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## 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) appears 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.

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Signature of Program Official:

Date:

X  
Michael Winiarski, Deputy Director, Organizational Policy, Planning and Analysis Division, HROA

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Signature of Senior Officer or Designee:

Date:

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

# Supporting Statement for Paperwork Reduction Act Submissions

## Construction Complaint – Request for Financial Assistance

OMB Control Number 2502-0047

(HUD-92556)

### A. Justification

1. Section 2(a) of the National Housing Act (P.L. 479, 48 Stat. 1246, 12 U.S.C. 1709(a)) authorizes the Secretary of the Department of Housing and Urban Development to insure qualified financial institutions against losses involved in mortgage insurance. The Housing Act of 1954, Section 801(a) [12 U.S.C. 1701j-1] details the requirements for eligibility of the property with respect to compliance with HUD statutory and regulatory requirements. After a complete research of the 518a data for the past 6 years there have not been any complaints file. However, to comply with OMB collection data requirements this collection is maintained in the event that 10 or more respondents may file a complaint.
2. The form HUD-92556 is submitted by homeowners and is used by HUD to provide orderly processing of homeowner complaints. This form is used in establishing a list of complaint items that the builder is responsible to correct as provided for in a warranty of completion and performance. The form is also used to list structural defects that may cause the property to be considered unsafe for habitation as described in the National Housing Act, Section 518(a) [12 U.S.C. 1735b], and for the mortgagor to request financial assistance.
3. The collection of information does not involve the use of any technological collection techniques. HUD requires an original signature on form HUD-92556 because the mortgagor is certifying that he/she/they are the owners of the property and that, if HUD provides assistance to correct structural defects in the property, the Secretary of HUD is given all rights, equities, and remedies that the owners may have had against the builder, seller, or other persons. In addition, the owner(s) are certifying that HUD is entitled to all money damages to which the owner(s) may have been entitled. No automate response is being considered because of the low number of respondents or the number of complaints does not justify cost of automation.
4. No duplication with other forms or processes exists; other forms or reports do not provide similar information.
5. There is no impact on small businesses or other entities.
6. If the requested information were not collected, homeowners would have no recourse in resolving their construction complaints. HUD will use the information to construct a listing of builders that do not meet their obligations. There are no known technical or legal obstacles to reducing the burden.
7. There are no special circumstances involved in this collection.
8. In accordance with 5 CFR 1320.8(d), the agency's notice soliciting comments was announced in the *Federal Register* on October 21, 2008 (Vol. 703 No. 204, pages 62519-62520). No comments were received.

HUD Headquarters staff contacted all of the four Homeownership Centers and staff Santa Ana Bill Schuler, Denver Dan Gomez, Atlanta Debra Robinson and Philadelphia Gerry Glavey in regards to the Construction Complaint (Form HUD-92556). The Homeownership Centers have indicated there has not been a request for financial assistance (complaint) in the last six years. However, the builder's warranty is only a one-year warranty, and this complaint process is the only alternative for construction complaints after the first year.

9. No payments or gifts are to be provided to respondents.

10. No insurance of Confidentiality of insurance is maintained to the extent impossible, but as explained in the Privacy Act Notice Statement on the form, this is not always possible when HUD is investigating the claim.
11. There are no questions of a sensitive nature.
12. Respondent Burden and Cost in table below. There have been no construction complaints (HUD-92556) in the last three years however; this information collection needs to stay current in the event more than 9 responses are submitted in the upcoming year. Therefore an adjustment has been made to the estimated number of respondents.

Information Collection	Number of Respondents	Frequency of Response	Responses Per Annum	Burden Hour Per Response	Annual Burden Hours	Hourly Cost Per Response	Annual Cost
HUD-92556	10	1	10	.50	5	25.39	126.95

The hourly rate is based on an estimated average annual homeowner salary of \$52,979

13. There are no additional costs to the respondents.
14. Cost to the Federal Government:

Information Collection	Responses Per Annum	Hours Per Response	Annual Hours	Hourly Cost	Annual Cost
HUD-92556	10	2	20	\$33.43	\$668.60

Hourly cost is based on an estimate of \$33.43 per hour that includes overhead, staff preparation time, etc. This cost involves the time it takes to review the information collection and to notify homeowners and builders.

15. This is an extension of a currently approved collection. No adjustments have been made to items 13 and 14 of the OMB 83-I. As there have been no complaints filed in the past three years.
16. No information collected will result in being published or tabulated for publication.
17. HUD is not seeking approval to avoid displaying the OMB expiration date.
18. There are no exceptions to the certification statement identified in item 19 of the OMB 83-I.

## B. Collections of Information Employing Statistical Methods

This collection of information does not employ statistical methods.