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July 11, 2024

**VIA ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
45 L St. NE  
Washington, DC 20554

Re: Notice of *ex parte* presentation in *Improving Competitive Broadband Access to Multiple Tenant Environments*, GN Docket No. 17-142.

Dear Ms. Dortch:

On July 10, 2024, Sharon Wilson Géno, President of the National Multifamily Housing Council (“NMHC”), Bob Pinnegar, President and CEO of the National Apartment Association (“NAA”), Kevin Donnelly, Vice President, Government Affairs, Technology and Strategic Initiatives, of NMHC, Linda Willey, Vice President of Business Services of Camden Property Trust (“Camden”), Michelle Norris, Principal, N-Sights Consulting and a former Executive Vice President at National Church Residences, Mike Smith, President and CEO of Whitespace, and the undersigned (“the NMHC/NAA representatives”) conducted a series of meetings in connection with the proposed regulation of bulk broadband agreements described in Chairwoman Jessica Rosenworcel’s press release of March 5, 2024. The NMHC/NAA representatives met in person with the following individuals:

1. Chairwoman Jessica Rosenworcel and Elizabeth Cuttner, Legal Advisor to the Chairwoman;
2. Commissioner Anna Gomez and Hayley Steffen, Legal Advisor to Commissioner Gomez; and
3. Lauren Garry, Legal Advisor to Commissioner Brendan Carr.

On July 10, 2024, the NMHC/NAA Representatives also conducted a video conference with Adam Cassady, Media and Wireline Advisor to Commissioner Simington.

In addition, on July 11, 2024, Mr. Pinnegar, Mr. Donnelly, Ms. Willey, and the undersigned met with Commissioner Geoffrey Starks and Justin Faulb, Chief of Staff to Commissioner Starks.

Attached to this letter are (i) “Today’s Renter Insights,” prepared by NMHC, based on a 2024 survey of more than 172,000 renters nationwide; and (ii) an NMHC/NAA fact sheet summarizing the apartment industry’s contributions to the economy. Copies of both documents were distributed at the meetings.

During each meeting, the NMHC and NAA representatives explained that regulation of bulk billing agreements between property owners and broadband providers is not only unnecessary, but would likely raise broadband prices for millions of American renters and could potentially disconnect millions more. This concern is particularly acute for residents of affordable, senior, and student housing. Furthermore, regulation could lead to lower service quality for many broadband consumers, hamper deployment of advanced technology by innovative broadband providers, and reduce competition in the multifamily broadband market.

#### Apartment Residents Show Great Satisfaction with Bulk Broadband.

Ms. Willey described Camden’s experience providing bulk broadband to its 90,000 residents over the past decade. This experience is similar to that of other multifamily owners that have implemented bulk broadband.

In selecting a provider, Camden obtains multiple bids. Bidders routinely offer low rates, on average roughly half of those available on a retail basis. Service providers often upgrade infrastructure to the state-of-the-art, thus improving the quality of service. The result is better, faster, cheaper, and more reliable broadband for residents. The typical package includes high-speed internet with speeds averaging 510 Mbps, Wi-Fi, streaming content, smart home access, and community area Wi-Fi along with various other technology amenities. Another benefit of bulk billing is the ability to establish superior service quality standards that providers otherwise are not obligated to offer to individual subscribers. Requiring providers to allow residents to opt out of the bulk arrangement, however, would sharply reduce their incentives for offering these benefits.

Camden markets this “Technology Package” as an amenity because potential renters want seamless access to reliable, high-speed internet, entertainment, and smart technologies. The discounted fee for this service is clearly identified on quotes provided to prospective tenants. Camden conducts surveys to determine why prospects choose not to move in, or residents choose to move out, and has found that the bulk broadband service is very rarely a factor. In 2023, less than 0.24% of potential residents did not lease due to the Technology Package, and over the years 2016-2020, Camden lost fewer than 55 residents annually for that reason.

### Bulk Agreements Are Essential for Serving Affordable Housing.

Ms. Norris has 30 years of experience in the field of senior affordable housing. She related the importance of broadband connectivity for providing health services to older Americans, and the difficulty of obtaining adequate broadband service in communities serving that population. Existing broadband service in the older buildings that typically house lower income seniors is often inadequate for modern applications, and when service is available, residents simply cannot afford to pay standard retail rates. Bulk agreements offering upgraded infrastructure and sharply discounted rates are the only effective means of delivering service to this market sector.

