

Supporting Statement to Paperwork Reduction Act Submission

HUD-Owned Real Estate – Sales Contract and Addendums

OMB #2502-0306

HUD-9544, HUD-9548, HUD-9548-B, HUD-9548-C, HUD-9548-G, HUD-9548-H,
HUD-9545-Y, and HUD-9545-Z

AND

SAMS-1101, SAMS-1103, SAMS-1108, SAMS-1110,
SAMS-1111, SAMS-1111-A, SAMS-1117, SAMS-1120, SAMS-1204, SAMS-1205

A. JUSTIFICATION

1. The National Housing Act (P.L. 479, 48 Stat., 1246, 12 U.S.C., 1715z-11a) authorizes the Secretary of Housing and Urban Development to deal with, complete, rent, renovate, modernize, insure, or sell for cash or credit, at the Secretary's discretion, any properties conveyed to the Department under contracts of mortgage insurance. Regulations regarding the disposition of acquired properties by sale are contained in 24 CFR Part 291, Disposition of HUD-Acquired Single Family Property. This collection of information consists of the sales contracts and addenda that will be used in binding contracts between purchasers of acquired single-family assets and HUD.

Title X of the Housing and Community Development Act of 1992, Pub. L. 102-550, established the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4852d). Section 1018 of that Act directs the Environmental Protection Agency (EPA) and HUD to jointly issue regulations requiring disclosure of known lead-based paint and/or lead-based paint hazards by persons selling or leasing properties built before the phase out of residential lead-based paint use in 1978. Under that authority, EPA and HUD established requirements so that consumers can make more informed decisions concerning home purchase, lease, and maintenance to protect their families from lead hazard exposure (24 CFR part 35, subpart A) (the Lead Disclosure Rule).

2. The information collections contained in this request deal only with those sales of HUD-acquired properties that do not include special programs. Information is submitted primarily by real estate brokers and on occasion directly by purchasers of HUD-homes.

Disposition Forms

Form HUD-9544, Contract of Sale and Purchase (All Cash-Bulk Sale) is a sales contract specifically for the purpose of selling more than one property to a single purchaser. This form is completed by a real estate broker or one of its agents. The authority is 24 CFR 291.90 and Handbook 4310.5. Ch.10-14.H.3. There is only one bulk sale per year.

Form HUD-9548, Sales Contract, is a form that is used as a contract between the purchaser of a single property and HUD. This form is used in all sales of HUD-acquired single family assets except as specifically provided otherwise by Handbook 4310. Real estate and individuals complete these sales contracts. This information is reflected in Handbook 4310.5.8-33.

Form HUD-9548-B, Addendum for Discounted Sales to Nonprofit Organizations and Governmental Entities was formerly titled Land Use Restriction Addendum. This form is required only when properties are sold to HUD-approved nonprofit organizations or participating local governments. This addendum includes new language that assists in assuring the program participants understand and fulfill their obligation to rehabilitate properties and resell or rent them in accordance with HUD's mission and policy. Reporting requirements contained in this form are covered under OMB Control Number 2502-0540. Purchases made by nonprofits and government entities represent less than 1% of total HUD-owned property sales.

Form HUD-9548-C, Assignment of Sales Contract, an addendum to the Form HUD-9548, Sales Contract, is used when a local government or nonprofit organization is the purchaser of an acquired asset through the Officer Next Door Sales program and the Teacher Next Door Sales and must be assigned in accordance with 24 CFR 291.580. Transactions requiring this form have not occurred, and none are anticipated, at this time.

Form HUD-9548-G, Addendum to Sales Contract, 203(k) Rehabilitation Financing Lead Agreement. This new form provides information necessary to administer the HUD Lead Safe Housing Rule (24 CFR Part 35 subpart F). Lenders providing 203(k) rehabilitation financing for HUD Homes sold with deteriorated lead-based paint and constructed prior to 1978 should complete the form. The form requires the signature of the Lender, Purchaser, and Selling Broker.

Form HUD-9548-H, Addendum to Sales Contract, Completion of 203(k) Rehabilitation Financing Lead-Based Paint Stabilization and Clearance. This new form provides information necessary to insure compliance with the Lead Safe Housing Rule at 24 CFR Part 35, Subpart F.

