

Supporting Statement for Paperwork Reduction Act Submissions

Title: Comprehensive Transactional Forms Supporting FHA's Section 242 Mortgage Insurance Program for Hospitals
OMB Control Number: 2502-0602

(HUD-91070-OHF, HUD-91071-OHF, HUD-91073-OHF, HUD-91111-OHF, HUD-91725-OHF, HUD-92013-OHF, HUD-92023-OHF, HUD-92070-OHF, HUD-92080-OHF, HUD-92117-OHF, HUD-92205-OHF, HUD-92223-OHF, HUD-92266-OHF, HUD-92322-OHF, HUD-92330-OHF, HUD-92330A-OHF, HUD-92403-OHF, HUD-92403A-OHF, HUD-92415-OHF, HUD-92422-OHF, HUD-92434-OHF, HUD-92441-OHF, HUD-92442-OHF, HUD-92448-OHF, HUD-92452A-OHF, HUD-92452-OHF, HUD-92455-OHF, HUD-92456-OHF, HUD-92464-OHF, HUD-92466-OHF, HUD-92476-OHF, HUD-92476A-OHF, HUD-92476B-OHF, HUD-92479-OHF, HUD-92554-OHF, HUD-92576-OHF, HUD-93305-OHF, HUD-94000-OHF, HUD-94001-OHF, HUD-94128-OHF)

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 collection of information requested is required specifically for the application and administration of the Department of Housing and Urban Development, Federal Housing Administration (FHA) Section 242 Hospital Mortgage Insurance Program pursuant to 24 CFR 242, 241, 223(f), and 223(a)(7). The Department is authorized to collect information that may be requested in these forms by virtue of The National Housing Act, 12 USC 1701 et seq. and the regulations at 24 CFR 5.212 and 24 CFR 200.6; and the Housing and Community Development Act of 1987, 42 USC 3543(a).

The collection is a comprehensive set of HUD documents that are critically needed for processing applications and loan endorsements for FHA mortgage insurance under the Section 242 Hospital Mortgage Insurance Program, for ongoing asset management of such facilities, and other information related to these facilities for loan modifications, construction projects, and physical and environmental reviews. This information is requested and is used by the Office of Healthcare Facilities (OHF) and Office of Architecture and Engineering (OAE) within FHA's Office of Healthcare Programs (OHP).

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.

The purpose for which the information is being collected by HUD is to review Section 242 applications to determine the eligibility of applicant hospitals for FHA mortgage insurance, underwrite insured hospital loans, ensure that the collateral securing each loan is adequate, capture administrative data, process initial/final endorsement, and manage FHA's hospital portfolio. Additional information related to loan modifications, construction projects, and physical and environmental reviews is collected if applicable.

The information being collected consists of various HUD forms that program participants complete with project specifications, technical descriptions, details, and/or signatures that are utilized by HUD during various stages of the application, underwriting, commitment, closing, and asset management processes involved with the administration of FHA's Section 242 mortgage insurance program.

The information is used by HUD staff for internal review of applications to determine if projects qualify for Section 242 hospital mortgage insurance and to manage and monitor the application, commitment, initial/final endorsement, asset management, and administration processes needed to support hospital mortgage insurance projects insured by FHA. Agreements and legal documents are used by HUD staff, lenders, borrowers, construction managers, and depository institutions, when applicable, to process initial/final endorsement of loans. Information reported for ongoing asset management of FHA-insured facilities will be used by HUD staff to monitor and manage risk within the FHA portfolio and ensure ongoing compliance with regulations. Information is also be used by HUD staff to determine whether the Program meets its stated goals and management objectives.

The information is collected from lenders/mortgage bankers, borrowers/hospital management officials, attorneys, general contractors/construction managers, architects/engineers, agents and others involved in hospital projects, which may, at times include local government entities and other third parties, as well as others involved in hospital projects seeking FHA mortgage insurance.

Additional detail regarding the individual forms included in the collection are as follows:

