



## SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0538]

### Agency Information Collection Activities; Submission for OMB Review; Comment

#### Request; Extension: Form ADV-H

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. § 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information.

The title for the collection of information is "Form ADV-H under the Investment Advisers Act of 1940." Form ADV-H (17 CFR 279.3) under the Investment Advisers Act of 1940 ("Advisers Act") is the application that investment advisers use to request a hardship exemption from making Advisers Act filings electronically with the Investment Adviser Registration Depository ("IARD").

There are two types of hardship exemptions from making Advisers Act filings through IARD: a temporary hardship exemption and a continuing hardship exemption. Advisers Act rule 203-3 (17 CFR 275.203-3) sets forth requirements for both temporary hardship exemptions and continuing hardship exemptions for advisers registered or registering with the Commission. Advisers Act rule 204-4(e) (17 CFR 275.204-4(e)) sets forth requirements for temporary hardship exemptions for exempt reporting advisers.

A temporary hardship exemption is available to advisers registered or registering with the Commission, as well as exempt reporting advisers, if the adviser has unanticipated technical difficulties that prevent it from submitting a filing to the IARD system. To apply for a temporary hardship exemption, the adviser must file Form ADV-H in paper format no later than one business day after the subject filing was due and submit the subject filing electronically through IARD no

later than seven business days after the subject filing was due. The temporary hardship exemption is granted when the adviser files the completed Form ADV-H.

A continuing hardship exemption provides an exemption from electronic filing for no more than one year. It is available to certain advisers registered or registering with the Commission; it is not available to exempt reporting advisers. Such adviser must be a small business and be able to demonstrate that the electronic filing requirements are prohibitively burdensome or expensive. To apply for a continuing hardship exemption, an adviser must file Form ADV-H at least ten business days before a filing is due. The Commission will grant or deny the application within ten business days after the adviser files Form ADV-H. If the Commission approves the application, the adviser may submit filings to FINRA in paper format for the period of time for which the exemption is granted.

The purpose of the collection of information is to enable the Commission to process requests for temporary hardship exemptions and to determine whether to grant a continuing hardship exemption from the requirement for advisers to make Advisers Act filings electronically through IARD.

Respondents are investment advisers registered or registering with the Commission, as well as exempt reporting advisers. Based on our experience and data, we estimate that there are 22,495 respondents, consisting of 16,404 registered investment advisers and 6,091 exempt reporting advisers. Of those respondents, we estimate that we would receive two responses annually, and each response would take approximately one hour to complete. Therefore, we estimate an annual aggregate burden of two hours for this collection of information.

The collection of information does not require recordkeeping or records retention. The collection of information requirements are mandatory. The information collected is a filing with the Commission, and is not kept confidential.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

The public may view and comment on this information collection request at:

[https://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=202601-3235-013](https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202601-3235-013) or email comment to MBX.OMB.OIRA.SEC\_desk\_officer@omb.eop.gov within 30 days of the day after publication of this notice, by **[INSERT DATE 31 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Dated: April 9, 2026.

**Sherry R. Haywood,**

*Assistant Secretary.*

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