
Does this information collection employ statistical methods?

Yes No

(submission)

Name:

Phone:

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 Milan Ozdinec, Deputy Assistant Secretary, PIH, Office of Public and Voucher Programs, PE	Date:
Signature of Program Official: X Peter Huber, Director of Financial & Information Services Division, CPD, Office of Affordable Housing Programs, DGH	Date:
Signature of Program Official: X Priya Jayachandran, Deputy Assistant Secretary, Multifamily Housing, Housing, HT	Date:

Signature of Senior Officer or Designee:

Date:

X
Colette Pollard, Departmental Reports Management Officer,
Office of the Chief Information Officer

Supporting Statement for Paperwork Reduction Act Submissions

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 Violence Against Women Reauthorization Act of 2013 (VAWA 2013), Public Law 113-4, 127 Stat. 54, reauthorized and amended the Violence Against Women Act of 1994, as previously amended (title IV, sec. 40001-40703 of Public Law 103-322, 42 U.S.C. 13925 et seq.). In doing so, VAWA 2013 expanded VAWA protections from HUD's Section 8 and Public Housing programs only to all HUD housing programs.

The programs now covered under VAWA 2013 include:

- Section 202 Supportive Housing for the Elderly (12 U.S.C. 1701q);
- Section 811 Supportive Housing for Persons with Disabilities (42 U.S.C. 8013);
- Housing Opportunities for Persons With AIDS (HOPWA) program (42 U.S.C. 12901 et seq.);
- HOME Investment Partnerships (HOME) program (42 U.S.C. 12741 et seq.);
- Homeless programs under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.), including the Emergency Solutions Grants (ESG) program; the Continuum of Care (CoC) program; and the Rural Housing Stability (RHS) Assistance program;
- Multifamily rental housing under section 221(d)(3) of the National Housing Act (12 U.S.C. 17151(d)) with a below-market interest rate (BMIR) pursuant to section 221(d)(5);
- Multifamily rental housing under section 236 of the National Housing Act (12 U.S.C. 1715z-1);
- HUD programs assisted under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.); specifically, public housing under section 6 of the 1937 Act (42 U.S.C. 1437d), tenant-based and project-based rental assistance under section 8 of the 1937 Act (42 U.S.C. 1437f), and the Section 8 Moderate Rehabilitation Single Room Occupancy; and
- The Housing Trust Fund (12 U.S.C. 4568).

The provisions of VAWA 2013 that afford protections to victims of domestic violence, dating violence, sexual assault, or stalking are statutory and statutorily directed to be implemented. Accordingly, on November 16, 2016, HUD published a final rule at 81 FR 80724 (VAWA Rule), implementing VAWA 2013's provisions in its housing programs.

In order to fully implement these provisions under VAWA 2013 and the VAWA Rule, the Department must provide to all PHAs, owners, and managers (collectively "Covered Housing Providers" or "CHPs") certain model documents, and it must require or permit that they undertake certain activities, as follows:

- **Appendix A: Notice of Occupancy Rights Under the Violence Against Women Act.** HUD must provide this notice to CHPs, which must in turn distribute it to tenants and applicants to ensure they are aware of their rights under VAWA and its implementing regulations. (Note: This is a revision of and supersedes form HUD-50066--VAWA 2013 required that the form be updated and made applicable to all covered programs.)
- **Appendix B: Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking.** HUD must provide this model document to CHPs, which may, at their discretion, use it to develop their own emergency transfer plans, as required under VAWA 2013.
- **Appendix C: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation.** HUD must provide this certification form to CHPs, which must in turn distribute it to tenants and applicants. An individual may then optionally submit and sign certifying that they are a victim of domestic violence, dating violence, sexual assault, or stalking and that the incident in question is bona fide. The certification form serves as one tool for documenting the incident or incidents of domestic violence, dating violence, sexual assault, and stalking.

- **Appendix D: Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking.** HUD provides this model emergency transfer request form to CHPs, which may, at their discretion, distribute it to tenants and applicants. This form serves as a model for use by a CHP to accept requests for emergency transfers under its required VAWA 2013 Emergency Transfer Plan. This form allows an individual to submit and sign certifying that they are a victim of domestic violence, dating violence, sexual assault, or stalking and that the incident in question is bona fide for purposes of being eligible for an emergency transfer; thus, it serves as another tool for documenting the incident or incidents of domestic violence, dating violence, sexual assault, and stalking.
- **Emergency Transfer Reporting:** CHPs must keep a record of all emergency transfers requested under its emergency transfer plan, and the outcomes of such requests, and retain these records for a period of three years, or for a period of time as specified in program regulations. Requests and outcomes of such requests must also be reported to HUD annually.
- **Lease Bifurcation Option:** VAWA 2013 mandates that HUD provide for lease bifurcation. In other words, CHPs may, at their discretion, permit individuals covered under VAWA to bifurcate their lease when an assisted household has to be divided as a result of events giving rise to VAWA protections. This option is designed to minimize the loss of housing to individual(s) covered under VAWA. It is optional, but if used, it imposes an additional burden on a CHP.

