

**Supporting Statement for Paperwork Reduction Act Submissions**  
**Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures**  
**(OMB Control Number 2502-0204)**

**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.

This information collection has been in place since at least 1980. The collection of the information is necessary to ensure that only eligible families are admitted to and continue their participation in HUD-assisted housing, and to ensure that family rent payments and HUD assistance payments to Owners are accurately calculated. Forms included in this information collection are described below, where cites to the relevant statute and/or regulation are listed.

In conjunction with the renewal of this information collection, the Office of Multifamily Housing (MFH) programs requests OMB approval of both substantive and non-substantive form changes. Substantive revisions reflect changes necessary to implement the Housing Opportunity Through Modernization Act of 2016 (HOTMA),<sup>1</sup> which modified how tenant incomes and rents are determined, including through the creation of a limitation on assets; and income and rent requirements specific to HUD's Rental Assistance Demonstration (RAD) program. For example, forms HUD-50059 and -50059-A reflect changes in income and rent determinations necessary to comply with HOTMA and RAD. Non-substantive changes address formatting issues, improve readability, and create parallelism across similar documents. For example, HUD has 5 Model Leases with provisions that are identical from one program to the next, yet these provisions were worded differently in some cases; they have been made uniform.

Forms included in this collection are listed below in numerical order, with unnumbered documents listed at the end:

- a. Race and Ethnic Data Reporting Form (form HUD-27061-H). HUD must administer its programs in compliance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance. To enable HUD to detect such discrimination, HUD requires Owners of HUD-assisted housing to gather data about the race and ethnicity of applicants and tenants (24 C.F.R. § 121.2). Owners provide the *Race and Ethnic Data Reporting Form* to applicants, who self-certify as to their race/ethnicity (applicants may decline to specify their race/ethnicity). As part of this information collection renewal, the *Race and Ethnic Data Reporting Form* has been reformatted for readability and updated to comply with OMB Statistical Policy Directive No. 15, which provides the standards for maintaining, collecting, and presenting race and ethnicity data for all Federal information collection and reporting purposes.
- b. Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures (form HUD-50059). HUD must administer its programs in compliance with §§ 3, 8, and 16 of

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<sup>1</sup> Public Law 114-201, 130 Stat. 782

the U.S. Housing Act of 1937 (the Act) and §§ 811 and 1701q of the National Housing Act, which establish program eligibility standards for the various programs covered by this information collection. Owners participating in MFH programs must assess applicant eligibility to participate in a MFH rental assistance program based upon a number of determinations, including the family's income (e.g., assets, deductions, earned income, exclusions, and unearned income), size, and, in some cases, the age and/or disabled status of the head of household. Owners must also calculate the rent each assisted family will pay, based upon the family's income determination and the size of the unit for which the family is eligible, the gross rent for the unit, and the utility allowance, if applicable. Owners use the *Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures* to collect and submit this information to HUD electronically, via the MFH Tenant Rental Assistance Certification System (TRACS), where the information is collected and maintained. As part of this information collection renewal, both the form and TRACS have been updated to reflect changes to the statutes covered by HOTMA and income and rent requirements specific to the RAD program.

HUD pays to the Owner the difference between the tenant rent and the rent for the assisted unit. As a condition of benefiting from this rental assistance, each applicant is required to provide all information requested on the *Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures*, including Social Security Numbers (unless exempted at 24 C.F.R. § 5.216), pursuant to § 165 of the Housing and Community Development Act of 1987 (42 U.S.C. § 3543). Provision of such data is necessary to enable the Department to detect fraud and abuse in its programs. HUD is required to comply with the Privacy Act (5 U.S.C. 552a) in collecting, maintaining, using, and disseminating Social Security Numbers and any information derived from the use of Social Security Numbers (24 C.F.R. § 5.212).

Included in this information collection are the *50059 Instructions*, which have been updated in parallel with updates to the form itself. Likewise included are the form HUD-50059-A (a version of the *Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures* that is used only to process move-outs, terminations, changes in gross rent, and unit transfers) and the *HUD-50059-A Instructions*; both have been updated with substantive changes to conform with HOTMA and RAD.

- c. Enterprise Income Verification (EIV) System Multifamily Housing Coordinator Access Authorization Form (form HUD-90011); Enterprise Income Verification (EIV) System User Access Authorization Form (form HUD-90012); and EIV & You Brochure (unnumbered document). Owners are required (24 C.F.R. § 5.233) to use EIV in its entirety as third-party verification of a tenant's employment and income information. EIV compares participant information (Social Security Number, last name, and date of birth) in TRACS with data from two other Federal agencies:

- (1) Data from the Social Security Administration re: Social Security benefits; and
- (2) Data from the Department of Health and Human Services National Directory of New Hires (NDNH) re: wage and unemployment benefits.

