

EIV Use and Security Policy

Knox County Housing Authority
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Article I. Purpose/Scope of the Policy

Section 1.01 On December 29, 2009, HUD issued the final rule entitled Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs: Implementation of the Enterprise Income Verification (EIV) System Amendments (74 FR 68924), which requires PHAs to use the EIV system in its entirety to verify tenant employment and income information during mandatory reexaminations of family composition and income in accordance with 24 CFR 5.233; and reduce administrative and subsidy payment errors in accordance with 24 CFR 5.236 and other administrative guidance issued by HUD.

Section 1.02 The EIV System is a web-based application, which provides PHAs with employment, wage, unemployment compensation and social security benefit information for tenants who participate in the Public Housing and various Section 8 programs under the jurisdiction of the Office of Public and Indian Housing (PIH).

Section 1.03 Information in EIV is derived from computer matching programs initiated by HUD with the Social Security Administration (SSA) and the U.S. Department of Health and Human Services (HHS), for all program participants with valid personal identifying information (name, date of birth (DOB), and social security number (SSN)) reported on the form HUD-50058.

Section 1.04 Using EIV as an upfront income verification (UIV) technique will be valuable in validating tenant-reported income during interim and annual reexaminations of family income; as well as streamlining the income verification process.

Section 1.05 Additionally, EIV will help to identify and cure inaccuracies in housing subsidy determinations, which will benefit PHAs, tenants, and taxpayers by ensuring that the level of benefits provided on behalf of families is proper and will prevent fraud and abuse within Public Housing (PIH) rental assistance programs.

Section 1.06 EIV also provides various reports to assist PHAs with the following:

- (a) Identifying tenants whose reported personal identifiers do not match the SSA database;
- (b) Identifying tenants who need to disclose an SSN;
- (c) Identifying tenants whose reported personal identifiers do not match the SSA database;
- (d) Identifying tenants who may not have reported complete and accurate income information;
- (e) Identifying tenants who have started a new job;
- (f) Identifying tenants who may be receiving duplicate rental assistance;
- (g) Identifying tenants who are deceased and possibly continuing to receive rental assistance; and
- (h) Identifying former tenants of PIH rental assistance programs who voluntarily or involuntarily left the program and have a reportable adverse status and/or owe money to a PHA or Section 8 landlord.

Section 1.07 This policy is in effect for all applicable Knox County Housing Authority programs, including:

- (a) Public housing program;
- (b) Housing choice voucher program; and
- (c) Affordable housing program

Section 1.08 This policy is effective as of the date of adoption by the Knox County Housing Authority Board of Commissioners, and supersedes any agency policy concerning EIV system use.

Article II. System roles and access

Section 2.01 EIV roles.

- (a) PHA User Administrator - This role allows the user to request EIV access for PHA staff; assign, modify and remove roles; assign public housing developments; certify users, terminate EIV access; and view User Role History, Termination and Certification reports.
 - (i) The KCHA shall assign two (2) User Administrators.
 - (ii) User Administrators may not be assigned as Security Administrators.
- (b) PHA Security Administrator - This role allows the user to monitor staff access to the EIV system by viewing the various audit reports: User Session and Activity and Tenant Data Access Reports.
 - (i) The KCHA shall assign two (2) Security Administrators.
 - (ii) Security Administrators may not be assigned as User Administrators.
- (c) Program Administrator Public Housing – View, enter, update, or delete debt or termination information of former public housing tenants in the Debts Owed to PHAs & Termination module, access to the Debts Owed to PHAs & Terminations Report, and search for former tenants.
- (d) Program Administrator Voucher – View, enter, update, or delete debt or termination information of former HCV and other PIH Section 8 tenants in the Debts Owed to PHAs & Termination module, access to the Debts Owed to PHAs & Terminations Report, and search for former tenants.
- (e) PHA Occupancy Public Housing – Access the Debts Owed to PHAs & Termination Report, Search for Former Tenant, Tenant Income Information and Verification Reports for the Public Housing program (Public Housing projects must be assigned to the EIV user or the user will not be able to access EIV PH tenant information).
- (f) PHA Occupancy Voucher – Access the Debts Owed to PHAs & Terminations Report, Search for Former Tenant, Tenant Income Information and Verification Reports for the Housing Choice Voucher (HCV) and other PIH Section 8 programs.
- (g) PHA Occupancy Application Processor – Access the Debts Owed to PHAs & Terminations Report, Multiple Subsidy Report, Existing Tenant Search, and Former Tenant Search. This is a limited role and should not be assigned to any user if the PHA Occupancy Voucher or Public Housing role is assigned to that user.

