
19. Certification for Paperwork Reduction Act Submissions

On behalf of the U.S. Department of Housing and Urban Development, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9.

Note: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320/8(b)(3), appear at the end of the instructions. The certification is to be made with reference to those regulatory provisions as set forth in the instructions.

The following is a summary of the topics, regarding the proposed collections of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention periods for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of the information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to collected (see note in item 19 of the instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item below and explain the reason in item 18 of the Supporting Statement.

Signature of Program Official:

X

Date:

Signature of Senior Officer or Designee:

X
Wayne Eddins, Departmental Reports Management Officer,
Office of the Chief Information Officer

Date:

Supporting Statement for Paperwork Reduction Act Submissions

A. Justification

1. Unnecessary, duplicative, excessive or discriminatory public processes often significantly increase the cost of housing development and rehabilitation. Often referred to as "regulatory barriers to affordable housing," many public statutes, ordinances, regulatory requirements, or processes and procedures significantly impede the development or availability of affordable housing without providing a commensurate or demonstrable health or safety benefit. "Affordable housing" is decent quality housing that low-, moderate-, and middle- income families can afford to buy or rent without spending more than thirty percent of their income. Spending more than thirty percent of income on shelter may require families to sacrifice other necessities of life.

In many instances, however, other sometimes well-intentioned public policies work at cross-purposes with subsidy programs by imposing significant constraints. From exclusionary zoning that keeps out affordable housing, especially multifamily housing, to other regulations and requirements that unnecessarily raise the costs of construction, the need to address this issue is clear. For example, affordable rehabilitation is often constrained by outmoded building codes that require excessive renovation. Barrier removal will not only make it easier to find and get approval for affordable housing sites but it will also allow available subsidies to go further in meeting these needs. For housing for moderate-income families often referred to as "work force" housing, barrier removal can be the most essential component of meeting housing needs.

In 1990, in the Cranston-Gonzales National Affordable Housing Act, Congress, for the first time, recognized the importance of public policies and processes to the supply of affordable housing. Section 105(b)(4) requires state and local governments to explain as part of their Comprehensive Housing Affordability Strategy (CHAS)--now included in HUD's Consolidated Plan-- whether a proposed public policy affects housing affordability and describe the jurisdiction's strategy to remove or ameliorate negative effects, if any, of such policies (see 24 CFR 91.210(e) and 24 CFR 91.310(d)). Congress, in Title XII of the 1992 Housing and Community Development Act, reiterated its interest in this important subject by authorizing grants for regulatory barrier removal and established a Regulatory Barriers Clearinghouse (see <http://www.hud.gov/grants/index.cfm>). In the American Homeownership Act of 2000, Congress reauthorized the Clearinghouse and simplified procedures for a barrier removal grant program.

This information collection is authorized under Title 12, United States Code, Section 1701z 1.

2. HUD proposes to establish in the majority of its FY2004 Notices of Funding Availability (NOFAs), including HUD's SuperNOFA, a policy priority for increasing the supply of affordable housing through the removal of regulatory barriers. This new policy priority will be added to the list of policy priorities that HUD traditionally includes in its NOFAs. As a policy priority (and like the other policy priorities), higher rating points will be available to governmental applicants that are able to demonstrate successful efforts in removing regulatory barriers to affordable housing, and to nongovernmental applicants that are associated with jurisdictions that have undertaken successful efforts in removing barriers.
3. This will be an electronically fillable format. The information collection will be common to all HUD's grants. Automation of HUD's grants management system will be implemented incrementally during 2004.
4. The information is specific to each grantee and is not available elsewhere.
5. This collection of information does not have an impact on Small Businesses or other small entities.
6. Without this information HUD will not be able to identify those communities that have removed Regulatory Barriers and award the higher points in a fair and consistent manner.
7. There are no special circumstances requiring this collection of information to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.6.

8. On November 25, 2003 HUD published a *Federal Register* notice soliciting public comment on a series of actions, including the awarding of higher points for completion of the survey which would increase the supply of affordable housing and promote community wide efforts to remove barriers to affordable housing. In addition to the public Notice published on November 25th HUD made available the questionnaire on its web site at <http://www.HUD.gov/grants/index.cfm> . A number of comments were received and have been addressed in the subsequent proposed notice.
9. There are no payments or gifts provided to respondents in this collection of information.
10. There are no assurances of confidentiality provided in this collection of information.
11. There are no questions of a sensitive nature asked in this collection
12. Estimated public burden for applicants for the following grants:

Lead Hazard Control Program
 Healthy Homes Demonstration
 Rural Housing and Economic Development
 Continuum of Care
 Supportive Housing Program (SHP)
 Shelter Plus Care (S+C)
 Section 8 Moderate Rehabilitation SRO Program for Homeless Individuals
 Shelter Plus Care Renewals
 Housing Opportunities for Persons With AIDS (HOPWA)
 Section 202 Supportive Housing for the Elderly
 Section 811 Supportive Housing for Persons With Disabilities
 Assisted Living Conversion Program
 Resident Opportunities and Self-Sufficiency (ROSS) Program
 ROSS for Resident Service Delivery Models--Elderly
 ROSS for Resident Service Delivery Models--Family
 ROSS for Neighborhood Networks
 ROSS for Homeownership Supportive Services
 Service Coordinators in Multifamily Housing
 Community Outreach Partnership Centers
 Housing Counseling
 Lead Hazard Reduction Demonstration
 HUD Urban Scholars Fellowship Program
 Early Doctoral Student Research Grant Program
 Doctoral Dissertation Research Grant Program
 HOPE VI
 Brownfields Economic Development Initiative

Number of Respondents Annual Burden (Hrs)	Frequency of Responses	Estimated Average	Estimated Total
8,500	1	3 hr	25,500

We estimate that, of the approximately 11,000 potential respondents, eighty percent (80%) of grant applicants will respond. This is a once per grant application collection.

13. There is no additional cost burden to respondents.
14. There is no additional cost to the Federal Government.
15. This is an extension of a currently approved collection, which is integrated with all HUD grant program applications. The estimated burden hours included here is for all of HUD's grant program application. There are no changes reported in Items 13 and 14 of the OMB 83-I.

16. This information will not be published.
17. The approved OMB number and expiration date will be displayed on the form.
18. There are no exceptions to the certification statement identified in Item 19 of OMB 83i.

B. Collections of Information Employing Statistical Methods

This collection of information will not employ statistical methods.