

**RECORDKEEPING FOR HUD'S  
CONTINUUM OF CARE PROGRAM**

**OMB PAPERWORK REDUCTION ACT  
SUBMISSION**

**September 2013**

---

# Table of Contents

---

<b>Part A Justification.....</b>	<b>2</b>
Introduction.....	2
A1 Need and Legal Basis.....	2
A2 Information Users.....	4
A3 Improved Information Technologies.....	4
A4 Duplication of Similar Information.....	4
A5 Small Businesses.....	4
A6 Less Frequent Data Collection.....	4
A7 Special Circumstances.....	5
A8 Federal Register Notice/Outside Consultation.....	5
A9 Payment/Gift to Respondents.....	5
A10 Confidentiality.....	5
A11 Sensitive Questions.....	6
A12 Burden Estimate (Total Hours and Wages).....	6
A13 Capital Costs.....	8
A14 Cost to the Federal Government.....	8
A15 Program or Burden Changes.....	9
A16 Publication and Tabulation Dates.....	9
A17 Expiration Date.....	9
A18 Certification Statement.....	9

# Part A Justification

## Introduction

This new submission is to request a review of the recordkeeping burden associated with program requirements for the Continuum of Care (CoC) Program. This is the first Paperwork Reduction Act Submission for Recordkeeping for HUD's CoC program. This submission is limited to the recordkeeping burden under the CoC Program, which is requesting an OMB control number for the first time.

### A1 Need and Legal Basis

*Why is this information necessary? Identify any legal or administrative requirements that necessitate the collection.*

On May 20, 2009, the President signed into law "An Act to Prevent Mortgage Foreclosures and Enhance

Mortgage Credit Availability," which became Public Law 111-22. This law implements a variety of measures directed toward keeping individuals and families from losing their homes. Division B of this law is the HEARTH Act, which consolidates and amends three separate homeless assistance programs carried out under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 *et seq.*)

(McKinney-Vento Act) into a single grant program that is designed to improve administrative efficiency and enhance response coordination and effectiveness in addressing the needs of homeless persons. The HEARTH Act codifies in law and enhances the Continuum of Care planning process, the coordinated response to addressing the needs of the homeless, which was established administratively by HUD in

1995. The single Continuum of Care Program established by the HEARTH Act consolidates the following programs: The Supportive Housing Program, the Shelter Plus Care Program, and the Moderate Rehabilitation/Single Room Occupancy Program.

Publication of the interim rule for the Continuum of Care Program continues HUD's implementation of the HEARTH Act. This rule establishes the regulatory framework for the Continuum of Care Program and the Continuum of Care planning process, including requirements applicable to the establishment of a Continuum of Care. A Continuum of Care is designed to address the critical problem of homelessness through a coordinated community-based process of identifying needs and building a system of housing and services to address those needs. The approach is predicated on the understanding that homelessness is not caused merely by a lack of shelter, but involves a variety of underlying, unmet needs—physical, economic, and social.

As amended by the HEARTH Act, Subpart C of the McKinney-Vento Homeless Assistance Act establishes the Continuum of Care Program. The purpose of the program is to promote communitywide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, and State and local governments to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effective utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness.

The statutory provisions and implementing interim regulations found at 24 CFR 578 govern the Continuum of Care Program recordkeeping requirements for recipient and subrecipients and the standard operating procedures for ensuring that Continuum of Care Program funds are used in accordance with the program requirements.

Each collaborative applicant must keep the following documentation related to establishing and operating a Continuum of Care [24 CFR 578.103 (a)(1)(i-iii)]. 1. Evidence that the Board selected by the CoC meets the requirements, 2. Evidence that the Continuum has been established and operated according the subpart B of 24 CFR 578, and 3. Evidence that the Continuum has prepared the application for funds according to 24 CFR 578.9

Unified Funding Agencies (UFAs) that requested grant amendments from HUD must keep evidence that the grant amendment was approved by the Continuum [24 CFR 578.103 (a) (2)].

