

HCV LANDLORD NEWSLETTER

July 2024 Edition

Vol. 1, Issue 1

INTRODUCTION TO THE NEWSLETTER

Welcome to the HCV Landlord Letters newsletter! This newsletter will provide landlords with tools to maintain compliance with housing quality requirements under regulations released by the United States Department of Housing and Urban Development (“HUD”). This newsletter is released when more urgent updates are needed. This newsletter is *not* a comprehensive resource and should *not* be used by itself as a guide for compliance with the housing choice voucher program.

This edition of the HCV Landlord Newsletter provides a basic overview of the NSPIRE standards, points to resources for further information, and specifically describes the smoke alarm requirement. Questions about this letter or about HUD’s requirements can be directed to your Local Administrator.

EFFECTIVE DECEMBER 29, 2024
SEALED BATTERIES WILL BE REQUIRED
FOR ALL BATTERY-POWERED SMOKE DETECTORS

INTRODUCTION TO NSPIRE

HUD has released new requirements for inspections of Section 8 housing units, called the [National Standards for the Physical Inspection of Real Estate](#) (“NSPIRE”). This rule replaces the current Housing Quality Standards (“HQS”) for Section 8 housing units. **NYS HCR will be transitioning to the NSPIRE standards on January 1, 2025.**



HUD released the final rule for NSPIRE on May 11, 2023. Under this final rule, NSPIRE “establishes a new approach to defining and assessing housing quality.” [PIH Notice 2023-28](#). The purpose of NSPIRE is to ensure that residents of HUD housing, including Section 8 tenants, live in safe, habitable dwellings. NSPIRE also ensures that the items and components located inside structures, outside structures, and inside units of HUD housing are “functionally adequate, operable, and free of health and safety hazards.”

NSPIRE has the following benefits for landlords:

- Increased inspection consistency
- Ability to contribute input to standards
- Access to inspection data
- Reliable data and presentable reports for portfolio management and risk assessment



Homes and
Community Renewal

NSPIRE STANDARDS AND DEFICIENCIES

There are 63 standards under NSPIRE, each of which include a list of deficiencies which apply under that standard. These deficiencies may apply in some or all of the inspectable areas. Deficiencies are categorized based on severity; these [categories include “Low,” “Moderate,” “Severe,” and “Life-Threatening.”](#)

The “Life-Threatening” (“LT”) category includes deficiencies which, if evident in the home or on the property, present a high risk of death to a resident. These must be corrected within 24 hours upon discovery.

The “Severe” category includes deficiencies which, if evident in the home or on the property, present a high risk of permanent disability, serious injury, or illness to a resident, or seriously compromise the physical security and safety of a resident or their property. These must be corrected within 30 days.

“Moderate” deficiencies include those which, if evident on the home or on the property, present a moderate risk of an adverse medical event requiring a healthcare visit; cause temporary harm; or if left untreated, cause or worsen a chronic condition that may have long-lasting adverse health effects; or that the physical security or safety of a resident or their property would be compromised. These must be corrected within 30 days.

The “Low” category includes deficiencies which are critical to habitability but do not present a substantive health or safety risk to the resident. These are considered a “pass” and do not have a timeframe for correction.

If a deficiency is not corrected within the required timeframe, the PHA must initiate HAP Contract enforcement, which can include withholding or abatement of assistance payments, terminations, or relocations.

NSPIRE STANDARD HIGHLIGHT: SMOKE ALARMS

EFFECTIVE DECEMBER 29, 2024, SEALED BATTERIES WILL BE REQUIRED FOR ALL BATTERY-POWERED SMOKE DETECTORS

Fire safety is critical for ensuring that tenants have safe, habitable dwellings. Fire is incredibly dangerous and life threatening, and as a result, one of the most important standards under NSPIRE relates to smoke alarms. The [smoke alarm standard](#) includes three different deficiencies, all of which are Life-Threatening (“LT”) and are required to be corrected within **24 hours**.

A *smoke alarm* is a self-contained device which detects the presence of smoke, typically as an indicator of fire, and provides a visual or audio signal as an alert. The inspection location for smoke alarms includes both inside buildings and inside units.

