

Supporting Statement for Paperwork Reduction Act Submissions
Submission Requirements for the Capital Advance Program Section 202/811
OMB Control Number 2502-0470

HUD-: 2453.1- CA; 2554; 90163-CA; 90163.1-CA; 90164-CA; 90165-CA; 90166-CA;
90166a-CA; 90167-CA; 90169-CA; 90169.1-CA; 90170-CA; 90171-CA; 90172-A-CA;
90172-B-CA; 90173-A-CA; 90173-B- CA; 90173-C-CA; 90173-D-CA; 90176-CA; 90177-
CA; 90178-CA; 90179-CA; 91732-A-CA; 92412-CA; 92433-CA; 92434-CA; 92435-CA;
92450-CA; 92466-CA; 92466.1-CA; 92476-A; 92476-A-CA; 92580- CA; 93432-CA; 93566-
CA; 93566.1-CA; 90175.1-CA; 92452-A; and 50080-CAH.

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. Include a statement regarding the changes for this submission. (Example: The changes for this submittal is as follows or the difference between this submission and the last is as follows....)

This information collection is needed to assist HUD in determining if private nonprofit organizations have the financial and administrative capability needed to develop a project, and whether the project design meets the needs of the residents. These factors are critical in meeting statutory and regulatory requirements, assuring the continued marketability of the projects, and protecting the Department's financial interest in projects funded under the subject programs. This submission covers the collection of information for (1) the processing of all Sections 202 and 811 capital advance projects from Firm Commitment Application to final closing of the capital advance; and (2) capital advance mixed-finance projects to permit owners who wish to partner with for-profit limited partners in the development and management of supportive housing for the elderly or persons with disabilities.

The Section 202 Supportive Housing Program for the Elderly Program is authorized by Section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as amended, and provides capital advances to private nonprofit organizations to expand the supply of supportive housing for the elderly. The Section 811 Supportive Housing for Persons with Disabilities program is authorized by Section 811 of the Cranston-Gonzalez National Affordable Housing Act 1990 (42 U.S.C. 8013), as amended, and provides capital advances to private nonprofit organizations to expand the supply of supportive housing for persons with disabilities. The information collection is necessary for HUD confirm that the statutory and regulatory program requirements are satisfied.

The funding levels for new units is now increasing after FY2012 when no funds were made available for new units. Funding has resumed since FY2018, and HUD estimates that 60 projects will be in the various processing stages after the fund reservation stage for the next few years. The processing of some projects in all programs may be terminated due to complex problems

beyond the Owner's control or, for Section 811 projects, the Owner's inability to obtain site control within a year of the fund reservation, which pursuant to the Section 811 statute requires cancellation of the fund reservation.

The American Homeownership and Economic Opportunity Act of 2000, Public Law 106-569, 114 Statute 2944 (AHEO Act), amended both the Section 202 Supportive Housing Program for the Elderly and the Section 811 Supportive Housing Program for Persons with Disabilities. These amendments allow the participation of for-profit limited partnerships and the use of mixed financing as a development method, so long as the sole general partner meets the definition of a private nonprofit organization (See 12 U.S.C. 1701q(k)(4) and 42 U.S.C. 8013(k)(6), as amended.) Under the mixed finance development process, capital advance funds may be used in combination with other non-Section 202 funding sources leveraged by a for-profit limited partnership to develop a mixed-finance project. In addition, mixed finance development is structured so that tax credits could be used to provide additional units as well as supplement capital advance funds for the Section 202 or Section 811 project. HUD estimates that of the 60 projects covered by this submission, 30 will be proposing a mixed-finance deal.

The Section 202 Supportive Housing for the Elderly Act of 2010 (S. 118, Public Law No: 111-372) signed into law on January 4, 2011 is the most recent change to the program. The Section 202 Act of 2010 modernizes the program by encouraging the preservation, maintenance, and rehabilitation of existing senior housing, streamlining the construction process for new units, and increasing access to service coordination and assisted living services. Although the legislation allows for significant changes to the program, no associated burden is associated at this stage of processing.

This collection succeeds OMB Numbers 2502-0267 and 2502-0462, which approved the Section 202 and Section 811 application packages for the fund reservation stage, respectively. Within 180 days from the date of the Notification of Selection letter, the Owner must submit a request for a firm commitment for capital advance financing on Form HUD-92013, along with other supporting documents.

Contracts for operating assistance signed as part of the award process (HUD-90173-A-CA) are executed with an initial term and funding for a period ranging from 1 to five years. Upon expiration, HUD has authority to renew these contracts to continue operating assistance for an additional timeframe (HUD-90173-D-CA).

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.*

1. Due to the competitive nature of the programs and considering that all applications for capital advances will not be approved, the information collection requested in this submission is not requested at the preliminary grant application stage (). It is important to note that the selection of applications is based on minimum information deemed necessary to evaluate the capability of the Sponsor as well as to minimize the initial cost and burden to the Sponsor. After Sponsors are awarded a fund reservation, each Sponsor will form a Single Purpose Ownership entity. This same entity will be the recipient of the capital advance and form the Owner entity of the project.

After its selection for funding, a Sponsor/Owner must put together a development team, i.e., consultant (optional), design architect, professional to conduct the construction cost analysis, land appraiser, general contractor, attorney, management agent (if independent management is proposed), etc. The team is needed to assist with finalizing the development of the project. Some

of the forms included in this submission are needed to permit HUD to evaluate the qualifications of the Sponsor's/Owner's development team members as well as determine the reasonableness of the fees, costs, or profits charged by these members.