An EIV Coordinator is a person at an organization who has been approved by HUD (via the *Multifamily Housing Coordinator Access Authorization Form*) to use EIV for verification purposes and to assign roles to other users (via the *User Access Authorization Form*) within their organization. Coordinators also ensure that Users are periodically recertified, as required by HUD. Examples of roles that an EIV Coordinator might assign to an EIV User include occupancy specialist, security administrator, and user administrator.

HUD created the *EIV & You Brochure* to inform applicants and tenants about the EIV system. The brochure explains that Owners use EIV to verify tenant income and other information and that this information is pulled from the Social Security Administration and the Department of Health and Human Services. It also explains the tenant consent form (form HUD-9887/9887-A, discussed below).

As part of this information collection renewal, both forms and the *EIV & You Brochure* have been reformatted to improve readability; no substantive changes have been made.

- d. Recertification Notice (Exhibit 7-1; Annual Recertification Initial Notice; form HUD-90100). As part of HUD's obligation to administer its programs as described in paragraph b., above, HUD requires Owners to reexamine the income and composition of assisted families at least annually (24 C.F.R. § 5.657). At the time of move-in and prior to each annual recertification, the Owner must provide notification to the tenant that his/her income and family composition will be reviewed and their rent and assistance levels will be redetermined. The annual *Recertification Notice* provides a listing of information that the tenant must make available for recertification, which will vary depending on the type of household (elderly, household with a disability, family); the source(s) of the household income; and the type of deductions/exclusions available to the household. Advance notification is provided to facilitate timely recertification. The head of household indicates receipt of the *Recertification Notice* by signing it, as witnessed by the Owner or Management Agent, who retains the signed document on file. As part of this information collection renewal, the form has been reformatted to improve readability; no substantive changes have been made.
- e. Certification of Long-Term Care Insurance (form HUD-90101). Under § 3 of the Act, the unreimbursed medical expenses of an elderly and/or disabled family are to be deducted from the family's income if such expenses exceed 10 percent of the family's income. The HUD definition of "health and medical care expenses" (24 C.F.R. § 5.603) includes "long-term care premiums." If a family states that they have long-term care premiums that exceed 10 percent of their income, the Owner provides the *Certification of Long-Term Care Insurance* form to the family, which the family must sign. As part of this information collection renewal, the form has been reformatted to improve readability; no substantive changes have been made.
- f. Verification of Disability (form HUD-90102). As part of HUD's obligation to administer its programs as described in paragraph b., above, HUD requires Owners to obtain third-party verification that an individual with a disability meets the definition of a "person with disabilities" in two scenarios:
  - (1) When the person is applying for admission to a program that provides housing for people with disabilities (as defined for the applicable program); and

- (2) When the family includes a person with a disability for whom an income deduction or exclusion is available.

As part of this information collection renewal, two separate forms (one for each of the purposes listed above) were combined into one. Specifically, the *Verification of Disability for all Programs Except Section 202/8, Section 202 PAC, Section 202 PRAC, and Section 811 PRAC* (form HUD-90103) has been consolidated into the *Verification of Disability for 202/8, Section 202 PAC, Section 202 PRAC, and Section 811 PRAC* (form HUD-90102), resulting in a new form HUD-90102 titled, simply, *Verification of Disability*. The resulting form was revised to break into two parts the verification of disability for admissions, reflecting differing definitions of a person with disabilities for admission to the Part I and Part II programs; the verification of disability for income-deduction purposes is now Part III, and the applicant/tenant consent for the release of information is Part IV.

- g. Exceptions to Limitations on Admission of Families (form HUD-90104). Section 16 of the Act establishes income-eligibility requirements for the Section 8 program, specifying the percentage of units in a project to which families with adjusted incomes in the range of 51 to 80 percent of the area median income may be admitted. Elsewhere, the regulation governing occupancy in the Section 8 project-based program permits an Owner to request approval to admit a police officer (who is over-income and will pay the full contract rent) to a Section 8 property (24 C.F.R. § 5.661). Finally, the Housing and Community Development Act of 1992 (at § 658 of Title VI Subtitle D (42 U.S.C. § 13618)) permits Owners to restrict occupancy to elderly families in certain projects; an Owner who adopts an elderly restriction may request HUD approval to admit a non-elderly family. HUD may approve the request only if the Owner demonstrates that lifting the elderly restriction for the unit is necessary due to market conditions and/or to maintain the soundness of the project. In all three scenarios, the Owner must submit the *Exceptions to Limitations on Admission of Families* form, which HUD uses to evaluate the Owner's request. As part of this information collection renewal, the form was revised to improve readability; no substantive changes were made.
- h. Model Leases (5 forms). MFH specifies certain lease requirements (term, required and prohibited provisions, etc.) in regulation (see, for example, 24 C.F.R. §§ 886.127, 886.327, 891.425). To ensure that lease requirements are honored, MFH has developed the 5 Model Leases listed below and requires that Owners use the lease that corresponds with the rental assistance program under which the property is operated:
  - (1) Model Lease for Subsidized Programs (form HUD-90105-A). This lease is used in the Section 8 program, for units occupied by non-elderly families.
  - (2) Model Lease for Section 202/8 or Section 202/162 Projects (form HUD-90105-B). This lease is used in the Section 202 Direct Loan program for Section 8-assisted units and the Project Assistance Contracts program, which serves elderly or disabled families.
  - (3) Model Lease for Section 202 Project Rental Assistance Contract (form HUD-90105-C). This lease is used for units for the elderly assisted under a Section 202 PRAC.

