

when HUD may withhold or rescind a PHA's PHAS designation.

*Section 902.68 (Technical review of results of PHAS Indicators #1 or #4).* This section would be rewritten, in part, for the purposes of providing clarity. A new paragraph (d) would be added, providing that the Assistant Secretary reviews all technical reviews that are denied.

*Section 902.69 (PHA right of petition and appeal).* This section would be rewritten to provide more clarity and consistency in terminology. Throughout this section, reference is made to Grade A PHA, Grade B PHA, Grade C PHA, Grade D PHA, Grade F PHA, and Capital Fund Grade F PHA. Two situations in which a PHA has a right to appeal would be added. As proposed, a PHA may appeal its final overall PHAS grade if the change would result in a higher grade. In addition, a PHA that is under the jurisdiction of the HUD office with jurisdiction over Grade F PHAs would have the right to appeal after one year if granting the appeal would result in meeting the requirements to substantially improve its performance under PHAS pursuant to § 902.75(f).

#### *Subpart G—PHAS Incentives and Remedies*

*Section 902.71 (Incentives for high performers).* The title for this section would be changed to "Incentives for Grade A PHAs." This proposed section contains editorial changes and would be amended to reflect that the highest designation would be "Grade A PHA." Although exempt from annual assessments, Grade A PHAs would be required to submit financial information annually.

*Section 902.73 (Referral to an area Hub/Program Center).* The title for this section would be changed to "Referral of Grade B, C, and D PHAs." This section is proposed to be rewritten to more clearly present the process and

content of the Improvement Plan. Information currently in this section regarding RMCs and DF-RMCs would be moved to § 902.5.

*Section 902.75 (Referral to a Troubled Agency Recovery Center (TARC)).* The title for this section would be changed to "Referral of Grade F PHAs." All of the paragraphs in this section would be rewritten to streamline and clarify the information pertaining to the performance requirements of PHAs that have been referred to the HUD office with jurisdiction over Grade F PHAs. The information in paragraph (b) pertaining to MOAs would be reorganized for clarity into paragraphs (b) and (c). Paragraph (c), discussing a PHA's review of the MOA, would be deleted. Paragraph (d) addressing the statutorily prescribed maximum time a PHA may remain under the jurisdiction of the HUD office responsible for Grade F PHAs would be redesignated paragraph (f). Paragraph (f) regarding resident participation would be deleted. The involvement of resident leadership in the MOA would be described in paragraph (c)(7). Because the time periods that a Grade F PHA can remain under the jurisdiction of the remedial HUD office would be explained in subparagraphs (f)(1) and (f)(2), the example that is in current paragraph (g)(3) is deleted. Paragraph (h) providing for HUD audit reviews of Grade F PHAs would be redesignated paragraph (g). Paragraph (i) providing for continuation of service to residents would be redesignated paragraph (h).

*Section 902.77 (Referral to the Departmental Enforcement Center (DEC)).* The name of this section would be changed to "Actions and sanctions." All references to the DEC would be changed to reflect a reorganization within the Department. This section would be rewritten to streamline and clarify the information pertaining to

PHA nonperformance and the actions that HUD may take against a PHA.

*Section 902.79 (Substantial default).* Proposed § 902.79(a)(1), like the current section, describes the events or conditions that constitute a substantial default. Paragraph (a)(5) of this section would be redesignated paragraph (b) of this proposed section. Paragraph (b) of this section would be redesignated paragraph (c) of this proposed section. This section also proposes minor editorial changes.

*Section 902.83 (Interventions).* This section would be rewritten to clarify the information pertaining to interventions HUD may initiate if HUD determines that a PHA is in substantial default.

*Section 902.85 (Resident petitions for remedial action).* This section would be rewritten to more clearly present the information pertaining to the percentage of residents required to participate in a petition for remedial action.

## V. Findings and Certifications

### *Paperwork Reduction Act Statement*

The revised information collection requirements contained in this rule have been submitted to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). Under this Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

The public reporting burden for this new collection of information is estimated to include the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Information on the estimated public reporting burden is provided in the following table.

Information collection	Under OMB control No.	Number of respondents	Total annual responses	Hours per response	Total hours
Financial Management Template .....	2535–0107	5,964	5,964	5	29,850
Management Operations Certification .....	2535–0106	3,169	3,169	2	6,274.5
Assessment of Resident Satisfaction: .....	2507–0001	637,629	267,382	0.25 —Res. 4.8—PHA	78,104
Residents .....		631,283	262,398	.25	65,600
PHAs—Unit Addresses .....		3,173	2,394	2.24	5,371
PHAs—Implementation Plan .....		3,173	2,590	2.75	7,133
RASS Totals .....		637,629	267,382	.....	78,104

In accordance with 5 CFR 1320.8(d)(1), HUD is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information;  
(3) Enhance the quality, utility, and clarity of the information to be collected; and