The forms described below are necessary to assist HUD in assuring that the selected Sponsor and Owner have the ability, including financial capability, to proceed with the development of a housing project for the elderly or persons with disabilities based on a more detailed description of the project, i.e., architectural plans and drawings along with a contractor's estimate to build the project and any required off-site work. This permits HUD to come up with a more realistic cost to develop the project, in lieu of the formula-based estimate used at the fund reservation stage.

A. Firm Commitment is the stage, which now immediately follows the fund reservation stage and includes the final working drawings and specifications. The following forms and supporting information are required to be submitted at the firm commitment stage.

- Form HUD-92013, Application for Multifamily Housing Project;
- Form HUD-92013-SUPP, on the Sponsor entity, Owner corporation, operating officers of the Owner, and the general contractor;
- Land Appraisal Report from a Certified general Appraiser;
- Evidence of Formation of Owner Corporation, Form HUD-91732A-CA as a guide, including Incumbency Certificate of all officers and directors;
- Form HUD-92408-M, HUD Amendment to AIA Document B108
- Owner-Architect Agreement - AIA Document B108 with HUD Amendment (Form HUD-90169-CA);
- Design Architect's Certification, (including evidence of liability insurance coverage);
- Final working drawings and specifications;
- Construction Contract (Lump Sum), Form HUD-92442-CA or Construction Contract (Cost Plus), Form HUD-92442A-CA;
- Contractor's and/or Mortgagor (Owner's) Cost Breakdown, Form HUD-2328;
- Construction cost analysis;
- Owner's Topographic survey;
- Soil test borings;
- Surveyor's Report, Form HUD-2457;
- Form HUD-51994, Comparative Analysis of Utility Costs (if most efficient utility type not previously determined);
- Form HUD-2530, Previous Participation Certificate on the Sponsor, Owner, general contractor, management agent, and consultant;
- Resume of Consultant, if not previously provided;
- Current resume and financial statements on the general contractor;
- Evidence that the Owner has been capitalized, Form HUD-92004F, Verification of Deposit;
- Evidence of exemption or abatement of real property taxes;
- Updated evidence of site control;
- Evidence of permissive zoning, if not previously provided;
- Amendments to Relocation Plan, if property involves displacement of occupants;
- Conflict of Interest and Identity of Interest and Disclosures Certifications;
- Owner's Consolidated Certifications;
- Updated SF-LLL, Owner Certification/Disclosure of Lobbying Activities;
- Updated HUD-2880, Applicant/Recipient Disclosure/Update Report;
- Listing of intended use of the developer's fee;
- For Section 811 Projects, evidence of supportive services funding;
- Schedule of capital expenditures;
- List of proposed property operating expenses;
- List of utilities and equipment;
- Form HUD-935.2A, Affirmative Fair Housing Marketing Plan;

- Management Entity Profile, using Form HUD-9832;
- Project Owner's and Management's Certification, using either Form HUD-9839A, HUD-9839B, or HUD-9839C;
- Resident manager's resume and certification that project is feasible;
- Statement by Owner regarding management services;
- Model form of lease;
- If acquisition, with or without rehabilitation, additional documents included:
 - ~ Authorization to inspect property;
 - ~ Narrative description of any rehabilitation or repair work, as applicable;
 - ~ Survey/Site Plan, as built;
 - ~ Lead-Based Paint Certification;
 - ~ If acquisition, drawings and specifications of existing facilities, if obtainable.
- If Mixed-Financing development for additional units is involved, additional documents will include:
 - ~ Form HUD-2453.1-CA, Firm Commitment for Capital Advance Financing Upon Project Completion.

After the Housing Director reviews the underwriting and program conclusions reached by HUD staff, and, if necessary, amends or modifies the program determinations, HUD staff prepares the Firm Commitment. For Section 811 Group Homes, HUD staff makes a checklist review of the related land appraisals on Form HUD-90179-CA, Land Appraisal Checklist for Group Homes under the Section 811 Capital Advance Program.

Based on the findings made by each Field Office, HUD staff prepares the Firm Commitment for Capital Advance Financing. After approval of the Firm Commitment Application, HUD prepares the Agreement to Enter into the PRACs, Form HUD-90172A-CA and HUD-90172B-CA, and Form HUD-90167-CA, the Capital Advance Agreement. These documents are transmitted to the Owner for execution with the Firm Commitment. A Sponsor has the right to appeal any decision with respect to the issuance of the firm commitment. In the event that a Sponsor wishes to appeal, a request to appeal would have to be submitted to Headquarters explaining the reasons for such appeal and provide documents supporting their position.

B. After issuance of the Firm Commitment and before initial closing and initial disbursement of capital advance proceeds, the Owner is provided copies of Form HUD-92403-CA, Requisition for Disbursement of Capital Advance Funds, together with copies of SF-1199A, Direct Deposit Sign-Up Form, HUD-27054 LOCCS/VRS Access Authorization Form and Form HUD-90164-CA, Property Insurance Requirements, with instructions for completion and submission to the HUD Hub/Program center Director.

HUD staff reviews SF-1199A and Form HUD-92403-CA and prepares the financial requirements for closing, in accordance with Handbook requirements. The Field Office Counsel reviews and approves the draft initial closing documents for legal sufficiency and acceptability (see paragraph C below for a description of the closing documents).

