



## **APPENDIX V**

# **Albuquerque Housing Authority**

## **EIV Security and Procedure Policy**

**10 - 2010**

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Date Adopted

**2009-02**

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By Resolution Number

## Definitions

Administrator	The AHA employee, designated by the Division Manager who is responsible for authorizing access to WASS. Note: this person is not allowed to obtain EIV information under any circumstances.
Authorized User:	An authorized user is one who is employed by AHA, and has been granted authorized WASS access by the Division Manager or his/her designated representative who is the (Administrator/Coordinator).
EIV	Enterprise Income Verification System.
Improper Disclosure	The release of EIV data to an unauthorized individual.
Intranet	A privately maintained computer network that can be accessed only by authorized persons, especially members or employees of the organization that owns it.
Need-to Know	A criterion used in security procedures that requires the custodians of secure information to establish, prior to disclosure, that the intended recipient must have access to the information to perform his or her official duties.
Proper Disposal	The disposal of EIV information by destroying documents 3 years after EOP date.
Secure System WASS User ID	A secure ID issued to a user enabling access to the system.
Security Officer	The AHA employee so designated by the Division Manager to monitor and insure users EIV/UIV compliance. Note: this person is not allowed to obtain EIV/UIV information.
WASS	HUD's Web Access Security System (Secure connection/Secure systems)

## **AHA Use and Confidential Policy**

The U.S. Department of Housing and Urban Development (HUD) Enterprise Income Verification (EIV) system will be used by AHA as the method of verifying income of Low Rent Public Housing and Section 8 Housing Choice Voucher program participants. EIV information is to be considered strictly confidential and may only be utilized for the intended purpose of verifying income for initial eligibility and continued eligibility. The EIV data is subject to the provisions of the federal Privacy Act (5 U.S.C. § 552, as amended by Public Law No. 104-231, 110 Stat. 3048), the Freedom of Information Act, also known as FOIA, (5 U.S.C. § 552, as amended by Public Law No. 104-231, 110 Stat. 3048), and any related future amendments.

## **Privacy Act Requirements**

Whenever AHA requests information about a participant tenant, AHA will ensure the following:

1. The data will only be used for verification of tenant income to determine:
  - a. A tenant's eligibility for participation in a federal rental assistance program; and
  - b. The level of housing assistance that they are entitled to receive.
2. The data is **NOT** disclosed in any way that would violate the privacy of the individuals represented in the system
3. ALL participating tenants will be notified of the following:
  - a. HUD or AHA authorization and purpose for collecting the information
  - b. The uses that may be made of the data collected, and
  - c. The consequences if the tenant fails to provide the required information
4. Upon request, a tenant will be provided with access to EIV generated records pertaining to them and with the opportunity to correct or challenge the contents of the records.

## **Criminal Penalties Associated with violation of the Privacy Act**

An AHA employee can be charged and possibly be found guilty of a federal misdemeanor or felony crime, if that employee knowingly and/or willfully:

1. Discloses a tenant or tenants records to an unauthorized party.
2. Fraudulently represents himself/herself to obtain another individual's record.

## **Reporting Improper Disclosures**

- Security Officer will report any evidence of unauthorized access or known security breaches to the Division Manager; and
- Security Officer shall document all improper disclosures in writing; and
- Security Officer shall report all security violations regardless of whether the security violation was intentional or unintentional.

## **AHA Staff Responsibilities**

1. **Division Manager:**

The Division Manager shall appoint an EIV Administrator / Security Officer whose responsibilities are defined herein.

2. **EIV Administrator:**

The Administrator shall provide each authorized user a HUD/PHA Access Authorization Form and the rules of Behavior and User Agreement form and the user will apply for a User ID and Password. Administrator will facilitate this process.

3. **Security Officer (EIV Administrator):**

The Security Officer shall be responsible to insure that all authorized users are utilizing and safeguarding the EIV information. This includes but is not limited to:

- a. Maintain a log of all authorized users. The log shall be updated on a quarterly or more frequent basis as may be required.
- b. Distribute all User Guides and Security policies and procedures to ALL staff using EIV system's data.
- c. Record and report improper disclosure in accordance with the improper disclosure procedure.
- d. Monitoring EIV system utilization reports.

4. **EIV Staff Monitor (AHA section Housing Program Coordinator):**

- a. Insuring confidentiality of information displayed on monitors.
- b. Insuring the confidentiality of printed EIV reports.
- c. Monitoring storage areas.
- d. Monitoring the disposal of EIV information.
- e. Maintain a log of employees receiving keys to controlled areas.
- f. Insure keys are returned when employees are no longer employed by AHA.
- g. Coordinate staff training and/or perform a review of the EIV Security procedures on a regular basis, but not less than annually and maintain a log of all AHA staff who have attended required trainings.

