

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, 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 Clifford Taffet, Director, Office of Affordable Housing Programs	Date:
Signature of Senior Officer or Designee: X Lillian Deitzer, Departmental Reports Management Officer Office of Investment Strategies, Policy, and Management, Office of the Chief Information Officer	Date:

Supporting Statement for Paperwork Reduction Act Submissions

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

These claim forms are used by displaced persons (families, individuals, businesses, nonprofit organizations and farms) to apply for relocation assistance. Authority for making a relocation payment to persons permanently displaced is found in section 213(b)(2) of the URA, which states that “a displaced person who makes proper application for a payment authorized for such person by this title shall be paid promptly.” Authority for making a relocation payment under section 104(d) of the Housing and Community Development Act of 1974 (HCD Act), as amended, to low/moderate-income persons who occupied housing demolished or low/moderate-income housing converted to a use other than low or moderate income housing is found at section 104(d)(2)(A)(iii) and (iv). Authority for making a relocation payment under National Affordable Housing Act (NAHA) to low/moderate-income persons who occupied housing demolished or low/moderate-income housing converted to a use other than low or moderate income housing is found at section 212.

A new claim form HUD-40030 has been added. This new claim form is to be used by persons who must move temporarily for a HUD-assisted program or project. Authority for making a relocation payment to persons who are temporarily relocated for a HUD-assisted project is found at 49 CFR 24.1 and 24.2(a)(9)(ii)(D), Appendix A.

The government-wide rule at 49 CFR 24.207 states “a displaced person must be provided reasonable assistance necessary to complete and file any required claim for payment.” All displaced persons under the government-wide rule must file a claim for a relocation payment within 18 months following their displacement. Persons who are temporarily relocated are not considered “displaced persons,” and the government-wide rule at 49 CFR 24.2(a)(9)(ii)(D) states that “great care must be exercised to ensure that they are treated fairly and equitably. For example, if the tenant-occupant of a dwelling will not be displaced, but is required to relocate temporarily in connection with the project, the temporarily occupied housing must be decent, safe, and sanitary and the tenant must be reimbursed for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation. These expenses may include moving expenses and increased housing costs during the temporary relocation. . . .”

To help local program participating agencies meet their URA obligations, the Department has prepared and issued the following optional claim forms:

HUD-40030, Claim for Temporary Relocation Expenses (Residential Moves)

HUD-40054, Claim for Moving and Related Expenses – Families and individuals.

HUD-40055, Claim for Actual Reasonable Moving and Related Expenses -- Expenses to reestablish a displaced farm, nonprofit organization, or small business at a new site.

HUD-40056, Claim for Fixed Payment in Lieu of Payment for Actual Moving and Related Expenses -- Businesses, Nonprofit Organizations and Farm Operations.

HUD-40057, Claim for Replacement Housing Payment for 180-Day Homeowner. Claim by current homeowners for replacement housing payment.

HUD-40058, Claim for Rental Assistance or Downpayment Assistance. Families and individuals applying for URA assistance.

HUD-40061, Selection of Most Representative Comparable Replacement Dwelling. Program participants establish a ceiling for the purchase price or rental cost of replacement housing.

HUD-40072, Claim for Rental or Purchase Assistance. Families and individuals applying assistance under section 104(d) of the HCD Act and NAHA (rather than assistance under the URA).

Pursuant to 5 CFR 1320.4(b)(1), the Department has ensured that collection of information associated with these statutory and regulatory requirements is the least burdensome necessary.

2. Indicate how, by whom and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Persons displaced or temporarily relocated for certain HUD programs may have basic eligibility for a relocation payment but must document each claim to the housing agency involved. The claim forms are reviewed by the HUD program participant. Completed forms, evidencing that the claim has been paid to the displaced or temporarily relocated person, are kept in program participant files. Periodically, HUD reviews a random sample of the program participant files to assure that persons received the relocation payments to which they are entitled.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

The subject information is not submitted to HUD, but retained in the program participant's files to support their determinations for audit purposes, or in the event of legal contest over payments made, and/or for HUD review during monitoring of the program participant's program. Consequently, no benefit would be derived by the automation of the information collection requirement.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

There is no other information collected by a locality under other programs that would serve the same use described in 2. Above.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I) describe any methods used to minimize burden.

About 800 apply for relocation assistance annually with program participants. The information requested is the minimum to meet statutory requirements. Local program participating entities are required under the URA to provide assistance to all displaced persons to help them prepare their claim for payments.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden. displaced small businesses

A relocation payment claim form is usually filed with the program participant only once at the time a person moves. On occasion, a person may file a request for an advance payment and thus, two claim forms would be filed with the program participant. These claim forms are used by displaced persons (families, individuals, businesses, nonprofit organizations and farms) and persons temporarily relocated to apply for relocation assistance. Authority for making a relocation payment to a displaced person is found in section 213(b)(2) of the URA, which states that "...a displaced person who makes proper application for a payment authorized for such person by this title shall be paid promptly." Authority for making a relocation payment to a person who is temporarily relocated is found at 49 CFR 24.1 and 49 CFR 24.2(a)(9)(ii)(D), Appendix A. The Department must be able to review evidence of an individual's claim for reimbursement in order to determine that a program participant provided proper compensation under the URA. While these forms are optional, the basic information requested is the minimum amount necessary to determine the accuracy of any claim.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:
 - requiring respondents to report information to the agency more than quarterly;
 - requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
 - requiring respondents to submit more than an original and two copies of any document;
 - requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
 - in connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study;
 - requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
 - that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
 - requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

Not Applicable. There are no special circumstances.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

- Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping disclosure, or reporting format (if any) and the data elements to be recorded, disclosed, or reported.
- Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that preclude consultation in a specific situation. These circumstances should be explained.

