



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

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OFFICE OF PUBLIC AND INDIAN HOUSING

Crystal N. Wojciechowski
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Washington, DC 20002-4937

Dear Ms. Wojciechowski:

This letter is in response to your comments submitted on the Department's notice published on December 9, 2015, titled *30-Day Notice of Proposed Information Collection: Housing Choice Voucher Program*. This notice announced HUD's intention to test an alternative inspection protocol at up to 250 public housing agencies (PHA) to standardize inspections between PHAs and create a more objective list of unit deficiencies for inspectors to use. HUD provided an estimate on the time required for collecting information to test the alternative protocol, and sought comment on the estimate as well as the necessity, utility and quality of the collection.

The Department will not rescind the PRA notice or suspend the development of the UPCS-V demonstration (pilot). Congress, in the Senate Committee on Appropriations Report 113-045, directed HUD to develop a "consistent inspection standard across federal housing programs, as well as [for] oversight of section 8 units."¹ In its Joint Explanatory Statement accompanying the act appropriating funds for Fiscal Year 2016 (FY 2016)², Congress further instructed HUD to implement a single inspection protocol for public housing and voucher units. Testing the alternative protocol is a vital first step in fulfilling these obligations. The Department is committed to involving stakeholders in the process.

Below are HUD's responses to the specific comments submitted by your organization:

- The proposed information collection was released in the Federal Register on December 15, 2015. The public was given 30 days to submit comments. The time frame between December 15 and the due date for comments (January 14) occurred right at the end of the year during a very busy time at local agencies when many staff members are out of the office. The notice states that a public solicitation for comment for a period of 60 days was published on September 21, 2015. However, the inspection protocol test was NOT included in that Federal Register notice. It appears that this notice has been significantly altered since the first. This does not seem to be consistent with normal OMB information collection request submission procedures.

HUD response: HUD published the notice in accordance with OMB requirements and practices. The timing of the notice was based on the initial submission of the PRA package.

¹ <https://www.gpo.gov/fdsys/pkg/CRPT-113srpt45/pdf/CRPT-113srpt45.pdf>

² <https://rules.house.gov/bill/114/hr-2029-sa>.

- The Department states that the pilot does not result in an increase in burden hours for housing authorities, as the amount of time to complete inspections under the pilot would be equivalent to the existing process. This is simply not accurate. Agencies will essentially be implementing a brand new inspection process. Inspectors and other agency staff will need to be trained. Further, the protocol will be new to them and inspections will absolutely require additional time as inspectors become more familiar with the protocol, its process and the software. This has the potential to create immense burdens for the 250 agencies involved in the pilot. HUD's statements are not accurate and frankly, misinformed.

HUD response: HUD's estimate is based upon the results of the administrative fee study, internal testing, and review of inspection protocols. This analysis has shown that the burden of properly conducting an inspection under a UPCS protocol is generally equivalent to the burden of properly conducting an inspection under the HQS protocol. HUD recognizes that PHAs will undergo training to participate in the demonstration; however, it is expected that this training will be equivalent to training that should be regularly occurring for inspections under HQS. During the demonstration, HUD will provide no-cost training and technical assistance to those PHAs that volunteer to participate.

- The Department did not include a copy of the new inspection form within the OMB submission. It is the Association's understanding that any requests for information collection items to OMB require a federal agency to provide the OMB with the form. The Department has not done so. This does not seem to be consistent with normal OMB information collection request submission procedures.

HUD response: UPCS-V is an electronic collection of data elements based on visual observations. Therefore, HUD does not have a specific form to include. Although HUD will provide the inspection standards and elements to be collected, each PHA will be free to develop its own software. For those PHAs that would use HUD-provided software, HUD will provide representative screenshots.

- In previous discussions related to a potential timeline for the institution of UPCS-V, the Department mentioned the administration of a pre-pilot prior to a pilot. Has HUD conducted a pre-pilot? If so, PHADA requests full access to the results.

HUD response: HUD has not conducted pre-pilot activities that involved collection of inspection results.

- Recently, HUD instituted a new division, entitled the Oversight and Evaluation Division (OED). The development and establishment of UPCS-V appears to be the primary function of OED. It may be premature to establish a separate division of HUD simply to establish and implement a demonstration.

HUD response: While we appreciate your concern, the Oversight and Evaluation Division's (OED)'s functions go beyond implementation of the demonstration. The OED ensures that federally-assisted families reside in housing that is decent, safe, and sanitary by maintaining a unit-based physical inspection oversight program. The division

conducts quality control reviews of housing providers, collects and analyzes inspection data, and provides consultation services on housing quality best practices.

- UPCS-V must be developed carefully and comprehensively and involve all stakeholders immediately, prior to the implementation of a pilot. It is more efficient and effective to allow this participation early on in the process, rather than near the end or not at all.

HUD response: The Department agrees that careful and comprehensive development of UPCS-V is important. The demonstration is the mechanism whereby stakeholders will test and evaluate UPCS-V and its ability to be implemented. HUD will use feedback received to inform future changes to the inspection standards and protocol for the HCV program.

- PHADA and its members are concerned that efforts to roll out a new standard too quickly without proper feedback from the industry could result in a flawed and deficient standard. This not only affects agencies and local property owners, but more importantly, the residents that they serve.

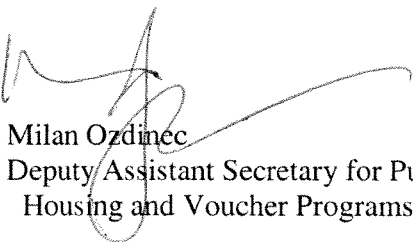
HUD response: HUD is following a deliberative process to prepare for and execute the demonstration to ensure the creation of an accurate assessment of the condition of voucher-assisted properties.

- Any potential increased administrative, regulatory burdens and costs could very well result in less families being served, as well as fewer landlords willing to participate in the HCV program, particularly in jurisdictions with tight rental markets.

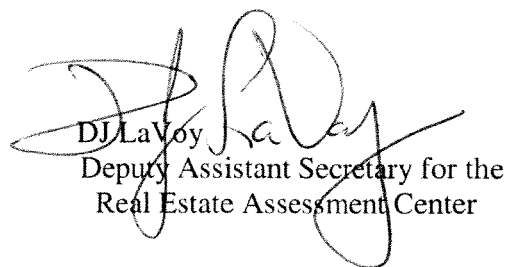
HUD response: HUD does not believe the Demonstration will result in increased administration, regulatory burdens or costs that will result in less families being served. In fact, electronic reporting should result in lower file storage costs, lower administrative burden, and faster inspections.

Thank you for your comments on the notice.

Sincerely,



Milan Ozdinec
Deputy Assistant Secretary for Public
Housing and Voucher Programs



DJ LaVoy
Deputy Assistant Secretary for the
Real Estate Assessment Center