The construction contract is entered into between the Owner and the general contractor. Owners are permitted to use Form HUD-92442-CA (Construction Contract - Lump Sum) regardless of the type of award of construction contract, i.e., whether by competitive bid or negotiation. The use of the Lump Sum Construction Contract provides paperwork relief to the general contractor and Owner because the general contractor is not required to cost certify under that contract. Understandably, most Owners and general contractors elect to use the Lump Sum Contract. Form HUD-2328, the Contractor's and/or Mortgagor's Cost Breakdown, is completed by the Architect and include quantities of materials for each phase of work, cost of materials, and cost of labor separated into the 16 divisions of the Uniform System for Specifications.

Assurance of completion of the project is required of the general contractor and may be in the form of either a 100 percent Performance/Payment Bond Form HUD-92452-CA (or a separate Performance Bond and Payment Bond, Forms HUD-92452 and HUD-92452-A, each for 100 percent) or a cash escrow (25 percent), using Form HUD-92450-CA, Completion Assurance Agreement.

Included with the construction contract is Form HUD-2554, Supplementary Conditions of the Contract for Construction, which sets forth the obligations of the contractor or subcontractor performing under a covered contract, and a statement of the sanctions that may be applied in the event of non-compliance. HUD has revised the form HUD-2554 to update contract provisions for Davis-Bacon prevailing wage requirements consistent with changes the Department of Labor (DOL) recently made to regulations at 29 CFR 5.5.

C. The Multifamily Housing Director notifies all parties, and arranges the date and place for the initial closing. All closing documents are submitted to the Multifamily Housing Director and the Field Counsel for review and approval prior to the closing date. Handbook 4571.5 includes a list of all documents required at initial closing. Form HUD-92466.1-CA - Regulatory Agreement, Form HUD-90163-CA - Use Agreement, Mortgage or Deed of Trust (using Form HUD-90165 as a guide), and either Form HUD-92442A-CA - Construction Contract (Cost Plus), with a fixed upset price, or Form HUD-92442-CA - Construction Contract (Lump Sum), are executed. Form HUD-92443-CA - Construction Contract Incentive Payment (optional), is executed to provide an additional sum to the contractor as an incentive for completing the project earlier than the completion date specified in the contract, or the date to which the contract completion may be extended.

Form HUD-92403.1, Mortgagor's and Architect's certificate, is required with the first request for capital advance disbursement (Form HUD-92403-CA), which includes an amount for payment to the design architect.

When off-site improvements are required, the Owner executes Form HUD-90177-CA - Off-Site Bond, or Form HUD-90170-CA - Escrow Agreement for Off-Site Facilities. HUD Mortgage Credit staff, based on Form HUD-92464, Request for Approval of Advance of Escrow Funds, may approve disbursements from this escrow deposit.

Property insurance is required at initial closing; the Multifamily Housing Director verifies the information by reviewing Form HUD-92329 - Property Insurance Schedule (as prepared by HUD Cost staff) and Form HUD-90164-CA - Property Insurance Requirements (as submitted by the Owner) that the required coverage has been obtained based on HUD's processing of the Form HUD-92264 - Multifamily Summary Appraisal Report. The Field Counsel confirms with the surety firm as to the authority of the surety company's agent as well as the validity of the required fidelity bond.

Prior to initial closing the Field Counsel reviews all initial closing documents, including the Owner's Attorney's Closing Opinion (HUD-90166-CA), Guide for Opinion of Owner's Counsel (Form-90166-A-CA), Owner's Certificate (HUD-92433-CA), Agreement and Certification (HUD-93566-CA). The documents submitted and approved at the Firm Commitment stage are to ensure that all initial closing documents are current and meet HUD requirements. At the initial closing, the Owner and HUD execute the Mortgage Note (Form HUD-93432-CA), Mortgage or Deed of Trust (HUD-90165-CA), Use Agreement (HUD-90163-CA), General Depository Agreement (HUD-90178-CA), and the Regulatory Agreement (HUD-92466-CA). These documents are then recorded.

Form-90166-A-CA, Guide for Opinion of Owner's Counsel is designed to provide HUD and the

owner with the assurance that the owner entity has been validly formed, lawfully exists and that the property and the construction thereupon comply with appropriate local laws such as building codes, zoning, etc. It is imperative that HUD knows the precise legal status of the owner entity and of the realty. Inasmuch as the transaction is largely coordinated by the counsel to the owner, HUD has looked to such counsel for an opinion which provides comfort to the mortgage note "capital advance" and HUD regarding virtually all legal aspects of the transaction. Only counsel for the owner is in a position to render the necessary opinion. HUD does not have access to the owner entity in a fashion that would provide HUD counsel with all of the data and knowledge available to the owner's counsel.

Form HUD-90178-CA, is the General Depository Agreement between the owner and the depository over the control of capital advance funds. This agreement also acknowledges HUD's right to serve as a third party beneficiary thus exercise some control over the withdrawal of these funds.

A minimum capital investment of one-half of one percent of the total HUD-approved capital advance, not to exceed \$25,000 for national Section 202 Sponsors or \$10,000 for Section 811 and non-national Section 202 Sponsors, is required to be escrowed with a depository at initial closing. The minimum capital investment is held during the construction period and for a 3-year period beginning at initial occupancy. The date of initial occupancy is defined as the date the Multifamily Housing Director signs the Form HUD-92485, Permission to Occupy. Form HUD-92476-A or Form HUD-92476A-CA, Escrow Agreement - Additional Contributions by Sponsors, may be executed by the Owner if HUD determines that the Owner has to provide additional funds to cover initial operating deficits (over and above the minimum capital investment amount), based on a review of Form HUD-92264. It is anticipated that this will be necessary in few, if any, cases.

