



Regulatory Freeze Effect On HUD

HUD's transition team is assessing the effects of the Trump administration's Jan. 20 halt to the submission of new federal regulations sent to the *Federal Register* but not yet published and a 60-day postponement of regulations already published but not yet in effect.

So far, at least 21 programs and initiatives are affected including the principal Moving to Work program and the Office of Multifamily Housing Program. The regulation halt is routine when there is a change in administrations from one party to another according to the Congressional Research Service.

The memo from White House Chief of Staff Reince Priebus, which also applies to guidance documents, is intended to allow the new administration to review new or pending regulations.

The order applies to the Jan. 23 *Federal Register* notice asking for comments regarding how HUD should operate the expansion of the public housing Moving to Work demonstration program. Five days earlier HUD issued a notice it would seek public housing authorities to apply for new MTW slots. A subsequent Jan. 23 notice said HUD was "revisiting" the *Federal Register* notice published that same day and that it would postpone the notice seeking PHA input on new MTW slots.

MTW is expected to be a Trump administration housing centerpiece to encourage public housing tenants to wean themselves away from government housing subsidies.

The regulation freeze also affects a Jan. 19 *Federal Register* notice pertaining to an interim rule governing the proposed streamlining of administrative regulations pertaining to the Office of Multifamily Programs. It would implement family income reviews authorized by the Fixing America's Surface Transportation Act of 2015 that allows private owners of HUD-assisted apartment housing to conduct full income re-certifications every three years instead of annually for families with 90% or more of their income from fixed income.

The regulation would also make utility reimbursements of \$45 or less on a quarterly basis and accept a family declaration of assets under \$5,000. Third-party verification of all family assets would be required every three years.

Other regulations affected by the freeze includes:

- The final lead-based paint rule published Jan. 13 but not final until Feb. 12;
- Final smoke-free public housing rule published Dec. 5 but not final until Feb. 3;
- HOTMA implementation of Section 8 vouchers published Jan. 18 but not effective until Apr. 18.

Info: See the White House memo at <http://tinyurl.com/jj5banw>