



Federal Register

**Monday,
May 5, 2008**

Part VII

**Department of
Housing and Urban
Development**

Semiannual Regulatory Agenda

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
24 CFR Subtitles A and B
[Docket No. FR-5205-N-01]
Semiannual Regulatory Agenda
AGENCY: Department of Housing and Urban Development (HUD).

ACTION: Semiannual regulatory agenda.

SUMMARY: In accordance with section 4(b) of Executive Order 12866 "Regulatory Planning and Review," as amended, HUD is publishing its agenda of regulations already issued or that it expects to be issued over the next several months. The agenda also includes rules currently in effect that are under review and describes those regulations that may affect small entities, as required by section 602 of the Regulatory Flexibility Act. The purpose of publication of the agenda is to encourage more effective public participation in the regulatory process by providing the public with advance information about pending regulatory activities.

FOR FURTHER INFORMATION CONTACT:

Aaron Santa Anna, Assistant General Counsel for Regulations, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW., Room 10276, Washington, DC 20410-0500; telephone: (202) 708-3055. (This is not a toll-free number.) A telecommunications device for hearing- and speech-impaired individuals (TTY) is available at (800) 877-8339 (Federal Information Relay Service).

SUPPLEMENTARY INFORMATION: Executive Order 12866 "Regulatory Planning and Review" (58 FR 51735), as amended, requires each department or agency to publish semiannually an agenda of: (1) Regulations that the department or agency has issued or expects to issue and (2) rules currently in effect that are under departmental or agency review. The Regulatory Flexibility Act (5 U.S.C. 601 to 612) requires each department or agency to publish semiannually a regulatory agenda of rules expected to be proposed or promulgated that are likely to have a significant economic impact on a substantial number of "small entities," meaning small businesses, small organizations, or small governmental jurisdictions.

Executive Order 12866 and the Regulatory Flexibility Act each permits incorporation of the agenda required by these two authorities with any other prescribed agenda. Therefore, the agenda set out below combines the information required by Executive Order 12866 and the Regulatory Flexibility Act. In addition, the agenda contains information not required by either the Executive order or by the Regulatory Flexibility Act that HUD considers useful to better inform the public and to enhance HUD's own inventory control over its body of regulations.

Section 610(c) of the Regulatory Flexibility Act requires each department or agency to publish annually a list of the rules that have a significant economic impact on a substantial number of small entities and that are to be reviewed in accordance with the requirements of section 610 during the succeeding 12 months. Existing regulations that HUD proposes to amend by rules described and published in this agenda are reviewed in accordance with the principles of section 610 of the Regulatory Flexibility Act. The purpose of the review is to determine whether the rule should be continued without change, amended, or rescinded. Proposed changes to existing regulations provide the opportunity for HUD to conduct a section 610 review.

HUD also is subject to rulemaking requirements set forth in the Department of Housing and Urban Development Act (42 U.S.C. 3531 *et seq.*). Section 7(o) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)) requires that the Secretary transmit to the congressional committees having jurisdictional oversight of HUD (the Senate Committee on Banking, Housing, and Urban Affairs; and the House Committee on Financial Services) a semiannual agenda of all rules or regulations that are under development or review by HUD. A rule appearing on the agenda cannot be published for comment before or during the first 15 calendar days after transmittal of the agenda. Section 7(o) provides that if, within that period, either committee notifies the Secretary that it intends to review any rule or regulation that appears on the agenda, the Secretary must submit to both committees a copy of the rule or regulation, in the form it is intended to be proposed, at least 15 calendar days

before it is published for comment. The semiannual agenda published today is the agenda transmitted to the committees in compliance with this requirement.

In this agenda, HUD has attempted to list all regulations and regulatory reviews pending at the time of publication, except for minor and routine or repetitive actions, but some may have been inadvertently omitted, or may have arisen too late to be included in the published agenda. There is no legal significance to the omission of an item from the agenda. Also, where a date is provided for the next rulemaking action, the date is an estimate and is not a commitment to act on or by the date shown.

