

Appraiser and Inspector rosters assure that HUD has the ability to track the performance of appraisers and inspectors and sanction those who are not performing adequately, this is necessary to protect the FHA insurance fund.

**DATES:** *Comments Due Date:* November 15, 2012.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB approval Number (2502-0538) and should be sent to: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202-395-5806. Email: *OIRA\_Submission@omb.eop.gov* fax: 202-395-5806.

**FOR FURTHER INFORMATION CONTACT:** Colette Pollard., Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410; email Colette Pollard at

*Colette.Pollard@hud.gov*. or telephone (202) 402-3400. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

**SUPPLEMENTARY INFORMATION:** This notice informs the public that the Department of Housing and Urban Development has submitted to OMB a request for approval of the Information collection described below. This notice is soliciting comments from members of the public and affecting 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 (4) Minimize the burden of the collection of information on those who are to respond; including

through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*This notice also lists the following information:*

*Title of Proposed:* Fee or Roster Personnel (Appraisers and Inspectors) Designation and Appraisal Report Forms.

*OMB Approval Number:* 2502-0538.

*Form Numbers:* 1004mc, HUD 92563-A, 1004, 1004C, 1025, 1075, 2055, HUD 92563I, 1073.

*Description of the need for the information and proposed use:* HUD requires that appraisals and inspections be performed on certain FHA insured properties and the FHA Appraiser and Inspector rosters assure that HUD has the ability to track the performance of appraisers and inspectors and sanction those who are not performing adequately, this is necessary to protect the FHA insurance fund.

	Number of respondents	Annual responses	×	Hours per response	=	Burden hours
Reporting Burden .....	17,650	26.524		0.0529		24,783

*Total estimated burden hours:* 24,783.  
*Status:* Extension without change of a currently approved collection.

**Authority:** Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: October 10, 2012,

**Colette Pollard,**

*Department Reports Management Officer,  
Office of the Chief Information Officer.*

[FR Doc. 2012-25410 Filed 10-15-12; 8:45 am]

**BILLING CODE 4210-67-P**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-5607-N-31]

**Notice of Proposed Information Collection for Public Comment; FHA Lender Approval, Annual Renewal, Periodic Updates and Noncompliance Reporting by FHA Approved Lenders**

**AGENCY:** Office of the Assistant Secretary for Housing, HUD.

**ACTION:** Notice.

**SUMMARY:** The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is

soliciting public comments on the subject proposal.

**DATES:** *Comments Due Date:* December 17, 2012.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments must be received within sixty (60) days from the date of this Notice. Comments should refer to the proposal by name/or OMB Control Number and should be sent to: Reports Liaison Officer, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410, Room 9120 or the number for the Federal Information Relay Service (1-800-877-8339).

**FOR FURTHER INFORMATION CONTACT:** Joy Hadley, Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development, 451 7th Street SW., Room B133-P3214, Washington, DC 20410, telephone (202) 708-1515 (this is not a toll free number). Copies of the proposed forms and other available documents submitted to OMB may be obtained from Ms. Hadley.

**SUPPLEMENTARY INFORMATION:** The Department is submitting the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

This Notice is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection 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 (4) Minimize the burden of the collection of information on those who are to respond; including the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*This Notice also lists the following information:*

*Title of Proposal:* FHA Lender Approval, Annual Renewal, Periodic Updates and Noncompliance Reports by FHA Approved Lenders

*OMB Control Number, if applicable:* 2502-0005.

*Description of the need for the information and proposed use:* The information is used by FHA to verify that lenders meet all approval, renewal, update and compliance requirements at all times. It is also used to assist FHA in managing its financial risks and

protect consumers from lender noncompliance with FHA rules and regulations.

#### Agency Form Numbers, if Applicable

HUD-92001-A FHA Lender Approval Application Form

HUD-92001-B FHA Branch Registration Form

HUD 92001-C Noncompliances on Title I Lenders

HUD-92001-G Corporate Guarantee

*Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response:* The number of burden hours is 14,001. The number of respondents is 3,740, the number of responses is 17,711, the frequency of response is on occasion, and the burden hour per response is .79.

*Status of the proposed information collection:* Revision of currently approved collection.

**Authority:** The Paperwork Reduction Act of 1995, 44 U.S.C., Chapter 35, as amended.

Dated: October 9, 2012.

**Laura M. Marin,**

*Acting General Deputy Assistant Secretary for Housing—Acting General Deputy Federal Housing Commissioner.*

[FR Doc. 2012-25411 Filed 10-15-12; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5664-N-01]

### Notice of Certain Operating Cost Adjustment Factors for 2013

**AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

**ACTION:** Notice.

**SUMMARY:** This notice establishes operating cost adjustment factors (OCAFs) for project based assistance contracts for eligible multifamily housing projects having an anniversary date on or after February 11, 2013. OCAFs are annual factors used to adjust Section 8 rents renewed under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (MAHRA).