- (4) Model Lease for Section 811 Project Rental Assistance Contract (form HUD-90105-D). This lease is used for units for families with disabilities assisted under a Section 811 PRAC.
- (5) Model Lease for Section 811 Project Rental Assistance Program (form HUD-92236). This lease is used for units for families with disabilities assisted under a Section 811 PRA Rental Assistance Contract (RAC).

As part of this information collection renewal, all leases have been revised to incorporate HOTMA-related provisions. They have also been reformatted to improve readability. The wording of provisions that are identical across leases has been made uniform. Lastly, the form HUD-92236 has been brought into this collection from 2502-0608 (Section 811 Project Rental Assistance (PRA) for Persons with Disabilities) so that all Model Leases are contained in one information collection.

- i. Move-In/Move-Out Inspection Form (form HUD-90106). As a condition of receiving rental assistance payments from HUD on behalf of eligible families, Owners agree to maintain their properties in decent, safe, and sanitary condition (§ 8(c)(4) of the Act), as defined by HUD (24 C.F.R. Part 5, Subpart G). Consistent with this requirement, Owners of all HUD-assisted projects must complete move-in and move-out inspections and document them on an inspection form (use of HUD's *Move-In/Move-Out Inspection Form* is optional). At move-in, the inspection is conducted and both the Owner and tenant sign off on the form before the lease is executed; once the tenant has vacated the unit, the Owner performs the move-out inspection, accompanied by the tenant at the tenant's option, documenting damages on the form. Both parties sign the form. The Owner may use the tenant's security deposit to cover the cost of documented repairs. As part of this information collection renewal, the form has been reformatted to improve readability; no substantive changes have been made.
- j. Applicant's/Tenant's Consent to the Release of Information (form HUD-9887/-9887-A). As part of HUD's obligation to administer its programs as described in paragraph b., above, HUD requires participating Owners to perform income determinations and reexaminations, in part by using EIV to verify certain information provided by program participants. Applicants and program participants must either consent to the provision and release of such information (24 C.F.R. § 5.230) or face denial or termination of assistance. The *Applicant's/Tenant's Consent to the Release of Information* consists of 3 forms, described below:
  - (1) Fact Sheet: Verification of Information Provided by Applicants and Tenants of Assisted Housing. This document explains the verification process, describes the limited purposes for which tenant information may be used, lists the consequences for failing to sign the consent forms or revoking consent, and lists the 13 programs covered by the fact sheet.
  - (2) Notice and Consent to the Release of Information (form HUD-9887). The applicant or program participant must sign this form to allow HUD to obtain information from other government agencies for the purpose of verifying the tenant's income information.

- (3) Applicant's/Tenant's Consent to the Release of Information (form HUD-9887-A). The applicant or program participant and the Owner or Management Agent must sign this form. The applicant/participant signs to show that they understand the purpose of the form, how their information will be used, and that they consent to the release of such information for such purposes; the Owner/Management Agent signs stating that misuse of the consent is subject to penalty. The second page of this form is the Applicant's/Tenant's Revocation of Consent to the Release of Information. Signature of the revocation may result in the termination of assistance.

As part of this information collection renewal, the form has been reformatted to improve readability and has been revised to comply with updated verification of income requirements (24 C.F.R. § 5.230) that were implemented as part of the Department's implementation of HOTMA. Specifically, tenants now sign the consent form one time during tenancy instead of annually, and tenants may revoke their consent following procedures established by HUD.

- k. Resident Rights & Responsibilities Brochure (no form number). This brochure lists the rights and responsibilities of tenants living in HUD-assisted multifamily housing properties. This document has been updated to include information about RAD and PBCA contact information and has been reformatted for readability.
- l. Fact Sheets (no form numbers). Fact sheets for the Project-Based Section 8 program, Section 202/811 programs, and Section 236 program explain for applicants and tenants why it is important that their income and rent be determined correctly and how their income and rent will be determined. These documents have been updated to reflect the enactment of HOTMA and reformatted for readability.
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.

