**Supporting Statement for Paperwork Reduction Act Submissions**

# Title: Manufactured Housing Dispute Resolution

**OMB Control Number: 2502-0562**

**Form Numbers: HUD-310-DRSC; HUD-311-DR**

**A. Justification**

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| **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.**  As of December 27, 2000, Manufactured Home Construction and Safety Standards introduced manufactured housing dispute resolution programs. *See* 42 U.S.C.5422, *see also* 24 CFR 3288, *et seq.*. Specifically, 42 U.S.C. 5422(c)(12) established dispute resolution program as a component of a state plan and 42 U.S.C 5422(g) established a HUD administered program for states that have not established their own dispute resolution program. In relation to administration of these programs, form reports are available for a state operating its own dispute resolution program (initial certification and re-certification every three years of certain states as required by 24 CFR 3288.210) and for persons initiating a dispute resolution request for screening under the Federal manufactured housing dispute resolution program (authorized at 24 CFR 3288.30). | |
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| **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.**    There are three groups of respondents: states, homeowners, and industry respondents. The first group currently consists of 25 states that operate their own approved dispute resolution programs; the second group consists of individuals or households (homeowners); and the third group consists of businesses, which include manufacturers, retailers, and installers of manufactured housing (industry respondents), that may be involved in dispute resolution cases in states that do not operate a dispute resolution program. HUD has engaged a neutral dispute resolution provider to review the submissions and then communicate with the parties and HUD.  The state programs will file form HUD-310-DRSC. HUD 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 retained by HUD until it receives a subsequent certification form, due every three years for recertification of certain states that do not have their dispute resolution program included in their state plan. This is a required form.  Homeowners and industry respondents will use form HUD-311-DR. HUD uses the required information for screening that a defect that is properly alleged and timely reported under the Federal manufactured housing dispute resolution program. The information is retained for three years after the dispute has been resolved. This is a required form. |
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| **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 forms are available for download on the HUD website at <https://www.hud.gov/program_offices/housing/rmra/mhs/hudsdrp> and via e-mail to mhs.gov, and can be printed and submitted electronically, or filled, and then printed and sent hardcopy.  States submitting certification of their dispute resolution programs must provide a hardcopy submission of the Dispute Resolution Certification, form HUD-310-DRSC, because of the harm to the program or to parties that may result if the information is inaccurate.  Homeowners or industry respondents submitting a Federal Manufactured Housing Dispute Resolution Information Form, form HUD-311-DR, may submit in hardcopy, as an email attachment or online at [www.huddrp.net](http://www.huddrp.net). |

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| **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 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. |

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| **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.** |
| Methods to minimize the burden on small business include availability of the forms electronically on the program office website, HUD website, and information on the web address in manufactured housing consumer materials. HUD also requires a retailer’s notice at sale that informs consumers of the dispute resolution program may either be incorporated in the sales contract or be a separate notice, at the retailer’s discretion. |

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| **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 collection is not conducted for the state certification process, the states will be required to collect and send to the federal government copies of various other 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 HUD will not be able to contact the parties, assess the dispute resolution request, and initiate the dispute resolution, thereby preventing the Federal program from carrying out its statutory requirements. |

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| **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;  - Respondents are not required to report information to the agency 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;  - Respondents are not required to prepare a written response to a collection of information in fewer than 30 days after receipt of it.  \* requiring respondents to submit more than an original and two copies of any document;  - Respondents are not required to submit more than an original and two copies of any document.  \* requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;  - Respondents are not required to retain records for more than three years.  \* 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;  - The information collection is not a statistical survey.  \* requiring the use of a statistical data classification that has not been reviewed and approved by OMB;  - The information collection does involve the use of any statistical data classification.  \* 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  - 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  \* 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.  - The information collection does not require respondents to submit proprietary trade secrets, or other confidential information. |
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| **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 soliciting public comments was announced in the Federal Register on May 7, 2021, Volume 86, Page 24654. No comments were received.  A 30-day Federal Register Notice inviting public comments was published on July 26, 2021, Volume 86, Page 40075. No comments were received. |
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| **9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.** |
| There are no payments or gifts to respondents. |

