



October 20, 2021

Wireline Competition Bureau  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

Re: Improving Competitive Broadband Access to Multiple Tenant Environments, [GN Docket No. 17-142](#)

To Whom It May Concern:

On behalf of [Stewards of Affordable Housing for the Future \(SAHF\)](#), we write to update the record on issues raised in the Federal Communications Commission's (FCC) 2019 Improving Competitive Broadband Access to Multiple Tenant Environments (MTE) Notice of Proposed Rulemaking. SAHF is a collaborative of thirteen exemplary multi-state nonprofits who collectively own, operate, and manage more than 149,000 affordable rental homes in 2,000 properties across the country. SAHF and its members have sought to bridge the digital divide in affordable housing communities, where residents are nearly twice as likely to lack high-speed internet connections as the general population. We appreciate the opportunity to provide our feedback on the barriers affordable housing providers, as MTE owners, and residents face in obtaining broadband access, specifically regarding exclusive wiring and marketing arrangements.

#### Exclusive Wiring Arrangements

Exclusive wiring arrangements continue to present challenges to affordable housing providers, including SAHF members, by preventing other internet service providers (ISPs) from entering their buildings and limiting residents' choice in providers. These arrangements lock housing providers into long-term onerous contracts that prohibit them from pursuing connectivity solutions, such as owner-provided broadband, at their properties. SAHF members are interested in bringing in additional ISPs to provide more flexible contract terms and lower prices for residents but are often prevented from doing so because of exclusive wiring arrangements. With innovative wiring techniques and wireless technologies, smaller ISPs often provide higher quality and more affordable internet service than their larger counterparts, yet these arrangements are a barrier to entry for the smaller ISPs seeking partnerships with affordable housing providers.

SAHF believes a potential solution is for the FCC to impose reasonable standards on the agreements that require ISPs to offer low-cost programs or owner provided broadband at a competitive cost while also offering landlords the option to renegotiate or exit after a certain period of time to ensure affordability and choice for both housing providers and residents.

#### Exclusive Marketing Arrangements

SAHF members report that exclusive marketing arrangements—agreements signed between the ISP and the housing provider, where the housing provider agrees to exclusively market the ISP in the building -- aren't necessarily confusing for residents. This is because in HUD-assisted properties, housing providers may sign these agreements but cannot restrict residents' choice of an ISP. In some cases, the

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**Stewards of Affordable Housing for the Future**

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arrangements can generate modest revenue to help support property operations and resident services that benefit residents.

However, these arrangements include "bulk-ban" provisions (those that bar housing providers from contracting for telecom services on a bulk basis and providing them to all tenants as an amenity) that are detrimental as ISPs have interpreted them to prohibit housing providers from establishing building-wide Wi-Fi systems. As SAHF members strive to provide low-cost or free internet service for residents to access this critical lifeline, existing exclusive marketing agreements and their "bulk ban" language have stood in the way, particularly in markets where only one ISP offers services. The FCC should consider prohibiting ISPs from using bulk-ban provisions against nonprofit affordable housing providers that are trying to address barriers to connectivity at their properties.

SAHF and its members appreciate the FCC's ongoing efforts to expand broadband access in MTEs and hope the FCC will consider our feedback to lower barriers to connectivity for affordable housing providers and residents. If you have any questions on the above comments, please feel free to contact me at [aarnold@sahfnet.org](mailto:aarnold@sahfnet.org).

Sincerely,

Althea Arnold  
Senior Vice President, Policy

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