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ICYMI: Indianapolis' Energy Benchmarking & Transparency Program Webinar & Discussion

In the summer of 2021, the City of Indianapolis established an energy benchmarking and transparency program for buildings within Marion County. Beginning in 2023, buildings exceeding 100,000 square feet may begin reporting usage data. Beginning in 2024, buildings exceeding 50,000 square feet may begin reporting usage data.

Attorney Russell Brown from Clark Quinn, LLP will be discussing the details of the ordinance and the reporting requirements. Additionally, there will be an opportunity for property owners to share how they are collecting data for the purposes of reporting and complying with this program. Note: enforcement and penalties under this program do not begin until 2026.

[Register online here.](#)

UPCOMING EVENTS & EDUCATION

Events

- **2023 PAC Golf Classic**, Tuesday, June 20 @ 9:00 AM - 6:00 PM

Virtual Education

- **FREE - Can You See Me Now? A Safe, Open, and Honest Conversation on Diversity**, Thursday, June 15 @ 10:00 AM - 11:30 AM

Hybrid Education

- **FREE - Electric Troubleshooting Seminar**, Thursday, May 18 @ 9:00 AM - 12:00 PM
- **FREE - DTF-Delegation, Time and Feedback-How to Win AND Stay Ahead of Leadership**, Tuesday, May 23 @ 10:00 AM - 11:00 AM
- **SAL Visionary Leadership Program - Day 1**, Wednesday, May 24 @ 9:00 AM - 12:00 PM

PREFERRED SUPPLIERS



TOP NEWS

1. HUD Publishes NSPIRE Final Rule for Federal Housing Programs



On Thursday, May 11, the Department of Housing and Urban Development published the **final rule** (65 pages in total) for the National Standards for Physical Inspection of Real Estate (NSPIRE) program, which is “part of a broad revision of the way HUD-assisted housing is inspected and evaluated.” The final rule is effective July 1, 2023 and inspections will begin October 1, 2023. According to the **HUD Press Release**, Some of the changes the final NSPIRE rule makes include:

- **New Self-Inspection Requirement and Report.** PHAs and Owners will be required to conduct self-inspections of all units at least annually and correct all identified deficiencies. If the property scores under 60, these reports must be provided to HUD. Records related to the self-inspection should be maintained for three years.

- **Timeline for Deficiency Correction.** HUD clarifies the timeline for the correction of health or safety deficiencies. For life-threatening and severe deficiencies, the PHA or Owner must correct the deficiency within 24 hours after the inspection report is received, and upload evidence of that correction within 72 hours to HUD.
- **New Affirmative Requirements.** HUD developed new “affirmative standards” for all units that participate in HUD’s rental assistance programs. These include basic requirements for habitability – like kitchens and flushable toilets – but also important safety concerns like Ground Fault Circuit Interrupter (GFCI) outlets, a permanent heating source, and safe drinking water.
- **Tenant Involvement.** HUD will allow tenants to make recommendations regarding units to be inspected. HUD will require that the PHA or Owner correct all identified deficiencies within established timeframes and provide inspection results to residents.

To view the final rule published in the federal register, [click here to download.](#)

2. IAA responds to Economic Enhancement District



Late last week, IAA was contacted to write a response to the Economic Enhancement District, which was created by language slipped into the state budget in the final hours of session. On Friday, May 12, IAA President Lynne Petersen’s editorial column was published in Forefront, alongside 3 democrats: Taylor Schaffer (Downtown Indy, Inc. and former Hogsette Chief of Staff), Vop Osii (Indianapolis City Council President), and Senator Andrea Hunley (D – Indianapolis). Unsurprisingly, Lynne’s editorial was the only one voicing concern over the new tax. The others raved about the possibilities for downtown. Schaffer’s column also pointed to a grant from the city for \$3.5M earlier this year from COVID relief dollars, which yielded noticeable results from the 36 cleaning ambassadors deployed daily across the Mile Square, tackling projects from litter abatement and graffiti removal to the seasonal projects of bed maintenance and curb painting. Click [here](#) to view Lynne’s editorial. Click [here](#) to access the other columns.

