



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY

WASHINGTON, DC 20410-0001

November 13, 2014

Dear Utility Representative:

Improving access to utility data for owners of properties within the U.S. Department of Housing and Urban Development portfolio is essential to meet two critical goals: saving money and conserving energy. For this reason, a high priority for HUD is to work with utilities, utility regulators, property owners, and other stakeholders across the country to facilitate better processes for building owners to access utility usage and expense information for their properties. HUD's public housing and assisted multifamily programs support nearly 5 million units of housing, including 1.1 million public housing units, 1.4 million units of privately owned assisted housing, and 2.2 million rental units supported with tenant-based Section 8 vouchers. As the steward of these important affordable housing resources, HUD has an obligation to support actions that result in accurate utility data collection and reporting from multifamily property owners and tenants who reside in HUD-assisted housing.

HUD spends approximately \$6.4 billion annually on utility costs for affordable housing properties and households. The Department provides utility allowances to properties receiving subsidy assistance where all or some utilities are paid directly by the tenants. These utility allowances are adjusted each year and supported by an owner's analysis of the property's utility costs and consumption data. In 2011, a total of 3.3 million households received utility allowances from HUD. These allowances totaled \$4.4 billion and represented 72 percent of all HUD-subsidized units.¹

As a Federal agency responsible for these direct, annual utility expenditures, the Department would like to work with you to increase access to aggregated building utility usage data among residential building owners in HUD's portfolio. The Department recognizes the historic difficulty in obtaining this data across the multifamily residential sector, which has resulted in a barrier to comprehensive utility benchmarking with tools such as the Environmental Protection Agency's ENERGY STAR Portfolio Manager. HUD often hears from building owners about the myriad challenges they face when attempting to access utility data in a standardized, electronic format. In addition to carrying out HUD's regulatory obligations and working to improve utility allowance policies, the Department is interested in securing greater access to whole-building utility consumption data because it promotes energy-efficient building operations and management practices.

¹ Approximately 45 percent of public housing residents (482,599 households) receive utility allowances, as do two-thirds (66.7 percent) of assisted-housing residents, and 90 percent of Housing Choice Voucher (HCV) recipients (1.9 million households).

Utilities and the utility regulatory community are critical partners in this endeavor. Therefore, HUD respectfully asks that you support and participate in efforts to facilitate access to utility usage data for owners of multifamily residential buildings in HUD's portfolio, including electronic, aggregated whole building data. In the near future, the Department would like to convene a working group of key stakeholders to collaboratively explore this topic further and share best practices for delivery and accessibility of utility usage data in the affordable multifamily housing sector.

HUD also requests that utilities engage in a review of internal processes they use to deliver customer-specific information to building owners when the owner has permission from the utility customer (usually a tenant) in the form of a standard lease agreement or separate disclosure form. The Department strongly supports and encourages processes that enable delivery of the requested information. To further this effort, HUD has developed the enclosed "sample release of tenant utility information" form for persons who receive housing assistance under a HUD program. The sample form was designed as a standardized format to document a tenant's consent for the utility company to release this information to the building owner and HUD.

If you have any comments or questions or would like further information, please contact HUD's Office of Economic Resilience at energyaction@hud.gov. HUD looks forward to collaborating on greater access to utility data for the multifamily sector.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julian Castro', with a stylized, cursive script.

Julián Castro

Enclosure

SAMPLE RELEASE OF TENANT UTILITY INFORMATION

DATE:

TO: (Name of Utility Provider Address)

FROM: (Name Owner/Agent Address)

SUBJECT: Request for Utility Information

Dear Sir/Madam:

The person named below receives housing assistance under a program of the U.S. Department of Housing and Urban Development (HUD). The Department provides utility allowances to properties receiving subsidy assistance where all or some utilities are paid directly by the tenants. These utility allowances are adjusted each year and supported by an owner's analysis of the property's utility costs and consumption data.

In order to perform this utility analysis and better estimate the allowance provided to our tenants, your cooperation is requested in providing cost and/or consumption data for the below individual for the previous 12 months. Please return this information to the person listed at the top of the page. Below you will find the tenant's consent to release this information.

Thank you for your help with HUD's mission to create strong, sustainable, inclusive communities and quality affordable homes for all.

Request for Utility Information for: NAME: _____

ADDRESS: _____

PLEASE RETURN THIS UTILITY INFORMATION TO THE PERSON LISTED ABOVE

CONSENT TO THE RELEASE OF UTILITY INFORMATION: I hereby authorize the release of the requested utility information to the building owner and to HUD for the term of my tenancy at the above address. Information obtained under this consent is limited to utility cost and consumption for the address provided above. I understand that my utility information will be used to adjust utility allowances and to enable HUD to better conserve energy and better manage its expenditures on utilities.

Signature of Tenant

Date

Note to Applicant/Tenant: You do not have to sign this form if either the requesting organization or the organization supplying the information is left blank.

Name of Property Owner or Agent

Title

Signature of Property Owner or Agent

Date

PENALTIES FOR MISUSING THIS CONSENT:

Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government. HUD and any owner (or any employee of HUD or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form. Use of the information collected based on this verification form is restricted to the purposes cited above. Any person who knowingly or willingly requests, obtains, or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or participant affected by negligent disclosure of information may bring civil action for damages and seek other relief, as may be appropriate, against the officer or employee of HUD or the owner responsible for the unauthorized disclosure or improper use. Penalty provisions for misusing the social security numbers are contained in the Social Security Act at 208 (a) (6), (7) and (8). Violations of these provisions are cited as violations of 42 USC 408 (a) (6), (7) and (8).