

To: Real Estate Department Partners
From: Real Estate Department
Date: January 24, 2024 (*REVISED January 25, 2024*)
Re: **NSPIRE Reminders & Affirmative Habitability Requirements**

Notice: RED-24-06

***THIS NOTICE WAS UPDATED ON JANUARY 25, 2024 WITH ADDITIONAL INFORMATION ON GFCI REQUIREMENT APPLICABILITY. SEE NEW SECTION “CLARIFICATIONS ON GFCI STANDARDS.”**

On November 3, 2023, IHCD released [RED Notice 23-52](#) announcing its implementation plan for the new National Standards for the Physical Inspection of Real Estate (“NSPIRE”) inspection protocol. Per that notice, IHCD has converted to NSPIRE for construction progress and ongoing compliance inspections occurring on or after 1/1/24 for all programs that previously used the UPCS inspection standard. NSPIRE will replace the HQS inspection standard for relevant rental assistance programs on 10/1/24.

NSPIRE standards apply retroactively to **all projects** regardless of the year that the project was placed-in-service or which Qualified Allocation Plan or other application policy it was funded under. NSPIRE standards are different than the now expired UPCS standards and different than code standards used by a building inspector to provide Certificate of Occupancy. Previously passing a UPCS inspection or receiving CoO does not guarantee that a project will pass an NSPIRE inspection. Owner agents are encouraged to review all NSPIRE standards and to conduct self-inspections to identify potential issues where their projects will not meet NSPIRE requirements.

[IHCD’s compliance webpage](#) contains various NSPIRE resources including a recorded webinar training, the NSPIRE Final Rule, and the NSPIRE standards. Additional information on NSPIRE is also included in the 2024 revised compliance manuals.

Among other standards, NSPIRE imposes “affirmative habitability requirements” on all projects. A list of all the affirmative habitability requirements is included below. January 2024 inspections have already identified several issues with NSPIRE standards, particularly the affirmative habitability requirement that interior and exterior outlets within 6’ of a water source must be GFCI protected.

NSPIRE Affirmative Habitability Requirements

Inspectable Area = Unit

1. Hot and cold running water in both bathroom and kitchen, including adequate source of safe drinking water in the bathroom and kitchen
2. Bathroom or sanitary facility that is in proper operating condition and usable in privacy that contains a sink, a bathtub or shower, and flushable toilet



3. At least 1 battery-operated or hard-wired smoke detector
 - a. On each level of the unit
 - b. Inside each bedroom
 - c. Within 21' of any door to a bedroom measured along a path of travel; and
 - d. Where a smoke detector installed outside a bedroom is separated from an adjacent area by a door, must also be installed on the living area side of the door
4. Living room and kitchen area with a sink, cooking appliance, refrigerator, food preparation area, and food storage area
5. For units with Housing Choice Vouchers or Project Based Vouchers, at least one bedroom or living/sleeping room for each two persons in the household
6. Must meet carbon monoxide detection standards established through Federal Register notice
7. Two working outlets or one working outlet and a permanent light within all habitable rooms
8. Outlets within 6' of a water source must be GFCI protected
9. Must contain a permanently installed heating source. Units may not contain unvented space heaters that burn gas, oil, or kerosene.
10. Must have a guardrail when there is an elevated working surface drop off of 30' or more measured vertically
11. Permanently mounted light fixture in the kitchen and each bathroom

Inspectable Area = Inside

1. At least one battery-operated or hard-wired smoke detector on each level
2. Must meet carbon monoxide detection standards established through Federal Register notice
3. Outlets within 6' of a water source must be GFCI protected
4. Must have a guardrail when there is an elevated walking surface drop off of 30" or more measured vertically
5. Permanently mounted light fixtures in any kitchens and each bathroom
6. May not contain unvented space heaters that burn gas, oil, or kerosene

Inspectable Area = Outside

1. Outlets within 6' of a water source must be GFCI protected
2. Must have a guardrail when there is an elevated walking surface drop off of 30" or more measured vertically

***UPDATED INFO* Clarifications on GFCI Standards**

The requirement that all outlets within 6' of a water source must be GFCI protected does not apply in the following circumstances:

- The requirement does not apply to an outlet dedicated to a major appliance (e.g., water heater, HVAC, refrigerator, washing machine, dishwasher, garbage disposal, appliance that is wall-mounted or installed within a cabinet, etc. A "dedicated outlet" is a receptacle outlet that is only capable of serving that specific appliance.
- The requirement does not apply to an outlet below a countertop and within an enclosed cabinet, regardless of its distance from the water source.

Questions about IHCDAs NSPIRE implementation plan and policies can be directed to Matt Rayburn, Deputy Executive Director & Chief Real Estate Development Officer, via mrayburn@ihcda.in.gov.

Questions about IHCDAs inspection process or about specific inspection results can be directed to Chris Rivera, Real Estate Inspector, via crivera@ihcda.in.gov.