

Supporting Statement for Paperwork Reduction Act Submissions
Land Survey Report for Insured Multifamily Projects

OMB Control Number 2502-0010

(Form HUD-92457)

A. Justification:

1. Section 203(a) of the National Housing Act (12 U.S.C. 1709(a)) authorizes the Secretary of HUD, upon application by the mortgagee, to insure any mortgage offered, which is eligible for FHA insurance, and upon such terms as the Secretary may prescribe, to make commitments for insuring such mortgages prior to the date of their execution or disbursement thereon. Additionally, 24 CFR Part 200.61(b) states, "Title evidence for the Commissioner's examination shall include a lender's title insurance policy, which title policy provides survey coverage based on a survey acceptable to the title company and the Commissioner; or as the Commissioner may otherwise require, in accordance with terms, conditions, and standards established by the Commissioner."

A land survey and related information are necessary to secure a marketable title and title insurance for the property that provides security for project mortgage insurance furnished under FHA multifamily programs. The information provided on form HUD-92457 is required to adequately describe the property to ensure compliance with various regulatory provisions, e.g., flood hazard requirements, and to help determine the suitability and value of the property for the intended purpose. The information also provides necessary engineering data for project design for proposed construction projects. Form HUD-92457 includes the standards of performance for conducting the survey and preparing the maps of the survey. It also identifies data that must be addressed to meet program requirements and provides a vehicle for the surveyor to certify compliance with applicable survey and reporting requirements.

2. The required information is prepared by a private, registered civil engineer or land surveyor for the project owner/mortgagor and submitted via form HUD-92457 in conjunction with the application for mortgage insurance, form HUD-92013 – (Application for Multifamily Housing Project) during the firm commitment and initial endorsement of the loan for multifamily projects. The information on both forms is used by HUD to analyze specific information to determine feasibility of a proposed multifamily project and mortgagor/contractor acceptability such as location and description of the property and land. This ensures the integrity of property lines and that there are no changes involving possible encroachments to property lines, title lines, and lines of actual possession between the firm commitment and initial endorsement period. Form HUD-92457 must be submitted 30 days before the initial closing by a licensed surveyor and bearing the surveyor's professional seal.

For proposed construction projects, form HUD-92457 is also submitted in conjunction with project construction drawings and specifications submitted for review, and on occasion during construction. Page one of the forms define the standards of performance for the survey, the purpose for the survey, and identifies the certification to be included on the survey maps. Page 2 of the form is the Surveyor's Report, which identifies significant site features that warrant special underwriting consideration. The date on which the survey was made should be recorded, as the date is needed to document subsequent surveyor site visits. Those subsequent surveyor site visits are necessary to verify the continuing accuracy of the survey and to make sure the information is current for applications for mortgage insurance and loan closing transactions. Form HUD-92457 provides a uniform method of acceptability for meeting program criteria to minimize risk to the insurance fund. This information collection will also minimize the risks to the insurance fund that might arise from inadequate project land surveys and related data.

3. While the form may be completed on-line, it must be submitted in hard copy at this time. Reengineering efforts are being made to replace the Development Application Processing (**DAP**) system, which would improve the functionality and replacement of technology, and the online implementation of automated underwriting processing from the beginning to end of completion, including the e-signature. The target date

of 9/30/2018 was given for implementation. The information was based on HUD's Fiscal Year 2014-2018 Strategic Plan – Information Management. This information was submitted to Congress. Procurements are involved so the projected date is 9/2018 for implementation assuming all goes well with procurements. Automation is not feasible at this time due to the necessity to include maps/plats and construction drawings in the submission.

4. No duplication exists. Surveys are only submitted on multifamily construction projects. A review of Multifamily Housing information collections confirms that no other information collection provides this particular data.
5. Typically, small businesses are not involved in the mortgage application process and no attempt was made to modify the requirements to accommodate small businesses. The Department believes that the burden estimate associated with these information collections are the minimum needed to make certain that statutory and regulatory requirements are being met and the integrity of the insurance funds is maintained.
6. The collection of this information accommodates securing marketable title and title insurance on properties for which mortgage insurance is written. It also assists in making determinations regarding the property's compliance with applicable program regulations, e.g., those pertaining to flood hazard, and in reaching underwriting determinations regarding property suitability and worth for the intended use. The Federal program of mortgage insurance cannot operate without this data.
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;
Not Applicable
 - requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
Not Applicable
 - requiring respondents to submit more than an original and two copies of any document;
Not Applicable
 - requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
Not Applicable
 - 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;
Not Applicable
 - requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
Not Applicable
 - 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
Not Applicable
 - 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.
Not Applicable.
8. In accordance with 5CFR 1320.8(d), this information collection soliciting public comments was announced in the Federal Register on **January 16, 2018, Volume 83, No. 10, Pages 2173.** (0) Comment received.

HUD is in constant contact with lenders regarding all phases of project applications. Ad hoc comments are taken into consideration in developing processing requirements. Input regarding public burden was received from HUD field staff.

9. Respondents are not provided any payment or gifts.
10. The Privacy Act of 1974 protects respondents who meet these information-reporting requirements. These are no other pledges of confidentiality. Privacy has signed off on the Threshold Analysis (PTA).
11. The collection does not contain questions of a sensitive nature.
12. Estimate of annual burden hours and annualized cost to respondents.

Information Collection	Number of Respondents	Frequency of Response	Responses Per Annum	Burden Hr Per Response	Annual Burden Hrs	Hrly Cost per Response	Total Annual Cost
HUD 92457 & Related Documents	200.00	2.00	400.00	0.50	200.00	\$50.00	\$10,000.00

The hourly rate is an estimate based on the salaries of surveyors, architects, and project owners.

It is estimated that there will be approximately 200 respondents who will submit form HUD-92457 at application and at closing.

13. There are no additional costs for respondents.

14. Projected Annual Costs to Federal Government:

Information Collection	Number of Respondents	Frequency of Response	Responses Per Annum	Burden Hrs Per Response	Annual Burden Hours	Hrly Cost per Response	Total Annual Cost
HUD 92457 & Related Documents	200.00	2.00	400.00	0.16	64.00	\$44.28	\$2,833.92

The hourly rate is based on the salary of a GS-12 step 5 (\$92,421) for field staff review of documents.

15. This is an extension of a currently approved collection. The reduction in burden hours from the previous collection is attributable to a decrease in the average number of firm commitment applications over a three-year period.
16. The collection of information is not scheduled for publication.
17. HUD will not seek approval to avoid displaying the OMB expiration date.
18. There are no exceptions to the Certification Statement identified in item 19 of Form OMB 83-1.

B. Collection of Information Employing Statistical Methods:

The collection of information does not employ statistical methods.