SIGNATURE SUPPLIERS



TOP NEWS CONTINUED

3. FPBSC delays Building Code Review until August



On Friday, May 5, 2023, the Fire Prevention and Building Safety Commission (FPBSC) met for the first time since Governor Eric Holcomb signed HEA 1575 into law, which essentially restructures the commission and halts rulemaking. As a result of the legislation, the FPBSC formally announced that it was suspending all activity on rulemaking, except readoption of rules (outside the scope of HEA 1575), until its August meeting when presumably the Holcomb Administration will appoint new members to the FPBSC. IAA has a seat on the new FPBSC. **Members who are interested in serving on the commission and have experience constructing multifamily housing, should contact [Brian Spaulding](#).**

4. IGA passes legislation sharing Property Tax Dollars and Referendum Dollars with Charter Schools



The Indiana General Assembly this year passed a bill including a pilot program requiring four communities to share property tax funding with private charter schools. This “monumental” shift in funding policy likely opens the door to an expansion in future years that will enable all charter schools statewide to access property tax funds. As of now, Marion, Lake, St. Joseph, and Vanderburg Counties will be required to share property tax dollars with charter schools. Another bill, SB 391, also passed requiring charter schools to receive a share of school referendums.

Given the impact property taxes have on the multifamily housing industry and the shift in funding, IAA is concerned by this change and its future impacts. More schools competing for the same resources is likely going to result in more costly referendums. To make matters more concerning, now that charter schools will get part of referendum funding, they will help fund campaigns to support referendums, making defeating them more difficult and expensive. IAA is investigating future statewide reforms to referendums and property taxes. [WFYI has the full story.](#)

5. Local: Michigan City Contemplating a Rental Inspection Program



Michigan City has decided to copy South Bend's Residential Safety Verification Program (RSVP) Ordinance and implement a virtually identical program. The Council hosted a workshop on April 18, 2023, and received negative feedback from property owners of single-family homes threatening to sell their properties. The ordinance was also on Michigan City's Council Agenda for May 3, but was ultimately tabled, given the pushback from property owners. There is not a fee for inspections and only 20% of units are inspected for multifamily properties. Additionally, multifamily properties can utilize IC 36-1-20-4.1, which allows a property owner to use an existing HUD inspection in lieu of a city inspection; a bank or insurance company's inspection; or the owner can hire an independent architect or professional engineer to conduct a random inspection of units (the sample size should comply with HUD's rules on sample size). IAA will continue to monitor this ordinance. [NWI Times](#) has the full story. Michigan City's Rental Inspection Ordinance can be found [here](#).

6. Federal Lawmakers press companies the collect U.S. consumer data



The House Committee on Energy and Commerce is ratcheting up the pressure on companies that sell consumer data. On Wednesday, May 10, the committee sent a **bipartisan letter** to 20 data broker companies asking for detailed responses on the types of sensitive information they gather, such as health, location, and phone data. Additionally, the committee, sought answers on what protections are in place to protect minors and prohibit the sales of sensitive data to foreign countries. While the letter focuses on the impact of healthcare data, this inquiry is similar to action in the Senate earlier this month when the Senate Banking Committee grilled America’s top three credit bureaus on the accuracy of the consumer data included on credit and tenant screening reports. This is likely the start of heavy bipartisan scrutiny into how consumer data is obtained, relied upon, corrected, and disseminated to consumers, which could impact the rental screening process. **CNBC has the full story.**

EXECUTIVE SUPPLIERS



HEADLINES YOU MAY HAVE MISSED

- **Eviction Ban Remains in California More than 3 years into the Pandemic (WSJ)**
- **White House Unveils \$830M for Building Energy Retrofits (WSJ)**

PARTNER SUPPLIERS



Questions? Clarifications?
Contact the Government Affairs Team
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