

# Paperwork Reduction Act Submission

Please read the instruction before completing this form. For additional forms or assistance in completing this forms, contact your agency's Paperwork Reduction Officer. Send two copies of this form, the collection instrument to be reviewed, the Supporting Statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 Seventeenth St. NW, Washington, DC 20503.

1. Agency/Subagency Originating Request: <b>U.S. Department of Housing and Urban Development</b> Office of Community Development and Development, Office of Affordable Housing Programs	2. OMB Control Number: a. <b>2506-0181</b> b. None
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3. Type of information collection: (check one) a. <input type="checkbox"/> New Collection b. <input checked="" type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, <b>without change</b> , of previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, <b>with change</b> , of previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note item A2 of Supporting Statement instructions.	4. Type of review requested: (check one) a. <input checked="" type="checkbox"/> Regular b. <input type="checkbox"/> Emergency - Approval requested by c. <input type="checkbox"/> Delegated 5. Small entities: Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 6. Requested expiration date: a. <input checked="" type="checkbox"/> Three years from approval date    b. <input type="checkbox"/> Other (specify)
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7. Title:  
**Tax Credit Assistance Program (TCAP)**

8. Agency form number(s): (if applicable)  
 None

9. Keywords:  
 Housing, Grants Administration, Low-income Housing Tax Credit Program, HOME Investment Partnerships Program

10. Abstract:  
 This information describes the reporting and recordkeeping requirements of the Tax Credit Assistance Program (TCAP). The data required includes program level, project level and beneficiary level information collected and reported on by TCAP grantees. The data identifies who benefits from the TCAP program and how statutory requirements are satisfied. The respondents are State housing credit agencies.

11. Affected public: (mark primary with "P" and all others that apply with "X") a. Individuals or households    e. Farms b. Business or other for-profit    f. Federal Government c. Not-for-profit institutions    g. <b>P</b> State, Local or Tribal Government	12. Obligation to respond: (mark primary with "P" and all others that apply with "X") a. Voluntary b. <b>P</b> Required to obtain or retain benefits c. Mandatory
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13. Annual reporting and recordkeeping hour burden: <table style="width: 100%; border-collapse: collapse;"> <tr><td>a. Number of respondents</td><td style="text-align: right;">52</td></tr> <tr><td>b. Total annual responses</td><td style="text-align: right;">2,496</td></tr> <tr><td>    Percentage of these responses collected electronically</td><td style="text-align: right;">100%</td></tr> <tr><td>c. Total annual hours requested</td><td style="text-align: right;">11,284</td></tr> <tr><td>d. Current OMB inventory</td><td style="text-align: right;">11,669</td></tr> <tr><td>e. Difference (+,-)</td><td style="text-align: right;">-385</td></tr> <tr><td>f. Explanation of difference:</td><td></td></tr> <tr><td>    1. Program change:</td><td style="text-align: right;">-385</td></tr> <tr><td>    2. Adjustment:</td><td></td></tr> </table>	a. Number of respondents	52	b. Total annual responses	2,496	Percentage of these responses collected electronically	100%	c. Total annual hours requested	11,284	d. Current OMB inventory	11,669	e. Difference (+,-)	-385	f. Explanation of difference:		1. Program change:	-385	2. Adjustment:		14. Annual reporting and recordkeeping cost burden: (in thousands of dollars) Do not include costs based on the hours in item 13. <table style="width: 100%; border-collapse: collapse;"> <tr><td>a. Total annualized capital/startup costs</td><td style="text-align: right;">0</td></tr> <tr><td>b. Total annual costs (O&amp;M)</td><td style="text-align: right;">0</td></tr> <tr><td>c. Total annualized cost requested</td><td style="text-align: right;">0</td></tr> <tr><td>d. Current OMB inventory</td><td style="text-align: right;">0</td></tr> <tr><td>e. Difference</td><td style="text-align: right;">0</td></tr> <tr><td>f. Explanation of difference:</td><td></td></tr> <tr><td>    1. Program change:</td><td></td></tr> <tr><td>    2. Adjustment:</td><td></td></tr> </table>	a. Total annualized capital/startup costs	0	b. Total annual costs (O&M)	0	c. Total annualized cost requested	0	d. Current OMB inventory	0	e. Difference	0	f. Explanation of difference:		1. Program change:		2. Adjustment:	
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15. Purpose of Information collection: (mark primary with "P" and all others that apply with "X") a. <b>X</b> Application for benefits    e. <b>X</b> Program planning or management b. <b>X</b> Program evaluation    f. Research c. General purpose statistics    g. <b>P</b> Regulatory or compliance d. Audit	16. Frequency of recordkeeping or reporting: (check all that apply) a. <input checked="" type="checkbox"/> Recordkeeping    b. <input type="checkbox"/> Third party disclosure c. <input checked="" type="checkbox"/> Reporting: 1. <input checked="" type="checkbox"/> On occasion    2. <input type="checkbox"/> Weekly    3. <input type="checkbox"/> Monthly 4. <input checked="" type="checkbox"/> Quarterly    5. <input type="checkbox"/> Semi-annually    6. <input checked="" type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially    8. <input type="checkbox"/> Other (describe)
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17. Statistical methods: Does this information collection employ statistical methods? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	18. Agency contact: (person who can best answer questions regarding the content of this submission) Name: Tracy Harvey Phone: (202) 402-6983
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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), 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:
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Signature of Senior Officer or Designee:  X Lillian Deitzer, Departmental Reports Management Officer, Office of the Chief Information Officer	
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# Supporting Statement for Paperwork Reduction Act Submissions

