

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/Sub agency Originating Request: U.S. Department of Housing and Urban Development Office of Public and Indian Housing (PIH) Management and Occupancy Division (MOD)	2. OMB Control Number: a. 2577-0230 b. None
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3. Type of information collection: (check one) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input checked="" type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change , of previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change , 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:
Public Housing Reform Act: Changes to Admission and Occupancy Requirements

8. Agency form number(s): (if applicable)
This information collection does not apply to form(s).

9. Keywords:
Reform, public housing program, housing choice voucher program, admission and occupancy, minimum rents, income targeting, income changes, community service and self-sufficiency requirement (CSSR), family choice and cooperative agreements with welfare agencies.

10. Abstract: Information collection on admission and occupancy requirements under the Quality Housing and Work Responsibility Act (QHWRA) and Public Housing Reform Act.

11. Affected public: (mark primary with "P" and all others that apply with "X") a. <input checked="" type="checkbox"/> Individuals or households e. Farms b. Business or other for-profit f. Federal Government c. Not-for-profit institutions g. <input checked="" type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond: (mark primary with "P" and all others that apply with "X") a. Voluntary b. <input checked="" type="checkbox"/> Required to obtain or retain benefits c. Mandatory
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13. Annual reporting and recordkeeping hour burden: a. Number of respondent 3,300 b. Total annual response 3,300 Percentage of these responses collected electronically 90% c. Total annual hours requested 79,200 d. Current OMB inventory 76,520 e. Difference (+,-) +2,680 f. Explanation of difference: 1. Program change 2. Adjustment: calculation correction +2,680	14. Annual reporting and recordkeeping cost burden: (in thousands of dollars) a. Total annualized capital/startup costs b. Total annual costs (O&M) c. Total annualized cost requested d. Total annual cost requested 0 e. Current OMB inventory 0 f. Explanation of difference: 1. Program change: 2. Adjustment: calculation correction 0
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15. Purpose of Information collection: (mark primary with "P" and all others that apply with "X") a. <input checked="" type="checkbox"/> Application for benefits e. Program planning or management b. Program evaluation f. Research c. General purpose statistics g. <input checked="" type="checkbox"/> Regulatory or compliance d. Audit	16. Frequency of recordkeeping or reporting: (check all that apply) a. <input 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 type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input checked="" type="checkbox"/> Other (describe) Per applicant.
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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: Dina Elani Phone: (202) 402-2071
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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 Dina Elani, Director of Management and Occupancy Division	Date:
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Signature of Senior Officer or Designee: X Lillian L. Deitzer, Reports Management Officer CIO: Office of Investments Strategies, Policy Management WCF	Date:
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Supporting Statement OMB 2577-0230
Public Housing Reform Act: Changes to Admission and Occupancy Requirements

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.**

The purpose of this information collection is to *extend* a currently approved collection for admission and occupancy requirements in public housing and Section 8 assisted housing programs contained in the Quality Housing and Work Responsibility Act (QHWRA) of 1998 (title V of the FY 1999 HUD appropriations Act, Public Law 105-276, 112 Stat. 2518) which amended the United States Housing Act of 1937 (42 U.S.C. 1437, et seq., “the 1937 Act”).

This information collection does not impose new requirements as the admissions/occupancy for public housing agencies (PHAs) have been in place since 1988 under the Public Housing Reform Act. Policies with respect to admissions and occupancy establish how PHAs calculate income and within statutory requirements. The statutory requirements provide PHAs with flexibility as to how they structure admissions policies. Admission and occupancy policies for public housing and Section 8 assistance programs under the **Public Housing Reform Act** are as follows:

- 1. Minimum Rents** -- This provision requires that residents pay a monthly minimum rental amount between \$0 and \$50, with exceptions for families unable to pay because of financial hardship.
- 2. Income Targeting** – Provides 40% of newly-available public housing units and 40% of newly-available units in a Project-Based Section 8 house families with incomes less than 30% of area median income.
- 3. Self-Sufficiency Incentives** – Prohibits increases to a public housing family’s rent for one-year and limits rent increases for a second year, when a family member who was unemployed or on TANF gets a job. Permits PHAs (at a family’s request) to establish Individual Savings Accounts for the purpose of purchasing a home, paying education costs, moving out of public housing, or other activities promoting self-sufficiency.
- 4. Income Changes Resulting from Noncompliance with Welfare Program Requirements** – Provides that a family’s rent will not be decreased when income reductions result from welfare agency sanctions.
- 5. Family Choice of Rent in Public Housing** – Offers families an annual choice of paying either an income-based rent (generally up to 30% of adjusted income) or a flat rent based on rental value.
- 6. Community Service and Self-sufficiency Requirements for Public Housing** – This provision requires that every adult resident of public housing perform eight hours of community service each month, or participate in a self-sufficiency program for at least eight hours every month. Elderly persons, disabled persons, persons already working, persons exempt from work requirements under state welfare programs, or persons receiving assistance under state welfare program are exempt from the requirement.
- 7. Cooperative Agreements with Welfare Agencies** – This provision requires PHAs to seek cooperation agreements with other agencies in order to facilitate assistance in verifying resident

compliance with a number of requirements of the Reform Act, and to establish services targeting the needs of assisted families.