The information provided via the above-described forms is used by Owners/Management Agents, HUD field staff and Contract Administrators, and HUD Headquarters staff, as described below.

#### Owners/Management Agents (O/As)

O/As use the information collected to (1) assess applicant eligibility for admission and assistance; (2) provide applicants the opportunity to report their race/ethnicity using form HUD-27061-H; (3) determine the family's income (after obtaining consent via the 9887); (4) compute the tenant rent and the level of assistance for which the family is eligible and recertify these amounts (using EIV) at least annually; (5) support/justify monthly assistance vouchers submitted to HUD and/or the Contract Administrator (CA); and (6) certify (using the 50059/50059-A, submitted via TRACS) that the project has complied with all HUD requirements for verifying tenant incomes and calculating HUD's assistance payments and tenant rents.

Of the forms included in this collection, O/As must provide the following to tenants when they initially sign the lease and occupy the unit:

- a. Model Lease, with form HUD-50059 or HUD HUD-50059-A;

- b. Move-In Inspection form;
- c. Consent forms;
- d. *EIV & You* brochure (also provided at recertification);
- e. *Resident Rights & Responsibilities* brochure (also provided at recertification); and
- f. Applicable fact sheet (also provided at recertification).

#### HUD Field Staff and Contract Administrators (CAs)

HUD field staff and Contract Administrators monitor Owners to ensure that certifications (form HUD-50059 or HUD HUD-50059-A) are submitted. They also review the certifications for compliance with HUD requirements and use the certifications to ensure the accuracy of vouchers on which payment is made.

#### Headquarters Staff

Staff in Headquarters may use data collected via TRACS to support policy and budget development; respond to Congressional inquiries, auditors, OMB, or the public; or to support litigation, investigations, or the monitoring of civil rights compliance. When data are used for these purposes, tenant personal identifiers are extracted, consistent with the Privacy Act.

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.

MFH does not collect paper versions of any of the forms included in this collection. All required data is submitted electronically via TRACS. While some forms may be completed or retained in paper format at the property level, HUD does not collect or require the submission of any paper forms; any such forms retained by Owners are destroyed after the term of tenancy plus 3 years. Similarly, Owners/Management Agents use automated letters, certifications, etc., that they have created or that have been created by software vendors who provide on-site TRACS software for use in the recertification process.

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.

There is no similar information available.

5. If the collection of information impacts small businesses or other small entities describe any methods used to minimize burden.

Some entities collecting information are small owner entities; however, these collections are the minimum required by statute and/or regulations for determining eligibility, income, rent, and the amount of assistance paid by HUD.

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.

HUD collects the information contained in this collection as part of its obligation to comply with the statutes governing eligibility for its rental assistance programs, tenant rents, and assistance payments made on behalf of eligible families. By automating the collection of such information via TRACs, and requiring Owners to use EIV to verify income information, HUD likewise facilitates its ability to comply with the Improper Payments Information Act of 2002 and Executive Order 13520, *Reducing Improper Payments*. Use of the data in TRACS also makes possible budgetary forecasting, which is necessary to ensure that HUD requests funding adequate to comply with its obligations to Owners pursuant to HUD's various forms of rental assistance contract.

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;

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;

To ensure that EIV system access is approved only by an authorized official, as required, a signed EIV system access authorization form must be retained for the period during which any approved user has access to the EIV system.

- 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;

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 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 C.F.R. 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.

In accordance with 5 C.F.R. § 1320.8(d), the agency's notice soliciting public comments on the information collection renewal was announced in the *Federal Register* on July 9, 2024. No comments were received.

- 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.

HOTMA is a complex piece of legislation that HUD implemented through rulemaking and the subsequent issuance of a 129-page Notice published jointly by three Offices within HUD whose programs were affected by the legislation. To ensure that Multifamily stakeholders had adequate time to review form updates in advance of the full implementation of HOTMA, MFH posted draft versions of the forms to the Multifamily Drafting Table, explaining that the forms would be made available for official public comment pursuant to the requirements of the Paperwork Reduction Act.

- 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.

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

Not applicable.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation or agency policy. If the collection requires a system of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

The integrity and availability of data in EIV is important. Much of the data, including personally identifiable records maintained in EIV as part of a Privacy Act-protected System of Records, needs to be protected from unanticipated or unintentional modification, as well as improper and unauthorized use or disclosure. HUD restricts the use of this information to HUD-approved officials, Contract Administrators under contract with HUD, and O/As according to the following security measures: (1) only persons with Web Access Subsystem (WASS) User IDs and passwords may access the EIV system; (2) access to the EIV system is controlled using EIV's security module, which controls a user's access to particular modules based on the user's role and security access level; (3) User IDs are used to identify access to sensitive data by users; and (4) users have "read-only" access to databases that contain income information obtained by HUD from third parties.

