



December 5, 2016

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Reports and Management Officer, QDAM
Department of Housing and Urban Development
451 7th Street, SW
Room 4176
Washington, DC 20410-0500

Docket No. FR-5916-N-17
Office of the Assistant Secretary for Public and Indian Housing

60-Day Notice of Proposed Information Collection : Energy Benchmarking of Public Housing

To Whom It May Concern:

The National Housing Conference (NHC) appreciates the opportunity to comment on HUD's proposal to start requiring energy benchmarking for public housing. NHC welcomes HUD's action to gain a better understanding of the energy use in its portfolio; this action is appropriate as part of the Department's work to ensure that public housing is not just affordable but also green and healthy. NHC offers its support for the proposal but also provides some suggestions to make the proposal more effective.

Our primary recommendations for improving the rule are that HUD should:

- Create a waiver process
- Encourage more data accessibility and partner with utilities
- Provide sufficient resources and training
- Craft a strong plan for using the data

I. About the National Housing Conference

The National Housing Conference represents a diverse membership of housing stakeholders including tenant advocates, mortgage bankers, nonprofit and for-profit home builders, property managers, policy practitioners, real estate professionals, equity investors, and more, all of whom share a commitment to safe, decent and affordable housing for all in America. We are the nation's oldest housing advocacy organization, dedicated to the affordable housing mission since our founding in 1931. We are a nonpartisan, 501(c)3 nonprofit that brings together our broad-based membership to advocate on housing issues.

II. Comments on the proposal

NHC supports HUD's leadership and effort to establish benchmarking in its public housing portfolio. We raise some concerns below to strengthen HUD's implementation and make the policy more effective.

A. Create waiver process that recognizes unevenness in utility data

NHC's primary concern is the ability of public housing agencies (PHAs) to collect utility data when tenants pay for some or all of a property's utilities. Access to building energy usage data is uneven across the country. Many utilities provide the data via fax, in a pdf format or via mailed copies which then have to be manually entered into Portfolio Manager, requiring hours of effort by PHA staff. Other utilities do not have aggregated whole building data and will have to provide owner and tenant data separately to PHAs, and to retrieve this tenant data, utilities will need individual tenant release forms. Collecting tenant consent for existing tenants is a burdensome process. Some utilities also may not have the infrastructure in place to share energy data for public housing properties and may have difficulty matching buildings to accounts.¹

While HUD's adoption of benchmarking can help encourage utilities to be more forthcoming with energy consumption data, HUD needs to recognize the significant level of effort that will be required by PHAs under certain conditions and in certain regions across the country. HUD should create a waiver process that recognizes locations and regions where gathering this data will be infeasible because of utility data policy on aggregated data and multifamily buildings. This action would create an efficient and flexible waiver process, and this process can be amended as more utilities engage in providing greater data access. A HUD process that identifies places and utilities that do not provide sufficient support for benchmarking may also help to create an incentive for improvement in those areas.

B. Support data accessibility by working with utilities

While the number of utilities that provide streamlined access to whole building energy consumption data has increased in recent years, the majority of utilities do not currently offer such services. According to the Environmental Protection Agency (EPA), approximately 30 utilities in 14 states and D.C. provide customers with whole-building energy benchmarking data.² At a state and local level, the Institute for Market Transformation recommends that because of the challenges facing multifamily owners in collecting monthly tenant energy consumption data, benchmarking requirements should be coupled with data accessibility measures by utilities. Most cities and states that already have

¹ Recommendations and Best Practices for Benchmarking Multifamily Buildings. ACEEE. May 2014.
<http://aceee.org/sites/default/files/pdf/benchmarking-multifamily-buildings.pdf>

² Utilities Providing Energy Data for Benchmarking in ENERGY STAR Portfolio Manager
https://www.energystar.gov/sites/default/files/tools/Web_Services_Fact_Sheet_01202016_508_1.pdf

benchmarking requirements in place worked with utilities prior to adopting the benchmarking policy to establish whole building data solutions.³ HUD should explore ways to formally work with and encourage utilities to implement more data accessibility for multifamily building owners.

C. Plan for using the data

HUD should have a strong plan for how it will take advantage of this benchmarking data and how it can share this data to incentivize energy efficiency across its portfolio. For example, HUD should provide access to the benchmarking data it receives so that PHAs can easily compare how their buildings perform compared to similar buildings within HUD's portfolio. Having such a plan will help PHAs understand why this initiative is taking place and why their work to implement it will be meaningful.

III. Conclusion

This proposed rule is an important step toward greater energy efficiency in HUD's portfolio. With greater flexibility and support from HUD, this rule can be even more successful. To discuss any of these comments in further detail, please contact Rebekah King, Policy Associate, National Housing Conference, (202) 466-2121 x248, rking@nhc.org.

Sincerely,

A handwritten signature in black ink that reads "Chris Estes". The signature is written in a cursive, flowing style.

Chris Estes
President and CEO

³ Burr, Andrew and Kurkowski, Andrea. "Energy Transparency in the Multifamily Sector" Institute for Market Transformation. December 2012.

http://www.imt.org/uploads/resources/files/Energy_Trans_MFSector_IMT_Final.pdf