Any regulation that would reduce the viability of bulk broadband deployment would thus cause not only financial harm to lower income seniors, but also lower the quality of their health services. In addition, while the problems Ms. Norris described are most acute in communities serving lower-income seniors, they also arise in affordable housing serving all demographic groups.

### Managed WiFi Solves Many Problems and Offers Residents.

Mr. Smith's company, Whitespace, offers technology consulting services to multifamily owners. He described "managed WiFi" as an evolution in technology beyond bulk broadband service. In a managed WiFi arrangement, the property owner pays a service provider to construct and maintain a wireless network that gives each residential unit ubiquitous, seamless access to WiFi service throughout the property. Rates are typically roughly half of standard retail rates, and speeds are higher. The technology eliminates RF interference that can degrade service in a dense environment and ensures good signal quality. Residents therefore enjoy a consistent experience throughout the entire building. The technology also allows residents access to safety and convenience features such as climate control, electronic door locks, and control over visitor access. Access to WiFi calling eliminates the need for additional in-building facilities to support mobile service and ensures residents access to the mobile network of their choice.

Mr. Smith also stated that managed WiFi operators can seamlessly deploy various technologies that benefit both residents and property management by lowering costs and improving the overall quality of the environment. These include access control systems, cloud-based CCTV, leak detectors, fire/life/safety sensors, humidity detectors, door-left-open sensors, freeze detectors, and many more. Allowing residents to opt out, however, would disrupt the technical integrity of the model and negatively impact resident experience and property operations.

In closing, because of the many benefits offered to renters by bulk agreements, and the broad support for such agreements among residents of multifamily communities, owners of multifamily properties, and service providers, the apartment industry participants in all the meetings stated that regulation is not called for. Should the Commission determine that some action nevertheless is required, NMHC and NAA urge that the Commission not

make tentative conclusions in a notice of proposed rulemaking, but instead seek open-ended comment in a notice of inquiry.

Please let us know if we can be of any assistance regarding this matter.

Very truly yours,

HUBACHER AMES & TAYLOR, P.L.L.C.

A handwritten signature in black ink, appearing to read "Matthew C. Ames". The signature is written in a cursive style with a horizontal line underneath the name.

Matthew C. Ames

cc (by email):

Chairwoman Jessica Rosenworcel  
Commissioner Geoffrey Starks  
Commissioner Anna Gomez  
Justin Faulb, Office of Commissioner Starks  
Elizabeth Cuttner, Office of Chairwoman Rosenworcel  
Lauren Garry, Office of Commissioner Carr  
Adam Cassady, Office of Commissioner Simington  
Hayley Steffen, Office of Commissioner Gomez  
Sharon Wilson Géno, NMHC  
Bob Pinnegar, NAA  
Kevin Donnelly, NMHC  
Linda Willey  
Michelle Norris  
Mike Smith

## Overview

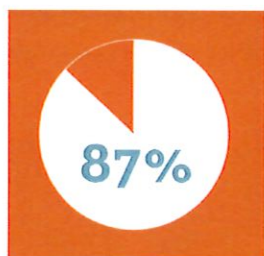
Connectivity at multifamily properties is a critical cornerstone for a modern living experience, enabling residents to stay connected with work, family, friends, and entertainment seamlessly. Reliable broadband and cellular connectivity not only enhances resident satisfaction but is an important consideration for prospective renters.

In addition to supporting community amenities like package management systems and controlled access security systems, it serves as the digital infrastructure for intelligent building technology integration and supports various sustainability and resiliency technologies like water leak detection, energy monitoring and climate control, aligning with residents' evolving lifestyle demands and preferences.

Curious to know just how much multifamily runs on seamless connectivity? Check out these takeaways from the rental industry's largest consumer insights survey.

## Data Insights

### 1 Renters Expect Immediate Connectivity



Today's apartment renters expect high-speed and reliable connectivity upon move-in, with 87% of survey respondents saying it's very important or absolutely essential to have connectivity as soon as the boxes have been unloaded.

It is now a fundamental utility, which is why bulk internet and managed Wi-Fi systems have grown in popularity to meet resident demand.

### 2 Renters Care About Wi-Fi Connectivity as Soon as They Start Searching

1 in 4 respondents

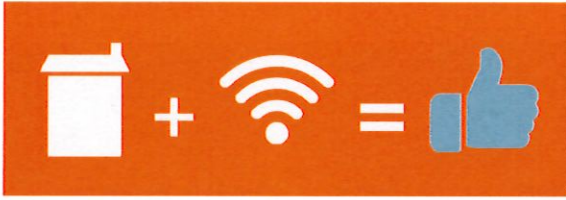


say connecting to a property's Wi-Fi while touring is very important.

