

2010 Census

What information can be provided to census takers?

Article I, Section 2 of the Constitution of the United States calls for an actual enumeration of the people every ten years to be used for appointment of seats in the House of Representatives among the states. In March 2010, census takers began going to addresses across the country to count the population and to collect information for the 2010 Census.

Census takers are required to contact occupied apartments themselves; 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 1, 2010), 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.

In accordance with 13 USC 223 (shown below), owners and/or managers of Multifamily Housing properties **must provide census takers with the names of tenants residing in their property** when requested by a census taker. With regards to assisted and affordable multifamily housing, if the census taker needs information past the names of the tenants, they should request this information from HUD. Detailed information outside of the law below has to be requested from HUD as outlined in the Federal Privacy Act, as HUD is authorized to provide the detailed information maintained in a system of records (as defined by the Privacy Act).

Because there are no Privacy Act implications, owners and/or managers could also provide information on what units were vacant. Property owners/managers are not authorized to disclose additional information.

In addition, Contract Administrators (CAs) of HUD Multifamily programs must not provide any tenant information to census takers. If contacted, CAs should refer the census taker to the owner or manager of the property.

§ 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.