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.

Not applicable.

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 chart below; 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.

Explanation of how the public cost burden was estimated:

- a. Estimated respondent cost is based on a mean hourly wage of \$39.77 for a Property, Real Estate, and Community Association Manager, according to the most recently available U.S.

Bureau of Labor Statistics data (Occupational Employment and Wage Statistics (OEWS) Profiles, May 2024<sup>2</sup>).

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<sup>2</sup> <https://data.bls.gov/oesprofile/>

Information Collection	Number of Respondents	Frequency of Response	Responses Per Annum	Burden Hours per Response	Total Annual Burden Hrs.	Hourly Cost to Public	Total Annual Cost to Public
Race and Ethnic Data Reporting Form (form HUD-27061-H)	154,543	1	154,543	0.17	26,272	\$39.77	\$1,044,850
Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures (form HUD-50059)	2,238,197	1	2,238,197	0.50	1,119,099	\$39.77	\$44,506,547
Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures (form HUD-50059-A)	1,525,680	1	1,525,680	0.13	198,338	\$39.77	\$7,887,918
Enterprise Income Verification (EIV) System Multifamily Housing Coordinator Access Authorization Form (form HUD-90011)	8,540	1	8,540	0.25	2,135	\$39.77	\$84,909
Enterprise Income Verification (EIV) System User Access Authorization Form (form HUD-90012)	36,053	2	72,106	0.25	18,027	\$39.77	\$716,914
Recertification Notice (Exhibit 7-1: Annual Recertification Initial Notice; form HUD-90100)	2,238,197	1	2,238,197	0.08	179,056	\$39.77	\$7,121,048
Certification of Long-Term Care Insurance (form HUD-90101)	56,140	1	56,140	0.17	9,544	\$39.77	\$379,557
Verification of Disability (form HUD-90102)	3,364	1	3,364	0.08	269	\$39.77	\$10,703
Exceptions to Limitations on Admission of Families (form HUD-90104)	7,363	1	7,363	0.20	1,473	\$39.77	\$58,565
Model Lease for Subsidized Programs (form HUD-90105-A)	137,357	1	137,357	0.08	10,989	\$39.77	\$437,015
Model Lease for Section 202/8 or Section 202/162 Projects (form HUD-90105-B)	1,520	1	1,520	0.08	122	\$39.77	\$4,836
Model Lease for Section 202 Project Rental Assistance Contract (form HUD-90105-C)	11,820	1	11,820	0.08	946	\$39.77	\$37,607
Model Lease for Section 811 Project Rental Assistance Contract (form HUD-90105-D)	3,100	1	3,100	0.08	248	\$39.77	\$9,863

Model Lease for Section 811 Project Rental Assistance Program (form HUD-92236)	651	1	651	0.08	52	\$39.77	\$2,071
Move-In/Move-Out Inspection Form (form HUD-90106)	367,090	1	367,090	0.08	29,367	\$39.77	\$1,167,934
Applicant's/Tenant's Consent to the Release of Information (form HUD-9887/-9887-A)	171,883	1	171,883	0.17	29,220	\$39.77	\$1,162,084
Totals	6,961,498		6,997,551		1,625,155		\$64,632,420

- b. All estimates are based on data pulled from TRACS for fiscal year 2024 (FY24) with the exception of data on the number of EIV Coordinators and Users (see below).
- c. Estimated burden hours are shown below:
- (1) Race and Ethnic Data Reporting Form (form HUD-27061-H). The responses per annum (154,543) reflects tenants who moved in during FY24.
  - (2) Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures (form HUD-50059). The responses per annum (2,238,197) reflects the number of full certifications processed in TRACS during FY24.
  - (3) Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures (form HUD-50059-A). The responses per annum (1,525,680) reflects the number of partial certifications (e.g., gross rent changes, unit transfers, terminations, and move-outs) processed in TRACS during FY24.
  - (4) Enterprise Income Verification (EIV) System Multifamily Housing Coordinator Access Authorization Form (form HUD-90011). EIV Coordinators must be recertified annually. The responses per annum (8,540) reflects the total number of EIV Coordinators as of the date of completion of this renewal with revisions.
  - (5) Enterprise Income Verification (EIV) System User Access Authorization Form (form HUD-90012). EIV Users must be recertified twice annually. The responses per annum (72,106) is based upon the total number of EIV Users (36,053) as of the date of completion of this renewal with revisions. (EIV Users must be recertified twice annually.)
  - (6) Recertification Notice (Exhibit 7-1: Annual Recertification Initial Notice; form HUD-90100). Assisted households must be recertified annually. The responses per annum (2,238,197) reflects the total number of assisted households in FY24.
  - (7) Certification of Long-Term Care Insurance (form HUD-90101). HUD does not track expenses tied to the cost of long-term care insurance premiums. The responses per annum (56,140) is based on the number of households with medical expenses in FY24

(1,403,502), of which HUD estimates that 4 percent<sup>3</sup> claim long-term care insurance premiums.

