

Supporting Statement for Paperwork Reduction Act Submissions
Relocation and Real Property Acquisition, Recordkeeping Requirement under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as Amended
OMB # 2506-0121

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.

Approval is requested for recordkeeping requirements governing relocation and acquisition, rehabilitation, and demolition activities in Department of Housing and Urban Development (HUD)-assisted programs that are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended, and related HUD program rules. A list of all HUD-assisted programs covered by the URA is included in this submission as Attachment 3.

All Agencies (Agency) aka Grantees and subgrantees carrying out HUD-assisted projects are required to keep records to document compliance with the law and related regulations. The URA provides protection for any owner and/or tenant of property that is acquired, rehabilitated, or demolished for a HUD-assisted project and provides that all persons displaced as a result of these actions for a HUD-assisted project are entitled to relocation payments and other relocation assistance.

An Agency's preparation and collection of the subject information on property acquired and the displacement of persons for a HUD-assisted project is essential to providing the payments and advisory assistance that must be provided to persons whose property is acquired and/or who are displaced for other covered actions. The records that an Agency is required to maintain demonstrates whether it has been meeting its responsibilities to provide these persons with property payments and assistance and have thus complied with the law and regulations. The requirement to maintain adequate records is set forth in 49 CFR 24.9(a) which specifies that the records must be adequate and "in sufficient detail to demonstrate compliance" with the rule. An Agency carrying out a HUD-assisted program has been required to demonstrate compliance with the URA requirements since its enactment in 1970.

(a) To assure that an Agency meets this requirement, acquisition, demolition, and rehabilitation recordkeeping information to be maintained by the Agency is described in a number of sections of the rule, including

1. 49 CFR 24.10. Appeals. These procedures are required by Section 213(b)(3) of the URA.
2. 49 CFR 24.101, Applicability of acquisition requirements requires the collection of information necessary to determine which requirements in 49 CFR 24, subpart B, apply to a specific acquisition.
3. 49 CFR 24.102(b), Notice to owner. This notification by the Agency of interest in acquiring the real property is an essential protection for the property owner provided for in Title III of the URA.
4. 49 CFR 102(c), Appraisal, waiver thereof, and invitation to owner. This is required by Section 302(2) of the URA.
5. 49 CFR 102(d), Establishment and offer of just compensation. These actions are required by Section 301(3) of the URA.
6. 49 CFR 24.102(e), Summary statement. This statement is required by Section 301(3) of the URA.
7. 49 CFR 24.103(a), Standards of appraisal. These standards are essential to meeting the provisions of Sections 302(2) and 301(3) of the URA.
8. 49 CFR 24.104, Review of appraisals. This review is essential to complying with the requirements of Section 301(3) of the URA.

9. 49 CFR 24.106, Expenses incidental to transfer of title to the Agency. This is required by Section 303 of the URA.
10. 49 CFR 24.107, Certain litigation expenses. This provision is required by Section 304 of the URA.
11. 49 CFR 24.203(a), General information notice. Provision of this information to persons to be displaced is essential to meeting requirements of Title II of the URA.
12. 49 CFR 24.203(b), Notice of relocation eligibility. This notification informs persons of their eligibility for relocation payments and other assistance as required by Title II of the URA.
13. 49 CFR 24.203 (c), Ninety-day notice. This notice is required by Section 301(5) of the URA.
14. 49 CFR 24.205(c), Relocation assistance advisory services. These advisory services are necessary to minimize the impact of the move on affected individuals and are required by Section 205 of the URA. They include determining the needs and preferences of persons to be displaced, referrals to comparable replacement dwellings and replacement business locations, and inspections of replacement housing to assure that the housing meets appropriate standards.
15. 49 CFR 24.206, Eviction for cause. This information is needed to assure that an eviction action was not undertaken for purposes of denying a person the right to relocation payments and other assistance required by the URA.
16. 49 CFR 24.207, General requirements—claims for relocation payments. These requirements are essential to meeting Sections 202, 203, 204, and 213 of the URA. The required payments for moving and related expenses under Section 202 of the URA are set forth at 49 CFR 24.302, 24.303, 24.304, 24.306 and 24.307. The required replacement housing payments under Sections 203 and 204 of the URA are set forth at 49 CFR 24.401 and 24.402.
17. 49 CFR 24.207(f), No Waiver or Relocation Assistance. This section prohibits an agency from proposing or requesting that a displaced person waive his or her rights or entitlements to relocation assistance or payments.
18. 49 CFR 24.2(g)(2), Persons not displaced. In addition to the recordkeeping requirements applicable when a person is displaced, 49 CFR 24.2(g)(2) (“persons not displaced”) covers situations when a person is not required to move permanently as a direct result of an assisted project and, therefore, does not qualify as a “displaced person”. HUD program regulations have established the framework within which an Agency can determine that a person is not eligible for URA assistance. These situations generally arise on HUD-funded rehabilitation activities where it may not be necessary to displace the occupants. An Agency is required to maintain records that include:
 - a. Evidence of timely notice that the person will not be displaced.
 - b. Evidence that a residential occupant received a timely offer to lease and occupy an affordable, decent, safe, and sanitary dwelling on the real property.
 - c. Evidence that a residential occupant who was required to move temporarily, or move to another dwelling unit in the building complex, was reimbursed for any out-of-pocket expenses incurred in connection with such a move.
19. 49 CFR 24.208, Aliens not lawfully present in the United States. The rule specifies that each person seeking relocation assistance shall certify that he or she is: 1) A citizen of the United States, or 2) an alien lawfully present in the United States. The 1997 Amendment to the URA made any displaced person who is an alien not lawfully in the United States ineligible for relocation payments or any other assistance under the URA. The displacing Agency must make this eligibility determination fairly and based on reliable information, not specified in the Act or regulations.

