

FREQUENTLY ASKED QUESTIONS REGARDING THE UNITED STATES CENSUS 2020

What is the US Census?

The US Census is mandated by the United States Constitution (Article I, Section 2), and provides that every decade there shall be a “count” of every resident in the United States of America in order to determine the number of seats that each state has in the US House of Representatives. The statistics gathered are also used to distribute federal funds to local communities.

How does the information gathered by the US Census “benefit” owners/landlords?

As provided above, one of the primary objectives served with the data that is collected by the US Census is to support funding to local communities by the federal government. Much of this funding is for affordable housing, which is a great concern for nearly every state in the country!

What are Landlords/Property Owners required to disclose/provide to US Census workers?

Pursuant to 13 U.S. Code § 223, owners and managers of hotels, apartment houses, boarding or lodging houses, or any other building, must give free ingress and egress (fancy words for “entry” and “exit”) to their buildings to duly accredited representatives of the Department of Commerce. In addition to access, owners and managers are required to furnish the names of the occupants of such premises, as well as the number of persons “having their usual place of abode” in such premises.

While census officials may request far more extensive information (i.e. age, ethnicity, race, etc.), pursuant to the aforementioned section of the U.S. Code, only (a) the names; and (b) number of persons living in the apartment are mandated.

Furthermore, while owners/landlords are required to permit access into the “building”, they are not (and absolutely should not) required to provide access into the actual apartment/home.

What if I (owner/manager) do not comply with the above?

The penalty for refusing and/or willfully neglecting to: permit the US Census worker free egress and free ingress; and/or furnish the US Census worker the names of the occupants of the premises; is...\$500. Pursuant to the express language of 13 U.S. Code § 223, each “request” for information can be identified as a separate offense/penalty. This can certainly add-up for large apartment communities.

Who is considered a “duly accredited representative” of the Department of Commerce?

A US Census worker/duly accredited representative of the Department of Commerce is required to carry on their person a badge that bears the seal of the Bureau of the Census (see below). Furthermore, the individual’s badge should also contain a photographic identification of the individual.



In light of the above, and where owners/landlords should [as a matter of good practice] confirm the identity of any census official *prior to* complying with their request(s), requests for information over-the-phone should not be considered appropriate, and a badge should be submitted prior to complying with any request(s) for information.

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What information can I request from the US Census Worker prior to giving access and/or information related to residents/occupants of the development?

Their photographic identification, which includes their badge, as provided in this FAQ pamphlet.

What section(s) of my lease can I refer to if/when a resident complains about disclosure of their name(s) and/or access that was provided to the US Census worker(s)?

While your state specific NAA lease form may vary in terms of the Paragraph/Section Number, the typical language that every NAA lease contains, which should be highlighted and provided to your inquiring resident(s) reads as follows:

DISCLOSURE RIGHTS. If someone requests information on you or your rental history for law-enforcement, governmental, or business purposes, we may provide it