

PROPERTY MANAGERS OBLIGATION TO ASSIST CENSUS EMPLOYEES

Article I, Section 2 of the Constitution of the United States calls for an actual account of the population of the United States every ten years to be used for appointment of seats in the House of Representatives among the states. Census takers are required to contact occupied apartments tenants. However, if an apartment is vacant or if the census taker is unable to contact the tenant, the census taker is instructed to ask an apartment owner/manager to answer a few short questions about the apartment (e.g. who was occupying the unit on April 1st), as well as provide the name and phone number of the apartment owner/manager in the event that the Census Bureau needed to ask any follow-up questions.

[13 USC 223](#) mandates that owners and/or managers of multifamily apartments, boarding houses, or other such buildings furnish the names of the occupants or allow free ingress and egress by census employees to such properties for the purpose of collecting statistics required by the census. It also sets a fine not to exceed \$500 against any owner or property manager that refuses or willfully neglects after requested to furnish the names or to allow such ingress and egress.

If the census taker requests information beyond the names of the tenants, Contract Administrators (CAs) of HUD properties must not provide any further tenant information and should refer the census taker to the owner or manager of the property.

13 USC § 223. Refusal, by owners, proprietors, etc., to assist census employees

Whoever, being the owner, proprietor, manager, superintendent, or agent of any hotel, apartment house, boarding or lodging house, tenement, or other building, refuses or willfully neglects, when requested by the Secretary or by any other officer or employee of the Department of Commerce or bureau or agency thereof, acting under the instructions of the Secretary, to furnish the names of the occupants of such premises, or to give free ingress thereto and egress therefrom to any duly accredited representative of such Department or bureau or agency thereof, so as to permit the collection of statistics with respect to any census provided for in subchapters I and II of chapter 5 of this title, or any survey authorized by subchapter IV or V of such chapter insofar as such survey relates to any of the subjects for which censuses are provided by such subchapters I and II, including, when relevant to the census or survey being taken or made, the proper and correct enumeration of all persons having their usual place of abode in such premises, shall be fined not more than \$500.