See Title VI of VAWA 2013, Section 41411 and 24 CFR 5.1005.

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 received from the current collection.

CHPs will use the Notice of Occupancy Rights (Appendix A) to inform individuals who may be covered under VAWA of their rights. CHPs may use the Model Emergency Transfer Plan (Appendix B) for their own planning purposes—to establish emergency transfer plans. CHPs may use information gathered using the Certification form (Appendix C) in order to evaluate whether individuals are entitled to protections under VAWA, after those individuals have used the same document to request such protections. CHPs may use the information gathered using the Emergency Transfer Request form (Appendix D) in order to evaluate whether individuals are entitled to emergency transfers under VAWA, after those individuals have used the same document to request such an emergency transfer. Emergency transfer reporting will ensure that CHPs are following emergency transfer plans and providing for emergency transfers.

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.

With respect to the Notice of Occupancy Rights and the Certification form (Appendices A and C, respectively), VAWA 2013 mandates that CHPs provide both of these documents to tenants and applicants; providing such documents in paper form at the time of application is consistent with leasing practice and ensures all individuals have unmediated access to the documents--thus, it is logical to provide them in this way. With respect to the Model Emergency Transfer Plan (Appendix B), HUD provides the document as a tool for use by CHPs, and its use is discretionary; thus, the CHPs may disseminate it via their website or any other means in which ensures access by their tenants or participants. With respect to the Emergency Transfer Request form (Appendix D), use of this document is also discretionary—thus, HUD is not requiring it be distributed via a particular method.

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.

Similar notices, model plans, and certification/request forms related to these purposes are not already available.

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.

This rule implements the protections of VAWA 2013 in all HUD-covered housing programs. These protections are statutory and statutorily directed to be implemented. The statute does not allow for covered housing providers who are, or may qualify as small entities to not provide such protections to its applicants or tenants or provide fewer protections than covered entities that are larger entities. However, with respect to processes that may be found to be burdensome to small covered housing providers—such as bifurcation of the lease and the emergency transfer plan—bifurcation of the lease is a statutory option not a mandate, and HUD provides an emergency transfer plan for entities to use as a template in creating their own plan.

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.

The protections afforded under VAWA 2013 are statutory and statutorily directed to be implemented by HUD. Thus, HUD is statutorily required to provide for relevant resources and information to be provided, collected, and distributed. In its final VAWA Rule, HUD not only articulated the burdens to be imposed upon owners and PHAs, but also it aimed to alleviate those burdens by providing helpful resources in the form of model documents, which HUD has is translating into multiple languages, and which owners and PHAs may use freely. Additionally, HUD made changes to the VAWA Rule's collection requirements in response to public comment.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:
- requiring respondents to report information to the agency more than quarterly;
 - requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
 - requiring respondents to submit more than an original and two copies of any document;
 - requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
 - in connection with a statistical survey, that is not designed to produce valid and reliable results than 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;
 - that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
 - requiring respondents to submit proprietary trade secret, 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.

Certification Form (Appendix C) only: As statutorily mandated by VAWA 2013, at the request of the CHP, or the desire of the covered individual, a covered individual may provide a completed certification form (or alternate documentation as appropriate) within 14 days (or any extension of that date provided by the PHA, owner or management agent) after receiving written request for the certification by the PHA, owner, or management agent. Without some certification (or alternate documentation as appropriate), a PHA, owner, or management agent may determine that the individual is not covered by VAWA 2013 and thus is not entitled to its protections.

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. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.
- Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping disclosure, or reporting format (if any) and the data elements to be recorded, disclosed, or reported.
 - Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that preclude consultation in a specific situation. These circumstances should be explained.

HUD solicited public comments on this information collection as part of its Proposed Rule, published in the Federal Register, Volume 80, at 17562-63, on April 1, 2015. The public was given until June 1, 2015, to submit comments on the proposed information collection. HUD received 68 comments on the proposed rule overall. One commenter stated that HUD should create a privacy policy. Another commenter stated that HUD's estimates of burden hours should take into account the impact on the housing providers who must take various steps following receipt of these forms. Multiple commenters stated that the resident should bear the costs, including paperwork, associated with an emergency transfer. Another commenter stated that they support one uniform form for certification and believe that the content of Attachment C is reasonable and effective. Another commenter stated that it does not think that self-certification alone is enough documentation, but it does believe that housing providers should be allowed to determine what documentation is sufficient to verify the need for an emergency transfer. Another commenter stated that the costs of administering the notification and documentation requirements will be significant; that there will also be impacts on administrative and maintenance costs for transfers; that it would be helpful if HUD provided translated versions of the notice and certification forms in additional languages so that individual housing authorities are not responsible for translation costs; and that it would be helpful for HUD to provide a model transfer request that includes criteria for requesting the transfer, and potentially also including guidance on documentation requirements. Another commenter stated that the notice of occupancy rights is unnecessary and would increase administrative burdens for CHPs. Some commenters made suggestions regarding the contents of the certification and emergency transfer forms. Some commenters requested that HUD clarify timeframes for development of forms.