Section 2.02 All PHA staff (including PHA-hired management agents), who have a need to access the EIV system, are required to complete and submit the EIV Access Authorization Form & Rules of Behavior and User Agreement to the KCHA EIV User Administrator and the designated EIV Coordinator in the HUD Chicago field office.

Section 2.03 Individuals who will not directly access the EIV system but will have access to the EIV data in printed or electronic form also are required to complete the EIV Access Authorization Form & Rules of Behavior and User Agreement and maintain it on file (do not submit the form to the local HUD office).

Section 2.04 Users are required to adhere to the rules of behavior set forth in HUD-52676, Part II, including but not limited to:

- (a) Users are responsible for the protection of passwords, information, equipment, systems, networks, and communication pathways to which they have access.
- (b) Personal use of information resources is prohibited.
- (c) Users must avoid leaving system output records or reports unattended or unsecured
- (d) User passwords and user IDs are for individual use only and are confidential HUD information. Users are required to change passwords every 30 days.
- (e) Users shall only access the information for which they are authorized.
- (f) Users shall be held accountable for their actions while accessing the system or viewing printed or electronic EIV data.
- (g) Users should immediately contact their supervisor regarding any suspected violation or breach of system security.

Section 2.05 The KCHA will terminate an employee's access to EIV in the following circumstances:

- (a) Employee leaves the agency;
- (b) Employee's duties no longer require EIV access; or
- (c) Employee violates security requirements.

Section 2.06 An EIV binder shall be maintained by the KCHA which shall contain the following information:

- (a) HUD-Chicago Field Office Secure Systems audits;
- (b) Log of EIV users, current and historical;
- (c) Initial and current signed/approved HUD form 52676 - Enterprise Income Verification (EIV) System User Access Authorization Form and Rules of Behavior and User Agreement for each EIV system user;
- (d) Certification of annual security awareness training for each authorized user, current and historical.

Section 2.07 Annual Training and Awareness.

- (a) As a condition of initial and continued access to the EIV System, KCHA staff are required to complete Annual Security Awareness training and EIV system training (initial system training) and update (interim system changes) training when offered by HUD Headquarters (HHQ).
- (b) EIV training provided by third parties (other than HUD Headquarters) does not fulfill the mandatory EIV training requirement.
- (c) EIV system users who need to complete EIV training may view EIV training webcasts at: https://www.hud.gov/program_offices/public_indian_housing/programs/ph/rhiip/piheivwebcasts

- (d) KCHA employees must complete the training prior to accessing the EIV system and/or printed EIV reports.

Article III. Mandatory Use of the EIV System

Section 3.01 Since January 31, 2010, all PHAs have been required to use the EIV system in its entirety. This means that PHAs must use all features of the EIV system to:

- (a) Verify tenant employment and income information during interim and mandatory reexaminations of family composition and income in accordance with 24 CFR 5.236, and other HUD administrative guidance; and
- (b) Reduce administrative and subsidy payment errors in accordance with HUD administrative guidance.

Section 3.02 KCHA staff must comply with and reduce administrative burden of third-party verification requirements for employment, wage, unemployment compensation and Social Security benefits, and any other information that is verifiable using EIV by:

- (a) Reviewing the EIV Income and IVT Reports to confirm/validate tenant-reported income;
- (b) Printing and maintaining the EIV Income and IVT Reports in the tenant file;
- (c) Obtaining current acceptable tenant-provided documentation to supplement the EIV information; and
- (d) Using current tenant-provided documentation and/or third-party verification to calculate annual income.