A prospect's experience with a multifamily property's Wi-Fi during a tour can significantly influence their decision-making process. Seamless connectivity during the tour demonstrates the property's commitment to modern amenities and enhances the overall impression of the living experience, potentially swaying prospects towards leasing.



### 3 Connectivity Influences a Prospect's Leasing Decision



48% of respondents say a connectivity certification would positively influence their decision to lease a rental home.

Good Wi-Fi connectivity at a multifamily community can be a decisive factor for prospects, offering assurance of seamless connectivity for work, entertainment and communication. Wi-Fi reliability, especially if measured and rated by a third-party certification program, reflects the property operator's commitment to modern living standards and, ultimately, resident satisfaction.

### 4 Renters Rate High-Speed Internet as a Top Apartment Feature

90%

of renter respondents say they are interested or won't rent without high-speed internet.

Renters consistently rank high-speed internet among their top three most-desired apartment features, underscoring its critical role in everyday life.

### 5 Renters Rely on Internet Connectivity for Daily Activities

Internet is essential for renters to complete daily activities. It enables remote work, facilitates communication with friends and family, and provides access to entertainment and education. In fact, more than half of renter respondents (52%) say they work remotely some or all of the time.



### 6 Majority of Renters Prefer Managed Wi-Fi

58% say it's very important or absolutely essential to have a secure, dedicated network that would be available at their home and throughout common community spaces.

Renters love managed Wi-Fi because it offers peace of mind with a secure, dedicated personal network but also immediate and seamless connectivity at home or out and about in their communities.

#### About the Survey

Since 2013, the NMHC and Grace Hill Renter Preferences Survey Report has offered a comprehensive exploration of contemporary renter sentiments and the priorities shaping the rental housing landscape. The survey, completed every two years, offers unparalleled consumer insights into the evolving needs and expectations of today's renters. The 2024 version includes responses from more than 172,000 renters nationwide. For more information, visit [nmhc.org/residents](https://nmhc.org/residents).



# National

Apartments and their residents contribute **\$3.9T** to the national economy annually, supporting **20.0M** jobs.

## 40.0M

### Apartment Residents

Spending from the country's apartment residents contributes **\$3.4T** to the local economy each year (including **\$395.9B** in taxes), creating **18M** jobs.

## 43%

### Share of U.S. Apartments Built Before 1980

The renovation and repair of apartments helps preserve the country's older more affordable units, contributing **\$77B** to the local economy annually and creating **378K** jobs.

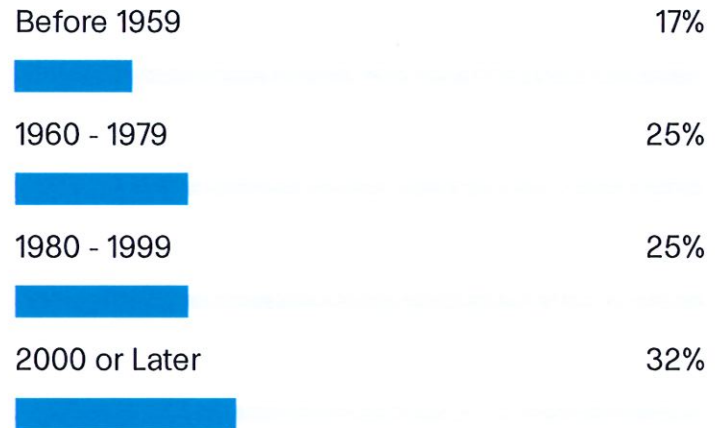
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## 22.9M

### Apartment Homes

The operation of the country's apartment homes contributes **\$194.9B** to the local economy each year (including **\$64.6B** in property taxes), creating **380K** jobs.

### Age of Stock



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## 266K

### New Apartments Needed Annually

Apartment demand is growing and the industry needs to keep up. However, producing enough new apartments to meet demand requires new development approaches, more incentives and fewer restrictions.

The country needs to build **266K** new apartment homes each year to meet demand. Apartment construction contributes **\$226.3B** to the country's economy annually, creating **1M** jobs.



Source: Hoyt Advisory Services; NMHC/NAA; 2022 American Community Survey, U.S. Census Bureau