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| **10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.** |
| Purpose of this collection is necessary for a proper evaluation of your dispute. All information provided is voluntary. Failure to provide information could delay the processing of the dispute resolution request. By completing this form, you consent to all required uses of your information. HUD generally discloses this data only in response to a Freedom of Information request or to a state, local agency, and the agency and person who are involved and/or all businesses that are affected by the dispute. |

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| **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.**  There are no questions of 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. |

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| **Information Collection / Type of Respondent** | **Form Name / Form Number** | **Number of Respondents** | **Frequency of Response** | **Response Per Year** | **Average Burden Hours Per Response** | **Annual Burden Hours** | **Hourly Cost per Response** | **Total** |
| State Certifications | Dispute Resolution Certification HUD-310-DRSC | 25 | 1 | 25 | 1 | 25 | $68 | $1,700 |
| **Sub-total** |  | **25** |  | **25** |  | **25** |  | **$1,700** |

**Estimated Annualized Burden Hours and Costs**

**State Certifications**

**Note:** 25 represents the number of states that have their own state approved dispute resolution program. Only the states use the form HUD-310-DRSC.

**Individuals / Households**

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| **Information Collection / Type of Respondent** | **Form Name / Form Number** | **Number of Respondents** | **Frequency of Response** | **Response Per Year** | **Average Burden Hours Per Response** | **Annual Burden Hours** | **Hourly Cost per Response** | **Total** |
| Requests Received for Dispute Resolution  Initial Filing  **Individuals / Households** | Dispute Resolution Certification HUD-311-DR | 25 | 1 | 25 | 1 | 25 | $25 | $625 |
| **Sub-total** |  | **25** |  | **25** |  | **25** |  | **$625** |

**Note:** The estimate includes 25 requests initially filed from individuals/households and received by HUD.

**Industry Respondents (Installers)**

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| **Information Collection / Type of Respondent** | **Form Name / Form Number** | **Number of Respondents** | **Frequency of Response** | **Response Per Year** | **Average Burden Hours Per Response** | **Annual Burden Hours** | **Hourly Cost per Response** | **Total** |
| Requests Received for Dispute Resolution  Initial Filing  **Installer** | Dispute Resolution Certification HUD-311-DR | 25 | 1 | 25 | 1 | 25 | $47 | $1,175 |
| **Sub-total** |  | **25** |  | **25** |  | **25** |  | **$1,175** |

**Note:** The estimate includes 25 requests initially filed by installers and received by HUD.

**Industry Respondents (Retailers)**

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| **Information Collection / Type of Respondent** | **Form Name / Form Number** | **Number of Respondents** | **Frequency of Response** | **Response Per Year** | **Average Burden Hours Per Response** | **Annual Burden Hours** | **Hourly Cost per Response** | **Total** |
| Requests Received for Dispute Resolution  Initial Filing  **Retailer** | Dispute Resolution Certification HUD-311-DR | 25 | 1 | 25 | 1 | 25 | $57 | $1,425 |
| **Sub-total** |  | **25** |  | **25** |  | **25** |  | **$1,425** |

**Note:**  The estimate includes 25 requests initially filed by retailers and received by HUD.

**Industry Respondents (Manufacturers)**

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| **Information Collection / Type of Respondent** | **Form Name / Form Number** | **Number of Respondents** | **Frequency of Response** | **Response Per Year** | **Average Burden Hours Per Response** | **Annual Burden Hours** | **Hourly Cost per Response** | **Total** |
| Requests Received for Dispute Resolution  Initial Filing  **Manufacturer** | Dispute Resolution Certification HUD-311-DR | 25 | 1 | 25 | 1 | 25 | $66 | $1,650 |
| **Sub-total** |  | **25** |  | **25** |  | **25** |  | **$1,650** |