Recipients must maintain homeless and at risk of homeless status documentation of program participants [24 CFR 578.103 (a)(3-4)]. Recipients or subrecipients must document their compliance with the CoC's homeless participation requirements [CFR 578.103(a)(12)]. Recipients are required to maintain documentation of reasonable belief of imminent threat of harm for victims of domestic violence, dating violence, sexual assault or stalking [24 CFR 578.103(a)(5)(i-ii)]. Recipients or subrecipients must also maintain records of supportive services provided, an annual assessment of services for program participants (as necessary), and as applicable, compliance with the termination of assistance [24 CFR 578.103(a)(7)(i-ii)]. Further, recipients or subrecipients must document the types of supportive services provided under a recipient's program and the amounts spent on those services and adjust supportive service packages as necessary [CFR 578.103(a)(9)].

Program participants receiving housing assistance where rent or an occupancy charge is paid by the program participant, recipients or subrecipients must maintain documentation of the program participant's annual income [24 CFR 578.103(a)(6)(i-iv)].

Recipients or subrecipients must retain documentation of compliance with the housing standards, including inspection reports [CFR 578.103(a)(8)].

Recipients must maintain documentation of the source and use of contributions made to satisfy the match requirement of the Continuum of Care Program. The records must indicate the grant and fiscal year for which each matching contribution is counted. Further, the records must show how the value placed on third party in-kind contributions was derived. To the extent feasible, volunteer services must be supported by the same methods that the organization uses to support the allocation of regular personnel costs [CFR 578.103(a)(10)].

Recipients and subrecipients must maintain documentation to demonstrate compliance with the organizational conflict-of-interest requirements, the Continuum of Care Board conflict-of-interest requirements, and other conflict requirements as identified in the CoC Program [CFR 578.103(a)(11)].

Recipients and subrecipients must document compliance with the faith-based activities requirements of the Continuum of Care Program [CFR 578.103(a)(13)]. Moreover, recipients and subrecipients must maintain copies of their marketing, outreach, and other materials used to inform eligible persons of the program to document compliance with the CoC Program requirements [CFR 578.103(a)(14)].

Recipients and subrecipients must document their compliance with the other Federal requirements of the Continuum of Care Program, including but not limited to the following: environmental review, Solid Waste Disposal Act, Transparency Act Reporting, Coastal Barrier

Resources Act, applicability to OMB Circulars, lead-based paint, audits, Davis-Bacon requirements, and Section 3 of the HUD Act [CFR 578.103(a)(15)].

The recipient must retain copies of all solicitations of and agreements with subrecipients, records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients, as applicable. Recipients must retain documentation of monitoring subrecipients, including any monitoring findings and corrective actions required. Recipient and subrecipients must retain copies of all procurement contracts and documentation of compliance with the procurement requirements in 24 CFR 84 and 85 [24 CFR 578.103(a)(16)].

Recipient and subrecipients must maintain other records specified by HUD and ensure that all records containing protected identifying information for individuals and families is kept secure and confidential. Recipients and subrecipients must maintain all records pertaining to Continuum of Care funds. [24 CFR 578.103(a)(17)].

## **A2 Information Users**

*How is the information collected and how is the information to be used?*

HUD requires recipients and subrecipients of Continuum of Care Program funds to fulfill program requirements and maintain documentation that the program requirements were executed. HUD Headquarters, HUD Field Offices and Continuum of Care Program recipients and subrecipients will use this information to maintain compliance with the statutory and regulatory provisions of the Continuum of Care Program interim rule. If HUD identifies that the recipient has not been fulfilling the statutory and regulatory requirements of the Continuum of Care Program, it may take the remedial actions identified in 24 CFR 578.107.

## **A3 Improved Information Technologies**

*Describe whether, and to what extent, the collection of information is automated (item 13b1 of OMB form 83-i). If it is not automated, explain why not. Also describe any other efforts to reduce burden.*

HUD does not require the use of any specific form to document compliance with program regulations; however, the implementing interim regulation allows recipients and subrecipients to maintain documentation by microfilming, photocopying, or other similar methods (including electronic). HUD expects that some recipients and subrecipients will maintain paper records, while others will maintain electronic records.

## **A4 Duplication of Similar Information**

*Is this information collected elsewhere? If so, why cannot any similar information already available be used or modified?*

The data identified in *A1 Need and Legal Basis* is not collected elsewhere. The Continuum of Care Program's programmatic and recordkeeping requirements are unique to the Continuum of Care Program.

## **A5 Small Businesses**

*Does the collection of information impact small businesses or other small entities (item 5 of OMB form 83-i)? Describe any methods used to minimize burden.*

There is no burden on small businesses or other small entities.