- (8) Verification of Disability (form HUD-90102). Households may claim disability status for the purpose of admission to the Section 202/162, 811 PRAC, or 202/8 programs. Households may also claim disability status for purposes of their income calculation. The responses per annum (3,364) is based the number of admissions to the 202/162 and 811 PRAC programs, admissions to the 202/8 program who claim disabled status, and the number of households with disability expenses during FY24.
- (9) Exceptions to Limitations on Admission of Families (form HUD-90104). The responses per annum (7,363) is based on the number of admissions in FY24 based on the approval of an eligibility waiver.
- (10) Model Lease for Subsidized Programs (form HUD-90105-A). The responses per annum (137,357) reflects the number of admissions to the Section 8 program (except for the Section 202/8 program) during FY24.
- (11) Model Lease for Section 202/8 or Section 202/162 Projects (form HUD-90105-B). The responses per annum (1,520) reflects the number of admissions to the 202/8 or Section 202/162 program during FY24.
- (12) Model Lease for Section 202 Project Rental Assistance Contract (form HUD-90105-C). The responses per annum (11,820) reflects the number of admissions to the Section 202 PRAC program during FY24.
- (13) Model Lease for Section 811 Project Rental Assistance Contract (form HUD-90105-D). The responses per annum (3,100) reflects the number of admissions to the Section 811 PRAC program during FY24.
- (14) Model Lease for Section 811 Project Rental Assistance Program (form HUD-92236). The responses per annum (651) reflects the number of admissions to the Section 811 PRA program during FY24.
- (15) Move-In/Move-Out Inspection Form (form HUD-90106). The responses per annum (367,090) reflects the number of move-ins and move-outs during FY24.
- (16) Applicant's/Tenant's Consent to the Release of Information (form HUD-9887/-9887-A). The responses per annum (171,883) reflects the number of admitted tenants aged 18 or over during FY24.

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 already reflected on the burden worksheet 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

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<sup>3</sup> This is the percentage of the overall population that participates in long-term care insurance programs.

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; and
- 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.

Industry Software Vendors must enhance their applications used by owners/management agents whenever information collections result in form changes. The applications are used by owners/management agents to create automated forms (facsimiles) and transmit data to HUD TRACS.

HUD consulted three industry software vendors to determine cost burden estimates relative to changes reflected in this renewal with revisions and provides the following summary table.

Vendor	Annualized Capital/Startup Cost	Annual Operation & Maintenance	Annual Cost Requested
Vendor-A	\$0	\$257,695	\$975,785
Vendor-B	\$0	\$197,500	\$485,921
Vendor-C	\$0	\$389,648	\$1,762,701
<b>Total</b>	\$0	\$844,843	\$3,224,407
<b>Average</b>		\$281,614	\$1,074,802

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.

Information Collection	Number of	Frequency of	Responses	Burden	Total	Hourly Cost	Total Annual
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	<b>Respondents</b>	<b>Response</b>	<b>Per Annum</b>	<b>Hours per Response</b>	<b>Annual Burden Hrs.</b>	<b>to Government</b>	<b>Cost to Government</b>
Race and Ethnic Data Reporting Form (form HUD-27061-H)	154,543	1	154,543	0.17	26,272	\$36.28	\$953,159
Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures (form HUD-50059)	2,238,197	1	2,238,197	0.50	1,119,099	\$36.28	\$40,600,894
Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures (form HUD-50059-A)	1,525,680	1	1,525,680	0.13	198,338	\$36.28	\$7,195,717
Enterprise Income Verification (EIV) System Multifamily Housing Coordinator Access Authorization Form (form HUD-90011)	8,540	1	8,540	0.25	2,135	\$36.28	\$77,458
Enterprise Income Verification (EIV) System User Access Authorization Form (form HUD-90012)	36,053	2	72,106	0.25	18,027	\$36.28	\$654,001
Recertification Notice (Exhibit 7-1: Annual Recertification Initial Notice; form HUD-90100)	2,238,197	1	2,238,197	0.08	179,056	\$36.28	\$6,496,143
Certification of Long-Term Care Insurance (form HUD-90101)	56,140	1	56,140	0.17	9,544	\$36.28	\$346,249
Verification of Disability (form HUD-90102)	3,364	1	3,364	0.08	269	\$36.28	\$9,764
Exceptions to Limitations on Admission of Families (form HUD-90104)	7,363	1	7,363	0.20	1,473	\$36.28	\$53,426
Model Lease for Subsidized Programs (form HUD-90105-A)	137,357	1	137,357	0.08	10,989	\$36.28	\$398,665
Model Lease for Section 202/8 or Section 202/162 Projects (form HUD-90105-B)	1,520	1	1,520	0.08	122	\$36.28	\$4,412
Model Lease for Section 202 Project Rental Assistance Contract (form HUD-90105-C)	11,820	1	11,820	0.08	946	\$36.28	\$34,306
Model Lease for Section 811 Project Rental Assistance Contract (form HUD-90105-D)	3,100	1	3,100	0.08	248	\$36.28	\$8,997