(b) Reporting. The government-wide rule at 49 CFR 24.9(c) permits agencies to collect a report on URA acquisition and displacement activities once every three years unless the federal funding agency shows good cause. Pursuant to 5 CFR 1320.4(b)(1), the Department has ensured that collection of information associated with these statutory and regulatory requirements is the least burdensome necessary.

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.

Respondents are HUD funding recipients who undertake activities involving acquisition of real property and/or the relocation of persons for a HUD funded program or project. Generally, the information retained is used to prove that applicable federal statutory and regulatory requirements pertaining to HUD funding recipients' acquisition and relocation activities have been satisfied (see (a) below for additional information).

- (a) Recordkeeping: The information is collected and maintained locally in the files of the Agency. HUD does not require that this information be submitted to the Department. These are Agency information records. The information is generated by the Agency when managing its acquisition and displacement activities. It serves as a basis for the Agency to self-monitor its activities to ensure that the statute and regulations have been complied with in accordance with assurances provided to HUD (in accordance with Section 210 and 305 of the URA) that it will follow the provisions of the URA in carrying out its program.

Randomly selected samples of the records required to be maintained are periodically reviewed by HUD program staff and auditors to determine Agency compliance with the URA, i.e., to assure that persons whose property was acquired and/or who are displaced received the statutorily required payments and advisory assistance. If Agencies did not collect this information, they could not demonstrate compliance with the requirements of the URA and HUD could not determine whether they had complied with the law and the extent of any violations. Such documentation could be critical in resolving litigation brought by a displaced person regarding his/her entitlement.

- (b) Reporting: HUD is not requesting approval of any reporting requirements at this time.

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.

No automated, electronic, mechanical, or other technological collection techniques or other forms of information technology are prescribed or required by HUD for this recordkeeping. An Agency is free to automate this recordkeeping in any way that is compatible with its standardized recordkeeping procedures, provided that the information is available and accessible to HUD for audit or review purposes.

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 requirements are applicable to Agencies administering HUD-assisted programs that involve acquisition and displacement subject to the URA. Records that are maintained are specific to a particular property owner or occupant. To the best of our knowledge, no unnecessary duplication of the recordkeeping requirement exists.

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 businesses that are displaced will have to provide information to the Agency in order to obtain assistance to reestablish their business and to establish their eligibility for, and the amount of, any relocation payments to which they may be entitled. Small businesses may elect not to provide the information; however, no assistance can be provided if they fail to do so. HUD funded projects

involving the acquisition of real property or the displacement of small businesses as a direct result of acquisition, rehabilitation or demolition are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA). Agencies receiving HUD funding for such projects are required to document their compliance with applicable requirements of the URA and its implementing government-wide regulations at 49 CFR Part 24. HUD grantees and funding recipients maintain appropriate documentation to demonstrate compliance with applicable requirements. HUD does not collect or maintain this documentation. HUD may occasionally review the documentation as part of monitoring efforts to ensure compliance.

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.
 - (a) Recordkeeping: The collection of information for Agency records is on an “as needed basis”. That is, as properties are acquired or rehabilitated and persons become eligible for relocation assistance and move, appropriate documentation must be included in Agency records. Failure to collect information would prevent Agencies from meeting their statutory requirements.
 - (b) Reporting: Under 49 CFR 24.9, reporting cannot be required more than once every three years, unless the federal funding agency shows good cause. HUD is not requesting approval for reporting at this time.
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;
HUD does not require statistical data information collection. This would be burdensome and costly.
 - requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
HUD does not require statistical data information collection. This would be burdensome and costly.
 - requiring respondents to submit more than an original and two copies of any document;
HUD does not require statistical data information collection. This would be burdensome and costly.
 - requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
HUD does not require statistical data information collection. This would be burdensome and costly.
 - 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;
HUD does not require statistical data information collection. This would be burdensome and costly.
 - requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
HUD does not require statistical data information collection. This would be burdensome and costly.
 - 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
HUD does not require statistical data information collection. This would be burdensome and costly.
 - 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.
HUD does not require statistical data information collection. This would be burdensome and costly.