Form HUD-9545-Y, Lead-Based Paint Disclosure Addendum. Seller Has Records Or Reports Pertaining To Lead-Based Paint and/or Lead-Based Paint Hazards. This form is used by the M&M contractor, the Selling Broker, and the Purchaser identifying pertinent information on HUD homes built prior to 1960 and listed for sale. The form is signed by the M&M contractor, the Selling Broker, and the Purchaser. Because the M&M contractor is acting as an agent of HUD, no information collection is ascribed to the M&M contractor's time to complete the form.

Form HUD-9545-Z, Lead-Based Paint Disclosure Addendum. Seller Has NO Records Or Reports Pertaining To Lead-Based Paint and/or Lead-Based Paint Hazards. This form is used by the M&M contractor, the Selling Broker, and the Purchaser identifying pertinent information on HUD homes built from 1960 through 1977 and listed for sale. The form is signed by the M&M contractor, the Selling Broker, and the Purchaser. Because the M&M contractor is acting as an agent of HUD, no information collection is ascribed to the M&M contractor's time to complete the form.

The following **SAMS** forms enable HUD to record and process financial transactions in its automated Single Family Acquired Asset Management (SAMS) to dispose of acquired single-family properties. HUD reimburses M&M contractors for their services in maintaining, marketing, and selling HUD homes, and HUD collects funds associated with the sale of these properties. The information collected in these forms enables HUD to create and maintain sound financial management practices and effective internal controls over the property disposition program. The response is required to obtain or maintain a benefit.

Form SAMS-1100, Cash Transmittal. This HUD form is deleted.

Form SAMS-1101, Define Lessees/Lease. This HUD form is used for reporting on a real estate owned property when the acquired single-family property is under lease with occupants.

Form SAMS-1103, Request to Wire Transfer Funds. This HUD form is used for the wire transfer of funds on a real estate owned property when the acquired single-family property has been sold and settlement has occurred.

Form SAMS-1106, Invoice Transmittal. This HUD form is deleted.

Form SAMS-1106-C, Invoice Transmittal Continuation. This HUD form is deleted.

Form SAMS-1108, Eviction Status. This HUD form is used for the reporting of eviction status from the initial eviction beginning, through the process and the final eviction of a real estate owned property by the M&M contractor.

Form SAMS-1110, Taxing Authority Profile. This HUD form is used for reporting the taxing authority associated with a real estate owned property by the M&M contractor.

Form SAMS-1111, Payee Name and Address. This HUD form is used for setting up and modifying information on companies that conduct business with the M&M contractors. It is also used for listing/selling brokers, non-profits and local governments on real estate owned property.

Form SAMS-1111-A, Selling Broker Certification. This HUD form is used for certify selling broker's that conduct business with the M&M contractors on behalf of HUD. They are to abide by HUD's standard of ethical practices.

Form SAMS-1117, Payee Deactivation Request. This HUD form is used for deactivating any payee previously set up to conduct business with the M&M contractors and HUD.

Form SAMS-1120, Funds Reclassification. This HUD form is used for reclassifying/changing any funds that have been transmitted to HUD in error with an incorrect designation.

Form SAMS-1204, Authorized Signature(s) for Payee File Maintenance. This HUD form is used for the purpose of establishing authority to HUD staff by the HOC Director to perform file maintenance on SAMS.

Form SAMS-1205, Authorized Signature(s) for Funds Reclassification. This HUD form is used for the purpose of establishing authority to HUD staff by the REO Director to perform reclassification of funds on SAMS.

