

Supporting Statement for Paperwork Reduction Act Submissions
Project-Based Voucher (PBV) Housing Assistance Payment (HAP) Contract Data Collection
OMB Control Number: 2577-0296

A. Justification

- 1. Why is this 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/authorizing the collection of information.**

In the past 6 years, the share of Project Based-Vouchers (PBVs) has grown from approximately 5 percent of the Housing Choice Voucher program to over 13.2 percent of the HCV Program. Along with this growth, repositioning vehicles like RAD and legislation like the Housing Opportunities through Modernization Act (HOTMA) have increased the complexity of administering PBVs. Repositioning has also created a new level of risk for PBVs as a growing part of the PBV portfolio consists of units which were constructed with HUD funds and are supposed to remain affordable in perpetuity. HUD's tracking and monitoring of these projects has not increased commensurately to match the program's growing size and complexity. This creates an information deficiency that could increase risk and impede HUD's ability to monitor this critical component of the HCV program.

HUD currently collects information on individual participants in the HCV program who are in PBV through the PIC system. This consists of a separate section that PHAs fill out in the 50058 for families that lease a PBV/PBC unit. While this does give HUD information on PBV families and the units they reside in, it does not provide HUD with any project level information.

In addition, PHAs are required to report information on Project Based Vouchers in the Voucher Management System (VMS). This aggregated information is at the PHA level on the total number of vouchers committed under an Agreement to Enter HAP Contract (AHAP) as well as those under a Housing Assistance Payment (HAP) Contract. PHAs must also separately report in the comment section of VMS the number of PBV units under HAP contract that are currently not leased. This provides HUD with data on PBVs at the PHA level but does not provide HUD with information on PBVs at the project level.

This leaves a gap in HUD's information collection of PBVs between the individual tenant data and the aggregated PHA data. HUD does not systematically collect information on the project level, including the number of PBV units at projects, what exceptions apply, the terms of contract, and numerous other potential data. This creates a challenge for monitoring, tracking and analyzing PBV projects, and limits HUD's ability to respond to requests for information on the PBV program from Congress and other stakeholders.

The inclusion of the fields mentioned below will assist with the development of system improvements that may reduce the administrative burden of PHAs. Fields included in this PRA are as follows:

- HAP Contract Number
- Name of Project
- Primary Street Address
- Structure Type
- Effective Date of HAP Contract
- Expiration Date of HAP Contract
- Type of Project Based Section 8 Contract
- Is this a RAD HAP contract?
- Vacancy Payments Permitted?
- Ownership Structure
- If PHA-Owned: Name of Independent Entity or Entities
- Number of Total Units in the Project (PBV and non-PBV units)
- Number of Units Under HAP Contract by Bedroom Size
- Number and Bedroom Distribution of PBV-Assisted Section 504 Units at the Project
- Does an Exception to the Income-Mixing Requirement Apply?
- If Yes, which exception is applicable?
- Program Cap Exception?
- If yes, enter the number of units for each excepted category.
- Annual Replacement Reserve Deposit Amount
- Annual Replacement Reserve Withdrawal Amount
- Ending Balance for the Replacement Reserve Account

- Replacement Reserve Deposits Suspended/Waived Indicator?
- Date Replacement Reserve Deposits Suspended/Waived?

CFR 24 Part 983 | Project-Based Voucher (PBV) Program

§ 983.201 Applicability

Subpart E applies to all PBV assistance under part 983 (including assistance for existing, newly constructed, or rehabilitated housing).

§ 983.203 HAP contract information

The HAP contract must specify:

- The total number of [contract units](#) by number of bedrooms;
- Information needed to identify the [site](#) and the building or buildings where the [contract units](#) are located. The information must include the [project's](#) name, street address, city or county, state and zip code, block and lot number (if known), and any other information necessary to clearly identify the [site](#) and the building;
- Information needed to identify the specific [contract units](#) in each building. The information must include the number of [contract units](#) in the building, the location of each contract unit, the area of each contract unit, and the number of bedrooms and bathrooms in each contract unit;
- Services, maintenance, and equipment to be supplied by the owner without charges in addition to the [rent to owner](#);
- Utilities available to the [contract units](#), including a specification of utility services to be paid by the owner (without charges in addition to rent) and utility services to be paid by the tenant;
- Features provided to comply with [program](#) accessibility requirements of Section 504 of the [Rehabilitation Act of 1973 \(29 U.S.C. 794\)](#) and implementing regulations at [24 CFR part 8](#);
- The HAP contract term;
- The number of units in any [project](#) that will exceed the 25 percent per-project cap (as described in [§ 983.56](#)), which will be set-aside for occupancy by [qualifying families](#) (elderly and/or disabled families and families receiving supportive services); and
- The initial [rent to owner](#) (for the first 12 months of the HAP contract term).

Notice PIH 2012-21 | Financial Reporting Requirements for the HCV Program Submitted through the FASH-PH and VMS

(9) PHAs are required to transmit certain leasing and cost data electronically through VMS. Data is collected monthly. Reporting is time sensitive.

Notice PIH 2017-21 | Implementation Guidance: HOTMA – HCV and PBV Provisions

Appendix III (5) | PHAs are required to submit leasing and cost data in the VMS on a monthly basis. PHAs report (a) the number of PBVs under an AHAP but not under a HAP, (b) the number of PBVs under a HAP and leased, (c) the number of PBVs under a HAP that are not leased and not receiving vacancy payments, (d) the number of PBVs under a HAP and not leased with vacancy payments and associated vacancy HAP expenses and (e) HAP expenses.