## **A6 Less Frequent Data Collection**

*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.*

The recordkeeping for HUD's Continuum of Care Program is done on an ongoing basis. If HUD does not collect records on the aforementioned aspects of the Continuum of Care Program identified in *A1 Need and Legal Basis*, statutory and regulatory compliance of recipients, subrecipients, collaborative applicants, and Unified Funding Agencies, then the CoC's performance and adherence to the program rules cannot be reviewed or evaluated. The documentation is generally collected on a project basis to permit Continuum of Care Program recipients to draw down Continuum of Care Program funds from the U.S. Treasury and to ensure Continuum of Care Program funds are used for eligible costs. It is not possible to collect the documentation identified in *A1 Need and Legal Basis* less frequently.

## **A7 Special Circumstances**

*Explain any special circumstances that would cause an information collection to be conducted in a manner that would impose additional workload burden on recipients (see eight items listed in OMB guidance).*

There are no special circumstances that would cause this information collection to be conducted in a manner that would impose one or more of the additional requirements identified under this item.

## **A8 Federal Register Notice/Outside Consultation**

*Identify the date and page number of the Federal Register notice (and provide a copy) soliciting comments on the information. Summarize public comments and describe actions taken by the agency in response to these comments. Describe all efforts to consult with persons outside the agency.*

In accordance with the Paperwork Reduction Act of 1995, the Department of Housing and Urban Development published a notice in the Federal Register on March 25, 2013 (78 FR 57, page 17938) announcing the agency's intention to request an OMB review of recordkeeping requirements for the CoC program.

## **A9 Payment/Gift to Respondents**

*Explain any payments or gifts to respondents, other than remuneration of contractors or grantees.*

Not applicable. No payment or gifts are provided to any respondents for any information.

## **A10 Confidentiality**

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

Section 578.103(b)(1-3) of the CoC Program interim rule states that in addition to fulfilling the specific confidentiality and security requirements for Homeless Management Information System (HMIS) data, recipients and subrecipient must develop and implement procedures to ensure that all records containing protected identifying information of any individual or family who applies for and/or receives Continuum of Care assistance will be kept secure and confidential; the address or location of any family violence project (domestic violence, dating, sexual assault, or stalking) assisted with CoC funds will not be made public, except with written authorization of the person responsible for the operation of the project; and the address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the recipient or subrecipient and consistent with state and local laws regarding privacy and obligations of confidentiality.

## **A11 Sensitive Questions**

*Justify any questions of a sensitive nature, such as sexual, religious beliefs, and other matters that are commonly considered private.*

Not applicable. The information collection request does not include any sensitive questions.

## **A12 Burden Estimate (Total Hours and Wages)**

*Estimate public burden: number of respondents, frequency of response, annual hour burden. Explain how the burden was estimated.*

Exhibit A-1 below demonstrates how the public burden for Continuum of Care Program data collection was calculated based on estimated time and expenditures required to complete the collection. The total burden for data collection from all recipients and subrecipients is estimated at 1,921,711 hours. The table estimates the amount of time required for each individual data collection activity including the number of times the activity is carried out during the year and the number of responses expected per activity.