Model Lease for Section 811 Project Rental Assistance Program (form HUD-92236)	651	1	651	0.08	52	\$36.28	\$1,889
Move-In/Move-Out Inspection Form (form HUD-90106)	367,090	1	367,090	0.08	29,367	\$36.28	\$1,065,442
Applicant's/Tenant's Consent to the Release of Information (form HUD-9887/-9887-A)	171,883	1	171,883	0.17	29,220	\$36.28	\$1,060,106
Totals	6,961,498		6,997,551		1,625,155		\$58,960,628

The total annualized cost to the Federal government is estimated to be \$58,960,628.

15. Explain the reasons for any program changes or adjustments reported in Items 12 and 14 of the Supporting Statement.

This is a reinstatement, with change, of previously approved collection for which approval has expired. As a result of the changes described below, the number of estimated respondents increased from 4,127,179 to 6,975,663 (an increase of 2,848,484), but the annual burden hours decreased slightly, from 1,658,471 in the previous renewal (2016) to 1,631,498 (a decrease of 26,973). These changes are attributed to (a) revisions to the collection; (b) changes in rates/costs; and (c) changes in responses per annum, as described below.

a. Revisions to the collection:

- (1) The *Model Lease for Section 811 Project Rental Assistance Program* (form HUD-92236) was pulled from another information collection (2502-0608) and added to this information collection. As with the other Model Leases, this form required updates to comply with HOTMA; HUD decided that it makes sense to have all Model Leases in the same information collection.
- (2) The *Lease Addendum: Violence Against Women and Justice Department Reauthorization Act of 2005* (form HUD-91067) and the *Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking* (now form HUD-5382) have been removed from this information collection. HUD created a standalone information collection for all VAWA-related forms (2577-0286); this collection was recently revised to include all such forms and renewed through January 31, 2028.
- (3) The *Verification of Disability for 202/8, Section 202 PAC, Section 202 PRAC, and Section 811 PRAC* (form HUD-90102) and the *Verification of Disability for all Programs Except Section 202/8, Section 202 PAC, Section 202 PRAC, and Section 811 PRAC* (form HUD-90103) were combined to create one form titled *Verification of Disability* (form HUD-90102).
- (4) Burden hours associated with one activity (certification of college student parent(s) income) have been incorporated in the burden hours associated with the forms HUD-50059/-50059-A and are no longer listed separately. The burden associated with this activity in 2016 was 25 hours annually at a total cost of \$625.

b. Changes in hourly costs:

- (1) The hourly cost to the public (item 12) increased from \$25.00 in 2016 to \$39.77 (an increase of \$14.77).
- (2) The hourly cost to government (item 14) increased from \$29.76 in 2016 to \$36.28 (an increase of \$6.52).

c. Changes in responses per annum:

- (1) Race and Ethnic Data Reporting Form (form HUD-27061-H). In the 2016 renewal, the estimated burden for this form was combined with the totals for forms HUD-50059, -50059-A, and -9887/-9887-A, which came to 1,597,764. As the number of respondents is calculated differently for each of the 4 forms, we have separated them in this renewal with revisions. If we had instead combined the totals for the 4 forms, it would have come to 4,090,303 (for a combined increase of 2,492,539).

Since we cannot compare on a per-form basis the estimates from the 2016 renewal with the estimates for this renewal, it is difficult to state with any certainty why the combined total for these 4 forms increased by nearly 2.5 million. Factors that may have contributed to the increase include RAD Component I conversions, which increase the number of Section 8-assisted households, and households newly assisted under the Section 202 and 811 PRAC programs.