Section 3.03 EIV system use procedures.

- (a) The KCHA must have the following in the tenant file signed for each adult household member (excluding live-in aides) in order to access EIV income information:
 - (i) Form HUD-9886 (Authorization for the Release of Information and Privacy Act Notice); or
 - (ii) An equivalent consent form which meets the requirements of 24 CFR § 5.230KCHA staff shall be certified in the EIV system no less than semi-annually.
- (b) For each new admission (form HUD-50058 action type 1), the KCHA is required to:
 - (i) Review the EIV Income and IVT Reports to confirm/validate family-reported income within 120 days of the Inventory Management System Public and Indian Housing Information Center (IMS/PIC) submission date;
 - (ii) Print and maintain copies of the EIV Income and IVT Reports in the tenant file; and
 - (iii) Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.
- (c) For each historical adjustment (form HUD-50058 action type 14), the KCHA is required to do the following:
 - (i) Review the EIV Income and IVT Reports to confirm/validate family-reported income within 120 days of the IMS/PIC submission date; and
 - (ii) Print and maintain copies of the EIV Income and IVT Reports in the tenant file;

- (iii) Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.
- (d) For each interim reexamination (form HUD-50058 action type 3) of family income and composition, the KCHA is required to have the following documentation in the tenant file:
 - (i) When there is no household identified income, discrepancy reported on the HUD50058, the EIV Income Report or IVT Report, PHAs have the discretion to print the EIV Income and IVT Reports to document the tenant file.
 - (ii) In cases when there is an identified income discrepancy among the HUD-50058, the EIV Income Report or IVT Report, PHAs must follow up with the family and resolve the differences between the reported information as noted in Section 8.
- (e) For each reexamination of family income and composition, the KCHA is required to have the following documents in the tenant file:
 - (i) No Dispute of EIV Information: There are no disputes among the EIV Income and IVT Reports. The tenant file includes current acceptable tenant provided documentation and if necessary (as determined by the KCHA), traditional third-party verification and a current copy of the form HUD-50058 or to be maintained in the tenant file.
 - (ii) Disputed EIV Information: There is a discrepancy in at least one of the EIV Income or IVT Reports or the form HUD-50058 is not current or is inconsistent and/or traditional third-party verification form(s) for the disputed information is not clear. Copies of the EIV Income and IVT reports, income verification and a corrected for HUD-50058 will be maintained in the tenant file.
 - (iii) In cases when the Tenant-reported income is not verifiable through the EIV system: Current tenant provided documents and if necessary, (as determined by the KCHA), traditional third-party verification form (s) and copies of the EIV Income and IVT reports and a corrected form HUD-50058 will be maintained in the tenant file.
- (f) Debts Owed to PHAs & Terminations
 - (i) The KCHA shall be required to:
 - 1) Enter adverse information (debts owed or adverse termination information) no later than 60 days from EOP date.
 - a) Maintain documentation for 3 years after the EOP date.
 - b) Ensure that information entered is complete and accurate.
 - c) Upon confirmation of erroneous information, update, correct or delete.
 - i) PHAs are required to delete EOP records when there is:
 - a. No adverse information that needs to be reported; or
 - b. Erroneous adverse information reported.
 - ii) KCHA shall not delete records of families who paid debt in full.
 - a. Staff will instead update Debt Paid In Full EOP status to the family record.
 - 2) Conduct a Former & Existing Tenant Search for all adult applicants & household members prior to admission.
 - a) Determine suitability for initial & continued rental assistance.

- b) Avoid providing limited federal housing assistance to families who previously did not comply with HUD program requirements; and/or owe money to a PHA as of the EOP date.
- c) Document search results in the applicant file.
 - i) Negative search result – record date and results in the applicant file.
 - ii) Positive search result:
 - a. Record date and results in the applicant file;
 - b. Provide family with a copy of the Debt Owed to PHA & EOP Report;
 - c. Disputing tenant must contact the PHA, in writing, that reported the information, explaining why EIV information is disputed and provide applicable documents to support claim;
 - d. For unpaid debts or adverse terminations, the KCHA may deny admission or require family to:
 - i. Repay the reporting PHA and provide your agency with a receipt of payment; or
 - ii. Enter into a repayment agreement and provide your agency with a copy of the agreement.