In some cases, HUD has withdrawn rules that were placed on previous agendas because the rules were never published. Withdrawal of a rule does not necessarily mean that HUD will not proceed with the subject of the rulemaking. Withdrawal merely is an indication that HUD may assess the subject matter further and determine whether rulemaking in that area is appropriate. Following such an assessment, HUD may determine that certain rules listed as withdrawn on today's agenda are appropriate. If that determination is made, such rules will be included in a succeeding semiannual agenda.

In addition, for a few rules that have been published as proposed or interim rules and, therefore, require further rulemaking, HUD has identified the timing of the next action as "Undetermined." These are rules that are still under review by HUD for which both a determination and the timing of the next action has not yet been made.

The format of the agenda remains unchanged from previous years. HUD's agenda items are divided first by program office. Within each program office, the agenda items are divided into five groups: (i) Pre-rulemaking actions; (ii) publication or other implementation of notices of proposed rulemaking; (iii) publication or other implementation of final rules; (iv) long-term rules; and (v) completed actions. Within each grouping, rules are listed in chronological order by the part number of title 24 of the Code of Federal Regulations (CFR) that is affected. Where a rule affects multiple parts of

HUD

the CFR, the rule is listed by the first affected part number.

Since the purpose of publication of the agenda is to encourage more effective public participation in the

regulatory process by providing the public with early information about HUD's future regulatory actions, HUD invites all interested members of the

public to comment on the rules listed in the agenda.

Dated: March 6, 2008.

Roy A. Bernardi,

Deputy Secretary.

Office of Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
200	24 CFR 3500 Real Estate Settlement Procedures Act (RESPA); To Simplify and Improve the Process of Obtaining Mortgages and Reduce Consumer Costs (FR-5180)	2502-AI61

Office of Housing—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
201	24 CFR 3285 Manufactured Home Installation Program (FR-4812)	2502-AH97

Department of Housing and Urban Development (HUD)

Proposed Rule Stage

Office of Housing (OH)

200. REAL ESTATE SETTLEMENT PROCEDURES ACT (RESPA); TO SIMPLIFY AND IMPROVE THE PROCESS OF OBTAINING MORTGAGES AND REDUCE CONSUMER COSTS (FR-5180)

Legal Authority: 12 USC 2601 et seq; 42 USC 3535(d)

Abstract: In July and August 2005, HUD held seven roundtable discussions about possible changes to HUD's RESPA regulations with industry, including small business entities, consumers, and other interested parties. These roundtables were held at HUD Headquarters and in the cities of Los

Angeles, California; Chicago, Illinois; and Fort Worth, Texas. HUD found the roundtable discussions to be very informative and, after further considerations of the issues and proposals raised at the roundtables and further assessment of current mortgage industry practices, HUD is proposing changes to its RESPA regulations that would improve and standardize the Good Faith Estimate (GFE) form to make it easier to use for shopping among settlement providers and help borrowers understand how yield spread premiums can affect their settlement charges.

Timetable:

Action	Date	FR Cite
NPRM	03/14/08	73 FR 14030
NPRM Comment Period End	05/13/08	
Final Action	10/00/08	

Regulatory Flexibility Analysis

Required: Yes

Agency Contact: Ivy Jackson, Director, Office of RESPA and Interstate Land Sales, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0502

RIN: 2502-AI61

Department of Housing and Urban Development (HUD)

Final Rule Stage

Office of Housing (OH)

201. MANUFACTURED HOME INSTALLATION PROGRAM (FR-4812)

Legal Authority: 42 USC 3535(d); 42 USC 5401 et seq

Abstract: HUD is required under the Manufactured Housing Improvement Act of 2000 to establish an installation program that includes: (1) Installation standards; (2) the training and licensing of manufactured home installers; and (3) inspection of the installation of manufactured homes. HUD's program will be established in States that do not

have their own qualifying installation program.

Timetable:

Action	Date	FR Cite
ANPRM	03/10/03	68 FR 11448
ANPRM Comment Period End	04/24/03	
NPRM	06/14/06	71 FR 34476
NPRM Comment Period End	08/14/06	
Final Action	06/00/08	

Regulatory Flexibility Analysis

Required: Yes

Agency Contact: William W. Matchneer III, Associate Deputy Assistant Secretary, Office of Regulatory Affairs and Manufactured Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-7249

RIN: 2502-AH97

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