No special circumstances apply to this recordkeeping requirement. HUD funded projects involving the acquisition of real property or the displacement of persons as a direct result of acquisition, rehabilitation or demolition are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA). Agencies receiving HUD funding for such projects are required to document their

compliance with applicable requirements of the URA and its implementing government-wide regulations at 49 CFR Part 24. HUD grantees and funding recipients maintain appropriate documentation to demonstrate compliance with applicable requirements. HUD does not collect or maintain this documentation. HUD may occasionally review the documentation as part of monitoring efforts to ensure compliance.

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.

This proposed information collection requirement was most recently published by HUD in the Federal Register on August 26, 2017, Vol. 82 No.164 - Page 40589. No comments were received.

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

There are no provisions to provide any payment or gifts to respondents, other than remuneration of contractors or grantees.

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

Records maintained by an Agency in accordance with the regulations are confidential regarding their use as public information. These records are maintained in Agency files and not by HUD. Only authorized staff of HUD and the Agency that has caused displacement of this person (and/or his/her authorized representative) have access to the information, unless applicable law provides otherwise. (The confidentiality requirement is described in 49 CFR 24.9(b).)

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.

HUD does not collect information of a sensitive nature from Agencies. Generally, the information collected and maintained by an Agency on persons to be displaced will not be of a sensitive nature. However, the Agency, as required by the URA, will be interviewing persons and obtaining characteristic household data as a basis for determining need for replacement housing and other relocation assistance to help in moving. The provision of such information by a person to be displaced is strictly voluntary. (However, a person who does not provide needed information may not receive assistance.)

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.

Information Collection	Frequency of Responses	Number of Respondents	Responses per Annum	Burden Hour per Response	Annual Burden Hours	Hourly cost per Hour*	Total
Displacements	2,000.00	10.00	20,000.00	5.00	100,000.00	\$21.59	\$2,159,000.00
Non-Displacements	2,000.00	20.00	40,000.00	2.00	80,000.00	\$21.59	\$1,727,200.00
Acquisitions	2,000.00	10.00	20,000.00	5.00	100,000.00	\$21.59	\$2,159,000.00
Total			80,000.00		280,000.00		\$6,045,200.00

* Substantially equivalent to a GS-8 step 1 based on OPM pay scale.

13. Provide an estimate of the total annual cost burden to respondents or record keepers 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.

No additional costs are associated with this collection other than what is reported in Item 12 above.

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.

Information Collection	Frequency of Responses	Number of Respondents	Responses per Annum	Burden Hour per Response	Annual Burden Hours	Hourly cost per Hour*	Total
Displacements	2,000.00	10.00	20,000.00	5.00	100,000.00	\$48.59	\$4,859,000.00
Non-Displacements	2,000.00	20.00	40,000.00	2.00	80,000.00	\$48.59	\$3,887,200.00
Acquisitions	2,000.00	10.00	20,000.00	5.00	100,000.00	\$48.59	\$4,859,000.00
Total			80,000.00		280,000.00		\$13,605,200.00

* Substantially equivalent to a GS-14 step 1 based on OPM pay scale.

The cost to the Federal Government is minimal since no reporting is required at this time. Cost includes Headquarters periodic review of the recordkeeping requirements to assure compliance with law or regulation changes, submission of OMB paperwork clearance packages, and periodic review by field office staff of a sample of the records maintained by agencies with regard to relocation claims made, and responding to inquiries from agencies or the public about these requirements. Annualized estimate is 800 hrs. per year at \$48.59 per hour (based on pay rate for a GS-14 step 1) or \$38,872.

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

This is a reinstatement with change of a currently approved collection. No adjustments to Items 13 and 14 of the OMB 83 has been made. The Department is requesting a revision of the previously approved collection of information (OMB No. 2506-0121, expiration date 7/31/2017. Revision requested for the period through 12/31/2020).

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.

The collection of information required for this recordkeeping will not be published for statistical use, but will be used by Agencies to demonstrate compliance with the URA. These records are not available for public inspection. HUD funded projects involving the acquisition of real property or the displacement of persons as a direct result of acquisition, rehabilitation or demolition are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA). Agencies receiving HUD funding for such projects are required to document their compliance with applicable requirements of the URA and its implementing government-wide regulations at 49 CFR Part 24. HUD grantees and funding recipients maintain appropriate documentation to demonstrate compliance with applicable requirements. HUD does not collect or maintain this documentation. HUD may occasionally review the documentation as part of monitoring efforts to ensure compliance.

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.

Once OMB approves the information collection, a Federal Register will be prepared and published showing the approval number and 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.

The information will not be published for statistical purposes.