FORM	FORM TITLE	FORM DESCRIPTION
HUD-91070-OHF	Consolidated Certifications Borrower	Document used to collect required certifications of borrower applying for FHA mortgage insurance (Program, Byrd Amendment, Fair Housing, etc.). Signed by borrower. Used at initial endorsement.
HUD-91071-OHF	Escrow Agreement for Off-site Facilities	Escrow agreement between Borrower and Lender to be used in cases involving off-site construction projects. Signed by borrower and lender. Used at initial endorsement.
HUD-91073-OHF	HUD Survey Instructions and Surveyor's Report	Instructions and report format for a new survey report. Signed by surveyor. Used at initial endorsement.
HUD-91111-OHF	Survey Instructions and Borrower's Certification	Instructions and form to be used when submitting a preexisting or expired survey. Signed by borrower. Used at initial endorsement.
HUD-92013-OHF	Application for Hospital Project Mortgage Insurance	Application for FHA-insurance under Section 242. Incorporates application process and procedures outlined in Handbook 4615.1, including project, financing, and construction analyses. Signed by borrower and lender. Used in application, commitment, and closing processes.
HUD-92023-OHF	Request for Final Endorsement of Credit Instrument - Hospitals/Section 242	Request for final endorsement of a Section 242 loan after project completion. Signed by lender. Used at final endorsement.
HUD-92070-OHF	Lease Addendum	Addendum used for mortgage insurance projects where the mortgaged property is subject to a ground lease. Signed by landlord, tenant, and lender. Used at initial endorsement.
HUD-92080-OHF	Change of Mortgage Record	Form used to notify HUD of changes in mortgage record information. Signed by lender. Used after loan has

		been insured by FHA for asset management purposes.
HUD-92117-OHF	Borrower's Certification-Full or Partial Completion of Project	Certification of borrower for submittal to HUD with requests for advance approvals. Signed by borrower. Used during construction period.
HUD-92205-OHF	Borrower's Certificate of Known Costs (Section 242/223f)	Cost certification form of actual costs of the project. Used at initial endorsement.
HUD-92223-OHF	Surplus Cash Note	Note for surplus cash. When applicable, used at initial endorsement.
HUD-92322-OHF	Intercreditor Agreement	Agreement between FHA lender and Accounts Receivable lender clarifying handling of interests related to the Section 242 insured borrower. Used at initial endorsement.
HUD-92330A-OHF	Contractor's Certificate of Actual Cost - Hospitals/Section 242	Certification by contractor of actual costs involved in a Section 242 construction project. Used at final endorsement.
HUD-92330-OHF	Borrower's Certificate of Actual Cost - Hospitals/Section 242	Certification by borrower of actual costs involved in a Section 242 construction project. Signed by borrower. Used at final endorsement.
HUD-92403A-OHF	Borrower's and Architect's Certificate of Payment	Certification of payment from the borrower to architect. Signed by borrower and architect. Used at initial endorsement.
HUD-92403-OHF	Application for Insurance of Advance of Mortgage Proceeds	Form used to request advances of mortgage proceeds. Signed by borrower and lender. Used during construction period.
HUD-92415-OHF	Request For Permission To Commence Construction Prior To Initial Endorsement For Mortgage Insurance - Hospitals/Section 242	Request for early start of construction prior to initial endorsement. Signed by contractor and borrower. Used after commitment but prior to initial endorsement.
HUD-92422-OHF	Financial and Statistical Data For HUD Reporting	Request for financial and statistical data for HUD reporting requirements. Submitted by lender. Used during application and throughout the life of the loan.
HUD-92434-OHF	Lender's Certificate	Certification of lender agreeing to HUD's terms and conditions for FHA mortgage insurance. Signed by lender. Used at initial endorsement.
HUD-92441-OHF	Building Loan Agreement	Agreement between lender and borrower for advancement of funds during construction. Signed by lender and borrower. Used at initial closing.
HUD-92442-OHF	Construction Contract	Agreement between the contractor and owner for construction projects. Signed by contractor and owner. Used at initial closing.
HUD-92448-OHF	Contractor's Requisition Project Mortgages	Requisition form prepared by contractor to borrower for work performed. Signed by contractor/construction manager and borrower's architect. Used during construction period.
HUD-92452A-OHF	Payment Bond	Bond used by contractor to guarantee that subcontractors and material suppliers on the project will be paid. Required in conjunction with performance bond. Used at initial closing.
HUD-92452-OHF	Performance Bond	Bond used to guarantee the satisfactory work and performance of the contractor. Required in conjunction with payment bond. Used at initial closing.
HUD-92455-OHF	Request for Endorsement of Credit Instrument & Certificate of Lender, Borrower, & General Contractor	Document used to request endorsement of FHA-insured loan. Signed by lender and borrower, and contractor if applicable. Used prior to closing.

