



NATIONAL ASSOCIATION OF HOUSING COOPERATIVES

April 11, 2011

The Honorable Alfred M. Pollard
General Counsel
Federal Housing Finance Administration
Fourth Floor
1700 G Street NW
Washington, DC 20552

Electronic Submission

RE: *Proposed Rule on Private Transfer Fee Covenants, (RIN) 2590-AA41*

Dear Mr. Pollard:

On behalf of the National Association of Housing Cooperatives (NAHC), I am pleased to submit the following comments regarding the Federal Housing Finance Agency's proposed rule concerning private transfer fees.

NAHC fully supports the comments submitted by the Community Associations Institute (CAI) dated March 30, 2011 with the amended wording submitted on April 6, 2011 that very clearly includes housing cooperatives in the definition of common interest property.

NAHC urges the FHFA to define "**Common Interest Community**" as follows:

"Common interest community" means real estate with respect to which a person, by virtue of his ownership of a unit, is obligated to pay for real estate taxes, insurance premiums, maintenance, or improvement of other real estate described in a declaration, or in the case of a cooperative, where the obligation to pay for real estate taxes, insurance premiums, maintenance or improvement of other real estate is described in a proprietary lease, occupancy agreement or the bylaws of the corporation owning the real estate.

This definition will ensure that all forms of common interest property, including housing cooperatives, are defined in a recognized manner to ensure fair application of any final regulatory guidance.

NAHC represents the interests of more than one million housing cooperatives nationwide. Our Association includes the following member associations: California Association of Housing Cooperatives, Cooperative Housing Association of New England, Coordinating Council of Cooperatives, Council of New York Cooperatives & Condominiums, CSI Support and

1444 I Street NW, Suite 700 • Washington, DC 20005 • Phone 202-737-0797 • Fax 202-216-9646 • www.NAHC.coop



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Development Services (specializing in section 202 housing for low-income senior citizens), Delaware Valley Association of Housing Cooperatives, Federation of New York Housing Cooperatives, Midwest Association of Housing Cooperatives, New Jersey Federation of Housing Cooperatives, Potomac Association of Housing Cooperatives, and the Southeast Association of Housing Cooperatives.

We strongly second the comments of the Community Associations Institute regarding the Importance of self-governance in community associations and voice our objections to the portions of the proposed Rule relating to the use of the association's property.

We appreciate your consideration of our comments. Please do not hesitate to contact me if we can provide additional information.

Sincerely,