To address commenters' concerns, consistent with HUD's response to Question 6, HUD has provided model documents, provided clarifying information regarding confidentiality and timeframes within those documents, translated those documents into multiple languages, and provides for annual reporting of emergency transfer requests and outcomes.

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

No payment or gift will be made to respondents.

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

In drafting its final VAWA Rule, HUD considered confidentiality and included regulations specifically addressing it at 24 C.F.R. §§ 5.2005(a)(1)(i), 5.2005(e)(2)(B)(4), 5.2007(c), and 574.604(b)(1)(i)(D).

11. Provide additional justification for any questions of a sensitive nature, such as sexual 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.

VAWA 2013 provides that, at the request of a CHP, that an individual may certify, via a HUD-approved certification form or emergency transfer request, that the incident or incidents of abuse are bona fide for purposes of determining VAWA protection or eligibility for an emergency transfer. VAWA 2013 requires that such a form include the name of the accused perpetrator of the violence only if the name of the accused perpetrator is safe to provide, and is known to the victim. VAWA also establishes a 14-day deadline (plus any extensions granted by the CHP) from the date of such request, to return the certification form, and a 90-day deadline, from the date of the alleged incident, to return the Emergency Transfer Request. The Department therefore considers these forms and their contents necessary in order for victims of abuse to receive the protections of VAWA. Recognizing that domestic violence is a sensitive topic and that victims of abuse may be reluctant to provide information, the Department has tried to develop forms that clearly and concisely explain their purpose and what information is required. To that end, each form has a section that explains its purpose and another section that explains how to use the form, the timeline for submitting the form to the CHP, and a statement that the protections of VAWA may not apply if the form is not submitted in a timely manner. The form also informs the individual of alternate documentation that may satisfy the certification requirement as well as provides a confidentiality statement.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally estimates should not include burden hours for customary and usual business practices;
- if this request covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I; and
- provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead this cost should be included in Item 13.

Reporting and Recordkeeping Burdenⁱ

24 C.F.R. Section and Description of Activity	Number of Respondents ⁱⁱ	Frequency of Response (annual, per respondent)	Est. Avg. Time for Requirement (hours)	Annual Hour Burden	Cost per Hour	Total Cost
5.2005(a) Appx. A: Notice of Occupancy Rights—Distribution and Review	208,182	1	1	208,182	\$24	\$4,996,368
5.2005(e) Appx. B: Emergency Transfer Plan--Completion	208,182	1	8	1,665,456	\$24	\$39,970,944
5.2005(a) Appx. C: Certification Form--Distribution and Review	208,182	1	1	208,182	\$24	\$4,996,368
5.2007(b) Appx. C: Certification Form--Documentation by Survivor	208,182	10 ⁱⁱⁱ	.3	624,546	\$24	\$14,989,104
5.2005(e) Appx. D: Emergency Transfer Request—Documentation by Survivor and Annual Reporting	208,182	5 ^{iv}	.4	416,364	\$24	\$9,992,736
5.2009 Lease Bifurcation (Optional)	62,455 ^v	1	8	499,640	\$24	\$11,991,360
TOTALS:	1,103,365			3,622,370	\$24	\$86,936,880

ⁱ This matrix amends the one of the same title provided in the Proposed Rule at 80 FR 17562, which provided for 4,392,189 hours.

ⁱⁱ For each category, HUD assumes the following breakdown of Covered Housing Provider respondents in covered programs: 3,400 Public Housing and Section 8; 23,000 Multifamily Housing; 180,487 HOME; 255 HOPWA; 1,040 Homeless (CoC, ESG, and RHS).

ⁱⁱⁱ HUD estimates that, on average, each Covered Housing Provider will receive 10 completed Certification forms—this assumes that some providers will receive none, whereas others will receive more.

^{iv} HUD estimates that, on average, each Covered Housing Provider will receive 5 Emergency Transfer Request forms—this assumes that some providers will receive none, whereas others will receive more.

^v Lease bifurcation is permitted at the discretion of the Covered Housing Provider. HUD estimates here that no more than 30% of all CHPs would elect a policy allowing for lease bifurcation. Thus, the number of respondents in this category is reduced to 30% of the total number. This is a high-end estimate. HUD envisions that the actual number of CHPs allowing for lease bifurcation will be much lower.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information (do not include the cost of any hour burden shown in Items 12 and 14).
- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s) and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities;
 - If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10) utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
 - generally, estimates should not include purchases of equipment or services, or portions thereof made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

We do not estimate that there will be any additional costs to respondents or recordkeepers beyond those identified in Item 12.

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

We do not estimate that there will be any additional costs to the Federal government for this information collection.

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

N/A

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

There will be no publication of information collections.

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.

HUD is not seeking approval to avoid displaying the OMB expiration date.

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

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 will not be used for statistical purposes.