Section 3.04 Use of EIV to reduce administrative and subsidy payment errors.

- (a) PHAs must use the stand-alone reports to reduce the following administrative and subsidy payment errors by using the listed reports:
 - (i) Incorrect/invalid SSNs/name/date of birth – Identity Verification Report;
 - (ii) Follow-up with families who need to disclose an SSN – Immigration Report;
 - (iii) Duplicate rental assistance – Multiple Subsidy Report;
 - (iv) Unreported increase in income – IVT Report;
 - (v) Improper payments on behalf of deceased tenants – Deceased Tenants Report;
 - (vi) Unreported new employment (PHAs with interim increase policy) – New Hires Report; and
 - (vii) Adverse Termination/Outstanding Debt to PHA – Debts Owed to PHAs & Termination Search.
- (b) To ensure awareness of potential subsidy payment errors, KCHA staff are required to monitor the following EIV reports monthly:
 - (i) Deceased Tenants Report;
 - (ii) Identity Verification Report;
 - (iii) Immigration Report;
 - (iv) IVT Report based on PHA reexamination schedule (Report will include information from the New Hires Report (NDNH)); and
 - (v) Multiple Subsidy Report.

Section 3.05 Use of the EIV Income and IVT Reports as a third-party source to verify tenant employment and income information.

- (a) To minimize tenant underreporting of income, PHAs are required to obtain an EIV Income and IVT Report for each family any time the PHA conducts a reexamination of family income and composition.
- (b) In accordance with 24 CFR 5.236(b)(3), the KCHA is required to compare the information on the EIV reports with the family-reported information on form HUD-50058. If the EIV Income or IVT Report reveal an income source that was not reported by the tenant or a substantial difference (an amount equal to or greater than \$2,400) in the reported income information, the KCHA is required to take the following actions:
 - (i) Discuss the income discrepancy with the tenant; and
 - (ii) Request the tenant to provide any documentation to confirm or dispute the unreported or underreported income and/ or income sources; and
 - (iii) In the event the tenant is unable to provide acceptable documentation to resolve the income discrepancy, the PHA is required to request from the third-party source, any information necessary to resolve the income discrepancy; and
 - (iv) If applicable, determine the tenant's underpayment of rent due to unreported or underreported income, retroactively*; and
 - (v) Take any other appropriate action as directed by HUD or the PHA's administrative policies.
- (c) The KCHA is required to determine the retroactive rent as far back as the existence of complete file documentation (form HUD-50058 and supporting documentation) to support such retroactive rent determinations.

Section 3.06 Incorrect information in the EIV system.

- (a) Sometimes the source or originator of EIV information may make an error when submitting or reporting information about tenants.
- (b) The KCHA nor HUD are able to correct data in the EIV system, only the originator of the data can correct the information. When the originator corrects the data, the KCHA will obtain updated information once the correction processes.
- (c) Procedures regarding incorrect EIV information.
 - (i) Employment and wage information.
 - 1) If the tenant disputes this information, the tenant should contact the employer directly, in writing to dispute the employment and/or wage information, and request that the employer correct erroneous information.
 - 2) The tenant should provide the KCHA with this written correspondence so that it may be maintained in the tenant file. If employer resolution is not possible, the tenant should contact the Illinois Department of Employment Security (IDES) for assistance.
 - (ii) Unemployment benefit information.
 - 1) If the tenant disputes this information, the tenant should contact the IDES directly, in writing to dispute the unemployment benefit information, and request that the IDES correct erroneous information.
 - 2) The tenant should provide the KCHA with this written correspondence so that it may be maintained in the tenant file.

