



Housing Market Transparency Act

Promoting Data Collection and Public Transparency within the LIHTC Program

Bill Summary: This bill would require the Secretary of Housing and Urban Development and state housing finance agencies to collect annual data on properties receiving Low-Income Housing Tax Credits (LIHTC). The data must include development costs, habitability standards, and ownership information.

The Need for Legislation: Since its creation by Congress, the Low-Income Housing Tax Credit (LIHTC) program has financed over 3.6 million affordable housing units.¹ The Joint Committee on Taxation estimates that tax expenditures for the LIHTC will increase to over \$14 billion in Fiscal Year 2026.² While the LIHTC program plays a critical role in supporting the development of affordable housing; there is a significant lack of transparency in the program's public-private partnership structure on property-specific data. This issue has been the subject of multiple Government Accountability Office (GAO) studies, which recommended that "Congress should consider designating an agency to regularly collect and maintain specified cost-related data from credit-allocating agencies."³ The GAO also recommended that "Congress should consider designating HUD as a joint administrator of the program."⁴

The lack of data transparency also affects tenants. Currently, there is no centralized public data showing when the affordability period ends for specific buildings within the LIHTC program. As a result, tenants may be unaware of when their rents could increase. There is also no centralized data indicating whether a building owner has waived the right to a qualified contract. If an owner seeks a qualified contract after the 15-year affordability period, tenants could face rent increases when ownership of the building changes. Without accessible data, tenants may be caught off guard by changes in ownership or rent prices.

The Solution: Require the Secretary of Housing and Urban Development to collect annual LIHTC property data from housing finance agencies. This data will enable researchers, regulators, and advocates to make the program more efficient as well as keep tenants well informed.

Specifically, the *Housing Market Transparency Act* would:

- Require the Secretary of Housing and Urban Development to collect property data on buildings receiving an allocation from the LIHTC program.
- This data should include developments costs, property ownership, whether the owner is acting as a pass-through entity, habitability standards, whether the owner has waived the right to qualified contract, the date of expiration on affordability, and any other data that the Secretary deems relevant.
- Housing finance agencies must submit data on properties no later than 18 months after the property is placed in service as well as provide data on the last owner and sale of the property if it is no longer in compliance.

¹ <https://www.novoco.com/resource-centers/affordable-housing-tax-credits/lihtc-mapping-tool>

² <https://www.jct.gov/publications/2024/jcx-48-24/>

³ <https://www.gao.gov/products/gao-18-637>

⁴ <https://www.gao.gov/products/gao-15-330>