**Exhibit A-1: Estimated Annual Burden Hours for Recordkeeping for HUD's Continuum of Care Program**

<b>Information Collection</b>	<b>Number of Respondents</b>	<b>Response Frequency (average)</b>	<b>Total Annual Responses</b>	<b>Burden Hours Per Response</b>	<b>Total Annual Hours</b>
§578.5(a) Establishing the CoC	450	1	450	8.0	3,600
§578.5(b) Establishing the Board	450	2	900	5.0	2,250
§ 578.7(a)(1) Hold CoC Meetings	450	1	450	4.0	3,600
§ 578.7(a)(2) Invitation for New Members	450	1	450	1.0	450
§ 578.7(a)(4) Appoint committees	450	2	900	0.5	450
§ 578.7(a)(5) Governance charter	450	1	450	7.0	3,150
§ 578.7(a)(6) and (7) Monitor performance and evaluation	450	4	450	9.0	4,050
§ 578.7(a)(8) Centralized or coordinated assessment system	450	1	450	8.0	3,600
§ 578.7(a)(9) Written standards	450	1	450	5.0	2,250
§ 578.7(b) Designate HMIS	450	1	450	10.0	4,500
§ 578.9 Application for funds	450	1	450	180.00	81,000
§ 578.11(c) Develop CoC plan	450	1	450	9.0	4,050
§ 578.21(c) Satisfying conditions	8,000	1	8,000	4.0	32,000
§ 578.23 Executing grant agreements	8,000	1	8,000	1.0	8,000
§ 578.35(b) Appeal—solo	10	1	10	4.0	40
§ 578.35(c) Appeal—denied or decreased funding	15	1	15	1.0	15
§ 578.35(d) Appeal—competing CoC	10	1	10	5.0	50
§ 578.35(e) Appeal—Consolidated Plan certification	5	1	5	2.0	10
§ 578.49(a)—Leasing exceptions	5	1	5	1.5	7.5
§ 578.65 HPC Standards	20	1	20	10.0	200
§ 578.75(a)(1) State and local requirements—appropriate service provision	7,000	1	7,000	0.5	3,500
§ 578.75(a)(1) State and local requirements—housing codes	20	1	20	3.0	60
§ 578.75(b) Housing quality	72,800	2	145,600	1.0	145,600
	72,800	2	145,600	0.08	11,648
	70,720	1	70,720	0.5	35,360
	8,000	1	8,000	1.5	12,000
	6,600	3	19,800	0.75	14,850
	11,500	1	11,500	1.0	11,500
	3,000	100	30,000	0.5	15,000



standards					
§ 578.75(b) Suitable dwelling size	104,000	2	208,000	1.0	208,000
§ 578.75(c) Meals	1,840	200	368,000	0.75	276,000
§ 578.75(e) Ongoing assessment of supportive services	2,000	200	400,000	0.75	300,000
	20	1	20	0.5	10
§ 578.75(f) Residential supervision	400	1	400	4.00	1,600
§ 578.75(g) Participation of homeless individuals	4,500	1	4,500	3.0	13,500
§ 578.75(h) Supportive service agreements	10	1	10	3.0	30
§ 578.77(a) Signed leases/occupancy agreements	300,000	1	300,000	0.25	75,000
§ 578.77(b) Calculating occupancy charges	10,000	1	10,000	0.25	2,500
§ 578.77(c) Calculating rent	200	1	200	0.5	100
§ 578.81(a) Use restriction	350,000	6	2,100,000	0.25	525,000
§ 578.91(a) Termination of assistance	8,000	12	96,000	1.0	96,000
§ 578.91(b) Due process for termination of assistance	8,000	1	8,000	1.0	8,000
§ 578.95(d)—Conflict-of-Interest exceptions	11,500	1	11,500	1.0	11,500
§ 578.103(a)(3) Documenting homelessness	20	2	40	2.0	80
§ 578.103(a)(4) Documenting at risk of homelessness	800	1	800	2.0	1,600
§ 578.103(a)(5) Documenting imminent threat of harm					
§ 578.103(a)(7) Documenting program participant records	366,500		3,968,075		1,921,711
§ 578.103(a)(7) Documenting case management					
§ 578.103(a)(13) Documenting faith-based activities					
§ 578.103(b) Confidentiality procedures					
§ 578.105(a) Grant/project changes—UFAs					
§ 578.105(b) Grant/project changes—multiple project applicants					
Total					

## A13 Capital Costs

*Estimate the annual capital cost to respondents or record keepers.*

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

## **A14 Cost to the Federal Government**

*Estimate annualized costs to the Federal government.*

The cost to the government to review the records and compliance with program requirements is estimated at \$5,568,000.

HUD Monitoring and Compliance: 8,000 recipients per year x 24 hours per recipient x \$29\*

Total cost to the Federal Government: \$5,568,000

\*this figure is based on a GS-12 salary

## **A15 Program or Burden Changes**

*Explain any program changes or adjustments in burden.*

This is the first Paperwork Reduction Act Submission for Recordkeeping for HUD's CoC program.

## **A16 Publication and Tabulation Dates**

*If the information will be published, outline plans for tabulation and publication.*

HUD does not intend to publish any information as a result of this collection.

## **A17 Expiration Date**

*Explain any request to not display the expiration date.*

HUD is not seeking approval to not display the expiration date for OMB approval of the information collection.

## **A18 Certification Statement**

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

There are no exceptions to the signed certification