

technology, e.g., permitting electronic submission of responses.

This Notice also lists the following information:

Title of Proposal: Owner Certification on Low-Income Housing Tax Credits.

OMB Control Number: 2502-0377.

Agency form numbers: HUD-2880.

Description of the need for the information and proposed use: Since the 1986 Tax Reform Act, Low Income Housing Tax Credits (LIHTCs) have provided a significant amount of equity financing supporting the development of affordable housing units. Since the implementation of the 1989 HUD Reform Act, sponsors of HUD Multifamily projects seeking new subsidies from HUD have been required to make a specific certification with respect to LIHTCs.

Since 1992 HUD has, through Form HUD-2880, "Applicant/Recipient Disclosure/Update Report" required that those persons or entities which receive, or are applying to receive, HUD and other government assistance, certify their intentions regarding the nature and extent of the total assistance which will be required or obtained, including LIHTCs.

The basic concept of "subsidy layering" is that total project Sources of financing may not exceed total project uses, and to the extent that they do, must be reduced so as to prevent excess subsidy layering. Therefore, and as a logical first step, project sponsors using LIHTCs and any other form of HUD assistance must identify all anticipated project uses when completing Form HUD-2880. HUD recognizes that this estimation is not particularly easy to make at a multi-million dollar, Multifamily project's formative stages. Nevertheless, pursuant to HUD Reform Act requirements, certain project uses relating to the Builder, Developer and Syndicator fees are limited in accordance with HUD Housing's Subsidy Layering Guidelines and implementing Notices and instructions, and every effort must be made to segregate out-of-pocket project costs which might otherwise be lumped into developer's fees.

Sponsors of LIHTC projects, in particular, must be careful to recognize that all costs associated with the project be properly estimated and characterized. For example, incentives earned through successful performance of what are essentially property management duties should not be lumped into the Sources and Uses Statement which the Form HUD-2880 certification requires as generic "Developer's Fees". Such speculative future Uses of presently sought-after

LIHTC equity financing, and ultimately syndication installment proceeds, should be identified as "property management fees" or "General Partner Reserve incentives".

HUD has learned that the LIHTC certification and disclosure requirements need not be an impediment to successful development of LIHTC projects using FHA financing; nor do the subsidy layering guidelines relating to Builders and Developers fees mean that subsidy reductions will necessarily be imposed. Subsidy gathering problems are far more common to Developers of LIHTC and other Affordable Multifamily projects than subsidy layering problems. Only through informed, thorough preparation of Form HUD-2880 can it be determined whether a layering problem exists.

Members of affected public: Multifamily Project Sponsors; an estimation of the total numbers of hours needed to prepare the information collection is 1250, the number of respondents, 500, frequency of response, once, and hours of response, 2.5.

Status of the proposed information collection: Extension with change.

Authority: Section 3506 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: April 26, 1996.

Nicolas P. Retsinas,

Assistant Secretary for Housing—Federal Housing Commissioner.

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[Docket No. FR-3917-N-70]

Office of the Assistant Secretary for Housing; Notice of Proposed Information Collection for Public Comment

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

ACTION: Notice.

SUMMARY: The proposed information 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: July 2, 1996.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Oliver Walker, Housing Department of Housing and Urban Development, 451-

7th Street SW., Room 9116, Washington, D.C. 20410.

FOR FURTHER INFORMATION CONTACT: Donald Kline, Single Family Insurance Operations Division (SFIOD), telephone number (202) 708-0614 ext. 3511 for form HUD-27050-A or Savannah Williams, SFIOD, telephone number (202) 708-0614 ext. 3407 for form HUD-27050-B (these are not toll-free numbers) for copies of the proposed forms and other available documents.

SUPPLEMENTARY INFORMATION: The Department will submit 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).

The 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 proper performance of the function 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 Proposal: Mortgage Insurance Termination—HUD-27050-A, Application for Premium Refund or Distributive Share Payment, HUD-27050-B.

OMB Control Number: 2502-0414.

Description of the Need for the Information and Proposed Use: Mortgage Insurance Termination, form HUD-27050-A, is used by servicing mortgagees to comply with HUD requirements for reporting termination of FHA mortgage insurance. This form is used whenever FHA mortgage insurance is terminated and no claim for insurance benefits will be filed. Under the new streamline III program when the form is submitted on magnetic tape, the form can be used to directly pay eligible homeowners. This condition occurs when the form passes the criteria of certain system edits.

As the result the system generates a disbursement to the eligible homeowner for the refund consisting of the unused portion of the paid premium. The collection information required is used

to update HUD's Single Family Insurance System. The billing of mortgage insurance premiums is discontinued as a result of the transaction. Without this information the premium collection/monitoring function would be severely impeded and program data would be unreliable. Under streamline III when the form is processed and but does not pass the series of edits the system generates in these cases the form HUD-27050-B to the homeowner to be completed and returned to HUD for further processing for the refund. In general a Premium Refund is the difference between the amount of prepaid premium and the amount of the premium that has been earned by HUD up to the time the mortgage is terminated.

Estimate of Burden: Public reporting burden for this collection of information for the HUD-27050-A is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The number of respondents is 9,500 and the frequency of response is as required and the volume per respondents is 1 to 40,000 depending on the size of their FHA portfolio.

Public reporting burden for this collection of information for the HUD-27-50-B is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources gathering and maintaining the data needed, and completing and reviewing the collection of information. The number of respondents is 382, 000 and the frequency of response is one time and the volume per respondents is 1.

Authority: Section 3506 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: April 26, 1996.

Nicolas P. Retsinas,
Assistant Secretary for Housing-Federal
Housing Commissioner.

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Office of the Assistant Secretary for Community Planning and Development

[Docket No. FR-3778-N-83]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Mark Johnston, Room 7256, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410; telephone (202) 708-1226; TDD number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1-800-927-7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and under utilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/ to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Brian Rooney, Division of Property Management, Program Support Center, HHS, room 5B-41, 5600 Fishers Lane, Rockville, MD 20857; (301) 442-2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the

application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1-800-927-7588 for detailed instructions or write a letter to Mark Johnston at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the Federal Register, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (*i.e.*, acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: Army: Mr. Derrick Mitchell, CECPW-FP, U.S. Army Center for Public Works, 7701 Telegraph Road, Alexandria, VA 22310-3862; (703) 428-6083; Navy: Mr. John Kane, Deputy Division Director, Department of the Navy, Real Estate Operations, Naval Facilities Engineering Command, Code 241A, 200 Stovall Street, Alexandria, VA 22332-2300; (703) 325-0474; Air Force: Ms. Barbara Jenkins, Air Force Real Estate Agency, Bolling Air Force Base, 112 Luke Avenue, Suite 104, Building 5683, Washington, DC 20332-8020; (202) 767-4184; COE: Mr. Bob Swieconeck, Army Corps of Engineers, Civilian Facilities, Pulaski Building, Room 4224, 20 Massachusetts Avenue, NW, Washington, DC 20314-1000; (202) 761-1753; GSA: Mr. Brian K. Polly, Assistant Commissioner, General Services Administration, Office of