HUD is mandated to verify that PHAs establish admissions and occupancy policies/procedures in compliance with the statute/regulations. PHAs supply information when HUD conducts on-site monitoring visits. HUD may request information in order to respond to Congressional or respond to public requests under the Freedom of Information Act. HUD may receive inquiries from applicants about how a PHA's waiting list is structured and why they have not been selected from the waiting list.

PHAs must establish written policies on how waiting list are structured and be able to answer questions on the *status* of applicant requests. PHAs have discretion to set admissions and occupancy policies under the HUD Reform Act and PHA policies/procedures vary from one PHA to another.

A copy of Title V – Public Housing and Tenant-Based Assistance Reform – outlines statutory changes to the occupancy requirements for the public housing and Section 8 assistance programs – is attached.

A copy of the Final Rule – Changes to Admission and Occupancy Requirements in the Public Housing and section 8 Assistance Programs issued on March 29, 2000 – outlines regulatory changes to the occupancy requirements for the public housing and HCV programs-- is attached.

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 from the current collection.

This PRA serves as the statutory framework for occupancy requirements. It sets the framework for how PHAs implement public housing and Section 8 assistance programs under the flexibility provided by the Public Housing Reform Act.

PHAs collect information to calculate income/rent for public housing/HCV program participants and to determine placement of applicants on waiting lists. PHAs must have a policy so to respond to inquiries from tenants, legal-aid services, HUD, other interested parties under the Freedom of Information Act. Issues such as local preferences, assignment and selection of tenants from the waiting list, data used to establish flat rents require documentation.

PHAs are required to submit a Family Report form-HUD 50058 for each public housing and HCV program participant to collect information on income and rent under QHWRA requirements (approved separately under OMB 2577-0083).

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.

PHAs collect information via form HUD-50058 (*Family Report of Characteristics*) and provides the information to HUD through the Public and Indian Housing Information Center (PIC) system. PIC captures the information from occupants to create standards and to analyze through management reports. PIC is an automated, national, web-based, client-server database system on families residing in federally assisted housing programs.

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.

The information collection for QWARA under OMB 2577-0083 does not duplicate information collected for flexibilities under the Housing Reform Act.

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.

Small entities are not unduly impacted by this information collection; no collection exceeds statutory requirements; no alternatives for submission exist; and there are no significant economic impacts on a substantial number of entities.

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.

Any reduction to this collection requirement would violate the Public Housing Reform Act and weaken a PHA's ability to withstand legal challenges to their admissions and occupancy policies and procedures.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to HUD more than quarterly;**

PHAs are not required to report this information more than quarterly.

- **requiring respondents to prepare a written response to a collection of information fewer than 30 days after receipt of it;**

Respondents are not required to prepare a written response related to the collection fewer than 30 days after receipt.

- **requiring respondents to submit more than an original and two copies of any documents;**

Respondents are not required to submit either original documents or copies of the originals.

- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three (3) years.**

Respondents are not required to maintain records related to admissions and occupancy for more than three years.

- **In connection with a statistical survey, that is not designed to produce valid and reliable results that 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:**

This collection of information is not a statistical survey.

- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulations, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing data with other agencies for compatible confidential use; or**

A pledge of confidentiality is supported by the statutory authority established at 42 USC 1437d(q) (5).

- **Requiring respondents to submit proprietary trade secrets, 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.**

PHAs are not required to submit proprietary trade secrets or other confidential information.

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.

In accordance with 5 CFR 1320.8 (Paperwork Reduction Act of 1995), HUD published a Notice of Proposed Information Collection in the *Federal Register* on September 24, 2009.

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

There are no payments or gifts provided to respondents.

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

There are no assurances of confidentiality provided or needed for this collection.

11. Provide additional justification for any questions of a sensitive nature, such as 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 collection does not involve any questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information:

Number of PHAs	Responses Annually	Hours per Response	Total Annual Burden Hours	Cost Per Hour	Total Annual Cost
3,300	3,300	24	79,200	\$29.00	\$2,296,800

Methodology for Calculations:

Average PHA salary = \$60,000 *per year*; \$1154 *per week*; \$29.00 *per hour*

The average number of hours per year to complete this information is 24 hours. Larger PHAs will spend more hours and smaller PHAs will spend less. This estimate is based on a reasonable amount of time for reviewing resultant PIC data from forms 50058 and assessing compliance with HUD Reform Act requirements.

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information.

There are no other costs other than as reported in Item 12 above.

14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operations 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 may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

There is no additional cost to HUD for the collection of this information.

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

Program changes are reflected in the removal of two ICS to form one IC. The adjustment corrects calculations based on an average of 24 hours annually per PHA.

16. For collections 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 information, completion of report, publication dates, and other actions.

The information collected by PHAs 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.

The collection of information will not be recorded on any HUD form. As such, it is not necessary to display the assigned OMB number and expiration date.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

There are no exceptions to the certification statement.

B. Collections of Information employing Statistical Methods.

Not applicable.