- (2) Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures (form HUD-50059). A comparison with the 2016 renewal is infeasible for the reasons described in paragraph 15(c)(1).
- (3) Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures (form HUD-50059-A). A comparison with the 2016 renewal is infeasible for the reasons described in paragraph 15(c)(1).
- (4) Enterprise Income Verification (EIV) System Multifamily Housing Coordinator Access Authorization Form (form HUD-90011). In the 2016 renewal, the number of EIV Coordinators was estimated to be 11,500. For this renewal with revisions, we pulled data directly from the EIV system, which shows 8,540 active non-HUD EIV Coordinators as of the date of this renewal with revisions. There are 2,960 fewer EIV Coordinators in 2025 than in 2016.
- (5) Enterprise Income Verification (EIV) System User Access Authorization Form (form HUD-90012). In the 2016 renewal, HUD estimated there were 11,500 EIV Users. We think this may have been an accidental duplication of the number of estimated EIV Coordinators. For this renewal with revisions, we pulled data directly from the EIV system, which shows 36,053 active non-HUD EIV Users as of the date of this renewal with revisions (for an increase of 24,553).
- (6) Recertification Notice (Exhibit 7-1: Annual Recertification Initial Notice; form HUD-90100). In the 2016 renewal, the combined total for the forms HUD-27061-H, -50059,

–50059–A, and –9887/–9887–A (1,597,764) was simply carried forward to use in estimating the burden hours associated with this *Recertification Notice*. In this renewal, we estimate the burden to be 2,238,197, which is the number of assisted households (assisted households must be recertified annually). A comparison with the 2016 renewal is infeasible for the reasons described in paragraph 15(c)(1).

- (7) Certification of Long-Term Care Insurance (form HUD–90101). In the 2016 renewal, HUD estimated that 40 households annually submitted this certification; in this renewal, we estimate that 56,140 households do so, using the methodology described in paragraph 12(c)(7). This change represents an increase of 56,100 respondents.
- (8) Verification of Disability (form HUD–90102). Respondents decreased from 25,396 in 2016 to 3,364 in this renewal with revisions (a difference of –22,032).
- (9) Exceptions to Limitations on Admission of Families (form HUD–90104). Respondents increased from 300 in 2016 to 7,363 in this renewal with revisions (a difference of 7,063).
- (10) Model Lease for Subsidized Programs (form HUD–90105–A). In the 2016 renewal, the estimated burden for this form was combined with the totals for forms HUD–90105–B, –90105–C, –90105–D, and –91067, which came to 324,597. In this renewal with revisions, we have separated the estimates for each lease, as the number of respondents is calculated differently for each one. We also added form HUD–92236, as described in paragraph 15(a)(1), and we removed form HUD–91067, as described in paragraph 15(a)(2). Our estimated number of respondents for this form HUD–90105–A is 137,357.
- (11) Model Lease for Section 202/8 or Section 202/162 Projects (form HUD–90105–B). Our estimated number of respondents is 1,520. A comparison with the 2016 renewal is infeasible for the reasons described in paragraph 15(c)(10).
- (12) Model Lease for Section 202 Project Rental Assistance Contract (form HUD–90105–C). Our estimated number of respondents is 11,820. A comparison with the 2016 renewal is infeasible for the reasons described in paragraph 15(c)(10).
- (13) Model Lease for Section 811 Project Rental Assistance Contract (form HUD–90105–D). Our estimated number of respondents is 3,100. A comparison with the 2016 renewal is infeasible for the reasons described in paragraph 15(c)(10).
- (14) Model Lease for Section 811 Project Rental Assistance Program (form HUD–92236). Our estimated number of respondents is 651. As part of this renewal with revisions, this form was removed from 2502–0608 and added to this information collection. When 2502–0608 was renewed in 2021, the number of respondents associated with this form was 1,250. The difference represents a reduction of 599.
- (15) Move-In/Move-Out Inspection Form (form HUD–90106). Respondents decreased from 556,162 to 367,090. Fewer move-outs (and, consequently, fewer move-ins) could be

attributed to any number of factors, including declining incomes relative to rents and a lack of available units.

- (16) Applicant's/Tenant's Consent to the Release of Information (form HUD-9887/-9887-A). A comparison with the 2016 renewal is infeasible for the reasons described in paragraph 15(c)(1).

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.

Not applicable.

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.

All forms will be posted to HUD's Client Information Policy Systems (HUDCLIPS) Web site, where OMB-approved forms are made available to the public. These forms will display OMB Control No. 2502-0204 and the expiration date.

As part of this information collection renewal, HUD seeks an extension of the previously approved OMB authorization that applies solely to vendor-generated forms. These are forms associated with on-site TRACS software applications that create screens or facsimiles that essentially replicate the OMB-approved forms. Pursuant to the previously approved OMB authorization, these vendor-generated forms reference the HUDCLIPS Web site, making clear that this is where the OMB-approved versions of the forms reside and where the expiration date is found. In the absence of such an extension, vendors would incur substantial costs associated with modifying their software to reflect the new expiration dates.

18. Explain each exception to the Certification Statement.

There are no exceptions to the Certification Statement.