

Chapter 16

16-V.C. Records Management

PHA Policy-Records Management

All applicant and participant information will be kept in a secure location and access will be limited to authorized PHA staff.

PHA staff will not discuss personal family information unless there is a business reason to do so. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action.

12/18/2012

16-V.C.i. Privacy Act Requirements (5USC Sec. 552a) (See *Notice PIH 2010-19, Item 18*, *Form-9886-A*, *HUD PIH Notice 94-36* and *HUD PIH Notice 2010-15*)

12/7/2010

24CFR 5.212

(a) *Compliance with the Privacy Act. The collection, maintenance, use, and dissemination of SSNs, EINs, any information derived from SSNs and Employer Identification Numbers (EINs), and income information under this subpart shall be conducted, to the extent applicable, in compliance with the Privacy Act (5 U.S.C. 552a) and all other provisions of Federal, State, and local law.*

(b) *Privacy Act notice. All assistance applicants shall be provided with a Privacy Act notice at the time of application. All participants shall be provided with a Privacy Act notice at each annual income re-certification.*

7/1/2025

16-V.C.ii. Upfront Income Verification (UIV/EIV) Records (See *Notice PIH 2010-19, Item 20*)

12/7/2010

PHA Policy- UIV/EIV Records

Prior to utilizing HUD's UIV/EIV system, the PHA will adopt and implement UIV/EIV security procedures required by HUD.

16-V.C.iii. Criminal Records (Also see *CA Penal Code 11105.03* – Does not apply to information released by the FBI) Also see *PIH Notice 2012-28*

12/7/2010

24CFR 5.903(e)

(e) *Permitted use and disclosure of criminal conviction records received by PHA--(1) Use of records. Criminal conviction records received by a PHA from a law enforcement agency in accordance with this section may only be used for the following purposes:*

6/3/2014

(i) *Applicant screening.*

(A) *PHA screening of applicants for admission to public housing (part 960 of this title);*

(B) *PHA screening of applicants for admission to the Housing Choice*

Voucher Program (section 8 tenant-based assistance) (part 982 of this title);

(C) *PHA screening of applicants for admission to the Section 8 moderate rehabilitation program (part 882 of this title); or the Section 8 project-based certificate or project-based voucher program (part 983 of this title); or*

(D) *PHA screening concerning criminal conviction of applicants for admission to Section 8 project-based assistance, at the request of the owner. (For requirements governing use of criminal conviction records obtained by a PHA at the request of a Section 8 owner under this section, see paragraph (d) of this section.)*

(ii) *Lease enforcement and eviction.*

(A) *PHA enforcement of public housing leases and PHA eviction of public housing residents;*

(B) *Enforcement of leases by a Section 8 project owner and eviction of residents by a Section 8 project owner. (However, criminal conviction records received by a PHA from a law enforcement*