

Supporting Statement for Paperwork Reduction Act Submissions

Construction Complaint – Request for Financial Assistance

OMB Control Number 2502-0047

(HUD-92556)

A. Justification

1. Section 2(a) of the National Housing Act (P.L. 479, 48 Stat. 1246, 12 U.S.C. 1709(a)) authorizes the Secretary of the Department of Housing and Urban Development to insure qualified financial institutions against losses involved in mortgage insurance. The Housing Act of 1954, Section 801(a) [12 U.S.C. 1701j-1] details the requirements for eligibility of the property with respect to compliance with HUD statutory and regulatory requirements. After a complete research of the 518a data for the past 12 years there is one complaint pending. However, to comply with OMB collection data requirements this collect is maintain in the event that 10 or more complaint respondents may file a complaint.
2. The form HUD-92556 is submitted by homeowners and is used by HUD to provide orderly processing of homeowner complaints. This form is used in establishing a list of complaint items that the builder is responsible to correct as provided for in a warranty of completion and performance. The form is also used to list structural defects that may cause the property to be considered unsafe for habitation as described in the National Housing Act, Section 518(a) [12 U.S.C. 1735b], and for the mortgagor to request financial assistance. After a complete research of 518a collected data for the past 12 years there is one complaint pending, there have been no other application's. However, to comply with OMB information collection requirements, this information collection numbers need to stay current in the event more than 10 or more responses are submitted in the upcoming year.
3. The collection of information does not involve the use of any technological collection techniques. HUD requires an original signature on form HUD-92556 because the mortgagor is certifying that he/she/they are the owners of the property and that, if HUD provides assistance to correct structural defects in the property, the Secretary of HUD is given all rights, equities, and remedies that the owners may have had against the builder, seller, or other persons. In addition, the owner(s) are certifying that HUD is entitled to all money damages to which the owner(s) may have been entitled. No automated response is being considered because of the low number of respondents or the number of complaints does not justify cost of automation.
4. No duplication with other forms or processes exists; other forms or reports do not provide similar information.
5. There is no impact on small businesses or other entities.
6. If the requested information were not collected, homeowners would have no recourse in resolving their construction complaints. HUD will use the information to construct a listing of builders that do not meet their obligations. There are no known technical or legal obstacles to reducing the burden.
7. There are no special circumstances involved in this collection.
8. In accordance with 5 CFR 1320.8(d), the agency's notice soliciting comments was announced in the *Federal Register* on Friday, September 12, 2014, (Vol. 79, No. 177 page 54736). Comments ...

HUD Headquarters staff contacted all of the four Homeownership Centers and staff

Santa Ana: Bill Schuler, 714-796-7200

Denver: Gary Eisenbraun, 303-6757637

Atlanta: Malcolm Jefferson 678-732-2668

Philadelphia: Krish Raja, 215-861-7539

in regards to the Construction Complaint (Form HUD-92556). The Santa Ana Homeownership reports that they have a complaint pending, however the program has not been otherwise utilized in twelve years. However, the builder’s warranty is only a one-year warranty, and this complaint process is the only alternative for construction complaints after the first year.

- 9. No payments or gifts are to be provided to respondents.
- 10. No insurance of Confidentiality is made but confidentiality is maintained to the extent impossible, but as explained in the Privacy Act Notice Statement on the form, this is not always possible when HUD is investigating the claim.
- 11. There are no questions of a sensitive nature.
- 12. Respondent Burden and Cost in table below. There have been no construction complaints (HUD-92556) in the last three years however; this information collection needs to stay current in the event more than 9 responses are submitted in the upcoming year. Therefore an adjustment has been made to the estimated number of respondents.

Information Collection	Number of Respondents	Frequency of Response	Responses Per Annum	Burden Hour Per Response	Annual Burden Hours	Hourly Cost Per Response	Annual Cost
HUD-92556	10	1	10	.50	5	25.39	126.95

The hourly rate is based on an estimated average annual homeowner salary of \$52,979

- 13. There are no additional costs to the respondents.

14. Cost to the Federal Government:

Information Collection	Responses Per Annum	Hours Per Response	Annual Hours	Hourly Cost	Annual Cost
HUD-92556	10	2	20	\$34.34	\$686.80

Hourly cost is based on an estimate of \$34.34 (base cost of a GS 13) per hour that includes overhead, staff preparation time, etc. This cost involves the time it takes to review the information collection and to notify homeowners and builders.

- 15. This is an extension of a currently approved collection. One complaint filed in the last three years.
- 16. No information collected will result in being published or tabulated for publication.
- 17. HUD is not seeking approval to avoid displaying the OMB expiration date.
- 18. There are no exceptions to the certification statement identified in item 19 of the OMB 83-I.

B. Collections of Information Employing Statistical Methods

This collection of information does not employ statistical methods.