HUD-92456-OHF	Escrow Agreement for Incomplete Construction	Escrow agreement between Borrower and Lender to be used in cases involving incomplete construction projects. Signed by borrower and lender. Used at final endorsement.
HUD-92464-OHF	Request for Approval of Advance of Escrow Funds - Hospitals/Section 242	Document used by borrower to request approval of advance of escrow funds. Prepared by borrower requiring signatures from approving parties. Used during asset management phase of FHA-insured loans.
HUD-92466-OHF	Regulatory Agreement - Borrower	Regulatory agreement between Borrower and HUD agreeing to program obligations and terms stipulated for participation in FHA's mortgage insurance programs.
HUD-92476-OHF	Escrow Agreement for Deferred Work	Escrow agreement between Borrower and Lender to be used in cases involving deferred work financed by a HUD insured loan. Signed by borrower and lender. Used at initial/final endorsement for refinancing loans.
HUD-92476A-OHF	Escrow Agreement for Limited Rehabilitation	Escrow agreement between Borrower and Lender to be used in cases involving limited rehabilitation financed by a HUD insured 223(f) loan. Signed by borrower and lender. Used at initial/final endorsement for refinancing loans.
HUD-92479-OHF	Off-Site Bond - Dual Obligee	Bond between borrower and lender and any additional obligee that establishes terms for the completion of off-site facilities and utilities needed to operate the project successfully. Used at initial endorsement.
HUD-92554-OHF	Supplementary Conditions of the Contract for Construction	Supplementary conditions specific to HUD requirements that can be appended to construction contracts. Used in application process.
HUD-92576-OHF	Certificate for Need for Health Facility and Assurance of Enforcement of State Standards	Document certifying that a hospital facility meets state requirements established for need, if applicable. Used in application process.
HUD-93305-OHF	Agreement and Certification	Agreement between borrower, lender, and construction manager to certify compliance with HUD requirements for initial endorsement following issuance of a firm commitment by HUD. Signed by borrower, lender and construction manager. Used at initial endorsement.
HUD-94000-OHF	Security Instrument/ Mortgage/Deed of Trust	Official security instrument that secures the collateral for the mortgage insured by HUD. Signed by the borrower, trustee, and lender. Used at initial endorsement.
HUD-94001-OHF	Healthcare Facility Note	Official note signed at closing that obligates borrower to repay the mortgage at the specified rate over the specified time period. Signed by borrower. Used at initial endorsement.
HUD-94128-OHF	Environmental Assessment and Compliance Findings for the Related Laws	Document used to record environmental clearance and compliance findings for proposed FHA-insured hospital projects. Prepared by lender and signed by HUD clearance officers. Used in application process.
HUD-91725-OHF	Opinion by Counsel to the Borrower	Format of opinion letter of borrower's counsel for use in various FHA-insured Section 242 transactions to be modified and adapted based upon the transaction type. To be typed on counsel's firm letterhead and signed by borrower's counsel. Used at initial endorsement.
HUD-91725-INST-OHF	Instructions to Opinion of Borrower's Counsel	Part of HUD-91725-OHF. Instructions and guidance for borrower's counsel to prepare the opinion letter
HUD-91725-CERT-OHF	Exhibit A to Opinion of Borrower's Counsel Certification	Part of HUD-91725-OHF. Certification of borrower for attachment to opinion letter. Signed by borrower and borrower's counsel. Used at initial endorsement.
HUD-92266-OHF (*NEW*)	Application for Transfer of Physical Assets	Application form used to request approval for a transfer of physical assets of an FHA-insured hospital mortgage to a

		purchaser. Used by the lender
HUD-92476B-OHF (*NEW*)	Escrow Agreement for Proceeds from Partial Release of Collateral	Escrow agreement between Borrower and Lender to be used in cases when a borrower sells and requests to release HUD-insured collateral. Specifies outcome of the sold collateral. Signed by borrower and lender.

Two new forms are being added to this collection that are listed in the table above: HUD-92266-OHF (Application for Transfer of Physical Assets) and HUD-92476B-OHF (Escrow Agreement for the Release of Collateral). The HUD-92266-OHF is being added for occasional situations involving the sale/purchase of an FHA-insured facility. The form allows HUD staff to review requests to transfer physical assets from an insured facility to a new purchaser that will continue to hold the FHA-insured loan. The HUD-92476B-OHF is being added to provide an escrow agreement template for infrequent instances when a borrower sells and requests to release HUD-insured collateral. Both documents are based on existing versions used by the Office of Housing in other mortgage insurance programs but modified to appropriately reflect Section 242 program needs.

HUD-9250-OHF (Funds Authorizations) will be removed from the collection. The document was added to Collection 2502-0602 in a prior submission and was based upon a similar form used for OHP’s residential care facility program. The form has proven to be unnecessary for the Section 242 hospital program and will be removed.

Thirty-five of the forty documents within the collection are being renewed with no operational content changes, except for updated burden hour estimates and additional language added to the burden statements to ensure that requirements under 5 CFR 1320.8(b)(3) are met. Additional language (specifically, the phrase “under penalty of perjury”) was also added to clarify fraud warnings and certification for forms with certifications.