**Note:** The estimate includes 25 requests initially filed by manufacturers and received by HUD.

**Totals for**

**State, Individuals/Households, & Industry Respondents**

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| **Information Collection / Type of Respondent** | **Form Name / Form Number** | **Number of Respondents** | **Frequency of Response** | **Response Per Year** | **Average Burden Hours Per Response** | **Annual Burden Hours** | **Hourly Cost per Response** | **Total** |
| **State** Certifications | Dispute Resolution Certification **HUD-310-DRSC** | 25 | 1 | 25 | 1 | 25 | $68 | $1,700 |
| **Individuals or Households; Business or Other for-Profit** | Dispute Resolution Certification **HUD-311-DR** | 100 | 1 | 100 | 1 | 100 | Varies  Individuals - $25  Installer - $47  Retailer – $57  Manufacturer - $66 | $4.875 |
| **TOTALS** |  | **125** |  | **125** |  | **125** |  | **$6,575** |

Note: The “Avg. Hourly Wage Rate” for each respondent includes a 1.46 multiplier to reflect a fully-loaded wage rate.

According to the U.S. Department of Labor, Bureau of Labor Statistics website ([www.bls.gov](http://www.bls.gov)) the wage rate category for Installer is estimated to be $47 per hour including the wage rate multiplier, therefore, the estimated burden hour cost to respondents Installers is estimated to be $1,175 annually.

According to the U.S. Department of Labor, Bureau of Labor Statistics website ([www.bls.gov](http://www.bls.gov)) the wage rate category for Retailer (Sales Representative) is estimated to be $57 per hour including the wage rate multiplier, therefore, the estimated burden hour cost to respondents Retailer (Sales Representative) is estimated to be $1,425 annually.

According to the U.S. Department of Labor, Bureau of Labor Statistics website ([www.bls.gov](http://www.bls.gov)) the wage rate category for Manufacturer (Engineer) is estimated to be $66 per hour including the wage rate multiplier, therefore, the estimated burden hour cost to respondents Manufacturer (Engineer) is estimated to be $1,650 annually.

Therefore, the estimated total burden hour cost is estimated to be $6,575.00 annually.

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| **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.   |  |  |  |  |  | | --- | --- | --- | --- | --- | | **Data Collection Activity / Instrument** | **Annual Capital Start-Up Cost (investments in overhead, equipment, and other one-time expenditures)** | **Annual Operations and Maintenance Cost (such as recordkeeping, technical/professional services, etc.)** | **Annual Non-Labor Cost (expenditures on training, travel, and other resources)** | **Total Annual Cost to Respondents** | | States / Dispute Resolution Certification HUD-310-DRSC | 0 | $1,700 | 0 | $1,700 | | **TOTALS** | **$0** | **$1,700** | **$0** | **$1,700** | |
| **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.** |

**Annual Cost to the Federal Government**

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| **Item** | **Cost ($)** |
| Contract Costs - Contract costs include services provided to assist HUD’s Office of Manufactured Housing Programs with administering the dispute resolution program within states (23 states) that do not wish to administer the program. Services cover the administration of the dispute resolution program to include receiving and screening dispute resolution requests, providing mediation services and educational outreach of the program. The contract services are provided for 5 years (one base period and four option periods). Savan Group is the Contractor that provides these services. | $1,837,690 |
| Staff Salaries\* **[ \_1\_ of GS \_14\_ , step\_4\_ employees spending approximately \_\_20\_\_% of time annually with administration and oversight of contract services, reviewing state certifications and requests for dispute resolution. [Show calculations for this here.]**  **Calculations: 1 x $133,447 =$133,447 x 1.46 = $194,832.00 x .20 = $38,997** | $38,997 |
| 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 | $0 |
| Printing **[number of data collection instruments annually]** | $0 |
| Postage **[annual number of data collection instruments x postage]** | $0 |
| Other |  |
| **Total** | **$1,876,687.00** |

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

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| **15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**  This is a revision of a currently approved collection. The Office of Manufactured Housing Programs (OMHP) has received fewer dispute resolution requests (Form HUD-311-DR) from homeowners and industry respondents over time due to industry diligence in complaint handling. In addition, OMHP has increased monitoring of manufacturers and oversight of installation programs to ensure quality homes are built and installed; thereby reducing the number of complaints and subsequent requests for dispute resolution. |
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| **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.** | |
| This information collection will not be published for statistical purposes. |
| **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. |
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| **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 collection. |
| **B. Collections of Information Employing Statistical Methods**  There is no statistical methodology involved in this collection. |