The owner is to hold an escrow with a financial institution to be used as Working Capital for the project as start-up costs during the first operating year. HUD Form 92412-CA, Escrow Agreement for Working Capital, is the agreement between the project owner and HUD detailing the terms of use of the working capital escrow. This form is to be submitted at time of initial closing.

D. When the initial closing is completed, HUD makes the first payment from the capital advance proceeds which reimburses the Owner for pre-construction expenses incurred, including the cost for land. Subsequent disbursements are released to the Owner primarily to pay the general contractor for the appropriate amount of construction work completed and to pay a consultant, if used. Disbursements are made to Owners to pay bills, which are due and payable, including the contractor, covering work completed and materials delivered. Applications requesting disbursement of proceeds are submitted on Form HUD-92403-CA, Requisition for Disbursement of Capital Advance Funds. To cover construction costs, the Form HUD-92403-CA must be accompanied by the Contractor's Requisition, Form HUD-92448, which must be signed by the architect and the construction inspector.

When construction changes are necessary, Form HUD-92437, Request for Construction Changes - Project Mortgages, must be submitted to obtain HUD approval. It is emphasized in the pre-construction conference that while changes in plans or specifications during construction may involve increased costs, such costs that result in betterment changes will not be paid with Section 202 or Section 811 capital advance funds. However, requests for increases in the capital advance amount for necessary items may be considered, but preferably after completion of cost certification (see below).

At 120 days prior to completion of the first units for occupancy, the HUD Management staff

conducts a pre-occupancy conference at which time the following forms are reviewed as well as several other documents:

- Monthly Accounting Reports of Income and Expenses:
 - HUD-93479 - Monthly Report for Establishing Net Income - Schedule A;
 - HUD-93480 - Schedule of Disbursements - Schedule B;
 - HUD-93481 - Schedule of Accounts Payable - Schedule C; and
 - HUD-92458 - Rent Schedule - Low Rent Housing.

The Owner may request permission to occupy the project prior to completion, if so, Form HUD-92485, Permission to Occupy -- Project Mortgages must be submitted. The Multifamily Housing Director may grant permission for occupancy by executing Form HUD-92485. The PRACs (Forms HUD-90173-A-CA and 90173B-CA) are executed to permit the owner to receive subsidy funds. The PRAC amendment, form HUD-90173-C-CA is used in about 15 percent of cases.

E. Approximately 30 days after completion of construction and cost certification, the final closing is scheduled.

Prior to final closing, the contractor certifies to actual construction cost on Form HUD-92330A if a Cost Plus Construction Contract was used, otherwise, if a Lump Sum Construction Contract was used, the contractor is not required to cost certify. However, the Owner must cost certify - and does so using HUD-92330. The HUD Construction Analyst reviews these forms and reports his/her findings on Form HUD-92331, Summary of Cost Certification Review. Upon completion of the review of certificates of actual cost and acceptance, the Multifamily Housing Director notifies the Owner of the final capital advance amount by issuing Form HUD-92580-CA, Maximum Capital Advance Mortgage (as prepared by the Mortgage Credit Analyst/Underwriter).

To obtain final disbursement, the Owner is required to submit the following documents:

- Form HUD-92403-CA - Request for Disbursement of Capital Advance Funds;
- Form HUD-92448 - Contractor's Requisition;
- Final Survey;
- Form HUD-90175-CA - Request for Final Closing;
- Form HUD-90171-CA - Escrow Agreement for Unpaid Construction Costs (if necessary);
and
- Form HUD-90176-CA - Escrow Deposit Agreement.

Form HUD-90175 will be checked against previously approved Form HUD-92403-CA to determine that disbursements are correct and that there are no outstanding liens on the project. The approved Form HUD-92403-CA is then transmitted to HUD's Fort Worth Accounting Center for processing and disbursement of funds. If there are any items of delayed completion identified, an amount of at least one and one-half (1-1/2) times the estimated cost of completion must be escrowed by the Owner at the time of final closing using Form HUD-90176-CA, Escrow Deposit Agreement. Occasionally, after initial closing, additional funding is required for the payment of unpaid construction costs, such as costs resulting from Owner-general contractor disputes or litigation. In such a case, the final closing may be held provided that the Owner escrows the required funds to cover the unpaid construction cost. Form HUD-90171-CA is used for this purpose.

F. Mixed-Finance Development

Under the Mixed-Finance development process, there is a mixed-finance proposal addressing the total mixed-finance project, including non-202 or 811 units and any commercial space, submitted at the time of the application for the firm commitment of capital advance funds under § 891.818. The mixed-finance proposal must include a description of the proposed project; financing documents, and a statement of sources and uses of funds; site information; construction cost

estimates; a systems life cycle analysis; any relocation plan, if the development will cause displacement; the relationship among participating parties; a demonstration of the operating feasibility of the project for the entire 40-year period of the very-low income restriction on the assisted units; a market analysis; a summary of the proposed management and occupancy policies; a statement regarding existing facilities; any additional environmental information HUD deems necessary in completing its environmental review; and required certifications and assurances.

The Mixed-Finance Development for Supportive Housing for the Elderly or Persons with Disabilities Program proposal submission requirements are necessary to assist HUD in determining whether the project is financially feasible; that supportive housing funds provided are used in an appropriate manner; the Mixed-Finance and regulatory requirements pertaining to the program are in fact met by the project as proposed in the firm commitment application/mixed-finance proposal. A thorough evaluation of an Owner's qualifications and capabilities is critical in protecting the Federal Government's financial interest and to mitigate any possibility of fraud, waste, or mismanagement of public funds.

