. This proposed rule would remove the 50th percentile FMR rule and replace it with a Small Area FMR rule.	Continuing	This this ANPR was published in the Federal Register on June 2, 2015 (80 FR 31332).	N/A	Public Comment	This advance notice of proposed rulemaking would provide an opportunity for the public to provide input on HUD’s proposed FMR system. HUD believes that the proposed system will make the FMR settings easier to utilize by PHAs.

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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.	New	HUD anticipates publishing this final rule in October 2015	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.



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HUD	Office of Housing	Removal of Part 235 Home Ownership Program Regulations (5829-F-01) Final Rule	2502-AJ29	This final rule would remove the regulations for the Section 235 Program, which authorized HUD to provide mortgage subsidy payments to lenders to assist lower-income families who were unable to meet the credit requirements generally applicable to FHA mortgage insurance programs. Authority to provide insurance to mortgagees under this program was terminated under the Housing and Community Development Act of 1987 and HUD has not provided new mortgage subsidy payments under this program since then. Because the regulations governing this program are no longer operative, they are being removed by this final rule.	Completed	This final rule was published in the Federal Register on April 3, 2015 (80 FR 18095). NOTE: This rule will be removed from HUD's report at the next update.	N/A		The removal of these regulations avoids any possible confusion that this program designed to help homeowners in distress remains active.
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 publication date for system implementation is August 2015			