3. The information collected by these forms is collected electronically and submitted by email from contractors to the M&M agent, and then to HUD. Sales contracts and addendums requiring original signatures will be submitted to HUD in hard copy.
4. The Single Family Property Disposition Sales Program is the only HUD program that disposes of single-family acquired properties. Therefore, the information collection forms are unique to this program, and the information collected is not duplicative.
5. The information collected does not have a significant economic impact on a substantial number of small entities. HUD-approved real estate brokers with active Name Address Identifiers (NAID) (identification numbers) submitting offers on behalf of prospective program participants may include small entities. The equipment required to access and process the information collection is desk top or equivalent computers typically found in any real estate sales office.
6. The information collected is the minimum needed to acquire and dispose of single-family properties using appropriate management control tools to protect against fraud and abuse.
7. Each information collection is unique to the respondent who is required to complete the form and the frequency is usually on a one-time or as-needed basis. Form HUD-9548 (with addenda) requires original and 3 copies each, giving the authorization to act on the sales contract. Only one copy is retained by HUD. The other three copies go to the real estate broker, the closing agent, and the purchaser.
8. In accordance with 5 CFR 1320.8(d), HUD published a notice soliciting public comments in the *Federal Register* on September 20, 2013, Vol. 78/No.183/pages 57873-74. No comments were received.

9. Other than remuneration of contractors and sales commission payments to brokers submitting selected offers, no gift or other type payments are made to the respondents.
10. These information collections take into consideration the need to assure data confidentiality and provide adequate Privacy Act Notice statements where needed.
11. This information collection does not contain requests for information of a sensitive nature, with the exception of Forms SAMS 1101, 1108, 1110, 1111 and 1111-A.
12. The following are the estimates of the burden hours of the collection of information.

Information Collection	Number of Respondents	Frequency of Response (Averages)	Total Annual Responses	Hours per Response	Total Annual Hours	Cost per Hour	Total Annual Cost
HUD-9544	1	1.0	1	.25	.25	\$26	\$7
HUD-9548	13,136	11.07	145,383	0.5	72,692	\$26	\$1,889,979
HUD-9548-B		Varies*	589	0.2	117	\$26	\$3062
HUD-9548-G		Varies*	152	0.2	31	\$26	\$791
HUD-9548-H		Varies*	152	0.2	31	\$26	\$791
HUD-9545-Y		Varies*	33,533	0.2	6,707	\$26	\$174,372
HUD-9545-Z		Varies*	15,018	0.1	1,502	\$26	\$39,047
SAMS-1101	18	Varies*	589	0.2	117	\$26	\$3062
SAMS-1103		Varies*	104,058	0.2	20,811	\$26	\$541,102
SAMS-1108		Varies*	59	0.2	12	\$26	\$307
SAMS-1110		Varies*	104,058	0.2	20,811	\$26	\$541,102
SAMS-1111		Varies*	589	0.2	117	\$26	\$3062
SAMS-1111-A		Varies*	589	0.2	117	\$26	\$3062
SAMS-1117		Varies*	59	0.2	12	\$26	\$307
SAMS-1120		Varies*	59	0.2	12	\$26	\$307
SAMS-1204**	0	0	0	0	0	0	0
SAMS-1205**	0	0	0	0	0	0	0
Totals	13,155		404,888		123,090		\$3,200,379

Real estate listing agent costs are assumed at \$26 per hour.

*Based on actual amounts received from periodic reports received in SAMS.

**SAMS-1204 and 1205 are for internal HUD usage in designating authority.

13. The total cost above includes the costs related to the reported burden hours. There are no additional costs to respondents for start-up or capital due to the information collection.

14. Cost to the Federal Government.

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SAMS-1111	589	0.2	117	\$26	\$3062
SAMS-1111-A	589	0.2	117	\$26	\$3062
SAMS-1117	59	0.2	12	\$26	\$307
SAMS-1120	59	0.2	12	\$26	\$307
SAMS-1204	0	0	0	0	0
SAMS-1205	0	0	0	0	0
Totals	404,888		123,090		\$3,200,379

15. This is revision of a currently approved information collection. The HUD forms previously listed on this collection have been updated with new figures to represent the Departments current HUD REO activity. Since the last submission, several SAMS forms have been deleted from the collection because they are no longer used.

SAMS forms deleted:

Information Collection	Total Annual Responses	Total Annual Hours
SAMS-1100	176,760	35,352
SAMS-1106	265,140	132,570
SAMS-1106c	0	0
Totals	441,900	167,922

16. These collections of information do not include results that will be published.

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

18. There are no exceptions to the certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS.

No statistical methods are employed in the collection of this information.