## Tax Credit Assistance Program (TCAP)

### A. Justification

#### 1. Circumstances that make the collection of information necessary.

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act (Recovery Act) of 2009 into law (Public Law 111-5, Section 2, Division A, Title XII of the Recovery Act, entitled "HOME Investment Partnerships Program"). This new law provided \$2.25 billion of grant funding for capital investment in Low Income Housing Tax Credit (LIHTC) projects, which cannot move forward because the current economic crisis has reduced the private capital available to them. HUD will administer these funds as the Tax Credit Assistance Program (TCAP). Although these funds were appropriated under the 'HOME Program' heading of the Recovery Act, HOME program requirements do not apply to these funds. However, these funds are subject to Federal grant requirements because they constitute Federal financial assistance. HUD will administer the Tax Credit Assistance Program. Eligible TCAP grantees are the housing credit allocation agencies of the 50 states, the District of Columbia, and the Commonwealth of Puerto Rico.

TCAP grant amounts were determined by a formula established in the Recovery Act. HUD will award TCAP funds to the housing credit allocating agencies of each state, the District of Columbia and the Commonwealth of Puerto Rico proportionate to the percentage of HOME funds allocated to all the state and local participating jurisdictions in a state under the FY 2008 HOME formula.

Pursuant to the Recovery Act, each grantee must commit seventy-five percent of its TCAP funds to projects by February 16, 2010 by entering into a legally binding agreement with the project owner. Each grantee must expend seventy-five percent of its grant for eligible projects by February 16, 2011. Each grantee must expend 100 percent of its grant by February 16, 2012.

In addition, any assistance provided to an eligible low income housing tax credit project under this provision shall be made in the same manner and subject to the same limitations as required under section 42 of the Internal Revenue Code. The Recovery Act further requires grantees to award TCAP funds competitively based on criteria established in their Qualified Allocation Plans, and that priority be given to housing projects that will be completed by February, 2012.

On February 18, 2009, the Office of Management and Budget (OMB) issued Initial Implementing Guidance for the American Recovery and Reinvestment Act of 2009. This guidance spelled out the reporting requirements for funds allocated under the Recovery Act, including TCAP funds. Specifically, the guidance requires quarterly reporting on:

- (1) The total amount of recovery funds received from that agency;
- (2) The amount of recovery funds received that were obligated and expended to projects or activities. This reporting will also include unobligated Allotment balances to facilitate reconciliations.
- (3) A detailed list of all projects or activities for which recovery funds were obligated and expended, including --
  - (A) The name of the project or activity;
  - (B) A description of the project or activity;
  - (C) An evaluation of the completion status of the project or activity;
  - (D) An estimate of the number of jobs created and the number of jobs retained by the project or activity; and
  - (E) For infrastructure investments made by State and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and name of the person to contact at the agency if there are concerns with the infrastructure investment.

- (4) Detailed information on any subcontracts or subgrants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency act of 2006 (P.L. 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of OMB.

The applicable section of the American Recovery and Reinvestment Act (Public Law 111-5, Section 2, Division A, Title XII of the Recovery Act, entitled "HOME Investment Partnerships Program"). In addition, the Initial Implementing Guidance for the American Recovery and Reinvestment Act of 2009 issues by OMB on February 18, 2009 is the second of the two documents which mandate and/or authorize the collection of data in this submission.