Revisions are proposed for the HUD-92466-OHF (Regulatory Agreement), HUD-92422-OHF (Financial and Statistical Data for HUD Reporting), and HUD-94000-OHF (Security Instrument) to include edits that were made to include edits that were made to clarify current policies and definitions, reflect updated general accepted accounting standards, or to address minor inconsistencies across documents.

A summary of the specific changes made to the revised documents is provided below.

Summary of Changes to Documents:

- HUD-92476B-OHF Escrow Agreement for Proceeds from Partial Release of Collateral. New document used to establish an escrow agreement and escrow account as part of the approval process for the partial release of FHA-insured collateral. Document defines permitted uses of escrowed proceeds, including usage for collateralized property improvements, purchase of equipment, or principal payments of the FHA-insured mortgage. Requires approval of all advances in writing by HUD and the Lender.
- HUD-92266-OHF Application for Transfer of Physical Assets. New document based on an existing Office of Multifamily Housing application form for Transfer of Physical Assets transactions, modified for Section 242-insured hospitals.

- HUD-92422-OHF Financial and Statistical Data for HUD Reporting. Definitions were updated to be consistent with account names, and a definition for “Allowances for Contractual Deductions and Bad Debt” was added. “Deferred Financing Costs” was moved from the “Limited Use Assets” to the “Long Term Debt and Leases” (previously “Long Term Debt and Capital Leases”) account. “Right of Use Assets” was added to the “Net PPE” account. Some restricted and unrestricted net asset accounts were combined and account names and definitions were updated. A note was added to clarify that “Bad Debt Expense” can be recorded as a separate line item, depending on the accounting reporting standards being used.
- HUD-94000-OHF Security Instrument/Mortgage/Deed of Trust. In Section 1 (Definitions), the definition of Patient Accounts Receivables was clarified in the definition of Accounts Receivables. The definition of Personalty and Mortgaged Property was revised to add the income or sales distributed from a joint venture.
- HUD-92466-OHF Hospital Regulatory Agreement - Borrower. Changes were made to sections of the Regulatory Agreement as follows:
 - Section 1 and Section 49 (Definitions). Revised to include definitions found in 24 CFR 242.1 and Handbook 4615.1 to provide clarity. Definitions section from Appendix D was moved to Section 49. Definition of Patient Accounts Receivables was added for Distribution of Assets in Section 18 and Additional Indebtedness in Section 20.
 - Section 11 – Property and Operations; Encumbrances. Added new item (g) regarding Borrower notification to HUD.
 - Section 17 – Transactions with Affiliates. Clarified transactions with Affiliates regarding lower of fully allocated cost or market value.
 - Section 18 – Distribution of Assets. Changed Section 18(b)(v) to reflect financial requirements per 24 CFR 242.1 for the Surplus Cash definition. Included definitions and ratios in Section 49.
 - Section 19 - Board Review/Business Plan/Consultants’ Report. Added “BOARD REVIEW” to title for clarity. In Section 19(c)(iv), removed “pro forma balance sheet” as a deliverable and clarified Business Plan deliverables to HUD for income statement and cash flow analysis. Combined the roles of “Review Consultant” and “Independent Consultant” into one consultant to allow for more timely review and cost savings for Borrower.
 - Section 20 – Additional Indebtedness. Under Long Term Debt, clarified when HUD consent is needed versus notification and timing; added CEO to parties eligible to submit documentation for notification; and added new section 20(a)(vi) to specify Borrower agreement to assets becoming part of the Mortgaged Property at HUD’s discretion upon release of a lien. Under Unsecured Short-Term Debt, clarified when HUD consent is needed versus

notification and timing and added CEO to parties eligible to submit documentation for notification. Added Section 20(c) for Lines of Credit to apply to short-term and long-term lines of credits secured by accounts receivable.

- Section 21 – Successor Clause. Removed Section 21(a). Clarified successor clauses and definitions to emphasize HUD’s option for approval.
- Section 29 – Permits and Approvals. Added new Section 29(e) regarding Borrower’s responsibility to report accrediting organization or entity findings to HUD upon occurrence, along with action plan requirements.
- Section 36 – Actions Requiring Prior Written Approval of HUD. Revised 36(g) to clarify when HUD approval is required for actions impacting collateral under the FHA-insured mortgage. Added new item 36(q) for establishing, developing, or organizing a joint venture.

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.

The collection of information is accessible via the internet, and forms are in Microsoft Word or PDF-fillable forms, thus allowing electronic submissions, in addition to hard copy paper submissions. Information is submitted electronically via digital storage drive or email attachment, or hard copies are submitted via mail or delivery service. Electronic submissions are submitted to the OHF Underwriting Division Director via email (paul.a.giaudrone@hud.gov). Hard copies or digital storage drives are mailed or delivered to HUD Headquarters at 451 7th Street SW, Room 6264, Washington, DC 20410.

