
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:

Date:

X
Kevin B. Perkins, Director, Organizational Policy, Planning and Analysis Division, HROA

Signature of Senior Official or Designee:

Date:

X
Lillian Deitzer, Departmental Reports Management Officer

Supporting Statement for Paperwork Reduction Act Submissions

Multifamily Default Status Report OMB Number 2502-0041 Form HUD-92426

A. Justification

1. The regulations for all of HUD's multifamily insurance programs require that mortgagees notify HUD where a mortgage payment is more than 30 days past due. Mortgagees use Form HUD-92426 to provide this notice. Attachment is a copy of the Form HUD-92426, Notice of Default Status on Multifamily Housing Projects (hereinafter called the Default Notice), which is completed and submitted electronically. Also attached are copies the statutory and administrative authorities, which govern the collection of this information.
2. The mortgagee submits the Default Notice to HUD electronically. HUD field and Headquarters staff use this data to: (a) monitor mortgage compliance with HUD loan servicing procedures and assignments; and (b) avoid mortgage assignments. Assignments cost the government millions of dollars each year. If mortgagees did not submit this data: (1) we would not be aware of defaults; (2) the number of assignments would increase; (3) our budget deficit would increase because we would pay billions of dollars of insured claims; and (4) we would not be able to monitor mortgagee compliance with our loan servicing and default prevention requirements.
3. This form will be completed and submitted to HUD via the internet via the Multifamily Delinquency Default Reporting System (MDDR), thereby reducing burden hours. However, in special situations the form HUD-92426 is still used.
4. HUD cannot compile this data from other sources. The data must be supplied by the mortgagee. Other government agencies do not collect this type of information.
5. No small businesses or other small entities are involved in this information collection.
6. Less frequent data collection would conflict with the statute, hamper HUD's ability to monitor debt collection and increase the potential for assignments, diversions and fraud.
7. Mortgagees must report a delinquency after the 15th of the month the payment is due if payment has not been made; a default notice must be submitted no later than 60 days following the date of default; and an election to assign a mortgage to the Department must be submitted 75 days from the date of default, unless an extension has been requested and approved, per regulations.
8. Information collection is conducted in a manner consistent with 5 CFR 1320.6 guidelines. This collection was announced in the Federal Register on Wednesday, November 22, 2006, Volume 71, No. 225. We received one comment from Cheryl Malloy of the Mortgage Bankers Association. Ms. Malloy was concerned that HUD was going to revert back to using the form HUD-92426 and no longer use the MDDR system. Response was sent to Ms. Malloy to assure her that MDDR is the mandatory method for reporting delinquencies, however on occasion there are submissions to HUD using the form.

9. There are no payments or gifts to respondents.
10. While no assurances of confidentiality are pledged to respondents, HUD generally does not disclose this data. HUD would disclose this data only in response to a Freedom of Information Act request.
11. There are no sensitive questions.

12.. Annual Burden Estimate (includes recordkeeping):

Information Collection	Number of Respondents	Frequency of Response	Total Annual Responses	Burden Hours per Response	Total Annual Burden Hrs	*Hourly Cost	Total Annual Cost
HUD-92426	98	116	11,368	0.1666	1894	\$15.00	\$24,410

Mortgagees are required to keep copies of their electronic submission of HUD-92426 to indicate to the Department’s Multifamily Claims Branch upon assignment or foreclosure that the mortgagee followed the proper procedures and timetables in reporting a project’s default, actions taken to cure the default and reinstatement or assignment/foreclosure of the mortgage. In many cases the amount of payment made to a mortgagee has been reduced because the proper timetables may not have been followed. Mortgagees have a recordkeeping burden for every defaulted mortgage.

**Estimated cost per hour is based on the respondent’s staff to gather and submit the requested information.

13. There are no additional capital/startup costs associated with the collection of information.

14. Estimate of Annualized Cost to the Federal Government.

Information Collection	Number of Respondents	Frequency of Response	Total Annual Responses	Burden Hours per Response	Total Annual Burden Hrs	*Hourly Cost	Total Annual Cost
HUD-92426	98	116	11,368	0.1666	1894	\$27.00	\$51,138

*The hourly cost is based on a GS-12 Project Manager charged with reviewing the information.

15. Adjustment made to accurately reflect the current number of respondents and number of responses based on information available in HUD systems. There was a slight increase in the number of mortgagees using the system to report default information. Respondents will not use the system if they do not have any delinquent/default information to report to the Department.
16. The results of this information will not be published.
17. The OMB expiration date will be displayed on the form.
18. There are no exceptions to the “Certification for Paperwork Reduction Act Submission”.

B. Collections of Information Employing Statistical Methods

There are no statistical methods used in this collection.