The procedures for information collection require the Owner to submit its Mixed-Finance proposal to the appropriate local HUD Office by the nationally established deadline date (180 days after Section 202 and Section 811 funding). Local HUD Offices evaluate proposal based on established criteria (identified in the NOFO). HUD will review the firm commitment application and mixed-finance proposal as follows:

(a) Initial screening. HUD shall perform an initial screening of the firm commitment application/mixed finance proposal to determine that all required documentation and evidentiary materials have been submitted. Evidentiary materials consist of any updates or amendments to materials submitted at firm commitment as well as actual documents that support the written narrative statements and certifications in the firm commitment application/mixed-finance proposal. HUD will advise the Owner of any technical deficiencies in the application and proposal and indicate a date certain in which the remaining information must be submitted.

(b) Technical processing and approval. Upon determining that the firm commitment and proposal are complete, HUD will process the firm commitment application and mixed-finance proposal. The firm commitment application will be reviewed in accordance with applicable firm commitment and technical review guidelines. Upon determining that a proposal is acceptable for technical processing, HUD will evaluate the proposal in accordance with the Mixed-Finance Development for Supportive Housing for the Elderly or Persons with Disabilities Rule.

To ensure that only feasible proposals for mixed-financing will be developed, HUD is collecting information to assist the agency in determining whether the Owner has the financial and administrative capacity needed to develop and manage a mixed-finance project, all funding commitments are in place, the proposed site and supportive services are suitable for the intended residents, the project design meets the physical needs of the residents, and the estimated income can support the operation and maintenance of the project. A Firm Commitment Application is to be submitted by both the mixed-finance owner and the nonprofit organization. Although, the documents required for submission with the Firm Commitment Application have not changed from what is required under the regular Section 202 and Section 811 programs, mixed-finance owners must also submit the following

documents:

- Form HUD-90179-CA, Land Appraisal Checklist for Group Homes under the Section 811 Capital Advance Program
- Form HUD-2453.1-CA, Firm Commitment for Capital Advance Financing Upon Project Completion -
- Form HUD-90169.1-CA, Design Architect's Certification
- Form 90163.1-CA, Capital Advance Mixed-Finance Program Use Agreement
- Form HUD-90175.1-CA, Request for Closing on Completion, Certificate of Construction Lender, Mixed-Finance Owner and General Contractor
- Form HUD-92434-CA, Owner Certifications, Section 811 Program
- Form HUD-92435-CA, Owner Certifications, Section 202 Program
- Form HUD-92466.1-CA, Capital Advance Mixed Finance Program Regulatory Agreement
- Form HUD-93566.1-CA, Mixed-Finance Capital Advance Program

In the absence of collecting the above information, the Department would not be able to assess the worthiness of applications, determine whether the projects and services meet statutory and regulatory requirements, or make sound judgments regarding the potential risk to the Government.

G. Renewal of Expiring Rental Assistance Contracts

All owners selected through the application and closing process detailed above, receive an initial project rental assistance contract that expires after one to five years. Approximately 30-60 days prior to the expiration of the original assistance contract, HUD will issue a renewal contract amendment document to all eligible owners. Once signed by the owner and HUD, the amendment extends operating assistance to the property for an additional period of one to five years. HUD-90173-D is now being established as a standard form to support execution of these contract renewals. The form will be utilized in renewing contracts currently in place as they reach expiration – approximately 5,800 – as well as those that will be newly established through the application process described above.

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.

All documents are accessible and may be downloaded on the Internet. Also, all forms will be formatted as PDF documents with fillable fields, allowing the forms to be completed electronically. Currently, the Department is looking at several methods for automating the “back-

end” stage of its grant programs. One method that has been successfully implemented is the automation of the Capital Advance payments. After the Sponsor transfers the fund reservation to the mixed finance Owner, the Section 202 and 811 Owners are able to request and receive their funds electronically via the Department’s Line of Credit Control System/Voice Response System (LOCCS/VRS). Owners will complete and submit Form 50080-CAH, LOCCS Section 202 or Section 811 Capital Advance Program Payment Voucher. The automation of this process ensures greater efficiency for both Department and its grantees. HUD also anticipates incorporating DocuSign in the process for executing operating assistance contract renewals, and may extend to other HUD forms in the future.

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.

No duplication exists, as there are no other forms used for the purposes specified above.

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 information collection will not have a significant economic impact on small entities. Due to the highly competitive nature of the Section 202 and Section 811 Program, this information collection was designed to minimize the front-end cost to the nonprofit applicant and only require the minimum amount of information needed in HUD’s evaluation.

HUD recognizes that some Owners, who are sincerely interested in providing housing, may lack the staff and other facilities to develop such a project. Therefore, in order to minimize the burden to small entities, HUD allows the Owners to use the services of professional housing consultants and permits the fee for the consultant’s services to be included in the Owner’s Developer’s Fee which is an eligible item for inclusion in the capital advance. The consultant assists the Owner through the final development of the project. Also, after the award of the fund reservation, Field Office staff, which includes the technical disciplines involved in the review of the firm commitment application, holds a Project Planning Conference with each Sponsor/Owner. These conferences, which are very beneficial to small Owners, are conducted before the submission of the firm commitment application to discuss HUD requirements and expectations.

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 information collection activities occur throughout the development of the project, from acceptance of the firm commitment application to final closing, and when renewing expiring rental assistance contracts. Due to the different stages of processing for each project, this information could not be collected less frequently.