The notice of proposed information collection was published in the Federal Register on May 8, 2008. The comment period ended on July 7. No comments were received.

9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.

No payment or gifts are provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation or agency policy.

There is no assurance of confidentiality. Completed forms are maintained in the program participant's files and not by HUD. Only authorized staff from the program participant and HUD and the displaced person have access to the files, unless applicable law provides otherwise.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The only sensitive information asked for on these claim forms are: (a) data on old and new mortgage costs on Claim Form HUD-40057, (b) income and monthly housing costs on Claim Forms HUD-40072, (c) the average annual net earnings of a nonresidential claimant on Claim Form HUD-40056 and (d) a certification of eligibility for relocation benefits based on being a citizen or national of the United States or an alien lawfully present in the US. This information is necessary in order to compute the amount of financial assistance to be provided to the individual, household, or business to offset any increased relocation or housing costs caused by the displacement.

12. Provide estimates of the hour burden of the collection of information. The statement should:
- indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally estimates should not include burden hours for customary and usual business practices;
 - if this request covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I; and
 - provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead this cost should be included in Item 13.

The burden associated with these claim forms is estimated on the basis of 37,800 claimants (37,000 residential occupants and 800 nonresidential occupants). Of the 37,000 residential occupants, 25,000 will file claims for temporary relocation expenses and 10,750 residential occupants will file claims for rental or downpayment assistance for displaced persons. Of the 10,750 residential occupants, 8,750 will file claims under the URA and 2,000 will file claims for relocation assistance under section 104(d) of the HCD Act of 1974, as amended. Claims by displaced homeowners (1,250) and businesses and nonprofit organizations (800) remain constant. In accordance with 24.9(c) this report covers all relocation and real property acquisition activities under a Federal or a federally assisted project or program. Estimates are based on program activity and past applications.

Assuming all permanently displaced persons file a claim for moving expenses (12,800), all permanently displaced residential occupants file a claim for housing assistance (12,000), all temporarily relocated residential occupants file a claim for temporary relocation expenses (25,000) and each claim for housing assistance requires that a locality select the most representative replacement dwelling (12,000), a total of 56,000 hours would be spent on this activity.

Form	No. of Responses	Frequency of Response	No. of Responses	Hrs per Response	Total
HUD-40054 Moving Expenses	12,000	1	12,000	0.5	6,000
HUD-40055 Actual Moving Expenses	400	1	400	1.5	600
HUD-40056 In Lieu of Moving Expenses	400	1	400	1.0	400
HUD-40030 Temporary Relocation Expense Claim	25,000	1	25,000	1.0	25,000
HUD-40057 Replacement Housing Claim	1,250	1	1,250	1.0	1,250
HUD-40058 URA Rental Assistance Claim	8,750	1	8,750	1.0	8,750
HUD-40072 Sec. 104(d) Rental Assistance Claim	2,000	1	2,000	1.0	2,000
HUD-40061 Purchase or Rental Costs Ceiling	12,000	1	12,000	1.0	12,000
Total	61,800				56,000

The estimated cost to localities: 56,000 burden hours (see item 12 above) x \$20.00 per hour = \$1,120,000. Records must be retained for three years after each claimant receives final payment entitled.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information (do not include the cost of any hour burden shown in Items 12 and 14).
- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s) and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities;
 - If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10) utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
 - generally, estimates should not include purchases of equipment or services, or portions thereof made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There are no additional costs to respondents other than the information reported in item 12.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

The cost to the Federal Government is minimal since the forms are optional. Cost includes Headquarters periodic review of the forms to update in compliance with law or regulation changes, posting of the forms on the HUD website, submission of OMB paperwork clearance packages, and periodic review by field office staff of a sample of the forms or other records maintained by local program participants with regard to relocation claims made, and responding to inquiries from local program participants or the public with regard to information contained on the forms. Annualized estimate is 2,000 hrs. per year at \$27.65 per hour (based on 2008 pay rate for a GS-12 step 1) or \$55,300.

15. Explain the reasons for any program changes or adjustments reported in Items 13 and 14 of the OMB Form 83-I.

The burden increase is a result of the new claim form HUD-40030 which has been added. This new claim form is to be used by persons who must move temporarily for a HUD-assisted program or project. Authority for making a relocation payment to persons who are temporarily relocated for a HUD-assisted project is found at 49 CFR 24.1 and 24.2(a)(9)(ii)(D), Appendix A.

16. For collection of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

This information will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

Not seeking such approval.

18. Explain each exception to the certification statement identified in item 19.

There are no exceptions to the certification statement identified in item 19 of the OMB 83-I.

B. Collections of Information Employing Statistical Methods

The information collection does not employ statistical methods.