- Smoke alarms must be installed high on walls or ceilings.
 - If mounted on the ceiling, the smoke alarm must be greater than 4 inches from the wall.
 - If mounted on the wall, then the top edge of the smoke alarm cannot be closer than four inches or greater than 12 inches from the ceiling.
- Smoke alarms should be installed at least 10 feet away from cooking appliances.
- Smoke alarms should **not**:
 - Be installed near windows, doors, or ducts where drafts might interfere with their operation
 - Be painted, have decorative stickers, or have other decorations present
- The unit must include at least one battery-powered or hard-wired smoke detector, in proper working condition, in the following locations:
 - On each level of the unit;
 - Inside each bedroom;
 - Within 21 feet of any door to a bedroom measured along a path of travel; and
 - Where a smoke detector installed outside a bedroom is separated from an adjacent living area by a door, a smoke detector must also be installed on the living area side of the door.
- If a smoke alarm is battery-powered, the smoke alarm must use a *sealed battery*. Sealed batteries last for the lifetime of the alarm, which is 10 years.

DEFICIENCIES UNDER THE SMOKE ALARM STANDARD

Deficiency 1: The Smoke Alarm Is Not Installed Where Required

This is categorized as Life-Threatening and must be corrected within 24 hours. This deficiency applies to both Unit and Inside inspection areas when:

- The smoke alarm is not installed inside each bedroom *and*
- The smoke alarm is not installed outside the bedroom *and*
- The smoke alarm is not installed on each level.

Deficiency 2: The Smoke Alarm Is Obstructed

This is categorized as Life-Threatening and must be corrected within 24 hours. This deficiency applies to both Unit and Inside inspection areas when the smoke alarm is covered by a foreign object including, but not limited to a plastic bag, shower cap, zip tie, paint, or paint tape.

Deficiency 3: The Smoke Alarm Does Not Produce an Audio or Visual Alarm When Tested

This is categorized as Life-Threatening and must be corrected within 24 hours. This deficiency applies to both Unit and Inside inspection areas when the smoke alarm does not produce an audio or visual alarm when tested. This also applies when the alarm does not cease after testing.

ADDITIONAL RESOURCES FOR NSPIRE

More information on NSPIRE standards can be found at the following resources:

- [88 FR 30442](#): Economic Growth Regulatory Relief and Consumer Protection Act: Implementation of National Standards for the Physical Inspection of Real Estate (NSPIRE)
 - <https://www.federalregister.gov/documents/2023/05/11/2023-09693/economic-growth-regulatory-relief-and-consumer-protection-act-implementation-of-national-standards>
- [Final Standards](#)
 - https://www.hud.gov/sites/dfiles/PIH/documents/6092-N-05nspire_final_standards.pdf
- [Get Ready Webinar \(PDF\)](#)
 - <https://www.hud.gov/sites/dfiles/PIH/documents/Joint%20HCV%20NSPIRE%20Policy%20Webinar.pdf>
- [How to Read an NSPIRE Standard \(PDF Version\)](#)
 - https://www.hud.gov/sites/dfiles/PIH/documents/200730_NSPIRE_Standard_V1.3_Publication_Template_Guide.pdf
- [List of Standards](#)
 - https://www.hud.gov/program_offices/public_indian_housing/react/nspire/standards
- [NSPIRE Homepage](#)
 - https://www.hud.gov/program_offices/public_indian_housing/react/nspire/standards
- [NSPIRE Official Notices and Proposed Rules](#)
 - https://www.hud.gov/program_offices/public_indian_housing/react/nspire/notices
- [NSPIRE Webinar: Introduction to NSPIRE Standards](#)
 - https://youtu.be/vI-BGnV6O0Q?si=QMwCaw_KxGZn8Ddl
- [PIH Notice 2023-28](#)
 - <https://www.hud.gov/sites/dfiles/PIH/documents/PIH2023-28.pdf>

For more information about NSPIRE or the Housing Choice Voucher program, please contact your [Local Administrator](#).

To access the Landlord Portal, use this link:
<https://section8.hcr.ny.gov/Account/Login>



**Homes and
Community Renewal**

You can find New York State Homes and Community Renewal at:
<http://hcr.ny.gov>