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 often than quarterly;

Under this program, respondents are required to report information to the Agency more often than quarterly. Once initial closing occurs and construction starts, the Owner submits to HUD its requisition for disbursement of capital advance proceeds (Form HUD-92403-CA) - generally on a monthly basis - so funds may be available to pay the contractor for the appropriate amount of construction work completed. It should be noted that under the construction contract entered into between the Owner and contractor, the contractor is entitled to receive its payment on a monthly basis as construction progresses. This procedure strikes a balance of paying for work completed, but with payments made often enough to not create a financial burden on the contractor, it also limits budget outlays based on actual expenditures. The contractor submits its requisition (Form HUD-92448) to the Owner each month.

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

None.

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

None.

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

None.

- * 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;

Not applicable.

- * requiring the use of a 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 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.

There is no assurance of confidentiality provided to the respondents; however, respondents are covered by the Privacy Act of 1974. The information collections do not contain any sensitive questions.

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 5CFR 1320.8(d), this information collection soliciting public comments was announced in the *Federal Register* on **March 26, 2024**, Volume **89**, No. **59**, Pages **20995**. (0) Comments received.

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

Under this program, there are no decisions to provide any payment or gift to respondents, other than re-enumeration of contractors or grantees.

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

HUD does not assure confidentiality but does follow its own policies and requirements around Personally Identifiable Information.

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 information collections do not contain any sensitive questions.

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.

Table 1 – Tabulation of Annual Reporting Burden

(This chart is sequentially ordered based on the submission requirements during the various stages of the development process for which this collection of information covers)

Description of Information Collection	Number of Respondents	Frequency of Response	Total Annual Responses	Hours Per Response	Total Hours
2502-0470 Forms/Data Collection					
HUD-92580-CA, Maximum Capital Advance Mortgage (2502-0470)	60	1	60	0.5	30
HUD-90171-CA, Escrow Agreement for Unpaid Construction Costs (2502-0470)	60	1	60	0.5	30
HUD-90176-CA, Capital Advance Program, Escrow Deposit Agreement (2502-0470)	60	1	60	0.5	30
Form HUD-92466-CA, Regulatory Agreement (2502-0470)	60	1	60	1	60
Form HUD-90179-CA, Land Appraisal Checklist for Group Homes Under the Section 811 Capital Advance Program (2502-0470)	60	1	60	0.5	30
Agreement to Enter into the PRACs, Form HUD-90172A-CA and HUD-90172B-CA (2502-0470)	60	1	60	0.5	30

HUD-90167-CA, the Capital Advance Agreement (2502-0470)	60	1	60	2	120
HUD-91732A-CA Cert of Incorporation, including Incumbency Certificate of all officers and directors (2502-0470)	60	1	60	1	60
Form HUD-90169.1-CA, Design Architect's Certification (including evidence of liability insurance coverage) (2502-0470)	60	1	60	0.5	30
HUD-90169-CA, Amendment to AIA Document B108, Standard Form of Agreement Between Owner and Architect for Federally Funded or Federally Insured Project (2502-0470)	60	1	60	0.5	30
Form HUD-92434-CA, Owner Certifications - Section 811 Program or Form HUD-92435-CA, Owner Certifications - Section 202 Program (2502-0470)	60	1	60	0.5	30
Form HUD 92412-CA, Escrow Agreement for Working Capital (2502-0470)	30	1	30	0.5	15
Form HUD-50080-CAH, LOCCS/VRS Section 202 or Section 811 Capital Advance Program Payment Voucher (2502-0470)	60	4	240	0.25	60
Form HUD-92450-CA, Completion Assurance Agreement (2502-0470)	60	1	60	1	60
HUD-2554, Supplementary Conditions (2502-0470)	60	1	60	0.5	30
HUD-90163-CA, Use Agreement (2502-0470)	60	1	60	1	60
HUD-90165-CA, Instruction for Preparation of Mortgage Deed of Trust or Security Deed (2502-0470)	60	1	60	6	240
Form HUD-92452-A, Payment Bond (2502-0470)	60	1	60	1	60
HUD-90177-CA - Off-Site Bond (2502-0470)	60	1	60	0.5	30

HUD-90170-CA - Escrow Agreement for Off-Site Facilities (2502-0470)	60	1	60	0.5	30
HUD-90164-CA - Property Insurance Requirements (2502-0470)	60	1	60	1	60
HUD-90166-CA, Owner's Attorney's Closing Opinion (2502-0470)	60	1	60	1	60
HUD-90166A-CA, Guide for Opinion of Owner's Counsel (2502-0470)	60	1	60	2	120
Form HUD-92433-CA, Owner's Certificate (2502-0470)	60	1	60	0.5	30
Form HUD-93566-CA, Capital Advance Program Agreement & Certification (2502-0470)	60	1	60	0.5	30
Form HUD-93432-CA, Capital Advance Program Mortgage Note (2502-0470)	60	1	60	0.5	30
Form HUD-90178-CA, General Depository Agreement (2502-0470)	60	1	60	2	120
HUD-92476-A or Form HUD-92476-A-CA, Escrow Agreement - Additional Contributions by Sponsors (2502-0470)	60	1	60	0.5	30
Form HUD-90173-A-CA, Part I of the Project Rental Assistance Contract (2502-0470)	60	1	60	0.5	30
Form HUD-90173-B-CA, Part II of the Project Rental Assistance Contract (2502-0470)	60	1	60	0.5	30
Form HUD-90173-C-CA, Project Rental Assistance Contract Amendment (2502-0470)	60	Varies	12	0.5	6
HUD-90163.1-CA, Capital Advance Mixed-Financed Program Use Agreement (2502-0470)	30	1	30	1	30
HUD-90175.1-CA, Request for Closing on Completion, Certificate of Construction Lender, Mixed-Finance Owner and General Contractor (2502-	30	1	30	1	30

