

Supporting Statement for Paperwork Reduction Act Submissions

Title: Dispute Resolution Certification

OMB Control Number 2502-0562

Forms HUD-310-DRSC and HUD-311-DR

A. Justification

1. 42 U.S.C. 5401-5426, amended on December 27, 2000, by the Manufactured Housing Improvement Act of 2000, Public Law 106-569, required HUD to establish a manufactured housing dispute resolution program for states that choose not to operate their own dispute resolution programs. In order for a state to operate its own dispute resolution program, it will need to certify that its program meets the requirements of 42 U.S.C. 5401-5426, and must recertify every three years. For persons to provide the federal manufactured housing dispute resolution program information to resolve the dispute, they will need to submit information on the home and parties involved in the dispute.
2. There are two groups of respondents. The first group is the 50 states; the second group consists of individual purchasers, manufacturers, retailers, and installers of manufactured housing. HUD has engaged dispute resolution professionals within the industry to review the submissions and then contact the submitting party or agency, and to act as neutrals, mediators, and arbitrators.

The states will file form HUD-310-DRSC. The federal government uses the information on state certifications to determine whether the state programs comply with the minimum requirements set out in the regulations. The information is then filed until the agency receives the next certification form in three years.

Individual purchasers, manufacturers, retailers, and installers of manufactured housing use form HUD-311-DR. The federal government uses the required information for federal manufactured housing dispute resolution. The information is then filed for three years after the dispute has been resolved.

3. The forms are provided on the HUD website, HUDCLIPS, and via e-mail, and can be printed and sent electronically, or filled, and then printed and sent hardcopy. States requesting certification of their dispute resolution programs must submit the State Certification forms with original signatures. Original signatures are required because of the harm to the program or to individuals that may result if the information is inaccurate. Violations of the statute are also a possibility, for which HUD would be liable. Individuals submitting the Dispute Resolution Information form may submit in hard copy or as an email attachment, at their option.

4. The federal government has not previously collected any of this information prior to the implementation of the dispute resolution program and no other HUD program collects this information.
5. Methods to minimize the burden on small business include availability of the forms electronically on the program office website, HUD website, HUDCLIPS, and information on the web address in manufactured housing consumer materials.
6. If the collection is not conducted for the state certification process, the states will be required to collect and send to the federal government copies of over five documents, or accommodate an on-site audit by the federal program. Both alternate actions would require a greater amount of labor, time, and cost. For the request for dispute resolution, the information is required, or the federal program will not be able to contact the parties to initiate the dispute resolution, thereby preventing the federal program from carrying out its statutory requirement.
7. There are no special circumstances involved in this collection.
 - a. Respondents are not required to report information to the agency more often than quarterly.
 - b. Respondents are not required to prepare a written response to a collection of information in fewer than 30 days after receipt of it.
 - c. Respondents are not required to submit more than an original and two copies of any document.
 - d. Respondents are not required to retain records for more than three years.
 - e. The information collection is not a statistical survey.
 - f. The information collection does involve the use of any statistical data classification.
 - g. The information collection is not conducted in a manner 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.
 - h. The information collection does not require respondents to submit proprietary trade secrets, or other confidential information.
8. In accordance with 5 CFR 1320.8(d), the agency's notice soliciting public comments was announced in the *Federal Register* on Tuesday, January 16, 2018; (Vol. 83, No. 10, pages 2170). No Comments.
9. There are no payments or gifts to respondents.
10. Confidentiality for all respondents is afforded in compliance with the Privacy Act of 1974.

11. There are no questions of sensitive nature.

12. Estimate of public burden:

	Number of Respondents	Frequency of response	Number of Annual Responses	Hours per Response	Total Annual Burden Hours	Cost per Hour	Total Annual Cost
State Certification Form	*26.00	1.00	26.00	1.00	26.00	\$40.00	\$1,040.00
Homeowner							
Initial filing	100.00	1.00	100.00	1.00	100.00	\$22.00	\$2,200.00
Mediation	50.00	1.00	50.00	2.50	125.00	\$22.00	\$2,750.00
Arbitration	5.00	1.00	5.00	1.00	5.00	\$22.00	\$110.00
	100.00		100.00		230.00		\$5060.00
Installer							
Initial filing	33.00	1.00	33.00	1.00	33.00	\$38.00	\$1,254.00
Mediation	16.00	1.00	16.00	3.00	48.00	\$38.00	1,824.00
Arbitration	2.00	1.00	2.00	1.50	3.00	\$38.00	114.00
s	33.00		33.00		84.00		\$3,192.00
Retailer							
Initial filing	33.00	1.00	33.00	1.00	33.00	\$54.00	\$1,782.00
Mediation	16.00	1.00	16.00	3.00	48.00	\$54.00	2,592.00
Arbitration	2.00	1.00	2.00	1.50	3.00	\$54.00	162.00
	33.00		33.00		84.00		\$4,536.00
Manufacturer							
Initial filing	33.00	1.00	33.00	1.00	33.00	\$54.00	\$1,782.00
Mediation	16.00	1.00	16.00	3.00	48.00	\$54.00	2,592.00
Arbitration	2.00	1.00	2.00	1.50	3.00	\$54.00	162.00
	33.00		33.00		84.00		\$4,536.00
	225.00		225.00		508.00		\$18,364.00

Cost per hour is based on \$46,000 as an average annual salary for purchasers, \$83,000 as an average annual salary for State employees, \$78,000 as an average salary for installers, and \$113,000 as an average salary for retailers and manufacturers.

*Each of the 24 remaining states files with its State Plan once every three years.

13. There are no additional costs to respondents.

14. Cost to the Federal Government:

	Number of Annual Responses	Hours per Response	Total Annual Hours	Cost per Hour	Total Annual Cost
State Certification Form	26.00	1.00	26.00	\$40.00	\$1,040.00
Initial filing	200.00	1.50	300.00	\$40.00	12,000.00
Mediation	100.00	3.00	300.00	\$40.00	12,000.00
Arbitration	10.00	2.00	20.00	\$40.00	800.00
Determination Letter	10.00	1.00	10.00	\$40.00	400.00
Totals	346.00		656.00		\$26,240.00

15. This is an extension of a currently approved collection, as required by 42 U.S.C. 5401-5426 amended on December 27, 2000, by the Manufactured Housing Improvement Act of 2000, Public Law 106-569. This law required that HUD establish a manufactured housing dispute resolution program for states that choose not to operate their own dispute resolution programs. There is a decrease in the number of burden hours due to low usage of the program.

16. HUD has no plans to publish this information

17. HUD is not seeking not to display the OMB approval number.

18. There are no exceptions to the certification statement in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB form 83-I.

B. Collections of Information Employing Statistical Methods

This collection of information does not employ statistical methods.