To facilitate the reduction of burden hours, HUD is evaluating the possibilities for developing system-based technology to collect data. The collection of information does not currently involve the use of automation in such a system; however, HUD and the Office of Housing are undergoing a transformation of the IT infrastructure which will dictate the type of automated systems that will be developed. This process is very detailed and involves the evaluation of each data point received during a loan application process; how that data flows from the intake process through OHF’s underwriting process and then on to a longer-term asset management system for ongoing use in monitoring each project. Having these new workflows work in connection with the existing HUD systems requires development, review, testing, and understanding of how the internal and external submissions are feasible within firewall standards used by both HUD and the lending industry. This entire process is something OHF is interested in and is currently studying and working with HUD IT personnel to develop; however there are significant financial constraints that are also associated with such a large automation process, and this type of overall automation of program and its application review and monitoring process will take a significant amount of time and resources.

Further, it is imperative that the automatic system is developed adequately to address concerns for confidentiality and data security. Until the IT transformation has been able to establish

such security and a platform that will house these new capabilities, it is difficult to establish a viable electronic intake process that will be sustained.

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.

This information is not collected elsewhere. A review of OHF information collections confirms that no other information collection provides this particular information.

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 collection of information will not have a significant impact on small business or other small entities. OHF healthcare project borrowers/stakeholders are rarely small businesses, and the average loan size for a hospital is very significant. Even small, rural critical access hospitals are not considered small businesses.

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.

If the information were not collected, then HUD would have no record of completion to provide to the satisfaction of all parties of the contract and responsible local government officials.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner: (PLEASE ANSWER EACH BULLET SEPARATELY)

** requiring respondents to report information to the agency more often than quarterly;*

HUD-92422-OHF (Financial and Statistical Data for HUD Reporting) may be used to report information to HUD on a monthly basis in accordance with Program Obligations, until final endorsement has occurred, or at HUD's request. Other than this form, there are no requirements to report the information requested in this collection more often than quarterly.

** requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*

There are no requirements to prepare written responses to this collection of information in fewer than 30 days after receipt.

** requiring respondents to submit more than an original and two copies of any document;*

There are no requirements for submitting more than an original and two copies of any document included in this collection.

** requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;*

Per HUD's document retention policy, HUD documents are required to be maintained during the life of the insured loan plus 7 years after the closeout of the insured loan.

** in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;*

This collection is not connected with a statistical survey.

** requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*

This collection does not require 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*

This collection does not include 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.

** requiring respondents to submit proprietary trade secrets, 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.*

This collection does not require respondents to submit proprietary trade secrets, 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.

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 on 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 may preclude consultation in a specific situation. These circumstances should be explained.

In accordance with 5 CFR 1320.8(d), a 60-day Federal Register Notice inviting public comments was published on **May 24, 2019**, Volume **84**, No. **101**, Pages **24167-24169**.

HUD received one comment during the 60-day comment period that closed on July 23, 2019. The comment addressed an issue with the link to the posted documents online not working correctly. HUD corrected the issue and responded to this comment directly.

A 30-day Federal Register Notice inviting public comments was published on **August 20, 2019**, Volume **84**, Pages **43154-43156**. No comments were received.

To prepare this current information collection revision, OHF consulted with a representative from a healthcare financing industry stakeholder coalition (Committee on Healthcare Financing), an attorney (Krooth & Altman), and a lender (Gavin & Lavigne), to obtain their views on information collection activity documented in this collection. OHF regularly communicates with the respondents during the course of a year. OHF has considered the comments received and has made adjustments to the burden estimates to more accurately reflect anticipated activity during a calendar year.

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

HUD does not provide payments or gifts to respondents in exchange for a benefit sought.

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

Mortgage insurance files and financial documentation generally fall under the confidentiality provisions of the Privacy Act and Freedom of Information Act. The Housing and Community Development Act of 1987, 42 U.S.C. 3543, requires persons applying for a federally insured or guaranteed loan to furnish his/her Social Security Number (SSN) or Employer Identification Number (EIN). The inclusion of SSN/EIN is considered a confidential matter. A Privacy Act notice is printed on the appropriate forms. HUD assures confidentiality to respondents on other information collected if it would result in competitive harm in accord with the Freedom of Information Act (FOIA) provisions or if it could impact on the ability of the Department's mission to provide housing units under the various Sections of the Housing Legislation.

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.

The forms do not include questions of a sensitive nature.