0470)					
Form HUD-92466.1-CA, Capital Advance Mixed Finance Program, Regulatory Agreement (2502-0470)	30	1	30	0.5	15
HUD-93566.1-CA, Mixed-Finance Capital Advance Program (2502-0470)	30	1	30	0.5	15
If Mixed-Financing development for additional units is involved, additional documents will include HUD-2453.1-CA, Firm Commitment for capital Advance Financing Upon Project Completion (2502-0470)	30	1	30	0.5	15
HUD-90173-D-CA, Project Rental Assistance Contract Renewal Amendment (2502-0470)	5800	1	5800	1	5800
TOTALS	5,860		7,912	0.95	7,516

It must be noted that the level of activity under this program is estimated at 60 projects, which takes into consideration recently funded projects and the existing pipeline projects. It is estimated that in any given fiscal year, 60 projects under Sections 202 and 811 are in various processing stages subsequent to the fund reservation stage - of that amount an estimated 30 will have Mixed-Financing proposals.

The above table (entitled Table 1 – Tabulation of Annual Reporting Burden) provides a listing of forms that are completed by the applicant for the Firm Commitment through Final Closing stages. It also includes the burden hours that are applicable to the respective narrative requirements for the Mixed-Finance Proposals. The largest portion of burden hours in the table are associated with the renewal of 5,800 expiring rental assistance contracts, which include contracts initially awarded as far back as 1991 that have been previously extended.

Many of the forms listed on the Table 1 are approved under other OMB numbers. The burden hours associated with these forms are not included in this submission.

The Owner submits most forms once. Forms, such as the requisitions of funds, are submitted monthly, due to the need for the Owner to pay the contractor as the construction work progresses. A few forms are submitted or prepared twice - once at initial closing and again at the final closing. The burden time (hours per response) was estimated as a result of consultation with housing consultants and HUD Field Office staff.

Estimates of annualized cost to respondents for the hour burdens for this collection of information:

In estimating the cost to the Owner, it should be noted that in order to complete the development of the project the Owner might retain the services of a housing consultant and management agent. The

Owner must obtain the services of an architect; land appraiser, a professional to prepare the construction cost analysis, attorney, and general contractor. The Owner's Developer's Fee may be used to cover the cost associated with the use of a housing consultant, land appraisal and construction cost analysis. In addition to these costs, the Owner must obtain control over the land and pay for the cost of the land and any off-site improvements. The Owner must also put up a Minimum Capital Investment not to exceed \$25,000 for national Section 202 Sponsors or not to exceed \$10,000 for Section 811 and non-national section 202 Sponsors. Based on an average size project (Section 202 - 70 units and Section 811 - 6 resident group homes), the following illustrates the estimated cost to the respondents in planning and constructing such projects. It is anticipated that the Section 202/811 Capital Advance Funds will cover all of the cost listed below.

Example Development Cost for Section 202 Projects

Developer's Fee	\$306,376
Architect (Design)	95,273
Architect (During Construction)	53,997
Attorney	9,998
Land Cost	124,438
General Contractor	3,173,633
Bond Premiums	22,664
Taxes and Insurance	11,110
Title and Recording Fees	16,665
Audit Fees (Cost Certification)	<u>2,776</u>
Development Cost to Owner	\$ 3,816,930*
(Plus Minimum Capital Investment)	+\$19,084**

*This does not include an amount for off-site costs since such costs are not always applicable.

** Amount if a national Sponsor, if not, the minimum capital investment would be capped at \$10,000.

Example Development Cost for Section 811 Group Homes

Developer's Fee	\$ 33,331
Architect (Design)	10,777
Architect (During Construction)	3,665
Attorney	4,444
Land Cost	22,220
General Contractor	217,767
Bond Premiums	3,888
Taxes and Insurance	3,555
Title and Recording Fees	3,332
Audit Fees (Cost Certification)	<u>2,776</u>
Development Cost to Owner	\$ 305,755*
(Plus Minimum Capital Investment)	+\$1,529

*This does not include an amount for off-site costs since such costs are not always applicable.

Total Cost to the Respondents: \$4,143,298.

Additional costs for those 202/811 Owners who participate in the Mixed-Finance Program:

Housing Consultant (16 hours @ \$48 per hour)	\$ 768
Financial Consultant (32 hours @ \$79 per hour)	\$2,528

Applicant (Sponsor)	Pro bono
Attorney	<u>550</u>
Total Additional Cost Per Respondent	\$3,846
Total Annual Number of Responses	<u>x30</u>
Estimated Annual Cost	\$115,380

Other cost associated with the Mixed-Finance proposal is the fees charged by the syndicator. Syndicator fees are covered by the tax credit equity, therefore, the associated cost was not included in the above calculation. Under this program, Owners may now retain the services of a financial consultant.

Review and execution of a project rental assistance contract renewal amendment is typically completed by the owners Management Agent with costs addressed under a HUD approved management fee. Costs to the owner to complete the HUD 90173-D-CA are not significant, estimated at less than \$100 in staff time.

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 are no other costs to the respondents (other than the cost shown in item 12 above).

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.