## **2. How the information is used**

The respondents are grantee state housing credit allocating agencies, which HUD requires to collect information on the activities undertaken with TCAP funds. HUD collects this information from state housing credit allocating agencies through its Integrated Disbursement and Information System (IDIS). HUD Headquarters will use the information collected through IDIS to track compliance with TCAP's statutory commitment and expenditure requirements and to generate the OMB prescribed quarterly reports. Program management reports are generated by IDIS to provide data on the status of each state housing credit allocating agency's commitment and disbursement of TCAP funds. HUD will use this data, as well as the project-specific property, tenant, owner, and financial data to compile quarterly and annual reports to be posted on [www.recovery.gov](http://www.recovery.gov) and [www.hud.gov/recovery/](http://www.hud.gov/recovery/). On May 4, 2009, HUD issued HUD Notice CPD 09-03, "Implementation of the Tax Credit Assistance Program (TCAP)". The Notice announces TCAP formula allocations and describes the purpose, background, eligible grantees, projects and uses of funds, program requirements, federal grant requirements, TCAP submission requirements, grant agreement requirements, and training and technical assistance for the TCAP program.

## **3. Improved technology.**

The collection of TCAP grant and project level information (collection of data on funds management, project and tenant characteristics, and owner data) has been automated by IDIS. IDIS eliminates the need for state housing credit allocating agencies to submit paper reports.

## **4. Efforts to identify duplication.**

No similar information exists. The information collected through IDIS is project-specific and, therefore, unique to each state housing credit allocating agency's TCAP program.

## **5. Burden to small business or small entities.**

None.

## **6. Consequences if information is collected less frequently.**

The information is collected on a project-by-project basis to permit state housing credit allocating agencies to draw down TCAP funds from the U.S. Treasury and to ensure that TCAP funds are used for eligible purposes. It is not possible to collect the information less frequently. In addition, less frequent data collection would prevent timely reporting of the OMB prescribed reports.

## **7. Special circumstances**

None.

## **8. Public Notice.**

A Federal Register Notice was published on August 19, page 4192 Vol. 74 No. 159. The comment end date was October 19, 2009. No comments were received

## **9. Payment or gifts.**

None.

**10. Assurance of Confidentiality**

Recipients of the assistance will collect and maintain records of information. Information on activities and expenditures of grant funds is public information and is generally available for disclosure. Recipients are responsible for ensuring confidentiality when public disclosure is not required.

**11. Questions of a Sensitive Nature** .None.

**12. Annual Reporting and Recordkeeping Burden**

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Annual Reporting and Recordkeeping Burden

Paperwork Requirement	Number of Respondents	Number of Responses	Total Responses	Hours Per Response	Total Hours	Cost Per Response*	Total Cost
Grantee's Written Agreements	52	14	728	5	3,640	\$145.00	\$105,560
IDIS Activity Set-Up and Completion	52	14	728	10	7,280	\$290.00	\$211,120
Grantee Website Reporting	52	14	728	0.50	364	\$14.50	\$10,556
<b>TOTAL PAPERWORK BURDEN</b>			2184		11,284		\$327,236

(\*This figure is based on GS-11 salary)

**13. Estimate of Total Costs to Respondents**

There are no additional costs to the respondents (other than the cost shown in item 12 above).

**14. Estimate of Annualized Cost to Federal Government**

The cost to the government to review the submissions and reports (but not including the costs of follow-up management, technical assistance or monitoring) is estimated at \$6,552.

Management Reports	0.25 hour X 208 reports	52 hours
<b>Total hours</b>		<b>52 hours</b>
<b>Total cost to the Federal Government: 156 hours at \$42/ hour**</b>		<b>\$2,184</b>

(\*This figure is based on GS-13 salary)

**15. Explanation of Program Changes / Adjustments**

This is a revision of a currently approved collection based on the \$2.25 billion awarded to state housing credit allocating agencies under the Tax Credit Assistance Program (TCAP), which was authorized by the American Recovery and Reinvestment Act (Recovery Act) of 2009 (Public Law 111-5, Section 2, Division A, Title XII of the Recovery Act, entitled "HOME Investment Partnerships Program"). The submission is for reporting and recordkeeping only. The application portion of TCAP is no longer needed.

**16. Publication of Results**

Not later than 10 days after the end of each calendar year quarter, starting on October 10, 2009, each recipient of TCAP funds must report to HUD on those items prescribed by OMB in its Initial Implementing Guidance for the American Recovery and Reinvestment Act of 2009 issued on February 18, 2009.

**17. Display of the Expiration date for OMB Approval of the Information Collection**

The Office of Affordable Housing Programs is not seeking to not display the expiration date for OMB approval of the information collection.

**18. Explanation of Each Exception to the Certification Statement**

No exceptions are made to the certification statement identified in item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

**B. This collection does not employ statistical methods.**