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 for approval 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.*

** 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.*

Estimated Annualized Burden Hours and Costs

Respondents (Primary Type of Respondent)	Information Collection	Form Name	Number of Respondents	Frequency of Resp.	Resp. per Annum	Avg. Burden Hour Per Response	Annual Burden Hours	Avg. Hourly Cost Per Response	Annual Cost
Lenders, Borrowers, Attorneys (Business or other for-profit)	HUD-91070-OHF	Consolidated Certifications Borrower	15	1	15	4	60	\$103.53	\$6,211.80
Lenders, Borrowers, Attorneys (Business or other for-profit)	HUD-91071-OHF	Escrow Agreement for Off-site Facilities	3	2	6	2	12	\$103.53	\$1,242.36
Construction Managers (Business or other for-profit)	HUD-91073-OHF	HUD Survey Instructions and Surveyor's Report	15	1	15	8	120	\$70.90	\$8,508.00
Construction Managers, Borrowers (Business or other for-profit)	HUD-91111-OHF	Survey Instructions and Borrower's Certification	15	1	15	1	15	\$104.25	\$1,563.75
Attorneys (Business or other for-profit)	HUD-91725-OHF	Opinion by Counsel to the Borrower	15	1	15	8	120	\$99.60	\$11,952.00
Lenders, Borrowers, Attorneys, Construction Contractor, Architect & Engineer (Business or other for-profit)	HUD-92013-OHF	Application for Hospital Project Mortgage Insurance	15	1	15	4564	68460	\$96.84	\$6,629,666.40
Lenders (Business or other for-profit)	HUD-92023-OHF	Request for Final Endorsement of Credit Instrument - Hospitals/Section 242	15	1	15	2	30	\$73.39	\$2,201.70
Lenders, Borrowers, Agents (Business or other for-profit)	HUD-92070-OHF	Lease Addendum	10	1	10	1	10	\$91.60	\$916.00
Lenders (Business or other for-profit)	HUD-92080-OHF	Change of Mortgage Record	10	1	10	1	10	\$73.39	\$733.90
Borrowers (Not-for-profit institutions)	HUD-92117-OHF	Borrower's Certification-Full or Partial Completion of Project	5	5	25	1	25	\$137.61	\$3,440.25
Borrowers, Construction Managers (Not-for-profit institutions)	HUD-92205-OHF	Borrower's Pre-Closing Certificate of Actual Cost (Section 242/223f)	5	1	5	4	20	\$72.15	\$1,443.00
Lenders, Borrowers, Attorneys (Business or other for-profit)	HUD-92223-OHF	Surplus Cash Note	5	1	5	1	5	\$103.53	\$517.65
Lenders, Borrowers (Business or other for-profit)	HUD-92266-OHF	Application for Transfer of Physical Assets	2	1	2	92	184	\$105.50	\$19,412.00
Lenders (Business or other for-profit)	HUD-92322-OHF	Intercreditor Agreement	8	1	8	4	32	\$73.39	\$2,348.48

