

SECTION 8 ADMINISTRATIVE PLAN

APPENDIX G

EIV/UIV POLICY

IDAHO HOUSING AND FINANCE ASSOCIATION

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EIV/UIV POLICY

EIV/UIV Overview

The Enterprise Income Verification (EIV) system is a system intended to provide a single source or income-related data to Idaho Housing and Finance Association (IHFA) and the Department of Housing and Urban Development (HUD) for use in verifying the income reported by participants in the Housing Choice Voucher Program and the Low-Rent Public Housing Program.

The HUD EIV/UIV (Upfront Income Verification) system will be used as the preferred method of verifying income of Housing Choice Voucher and Low-Rent Public Housing Programs. EIV/UIV information will be considered confidential and will only be utilized for the intended purpose of verifying income for eligibility and continued eligibility in these programs. The EIV/UIV 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 (5 U.S.C. 552 as amended by Public Law No. 104-231, 110 Stat. 3048, and any related amendments.

Privacy Act Requirements

In accordance with the requirements of the Privacy Act, whenever IHFA requests information about a program participant using HUD's EIV/UIV system, IHFA will ensure the following:

1. UIV access will be limited to those staff members with a need to access the data to perform their job duties. Data will only be used for verification of a participant's income to determine:
 - a. A participant's eligibility for the program
 - b. The level of assistance the participant is entitled to receive
 - c. Program compliance and auditing
2. The information gathered through EIV/UIV is only used for official purposes and is not disclosed in any way that violates the privacy of an individual.
3. The participant is notified of the following:
 - a. HUD or IHFA's authorization and purpose for collecting the information
 - b. How HUD or IHFA may use the information collected
 - c. The consequences to the individual for failing to provide the information
4. The participant is provided a copy of the records pertaining to them when a written request is made, and given an opportunity to correct or challenge the contents of the record.

Penalties for Improper Use/Handling of EIV Information

Civil and criminal penalties may be imposed for improper use/handling of information received through HUD's EIV/UIV system. A participant may take legal action against HUD or IHFA for the following actions:

1. Refusal to grant a participant access to a his/her record
2. Refusal to amend or correct a participant's record
3. Failure to maintain a record with accuracy, relevancy, timeliness or completeness
4. Failure to comply with any other provision of the privacy Act, where there is an adverse effect on the participant
5. Unauthorized disclosure of a participant's records to an unauthorized source
6. Unauthorized inspection of the data contained in HUD's EIV/UIV system

Each IHFA employee with who has been granted access to HUD's EIV/UIV system has signed the Rules of Behavior and User Agreement. Failure to comply with this agreement or mishandling of EIV data is prohibited. Penalties are as follows:

1. IHFA may impose disciplinary action up to and including termination of employment
2. Felony conviction with a fine of up to \$5000 and/or imprisonment up to 5 years
3. Misdemeanor conviction with a fine of up to \$1000 and/or imprisonment up to 1 year

Roles of IHFA Staff

Administrator/Coordinator

The Administrator/Coordinator will provide each authorized user with the HUD/PHA Access Authorization Form and the Rules of Behavior and User Agreement Form.

Authorized User

Each authorized user will apply for a User ID and Password. Authorized users must safeguard and ensure the confidentiality of User Codes and Passwords.

Security Officer

The Security Officer will be responsible for ensuring that all authorized users are utilizing and safeguarding the EIV/UIV information. This includes, but is not limited to:

1. Maintaining a log of all authorized users. This log will be updated quarterly or on a more frequent basis as needed for staff turnover

2. Conduct staff training with program managers and/or perform a review of the EIV/UIV security procedures at least annually, and keep a log of all personnel who have attended
3. Distribute user guides and security procedures to personnel using the EIV/UIV system
4. Record and report improper disclosure in accordance with procedure
5. Insure and monitor that storage files have locking drawers
6. Insure the confidentiality of information displayed on monitors and printed reports
7. Monitor the disposal of EIV information

Disclosure of EIV/UIV System to the Participant

At initial lease up and at each annual recertification, IHFA will disclose to the participant its use of the EIV/UIV system. This disclosure will be contained in the initial briefing and in written material in the annual recertification paperwork that is provided to the participant.

All participant files will contain a current, signed Authorization for Release of Information and Privacy Act Notice (HUD-9886 Form).

Security

The information in the EIV/UIV system contains confidential information in addition to income information, such as Social Security Numbers, Address and Employment information.

IHFA will ensure that information being displayed on computer monitors is only active when the information is being utilized and no unauthorized persons are within viewing distance. In the event that the workstation is exited even for a short period of time, the employee will either lock the workstation, or close and lock the door to their office. EIV/UIV information will never be saved to a computer hard drive, CD, or floppy disc. Passwords used to access the EIV system will not be shared with non-users or other unauthorized users.

Information received from the EIV/UIV system will be printed out, removed immediately from the printer, and placed in the participant's file. To ensure confidentiality, all files that contain EIV/UIV information should be handled in a manner so that the file does not become misplaced or made available to unauthorized persons. Every file must be stamped with the word "Confidential" on the outside of the file.

When the participant has requested a copy of their EIV/UIV report, the copy will be stamped as "copy" and only released to the appropriate family member. This information is protected at an individual level. Information pertaining to one family member cannot be given to or discussed in the presence of other family members.

Files will not be left out in plain sight when unauthorized personnel or other participants are present. Prior to leaving the office for the night, files will be placed in file cabinets and the cabinets locked.

When the EIV/UIV information is no longer needed because the participant has been deactivated, and the information has been stored for the appropriate length of time, the EIV/UIV information will be disposed of by crosscut shredding. A log will be kept by each Branch Office Supervisor of the date and time that these documents were destroyed.

Discrepancies

IHFA requires that all household income information is reported by the participant. When information received from the EIV/UIV system is different from what the participant has reported, IHFA will obtain written 3rd party verification of the income. The 3rd party verification will be reviewed along with the EIV information taking into consideration prior patterns of employment, benefit payments, and/or other income source histories.

The discrepancies will be discussed with the participant and they will be given the opportunity to resolve the discrepancy. Although the participant is given this opportunity, the final authority will be either written 3rd party verification or EIV/UIV data, whichever is accurate, unless the participant can provide documentation that one or both parties' data is incorrect.

In the event that IHFA finds, after investigation, that a participant has underpaid their portion of the rent and the Housing Assistance Payment (HAP) has been overpaid, the overpayment will be charged against the participant. For amounts of \$50 and more, IHFA will offer the participant a repayment agreement and may terminate assistance to the program. IHFA may also refer the matter to the HUD Inspector General's Office for criminal prosecution. Amounts under \$50 will be required to be repaid within one (1) month.

Reporting Improper Disclosure

Any evidence of unauthorized access or know security breaches must be reported in writing to the Security Officer. All violations of security regardless of whether the violation was intentional or unintentional must be reported.