## **EIV Access**

1. **Certified Users:**

EIV users are authorized by the Division Manager or by his/her designee and shall have access to the system. Authorized users must safeguard and insure the confidentiality of User Codes and Passwords. EIV Users must complete a User Access Authorization Form and execute the "Rules of Behavior and User Agreement" prior to being given access to the EIV system. Once an authorized user is no longer employed by AHA, access will be terminated the date of termination.

AHA has established the following classes of authorized personnel:

- a. Employees who must determine income for rent computation purposes for the Public Housing and Section 8 Housing Choice Voucher, Single Room Occupancy (SRO) and Moderate Rehabilitation programs.

- b. Employees who must determine income for internal quality control purposes.

## **Training**

1. **Initial EIV System**

All **NEW** users **MUST** first view the Initial EIV System Training before they are granted access to the EIV System.

2. **Annual Security Awareness**

All EIV System users, views and handlers will attend an EIV Security Awareness Training annually.

## **Disclosure of EIV System Information**

1. At public housing placement or housing voucher certification and annual re-certifications, AHA will disclose its intent to make use of the EIV system. This will include the following:
  - a. An explanation of the EIV procedure.
  - b. What action(s) AHA may seek after determining that income has been unreported or underreported.
  - c. Signatures of all adult household members on the What you should Know About EIV Form.
2. All tenant files shall contain a properly completed and current HUD-9886 Form.
3. Requests for EIV information by the tenant will require a signed Release of EIV Form.
4. AHA will send EIV report information to all receiving portability Housing Authorities.

## **Security**

EIV data will be safeguarded at all times:

1. **Monitors**

EIV information displayed on Monitors will be safeguarded by:

- a. Insuring that EIV data monitor displays are only active (e.g., visible) when the information is being solicited for verification purposes and only when no other unauthorized persons are within viewing range.
- b. When user exits their office, even for short periods, users will either screen protect or blank the monitor screen.

3. **Printed Reports:**

Employees will insure that all EIV information in printed format are:

- a. immediately removed from printer trays. *Especially if the printer utilized is in an unsecured common use area*; and
  - b. at no time left unattended where it is visible or in viewing distance of unauthorized staff or visitors; and
  - c. filed in tenant files with all re-certification and interim calculations; and
  - d. files filed in a secure location when not in use
4. Discussing EIV Information:
- a. EIV information can only be discussed with other authorized staff on a “needs-to know” basis.
  - b. EIV information is protected at the individual household member level. *Specific information pertaining to one family member cannot be discussed in the presence of other family members or other individuals.*

5. Disposition:

EIV data will be disposed of by:

- a. Destroyed 3 years after EOP date.

***Note: Shredding will be performed by an authorized AHA staff and/or contract shredding firm.***

**Resolving Discrepancies**

AHA requires that all household income is reported by the family as specified in the Admissions and Continued Occupancy Policy (ACOP), lease, and the Section 8 Administrative Plan (Admin Plan). These documents are made a part of this policy by reference.

When EIV information is substantially different from what the tenant reported and/or what was reported by a third party, the following procedures will be followed:

1. In any case where the tenant disputed the EIV data documenting the discrepant income, staff shall submit a third-party verification form to the income source(s); and
2. Staff shall refer the tenant disputing data to:
  - a. Social Security 1-800 772-1213 [www.socialsecurity.gov](http://www.socialsecurity.gov)
  - b. Identity Theft 1-877 438-4338 [www.ftc.gov](http://www.ftc.gov)
3. Staff shall discuss the discrepancy with the tenant and the tenant shall be given the opportunity to resolve the discrepancy. Such discussion shall be either verbally or in writing.
  - a. Although the tenant shall be given the opportunity to resolve the discrepancy, the final authority shall be either third-party verification or EIV data, whichever is accurate, unless the tenant can provide documentation that one or both parties’ data is incorrect.

- b. If the tenant is able to produce sufficient documentation of incorrect third party and/or EIV data, tenant shall be instructed to contact the proper staff person in charge of this data for resolution.

**Adverse Actions**

Should AHA find, after a review of all of the information, that the tenant has failed to fully disclose all family income, AHA will:

- 1. Offer the tenant the opportunity to repay all retroactive rent overpayments/charges in accordance with AHA' established repayment policies.
- 2. If the family is unable or unwilling to repay, seek eviction or termination of the housing assistance; and

<b>At Least</b>	<b>But Less Than</b>	<b>Action</b>
\$1	\$4,999.00	Turn over to collection agency
\$5,000	or More	Turn over to Office of the Inspector General (OIG) at HUD