Construction Managers (Business or other for-profit)	HUD-92330A-OHF	Contractor's Certificate of Actual Cost - Hospitals/Section 242	15	1	15	2	30	\$70.90	\$2,127.00
Borrowers, Construction Managers (Not-for-profit institutions)	HUD-92330-OHF	Borrower's Certificate of Actual Cost - Hospitals/Section 242	15	1	15	2	30	\$104.25	\$3,127.50
Borrowers, Architects/Engineers (Not-for-profit institutions)	HUD-92403A-OHF	Borrower's And Architect's Certificate of Payment (01/1995)	15	1	15	1	15	\$120.14	\$1,802.10
Lenders, Borrowers (Business or other for-profit)	HUD-92403-OHF	Application for Insurance of Advance of Mortgage Proceeds	7	12	84	1	84	\$105.50	\$8,862.00
Borrowers, Construction Managers (Not-for-profit institutions)	HUD-92415-OHF	Request For Permission To Commence Construction Prior To Initial Endorsement For Mortgage Insurance - Hospitals/Section 242	5	1	5	1	5	\$104.25	\$521.25
Borrowers, Lenders (Not-for-profit institutions)	HUD-92422-OHF	Financial And Statistical Data For HUD Reporting	90	6	540	16	8640	\$105.50	\$911,520.00
Lenders (Business or other for-profit)	HUD-92434-OHF	Lender's Certificate	15	1	15	8	120	\$73.39	\$8,806.80
Lenders, Borrowers, Attorneys (Business or other for-profit)	HUD-92441-OHF	Building Loan Agreement	10	1	10	10	100	\$103.53	\$10,353.00
Borrowers, Construction Managers, Attorneys (Business or other for-profit)	HUD-92442-OHF	Construction Contract	10	1	10	10	100	\$102.70	\$10,270.00
Construction Managers, Architects (Business or other for-profit)	HUD-92448-OHF	Contractor's Requisition Project Mortgages	10	1	10	4	40	\$86.79	\$3,471.60
Construction Managers, Lenders, Attorneys (Business or other for-profit)	HUD-92452A-OHF	Payment Bond	10	1	10	4	40	\$81.30	\$3,252.00
Construction Managers, Lenders, Attorneys (Business or other for-profit)	HUD-92452-OHF	Performance Bond	10	1	10	4	40	\$81.30	\$3,252.00
Lenders, Borrowers, Construction Managers (Business or other for-profit)	HUD-92455-OHF	Request for Endorsement of Credit Instrument & Certificate of Lender, Borrower & General Contractor	15	1	15	8	120	\$93.97	\$11,276.40
Lenders, Borrowers (Business or other for-profit)	HUD-92456-OHF	Escrow Agreement for Incomplete Construction	3	2	6	2	12	\$105.50	\$1,266.00
Borrowers (Not-for-profit institutions)	HUD-92464-OHF	Request for Approval of Advance of Escrow Funds - Hospitals/Section 242	5	5	25	2	50	\$137.61	\$6,880.50
Lenders, Borrowers, Attorneys (Business or other for-profit)	HUD-92466-OHF	Regulatory Agreement - Borrower	15	1	15	24	360	\$105.50	\$37,980.00
Lenders, Borrowers, Attorneys (Business or other for-profit)	HUD-92476-OHF	Escrow Agreement for Deferred Work	2	2	4	4	16	\$105.50	\$1,688.00
Lenders, Borrowers, Attorneys (Business or other for-profit)	HUD-92476A-OHF	Escrow Agreement for Limited Rehabilitation	4	2	8	4	32	\$105.50	\$3,376.00
Lenders, Borrowers, Attorneys (Business or other for-profit)	HUD-92476B-OHF	Escrow Agreement for Proceeds from Partial Release of Collateral	2	1	2	2	4	\$105.50	\$422.00
Lenders, Borrowers, Attorneys (Business or other for-profit)	HUD-92479-OHF	Off-Site Bond - Dual Obligee	5	2	10	2	20	\$105.50	\$2,110.00

Lenders, Borrowers, Construction Managers, Attorneys (Business or other for-profit)	HUD-92554-OHF	Supplementary Conditions of the Contract for Construction	15	1	15	3	45	\$93.97	\$4,228.65
Borrowers, Agents (Not-for-profit institutions)	HUD-92576-OHF	Certificate for Need for Health Facility and Assurance of Enforcement of State Standards	12	1	12	2	24	\$100.70	\$2,416.80
Lenders, Borrowers, Construction Managers, Attorneys (Business or other for-profit)	HUD-93305-OHF	Agreement and Certification	15	1	15	4	60	\$93.97	\$5,638.20
Lenders, Borrowers, Attorneys (Business or other for-profit)	HUD-94000-OHF	Security Instrument/ Mortgage/Deed of Trust	15	1	15	12	180	\$103.53	\$18,635.40
Lenders, Borrowers, Attorneys (Business or other for-profit)	HUD-94001-OHF	Healthcare Facility Note	15	1	15	4	60	\$103.53	\$6,211.80
Lenders (Business or other for-profit)	HUD-94128-OHF	Environmental Assessment and Compliance Findings	12	1	12	8	96	\$73.39	\$7,045.44
			485	2.2	1,069	74	79,426	\$97.79	\$7,766,697.73

According to the U.S. Department of Labor, Bureau of Labor Statistics website (https://www.bls.gov/oes/current/oes_nat.htm) the wage rate category for the following occupations that were used to estimate average rates for the respondents and a 1.46 multiplier was used to reflect a fully-loaded wage rate:

Respondent Type	BLS Occupational Title	Mean Hourly Wage Rate	Fully Loaded Hourly Wage Rate
Lenders	Financial Analysts and Advisors	\$50.27	\$73.39
Borrowers	Chief Executives	\$94.25	\$137.61
Attorneys	Lawyers	\$68.22	\$99.60
Construction Managers	Construction Managers	\$48.56	\$70.90
Architects/Engineers	Architectural & Engineering Managers	\$70.33	\$102.68
Agents	Agents and Business Managers	\$43.69	\$63.79

The average hourly cost per response was calculated by averaging the hourly wage rates of the respondent types associated with each form.

13. Provide an estimate for 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 and 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 collections 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.*

There is no additional costs to respondents or recordkeepers resulting from the collection of information. Any efforts to retain documents would occur as part of customary and usual business practices and would pose no additional cost burden for respondents or recordkeepers.

