

**Supporting Statement for Paperwork Reduction Act Submissions**  
**Eviction Protection Grant Program**  
**(OMB Control Number: 2528-0331)**

**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 2021 Consolidated Appropriations Act, Div. L, Title II - HUD Appropriations Act, 2021, provided \$20,000,000 for competitive grants to nonprofit or governmental entities to provide legal assistance (including assistance related to pretrial activities, trial activities, post-trial activities and alternative dispute resolution) at no cost to eligible low-income tenants at risk of or subject to eviction. The collection of information in association with the Notice of Funding Opportunity (NOFO) will be used by the Office of Policy Development and Research to evaluate the NOFO applicant and determine eligibility to receive award funds. The collection of information will also enable HUD to meet its program monitoring obligations under the Act, including ensuring that eligible tenants living in rural areas are served. The House of Representatives Explanatory Statement of the Consolidated Appropriations Act, 2021 Congressional Record 166, no. 218, book IV, at H8828, December 21, 2020, further emphasized the importance of implementing and overseeing this grant as a “demonstration program.” Accordingly, the collection of information will enable HUD to meet its research and demonstration obligations under the Housing and Urban Development Act of 1970, section 501 (12 U.S.C. § 1701z-1) for this new program.

- 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.**

This is a revision to a currently approved collection. The collection of information in association with the NOFO was used by the Office of Policy Development and Research to determine that the grant applicant met the requirements of the NOFO. Information collected was also used to assign points for awarding grant funds on a competitive basis. Information collected post-award will be used by the Office of Policy Development and Research to meet its statutory program monitoring and demonstration obligations for the program.

Failure to collect the information described in this submission would have prevented HUD from ensuring applicants met particular eligibility criteria and possessed the capability to deliver effective and efficient services. This is critical since the grant program is needed to help households at risk of losing their housing. If the collection was not conducted HUD would not have able to award any grants under the program required by Congressional appropriations.

Failure to collect post-award information would further prevent HUD from ensuring funds are used in a manner consistent with Congressional appropriations. After consulting with organizations in the legal aid industry regarding the post-award information collection, HUD developed a new Form HUD-52698 for this collection to align with the client intake/close-out structure that many such providers use to track client services. HUD also designed Form HUD-52698 service categories to align to the maximum extent possible with client service categories used already by legal service corporations. These categories are likely to be familiar to applicants and grantees and may already be available in existing vendor products.

## **Data Collection**

### Grant Application

HUD received approximately 100 grant applicants for the Eviction Protection Grant Program from non-profit or governmental entities. Each applicant was required submit a detailed proposal, subject to a 25-page limit, plus supplemental documents, to reduce the administrative burden on grant applicants and HUD staff. The NOFO also required submission of a budget narrative, not to exceed 4 pages, and a budget using form 424 CBW. The grant package included the Application for Federal Assistance, Standard Form-424, Disclosure of Lobbying Activities, Standard Form-LLL, and Disclosure/Update Report Form, HUD-2880.

The applicant was required to address four factors in a narrative format, that is part of the application. Rating Factor 4 includes the form 424 CBW, mentioned above:

**Rating Factor 1** – Capacity of Applicant and Organizational Experience

**Rating Factor 2** – Extent of the Problem

**Rating Factor 3** – Soundness of Approach

**Rating Factor 4** – Budget Proposal

### Post Award Submission

HUD anticipates awarding up to approximately 20 grants under this program, subject to available funds. The grantee will submit a detailed work plan accompanied by an updated budget, Form 424 CBW, if the actual award differs from the requested amount.

### Grant Management

Grantees must submit quarterly grant activity reports and a final report, including information about clients served, services provided, and associated outcomes from form 52698, using whatever system the grantee uses to collect such information.

- 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 grants management system requires applicants to submit their applications electronically through Grants.gov. Electronic submission eliminates the burden on applicants to print, organize and ship multiple copies of their application. Additionally, Grants.gov automatically populates

common elements of many forms, so that standard information about the applicant that appears on several forms only needs to be entered once. Grantees may collect information for quarterly grant activity reports and final reports electronically, using whatever format the grantee uses to collect such information, and will be permitted to submit such information to HUD electronically via HUD's Disaster Recovery Grant Reporting (DRGR) System.