Notice PIH-2019- 23 (HA) | Rental Assistance Demonstration – Final Implementation, Revision 4

The Project Owner shall establish and maintain a replacement reserve in an interest-bearing account to aid in funding extraordinary maintenance and repair and replacement of capital items in accordance with applicable regulations. The reserve must be built up to and maintained at a level determined by HUD to be sufficient to meet projected requirements. For FHA transactions, Replacement Reserves shall be maintained in accordance with the FHA Regulatory Agreement. For all other transactions, Replacement Reserves shall be maintained in a bank account or similar instrument, as approved by HUD, where funds will be held by the Project Owner or mortgagee and may be drawn from the reserve account and used subject to HUD guidelines.

2. **How is the information collected and how is the information to be used?**

Information will be collected through the Housing Information Portal (HIP) system within the PBV HAP Collection data module. PHAs will be required to submit relevant HAP contract data on PBV projects. Data points will include the number of PBV units by bedroom size, number of total units in the project, effective and expiration dates, and what exceptions apply. PHAs will also be required to enter replacement reserve information at the project-level for a subset of PBVs that are RAD.

The information will be used by HUD to track PBV projects and monitor the PBV program. It will also be used to respond to requests for information on the PBV program from Congress and other stakeholders.

3. **Describe whether, and to what extent, the collection of information is automated (item 13b1 of OMB form 83-i). If it's not automated, explain why not. Also describe any other efforts to reduce burden.**

Data entry will not be automated. PHAs will only need to enter information when they execute new HAP contracts, or when information about a HAP contract changes.

4. **Is this information collected elsewhere? If so, why cannot any similar information already available be used or modified.**

This information is currently not collected elsewhere by HUD. PHAs may be recording and managing this information internally.

5. **Does the collection of information impact 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 impact all PHAs that have project-based vouchers in their portfolio. This may include small PHAs. HUD may provide technical assistance to PHAs that require assistance understanding the new reporting fields for PBVs.

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.**

Currently, HUD does not track project-level data on the Project Based Voucher portfolio. Consequences include – continued lack of understanding of how PBVs are being implemented and how this is impacting the PHA's ability to house low-income families, continued lack of ability to appropriately monitor and manage risk within the PBV program, inability to conduct meaningful research on the PBV portfolio and develop recommendations for improvement. Additionally, having more detailed information would allow HUD to respond to requests for information from Congress and the public.

7. **Explain any special circumstances that would cause an information to be collected in a manner:**

- Requiring respondents to report information to the agency more than quarterly;
PHAs would be required on a one-time basis to enter data into the system for all their projects, and
Not Applicable
- Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
Not Applicable
- Requiring respondents to submit more than an original and two copies of any document;
Not Applicable
- Requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
Not Applicable
- In connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of the study;
Not Applicable
- Requiring the use of statistical data classification that has not been reviewed and approved by OMB;
Not Applicable

- 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

Not Applicable

- 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.

Not Applicable

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. **Not Applicable**
- 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. **Not Applicable**

HUD published a Notice of Proposed Information Collection for public comments in the *Federal Register*, Volume 88; Number 86; Page 28594 on May 4, 2023. The public was given until July 3, 2023 to submit comments on the Proposed Information Collection. HUD received no public comments on this Proposed Information Collection.

9. **Explain any payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payments or gifts to respondents are provided.

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

The Privacy Act of 1974 (Pub. L. No. 93-579, 88 Stat. 1896, 5 U.S.C. 552a) protects respondents who meet the information reporting requirements.)

11. **Justify any questions of a sensitive nature, such as sexual, religious beliefs, and other matters that are commonly considered private**

12. **Estimate public burden: number of respondents, frequency of response, annual hour burden. Read the complete instructions on the form 83i. Explain how the burden was estimated. Generally, estimates should not include burden hours for customary and usual business practices. Provide a table to describe the elements of the burden. Break out each form used.**

- If this collection uses more than one form, provide separate estimates for each form and aggregate the hour burdens in item 13 of OMB Form 83i; 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.

*This is the current number of PHAs with PBVs, this number is expected to increase as has been the trend with PBV for several years.

+These are over-estimates, most PHAs will not be adding new PBVs or making changes to existing PBVs each month.

13. **Estimate of the annual cost to respondents or recordkeepers (do not include the cost of hour burden shown in Items 12 and 14). Read the complete instructions on the form 83i.**

Information Collection	Number of Respondents	*Average Number of Responses per Respondent	Total Annual Responses	Burden Hours/Minutes per Response	Total Hours	Hourly Cost	Total Annual Cost
PBV Property Information	819	6	4,914	1.5	7,371	\$44.71	\$329,557

Totals 819 Total Responses: 4,914 Total Hours: 7,371

14. **The estimate annualized costs to the federal government, based on a GS-13, Step 1 rate are provided below.**

A GS-13 Step 1 rate is the average salary for a Management Analyst.

HUD Field Staff Review of PHA Submissions			
GS-13 Step 1 Hourly Salary	Hours per Response	Responses per Annum	Total Federal Cost
\$40.51	0.1	4,914	\$19,906.61

15. **Explain any program changes or adjustments reported in items 13 and 14 of the OMB Form 83i.**

HUD increased the number of respondents from 668 respondents, in the original PRA published in 2019, to 819 respondents because additional Public Housing Authorities have project based vouchers in their portfolio and would be required to respond to this data collation.

HUD increased the hourly cost due to salary increases since 2019 due to cost of living.

16. **If the information will be published, outline plans for tabulation and publication.**

Information will be collected and published in an public-facing dashboard which allows the public to see national totals, state level totals and drill down to the totals by Public Housing Authority.

17. **Explain any request to not display the expiration date.**

N/A

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

N/A

