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NATIONAL  
MULTIFAMILY  
HOUSING  
COUNCIL

MULTIFAMILY MARKUP  
NEWSLETTER

April 20, 2018

## NMHC/NAA Begin Work on 2021 National Model Building Codes

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This week, NMHC/NAA made the apartment industry's case as the International Code Council (ICC) began formal consideration of the next editions of the I-Codes, convening the first round of 2021 code development hearings. NMHC/NAA are actively participating in the hearings participants, advocating for specific proposals important to the multifamily industry. The ICC produces the most widely-used family of codes and standards, which provide minimum requirements for all aspects of multifamily

design and construction and often serve as the basis for state and local building codes. This year, NMHC/NAA are particularly focused on holding back onerous proposals related to fire protection, building egress and accessibility and have identified nearly 300 proposals that impact multifamily construction.

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## NMHC Members Meet with FHFA, Give Insights on Multifamily Market



Each quarter the GSEs regulator, FHFA, meets with NMHC to discuss general market conditions and the demand for multifamily debt. In our last meeting FHFA asked to meet with NMHC members who are involved in workforce housing with the goal of defining this market and exploring ways to provide guidance and direction to the GSEs to more effectively serve workforce housing.

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**REGULATORY REFORM**

**[Treasury Report Recommends Improvements to the Community Reinvestment Act](#)**

Treasury released a report on April 3 containing a series of recommendations to improve the Community Reinvestment Act (CRA). The CRA was crafted to ensure that banks meet the needs of their local communities with a particular focus on those with low and moderate income. CRA reform is just one of the issues that NMHC/NAA identified in 2017 when the new Administration took office. Changes to CRA could help address the growing need for more housing that is affordable.

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**REGULATORY REFORM**

**[Multifamily Industry Calls on DOL to Review Davis-Bacon](#)**

NMHC/NAA submitted a coalition letter last week to Secretary Acosta of the Department of Labor (DOL) asking for two critical changes to the Davis-Bacon wage determination rules – unwarranted split-wage decisions and disruptive updates on effective dates for wages. These two issues have a direct and negative impact on the ability of the multifamily industry to effectively use the FHA loan program for rental housing construction.

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**NATIONAL FLOOD INSURANCE PROGRAM**

**[Flood Premiums Rise and FEMA Grapples with Affordability](#)**

Premiums for National Flood Insurance Program (NFIP) policyholders, including multifamily owners and operators, increased this month. While single and 2-4 family owners are likely to see rate increases averaging about 8 percent, some commercial and multifamily policies will increase by as much as 25 percent. The increases are mandated by Congress to help shore up the financial solvency of the NFIP.

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**FAIR HOUSING**

**[HUD, DOJ Team Up to Fight Sexual Harassment in Housing](#)**

The U.S. Departments of Housing and Urban Development (HUD) and Justice (DOJ) have launched a joint task force to combat sexual harassment in housing. The task force will focus on unifying federal efforts to end sexual harassment in housing, increasing outreach and enforcement mechanisms and implementing a public awareness campaign.

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**DATA SECURITY**

**[Congress Looks at Facebook Breach and Considers Broader Privacy Issues](#)**

Following widely-reported consumer privacy violations that impacted over 85 million Americans, Facebook CEO Mark Zuckerberg appeared before House and Senate hearings. The hearings focused on the company's handling of consumers' sensitive personal information and the ability of third party entities to access that information without their knowledge. While the attention focused

mainly on social media, the conversation surrounding the larger issues of data security and privacy loomed large as Congress continues to grapple with how to boost consumer protections and require higher standards of data security for businesses, like apartment firms, that use, collect, and maintain sensitive consumer data.

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#### REGULATORY REFORM

### [NMHC/NAA Join Coalition to Overturn Ambush Election Rule](#)

NMHC/NAA signed on to a Coalition for a Democratic Workplace (CDW) comment letter on April 18 that asked the National Labor Relations Board (NLRB) to overturn or improve its "ambush" election rule. The rule took effect in 2015 and shortens the period of time between a union filing a petition for election and the election itself to as few as two weeks – down from an average 38 days. This would deny multifamily employers due process rights and the ability to communicate with their employees before an election.

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#### DATA SECURITY

### [New EU Data Privacy Regulation May Impact Some Apartment Firms](#)

A new European Union (EU) data protection regulation called the General Data Protection Regulation (GDPR) may impact U.S. businesses, including multifamily firms. While many businesses that do extensive business in the EU have invested substantial time and money to ensure they are in compliance by May 25, 2018, other businesses, including U.S. apartment firms, that collect consumer data originating in the EU, may fall under the scope of GDPR and should evaluate their business operations.

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#### ENERGY AND SUSTAINABILITY

### [ENERGY STAR Scoring to Change](#)

Multifamily owners and managers increasingly rely on EPA's portfolio manager tool to benchmark building energy performance and top scoring properties (75 or more) earn the valued ENERGY STAR designation.

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#### FAIR HOUSING

### [NMHC Commemorates 50th Anniversary of the Fair Housing Act](#)

On behalf of the apartment industry, NMHC commemorated the 50th anniversary of the signing of the Fair Housing Act (FHA) this week. The apartment industry supports the goals of the Fair Housing Act and is committed to creating diverse, inclusive and accessible communities.

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#### Upcoming Meetings

### [2018 NMHC Leadership Forum on Diversity & Inclusion](#)

May 9 at the Four Seasons Hotel Las Colinas in Dallas, TX

## [2018 NMHC Spring Board of Directors Meeting](#)

May 9-11 at the Four Seasons Hotel Las Colinas in Dallas, TX

### NMHC PAC

## [Ahead of Spring Board Meeting, NMHC PAC is on Track](#)

Fundraising is in full swing as we head into the second quarter of 2018. To date, NMHC PAC has brought in \$352,080 of this year's \$1.5 million goal. With the Spring Board Meeting just around the corner, members are encouraged to provide their support before April 23 to be recognized and thanked at the meeting.

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### Hill Watch

[House Committee on Homeland Security: Subcommittee on Emergency Preparedness, Response, and Communications Hearing on "Securing Our Communities: Federal Support to High-Risk Urban Areas."](#)

[Senate Committee on Finance Hearing to examine early impressions of the new tax law.](#)

[House Committee on Financial Services "HUD's Role in Rental Assistance: An Oversight and Review of Legislative Proposals on Rent Reform"](#)

### Media Roundup

[Facebook is Under Investigation for Alleged Housing Discrimination](#)

*Gizmodo*

[Fed's Brainard: Right Time to Modernize Community Reinvestment Act](#)

*Wall Street Journal*

[Business Group Voices Opposition to Obama-Era Union Rule](#)

*Inside Sources*

[Employers Call on Trump to Rescind Ambush Rules](#)

*Free Beacon*

### The Scoop

## **2018 NMHC 50 Demonstrates Strong and Continued Apartment Growth**

The apartment sector continued its strong economic run last year, reflected in the National Multifamily Housing Council's (NMHC) newly released [2018 NMHC 50](#)—the authoritative ranking of the nation's largest apartment owners, manager, developers, builders and syndicators.

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