**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 is a new grant program; no similar information is available that can be used rather than conducting this information collection.

**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.**

The information collection is the same for all entities, regardless of size, but is considered to be the minimal information needed for HUD to effectively administer this program. The electronic grant application process eliminates the burden on all applicants to print, organize, and mail multiple copies of their application. Grants.gov automatically populates common elements of many forms, so that standard information about the applicant that appears on several forms only needs to be entered once. HUD's DRGR System is frequently used by grantees of various sizes to access grant funds and report performance accomplishments for grant-funded activities.

**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.**

The narratives and forms requested through the NOFO is the means through which HUD ranks and rates applicants, to competitively distribute awards. Failure to collect this information would prevent HUD from distributing available grant funds in support of critical eviction protection services. Failure to collect post-award information would prevent HUD from meeting its statutory program monitoring and demonstration obligations for the program. In addition, failure to conduct the proposed data collection will prevent HUD from fulfilling statutory, Executive Order, and regulatory obligations to ensure the equitable disbursement of critical eviction protection services.

**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; **N/A**
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; **N/A**
- requiring respondents to submit more than an original and two copies of any document; **N/A**
- requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years; **N/A**
- 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; **N/A**

- requiring the use of a statistical data classification that has not been reviewed and approved by OMB; N/A
- 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 N/A
- 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. N/A

There are no special circumstances that would cause this information collection to be conducted in a manner that would impose one or more of the additional requirements identified under this item.

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.**

HUD published a 60-Day Notice of Proposed Information Collection for the program on October 27, 2021, Docket No. FR-7041-N-05, and received five comments from the public. Three comments requested copies of the forms referenced in the 60-Day Notice. Two comments related to specific information collected on Form HUD-52698, with one comment requesting more information be collected and one comment requesting less information be collected. None of the comments related to the cost or hour burden of the information collection. After reviewing comments on Form HUD-52698, HUD took the additional step of consulting with grantees regarding post-award information to be collected on Form HUD-52698. Accordingly, HUD revised Form HUD-52698 to include information about housing subsidies, mediation services, and additional outcomes commonly associated with eligible legal services under the grant.

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 with respect to this collection.

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

HUD will secure and protect the electronic transfer of sensitive information by using firewall protection, encryptions, and restricted access security.

**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.**

Some sensitive information may be submitted with the NOFO application, for example resumé type information. HUD and Grants.gov, which is administered by the Department of Health and Human Services, are taking the standard precautions regarding the electronic transfer of information, including firewall protection, encryptions, and access security. Some client information collected on Form HUD-52698 may be considered sensitive, such as information about English proficiency, gender (including gender transition), race, ethnicity, disability status, income, eviction risk, or rental address. Collection of this information is required for HUD to meet its statutory program monitoring and demonstration obligations for the program, as well as its obligation collect demographic information on applicants and beneficiaries under fair housing and other civil rights authorities. In addition to taking the standard precautions regarding the electronic transfer of information, including firewall protection, encryptions, and access security, HUD is minimizing the collection of personally identifying information about clients such as name or date of birth. Instead, grantees will be asked to assign unique identifying numbers to clients for the purposes of grant activity reporting. Additionally, the information provided is subject to the Privacy Act and may be made available only to the appropriate Federal, State, and local agencies.

**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.**

To collect sufficient information to meaningfully rate and rank applicants, a significant amount of information is requested through the NOFO. However, the NOFO has been designed to ask only for essential information and imposes strict page limits to reduce the burden. Based on similar information collections for grant programs, we believe that the 10 hours per factor estimated in the table below is conservative.