**DATES:** *Effective Date:* February 11, 2013.

**FOR FURTHER INFORMATION CONTACT:** Stan Houle, Housing Program Manager, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; telephone

number 202-402-2572 (this is not a toll-free number). Hearing- or speech-impaired individuals may access this number through TTY by calling the toll-free Federal Relay Service at 800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### I. OCAFs

Section 514(e)(2) of MAHRA (42 U.S.C. 1437f note) requires HUD to establish guidelines for rent adjustments based on an OCAF. The statute requiring HUD to establish OCAFs for Low-Income Housing Preservation and Resident Homeownership Act (LIHPRHA) (12 U.S.C. 4101, *et seq.*) projects and projects with contract renewals or adjustments under section 524(b)(1)(A) of MAHRA is similar in wording and intent. HUD has therefore developed a single factor to be applied uniformly to all projects utilizing OCAFs as the method by which renewal rents are established or adjusted.

LIHPRHA projects are low-income housing projects insured by the Federal Housing Administration (FHA). LIHPRHA projects are primarily low-income housing projects insured under section 221(d)(3) below-market interest rate (BMIR) and section 236 of the National Housing Act, respectively. Both categories of projects have low-income use restrictions that have been extended beyond the 20-year period specified in the original documents, and both categories of projects also receive assistance under section 8 of the U.S. Housing Act of 1937 to support the continued low-income use.

MAHRA gives HUD broad discretion in setting OCAFs, referring, for example, in sections 524(a)(4)(C)(i), 524(b)(1)(A), 524(b)(3)(A) and 524(c)(1) simply to “an operating cost adjustment factor established by the Secretary.” The sole limitation to this grant of authority is a specific requirement in each of the foregoing provisions that application of an OCAF “shall not result in a negative adjustment.” Contract rents are adjusted by applying the OCAF to that portion of the rent attributable to operating expenses exclusive of debt service.

The OCAFs provided in this notice and applicable to eligible projects having a project based assistance contracts anniversary date of on or after February 11, 2013, are calculated using the same method as those published in HUD’s 2012 OCAF notice published on October 26, 2011 (76 FR 66319). Specifically, OCAFs are calculated as the sum of weighted average cost changes for wages, employee benefits, property taxes, insurance, supplies and equipment, fuel oil, electricity, natural gas, and water/sewer/trash using

publicly available indices. The weights used in the OCAF calculations for each of the nine cost component groupings are set using current percentages attributable to each of the nine expense categories. These weights are calculated in the same manner as in HUD’s October 26, 2011, notice. Average expense proportions were calculated using three years of audited Annual Financial Statements from projects covered by OCAFs. The expenditure percentages for these nine categories have been found to be very stable over time, but using three years of data increases their stability. The nine cost component weights were calculated at the state level, which is the lowest level of geographical aggregation with enough projects to permit statistical analysis. These data were not available for the Western Pacific Islands, so data for Hawaii were used as the best available indicator of OCAFs for these areas.

The best current price data sources for the nine cost categories were used in calculating annual change factors. State-level data for fuel oil, electricity, and natural gas from Department of Energy surveys are relatively current and continue to be used. Data on changes in employee benefits, insurance, property taxes, and water/sewer/trash costs are only available at the national level. The data sources for the nine cost indicators selected used were as follows:

- **Labor Costs:** First quarter, 2012 Bureau of Labor Statistics (BLS) ECI, Private Industry Wages and Salaries, All Workers (Series ID CIU2020000000000I) at the national level and Private Industry Benefits, All Workers (Series ID CIU2030000000000I) at the national level.

- **Property Taxes:** Census Quarterly Summary of State and Local Government Tax Revenue—Table 1 <http://www2.census.gov/govs/qtax/2012/q1t1.xls>. 12-month property taxes are computed as the total of four quarters of tax receipts for the period from April through March. Total 12-month taxes are then divided by the number of households to arrive at average 12-month tax per household. The number of households (occupied housing units) is taken from the estimates program at the Bureau of the Census. [http://www.census.gov/hhes/www/housing/hvs/historic/files/his\\_tab8a\\_v2010\\_web.xls](http://www.census.gov/hhes/www/housing/hvs/historic/files/his_tab8a_v2010_web.xls).

- **Goods, Supplies, Equipment:** May 2011 to May 2012 Bureau of Labor Statistics (BLS) Consumer Price Index, All Items Less Food, Energy and shelter (Series ID CUUR0000SA0L12E) at the national level.

- **Insurance:** May 2011 to May 2012 Bureau of Labor Statistic (BLS)