Information Collection	Number of Respondents	Frequency of Response	Responses Per Year	Burden Hours Per Response	Annual Burden Hours	Hourly Cost per Response	Total Annual Cost
Capital Advance Processing	60	43.7	2,622	22.74	59,640	\$51	\$3,012,943
PRAC Renewal	5,800	1	5,800	2	11,600	\$48.78	\$565,848
TOTALS	5,860		8,422		71,240		\$3,578,791

A substantial amount of the work is involved in reviewing documents and preparing forms at the HUD Field Office level. Therefore, a significant amount of the cost to the Federal Government relates to the time spent by HUD staff to review an Owner's application at the various processing stages along with the preparation of forms or other documents for use in recording their conclusions. The cost to the Federal Government is estimated as follows which is based on the processing of a single application, from Firm Commitment to Final Closing. The cost is based on an average hourly rate of \$48.78 at the GS-12 Step-5 level, except for the Field Counsel and Multifamily Housing Director, which is based on an average hourly rate of \$68.56 at the GS-14 Step-5 level.

TOTAL HOURS PER APPLICATION

HUD Staff	Firm	Initial	Const. Period	Final
Hsg. Project Manager/Underwriter	32	16	16	24
Mortgage Credit/Underwriter	40	24	150	60
**Architectural/Cost	60	16	100	40
Valuation	60		16	4
Fair Hsg. And EO	24	16		24
Housing Management	24	16	8	24
*CPD	16	16		
Field Office Counsel	24	40		40
Housing Director	16	16	16	16
Subtotal Through Firm Commitment	296	160	306	232
PRAC Renewal Amendments				2
Total Hours for all HUD Staff: 996				

* If relocation of displaced persons/families is involved.

**Architectural/Cost Construction Period estimates are based on inspections made by HUD staff as well as those inspections done by contractors for HUD.

Other estimates are based on consultation with HUD staff.

TOTAL COST PER APPLICATION

HUD Staff	Firm	Initial	Const. Period	Final
Hsg. Project Manager/Underwriter		1561	780	1171
Mortgage Credit/Underwriter		1951	1171	7317
**Architectural/Cost		2927	780	4878
Valuation		2927	780	195
Fair Hsg. And EO		1171	780	1171
Housing Management		1171	780	390
CPD	16	16*	0	0
Field Office Counsel		1645	2742	0
Housing Director		1097	1097	1097
PRAC Renewal				104
TOTALS		\$14,433	\$8,115	\$15,243
				\$12,528

Grand Total, including renewals:

- **Total cost to the Federal Government for Section 202/811 Development per application: \$50,320**
- **Total Cost based on the total number of respondents (60 * \$50,216) + (5,800 * \$104): \$3,616,143**

Additional Cost Per Application:

Clerical (12 hrs @ \$12 per hr)	144
Printing (Periodic Reprinting of Forms)	100
Mailing (Includes overnight express mailing)	<u>150</u>
	\$394

Mixed-Finance Development

The cost to the Federal Government for the collection of proposals involving mixed finance development is attributable to the time spent by HUD staff to review the information submitted by the Owner and in preparing the necessary internal documents for use in recording their conclusion. The above chart documents the additional burden hours and cost to the Federal Government to review the Mixed-Finance Proposals.

Contract Renewal Processing

The cost to the government for preparing and executing the HUD-90173-D reflect approximately two hours of labor by GS-12 and GS-14 Asset Management staff. A Funding Specialist must populate the standard form with data for the project – including identifying information, funding amounts, operating assistance and utility allowances – then distribute to project owners and finally to HUD managers for signature. Funding Specialists are also responsible for filing and distributing signed copies of contracts, which may be automated in the future through DocuSign.

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 reinstatement, with change, of previously approved collection for which approval has expired. There have been program changes that are essential to the firm commitment and final closing stage of the Section 202 and Section 811 Capital Advance Program. For instance, HUD is receiving a higher volume of project applications that are also utilizing Low-Income Housing Tax Credits. These applications

require additional forms that contribute to higher burden hours per respondent. However, appropriation levels for the Section 202-811 Capital Advance programs have resulted in lower numbers of respondents overall compared to assumptions in the previously approved burden hours. (Currently, the Department is looking at several methods for automating the “back-end” stage of its grant programs. Applicants now have access to PDF fillable forms, making the process more efficient.) The overall increase in burden hours is attributable to the addition of a standard form for the renewal of expiring project rental assistance contracts, which was not previously accounted for under this collection (form HUD 90173-D-CA). The program is now smaller than it was previously, and we no longer have the Predevelopment Demonstration program as it is not receiving appropriations, but we are leaving in the collection in the event funding is appropriated in the future. In addition, the information collection announcement published in the Federal Register on October 7, 2022, at Volume 87, No. 194, page 61094, contained forms which are no longer included in this Notice.

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.

Results for this collection of information will not be published.

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 expiration date for OMB approval.

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

There are no exceptions to the certification statement identified in item 19 of the OMB 83-I.

B. Collections of Information Employing Statistical Methods

The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When Item 17 on the Form OMB 83-I is checked, "Yes," the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:

1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection methods to be used. Data on the number of entities (e.g., establishments, State and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.

2. Describe the procedures for the collection of information including:

- * Statistical methodology for stratification and sample selection,
- * Estimation procedure,
- * Degree of accuracy needed for the purpose described in the justification,
- * Unusual problems requiring specialized sampling procedures, and
- * Any use of periodic (less frequent than annual) data collection cycles to reduce burden.

3. Describe methods to maximize response rates and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield "reliable" data that can be generalized to the universe studied.

4. Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of test may be submitted for approval separately or in combination with the main collection of information.

5. Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.

This information collection does not employ any statistical methods.