Information Collection	Number of Respondents	Frequency of Response	Responses Per Year	Average Burden Hours Per Response	Annual Burden Hours	Hourly Cost per Response (Hourly Wage Rate)	Total Annual Respondent Cost
<b>Pre award</b>							
NOFO application narrative	100	1	100	40	4,000	\$52.36	\$209,440
Application for Federal Assistance (SF-424)	-0-	-0-	-0-	-0-	-0-	\$0.00	\$0.00
Disclosure of Lobbying Activities (SF-LLL)	-0-	-0-	-0-	-0-	-0-	\$0.00	\$0.00
Detailed Budget Worksheet, 424 CBW	100	1	100	3.12	312	\$52.36	\$16,336.32
Disclosure/Update Report (Form HUD-2880)	100	1	100	2	200	\$52.36	\$10,472
Total Pre award	100	1	100	45.12	4,512	\$52.36	\$236,248.32
<b>Post award</b>							
Grant work plan	20	1	20	2	40	\$52.36	\$2,094.40
Detailed Budget Worksheet, 424 CBW	20	1	20	3.12	62.4	\$52.36	\$3,267.26
Client Services and Outcomes Report, 52698	20	*1,000	20,000	0.25	5,000	\$52.36	\$261,800.00
Grant reporting	20	4	80	2	160	\$52.36	\$8,377.60
Total Post award	20	5	20,120	7.37	5,262.4	\$52.36	\$275,539.26
<b>TOTALS</b>	120	6	20,220	52.49	9,774.40	\$52.36	\$511,787.58

\* Anticipated average number of annual responses per respondent (grantee), to be reported to HUD quarterly with grant activity report.

Note: The "Avg. Hourly Wage Rate" for each respondent reflects a wage of \$35.87 for professional and business services and a 1.46 multiplier to reflect a fully-loaded wage rate.

**13. Provide an estimate of 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 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.

There are no additional costs to respondents for the bulleted items 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.**

Three federal staff members will review each eligible NOFO application. A single staff member will be responsible for all post award review. The number of hours and costs for staff to review are reflected in the following chart:

Information Collection	Number of Submissions	Frequency	Responses per year	Hrs. per Review	Total Hrs (per person).	Average Pay per Hr.	Total staff cost
<b>Pre award review</b>							
NOFO Narrative	100	1	100	2	200	\$68.55	\$13,710
Application for Federal Assistance (SF-424)	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Disclosure of Lobbying Activities (SF-LLL)	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Grant Application Detailed Budget Worksheet (424 CBW)	100	1	100	.5	50	\$68.55	\$3,428
Disclosure/Update Report (Form HUD-2880)	100	1	100	.2	20	\$68.55	\$1,3710
Total pre award	100	1	100	2.7	270	\$68.55	\$18,509
<b>Post award review</b>							
Assistance Award/Amendment (HUD-1044)	20	1	20	.3	6	\$68.55	\$411
Grant work plan	20	1	20	2	40	\$68.55	\$2,742
Detailed Budget Worksheet, 424 CBW	20	1	20	1	20	\$68.55	\$1,371
Client Services and Outcomes Report, 52698	20	1,000	20,000	0.08	1,600	\$68.55	\$109,680
Grant reporting	20	4	80	1	80	\$68.55	\$5,484
Total post award	20	5	20,140	4.38	1,746	\$68.55	\$119,688
<b>TOTAL</b>	<b>120</b>	<b>6</b>	<b>20,240</b>	<b>7.08</b>	<b>2,016</b>	<b>\$68.55</b>	<b>\$138,197</b>

Note: The "Avg. Hourly Wage Rate" for each respondent reflects a \$68.55wage rate for GS 14, step 5 (2022 OMB tables)

There are no additional costs for contractor, facilities, computer hardware and software, equipment maintenance, travel, printing, or postage.

**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 revision to a currently approved collection. Form HUD-52698 is new to this collection.

**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.**

HUD will publish the names of the grantees. HUD may publish reports on program activity and outcomes from time to time as necessary to meet its statutory program monitoring and demonstration obligations for this new program, inform stakeholders of the number of households served and evictions prevented, and respond to legislative inquiries.

**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 is not seeking approval to avoid displaying the OMB expiration date.

**18. Explain each exception to the certification statement identified in item 19.**

There is no exception to Item #19 “Certification of Paperwork Reduction Act Submissions.”