

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**Office of the Assistant Secretary for Community Planning and Development**

[Docket No. FR-3857-N-04]

Notice of Proposed Information Collection for Public Comment

AGENCY: Office of the Assistant Secretary for Community Planning and Development, 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: November 12, 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: Reports Liaison Officer, Sheila E. Jones, Department of Housing and Urban Development, 451 7th Street, SW., Room 7230, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: For copies of the proposed forms and other available documents: Patricia Mason, 202-708-3226, Extension 4588. This is not a toll-free number.

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 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 Proposal: HOPE for Homeownership of Single Family Homes (HOPE 3).

OMB Control Number, if applicable: 2506-0128.

Description of the need for the information and proposed use: This information is needed to assist HUD in monitoring applicants previously awarded HOPE 3 Program Implementation Grants. The Department does not anticipate additional awards for the HOPE 3 Program. This program provides Federal grants to develop and implement homeownership programs for low income people under the Homeownership Opportunities for People Everywhere (HOPE 3) Program.

Agency form numbers, if applicable: SF-424, HUD-40086, 40102-A, 40102-B, 40103, 40104, and 40105.

Members of affected public: State and local governments, nonprofit organizations.

Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response: number of respondents—258; frequency of response—once; hours per response—40.

Status of the proposed information collection: Reinstatement, with change, of a previously approved collection for which approval has expired.

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

Dated: September 4, 1996.

Andrew Cuomo,

Assistant Secretary for Community Planning and Development.

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Office of the Assistant Secretary for Public and Indian Housing

[Docket No. FR-3998-N-02]

Public Housing Lease and Grievance Procedures; Notice of HUD Due Process Determinations

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

ACTION: Notice of HUD due process determinations.

SUMMARY: Under section 6(k) of the United States Housing Act of 1937, a housing agency (HA) is generally required to provide a public housing tenant with the opportunity for an

administrative hearing before commencement of eviction proceedings in court. The statute and HUD's implementing regulations provide that the HA may bypass the administrative hearing for evictions involving: any activity that threatens the health, safety or right to peaceful enjoyment of the premises of other tenants or employees of the HA; or any drug-related criminal activity on or off such premises. HUD must first make a determination that local law requires a pre-eviction court hearing that provides the basic elements of due process (a "due process determination"). This notice lists the judicial eviction procedures in three States for which HUD has recently issued a due process determination.

FOR FURTHER INFORMATION CONTACT: Office of General Counsel, Assisted Housing Division, Room 8166, Department of Housing and Urban Development, 451 7th Street, SW, Washington, DC 20410; telephone (202) 708-2140. (This is not a toll-free number.) Hearing- or speech-impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339. Individuals may arrange to inspect and copy the documents detailing the legal analysis on which the due process determinations are based by contacting the Assisted Housing Division.

SUPPLEMENTARY INFORMATION:**I. Background**

On March 26, 1996 (61 FR 13272), HUD published a final rule in the Federal Register amending its regulations governing public notice and comment rulemaking requirements (24 CFR part 10) and public housing lease and grievance procedures (24 CFR part 966). The final rule added a new paragraph (a)(2)(iii) to § 966.51 which states that "[f]or guidance to the public, HUD will publish in the Federal Register a notice listing the judicial eviction procedures for which HUD has issued a due process determination." Also on March 26, 1996 (61 FR 13276), HUD published a notice in the Federal Register implementing 24 CFR 966.51(a)(2)(iii). The notice provided a State-by-State listing of the due process determinations issued by HUD. Each listing provided a brief description of the judicial eviction procedures required by local law which HUD has determined are consistent with the basic elements of due process as further defined in 24 CFR 966.53(c).

Since publication of the March 26, 1996 notice, HUD has issued two new due process determinations covering the