

December 5, 2016

Ms. Colette Pollard
Reports Management Officer, QDAM
Department of Housing and Urban Development
451 7th Street SW., Room 4176
Washington, DC 20410-5000

Dear Ms. Pollard:

The undersigned organizations thank you for the opportunity to present our comments on the 60-Day Notice of Proposed Information Collection: Energy Benchmarking. Our organizations represent thousands of firms involved in the multifamily rental housing industry, including the building, operation and management of affordable rental housing properties.

We support improving energy efficiency through voluntary incentives, commercially reasonable approaches and education. However, this proposal would mandate residential energy benchmarking, creating a significant administrative burden on properties already operating with limited budgets. Owners/agents will likely be forced to pay third parties to prepare the needed reports to comply with this new requirement. This would require the use of funds that are not necessarily available at all sites or will need to be diverted from property maintenance accounts. When implementing existing guidance, owners/agents have found that utilities are reluctant or unwilling to provide resident energy consumption information. It is not clear that the Department can compel them to provide this data. Furthermore, owners have no means to compel residents to disclose their energy bills. If a tenant refuses, realistically there is nothing an owner/agent can do to require that disclosure.

Mixed-use properties face an additional significant problem with the current proposal. Neither Portfolio Manager nor Energy Star have the capability to account for commercial or other non-residential space in these types of properties; therefore, any data collected on the whole building consumption will not provide any suitable information on residential unit energy use.

The Department has not made clear the benefits of energy benchmarking, and the data collected is likely to be largely inadequate, except in a small percentage of cases where whole building data is available for residential properties. In the case of unsubsidized FHA-insured properties, for which HUD does not pay utility allowances, the Department has provided no satisfactory justification for the benchmarking mandate. Imposing this time consuming and expensive mandate on affordable properties already feeling the impact of reduced federal assistance seems a waste of valuable resources.

We urge you to continue voluntary efforts and education with respect to energy efficiency, and incentive-based programs to improve energy use. However, we do not support

the mandatory utility benchmarking called for in this Notice, and we urge the Department to refrain from imposing these benchmarking mandates. Thank you for your consideration of our concerns.

Sincerely,

Council for Affordable and Rural Housing
Institute of Real Estate Management
National Affordable Housing Management Association
National Apartment Association
National Association of Home Builders
National Association of REALTORS®
National Leased Housing Association
National Multifamily Housing Council