



OFFICE OF HOUSING

**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

WASHINGTON, DC 20410-8000

April 25, 2023

Mr. Richard L. Revesz  
Administrator of the Office of Information and Regulatory Affairs  
Office of Management and Budget  
Eisenhower Building  
Washington, DC 20503

RE: OMB Control Number 2502-NEW, "Eviction Counseling Survey"

Dear Mr. Revesz:

The Department of Housing and Urban Development's (HUD) Office of Housing Counseling (OHC) seeks an emergency review of the Paperwork Reduction Act requirements for the Eviction Counseling Survey. OHC respectfully requests a 7-day PRA Emergency approval. This is a new information collection.

Under 5 CFR120.13(a) (1)(i) and (ii) the Secretary may request emergency processing of the collection of information if the collection of information is needed prior to the expiration of time periods established under this part and is essential to the mission of the agency. The Eviction Counseling Survey is an essential tool to helping achieve HUD's mission of creating strong, sustainable, inclusive communities and quality affordable homes for all because the data collected will help to inform OHC's efforts to improve eviction prevention counseling services and keep individuals and families housed through education and counseling. In the fourth quarter of fiscal year 2021, HUD-approved housing counseling agencies served more than 100,000 renters, helping nearly 22,000 households avoid eviction. OHC-funded housing counseling agencies served more than 31,000 renters, helping nearly 8,300 households avoid eviction.

Under 5 CFR120.13(b) (2)(i) and (ii) the Secretary may request emergency processing if the agency cannot reasonably comply with the normal clearance procedures because a public harm is reasonable likely to result if normal procedures are followed or an unanticipated event has occurred. The public will be harmed by the delay in implementing this survey because eviction filings are increasing and many cities and states are trending above historical averages and housing counselors and HUD-approved agencies could use the data results from the survey to improve and build upon current eviction prevention strategies and limit the number of families impacted by these rising eviction filings.

The wide range of policies that were central to keeping tenants in their homes during the pandemic including federal, state, and local eviction moratoria and an unprecedented \$46.6 billion in emergency rental assistance (ERA) have expired or exhausted their funding. The

national eviction moratorium expired in July 2021 which left millions of renters without protection against eviction for non-payment of rent. According to data from the Low-Income Housing Coalition, 76.8% of Treasury's Emergency Rental Assistance programs are closed. As a result of these policy and program changes, eviction filings are increasing across the country, and in many cases above historic averages. According to data from the Legal Services Corporation, 13 states were above 100% of their historical average in March. This is a departure from recent months when 4-8 states were above 100%. Filing rates in many major cities have also increased above their historic average. Cases of Public Housing Authorities eviction filings also increased across the country according to data obtained from LSC, up from 1,057 in February 2023 to 1,288 in March 2023. The increase in eviction filings above historic averages in many places across the country has been an unanticipated event.

The rise in evictions is a worrying trend that HUD and its grantees need to take immediate action to mitigate. Through this survey OHC will capture critical and timely information including effective strategies counselors are utilizing to identify and serve families at risk of eviction as well as effective strategies for preventing eviction filings and tenant displacement. OHC will be able to analyze and share these best practices through training, technical assistance and industry meetings such as the annual stakeholder conference scheduled for September 2023. Absent emergency review, it will not be possible to field the survey and analyze survey results in time for this major training event since it can take up to three months to complete. Through the survey results, OHC will gain insights into the challenges that agencies face in their efforts to expand their eviction prevention counseling services, outreach to clients as well as capture data on outcomes. OHC will utilize these insights to explore potential program changes or changes or new training and technical assistance opportunities.

The attached provides the emergency PRA package for OMB Collection 2502-NEW "Eviction Counseling Survey". OHC respectfully requests a 7-day Emergency PRA approval in order for OHC to distribute the survey, process and analyze the results quickly and accurately within the timeframe allotted.

David  
Berenbaum

David Berenbaum  
Deputy Assistant Secretary  
Office of Housing Counseling

Attachment