- (iii) SS and SSI benefit information.
 - 1) If the tenant disputes this information, the tenant should contact the SSA at (800) 772-1213 or visit the local SSA office. SSA office information is available in the government pages of the local telephone directory or online at <http://www.socialsecurity.gov>.
- (iv) Debts owed to PHAs and termination information.
 - 1) If a current or former tenant disputes this information, that tenant should contact the PHA (who reported the information) directly in writing to dispute this information and provide any documentation that supports the dispute.
 - 2) If the PHA determines that the disputed information is incorrect, the KCHA will update or delete the record from EIV. Former tenants may dispute debt and termination information for a period of up to three years from the end of participation date in the PIH program.
- (v) The tenant also may provide the KCHA with third party documents which are in the tenant's possession to support their dispute of EIV information.
- (vi) The KCHA, with the tenant's consent, is required to submit a third-party verification form to third party sources for completion and submission to the KCHA, when the tenant disputes EIV information and is unable to provide documentation to validate the disputed information.

Section 3.07 Disclosure of an Individual's EIV Information

- (a) The Federal Privacy Act (5 USC §552a(b), as amended) prohibits the disclosure of an individual's information to another person without the written consent of such individual.
- (b) EIV data of an adult household member may not be shared (or a copy provided or displayed) with another adult household member unless the individual has provided written consent to disclose such information.
- (c) The KCHA is not prohibited from discussing with the head of household (HOH) and showing the HOH how the household's income and rent were determined based on the total family income reported and verified.

Section 3.08 Security of EIV Data.

- (a) The data in EIV contains personal information on individual tenants which is protected under the Federal Privacy Act. The information in EIV may only be used for limited official purposes.
- (b) Disclosure requirements for Independent Auditors:
 - (i) May only access EIV income information within family files and only within the offices of the KCHA or KCHA-hired management agent;
 - (ii) May not transmit or transport EIV income information in any form;
 - (iii) May not enter EIV income information on any portable media;
 - (iv) Must sign non-disclosure oaths that the EIV income information will be used only for the audit; and
 - (v) May not duplicate EIV income information or re-disclose EIV income information to any user not authorized by 5 U.S.C. 552a(b) of the Privacy Act to have access to the EIV income data.
- (c) Disclosing the EIV information to other private or public entities for purposes other than determining eligibility and level of assistance for PIH rental assistance programs is prohibited.

- (d) Penalties for Noncompliance with Mandated EIV System Use.
 - (i) HUD will monitor each PHA's effective and mandated use of the EIV system with analysis of data.
 - (ii) Monitoring also will evaluate access to and frequency of use of the EIV and DHS Systematic Alien Verification of Entitlements (SAVE) systems. If at any time these reports identify apparent inefficient or ineffective use of the EIV System, HUD will provide information to the PHAs on the issues identified and request the PHA(s) to provide evidence of resolution.
 - (iii) PHAs may be subject to sanctions and/or the assessment of disallowed costs associated with any resulting incorrect subsidy or tenant rent calculation or both.
 - (iv) HUD may impose a sanction on any PHA who does not have access to the EIV system or any PHA that has access to the system but has not used the system within the last six months.
 - (v) To avoid sanctions or disallowed costs, the KCHA will follow all formal and informal guidance provided via webcast trainings, PIH Rental Housing Integrity Improvement Project (RHIIIP) periodic electronic mailings, and any other HUD Headquarters-generated guidance.

Section 3.09 Record retention.

- (a) The KCHA's record retention policy will determine the length of time EIV printouts shall remain in a tenant file.
- (b) The KCHA is authorized to maintain the EIV Income and other reports in the tenant file for the duration of tenancy and no longer than three years from the end of participation (EOP) date.
- (c) In accordance with revised regulation, 24 CFR 908.101, the KCHA is required to maintain at a minimum, the last three years of forms HUD-50058 and supporting documentation for all regular and interim reexaminations of family income.
- (d) All records are to be maintained for a period of at least three years or longer as required from the effective date of the action.
- (e) EIV information and any other information obtained by the KCHA for the purpose of determining eligibility and level of assistance for a PIH rental assistance program may not be disclosed to third parties for any reason (even for similar verifications under other programs, such as eligibility for low income housing tax credit units, other federal or state assistance programs), unless the tenant has authorized such disclosure in writing.