14. Provide estimates of annualized costs 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 may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

Estimated Annual Cost to the Federal Government

Item	Cost (\$)
Contract Costs [Risk Management Analysis Services – Contracted services that provide essential analytical reports and risk management tools used by OHF to monitor FHA’s portfolio of Section 242 hospitals.]	\$800,000
Staff Salaries* [10 of GS-13, step 5 employees spending approximately 50% of time annually reviewing the information for this data collection = [\$85,712.00 (GS-13, Step 5 base rate) x 1.46 (wage rate multiplier) = \$125,139.52 (fully loaded rate); \$125,139.52 x 0.50 (50% of time spent) = \$62,569.76; \$62,569.76 x 10 = \$625,697.60]	\$625,698
Facilities [cost for renting, overhead, etc. for data collection activity]	\$0
Computer Hardware and Software [cost of equipment annual lifecycle]	\$0
Equipment Maintenance [cost of annual maintenance/service agreements for equipment]	\$0
Travel	\$10,000
Printing [number of data collection instruments annually]	\$5,000
Postage [annual number of data collection instruments x postage]	\$1,000
Other	\$0
Total	\$1,441,698

* Note: The “Salary Rate” includes a 1.46 multiplier to reflect a fully-loaded wage rate.

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

This request is for a renewal of an existing collection approved by OMB that expires on August 31, 2019. The changes and adjustments reported in Items 13 and 14 are principally the result of revised estimates for the Estimated Annualized Burden Hours and Costs and revised estimates for the Annual Cost to the Federal Government. Average burden hour estimates were reviewed and updated when appropriate, to better reflect estimates for the hours required to complete the forms and to follow guidance for application (including the Pre-Application and Application Guides), construction, environmental, and other procedures presented in Handbook 4615.1 for the Section 242 Mortgage Insurance Program. The bulk of the hours estimated for application activities (including pre-application) of program stakeholders participating in the Section 242 Mortgage Insurance Program (including lenders, borrowers, attorneys, construction contractors, architects, and engineers) are estimated under the average hours for the HUD-92013-OHF, Application for Hospital Project Mortgage Insurance. Additional language was added to every burden statement in the collection to ensure that requirements under 5 CFR 1320.8(b)(3) are met. Revised average burden hour estimates result in an addition of 6,198.75 hours to the total Annual Burden Hours for the collection. The new and removed forms will add a net addition of 180.5 hours [184 hrs (HUD-92266-OHF, added) + 4 hrs (HUD-92476B-OHF, added) – 7.5 hrs (HUD-9250-OHF, removed)] for a total addition of 6,379.25 hours to the estimated Annual Burden Hours for this collection.

The net change from the last submission of Total Annual Burden Hours is an increase of 6,379.25 hours for this collection.

Updated wage rates were used based upon the mean labor rates published on the U.S. Department of Labor, Bureau of Labor Statistics website (https://www.bls.gov/oes/current/oes_nat.htm) and the 2018 General Schedule Base Pay Table (<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/GS.pdf>). The wage rate calculations also now include a 1.46 multiplier to reflect a fully-loaded wage rate.

The overall Annual Cost estimate increase is due to the updated burden hour estimates and revised and updated wage rates used to calculate the estimated annual costs. The net change from the last submission of overall Annual Cost estimate is an increase of \$2,235,279.

The change reflects the addition of two new forms (HUD-92266-OHF Application for Transfer of Physical Assets and HUD-92476B-OHF Escrow Agreement for the Release of Collateral) to accommodate specific and occasional situations involving the sale of FHA-insured collateral and transfer of physical assets, as well as the removal of HUD-9250-OHF (Funds Authorizations) from the collection, which has proven to be unnecessary for the Section 242 hospital program.

Thirty-five of the forty documents within the collection are being renewed with no substantive content changes aside from the burden hour statement and fraud warning clarifications. Revisions are proposed for the HUD-92466-OHF (Regulatory Agreement), HUD-92422-OHF (Financial and Statistical Data for HUD Reporting), and HUD-94000-OHF (Security Instrument) to include edits that were made to include edits that were made to clarify current policies and definitions, reflect updated general accepted accounting standards, or to address minor inconsistencies across documents.

Note: HUD-92415-OHF is an existing form that was included in the last OMB submission. It was discovered to be missing off the approved 2016 NOA. This was a data-entry error on the

NOA.

16. For collections 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.

HUD does not intend to employ the use of statistics or the publication thereof for this information collection.

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 will display the expiration date for OMB approval of this information collection.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

HUD does not request an exception to the certification of this information collections.

B. Collections of Information Employing Statistical Methods.

There is no statistical methodology involved in this collection.