HUD Regulatory Requirements

Thursday September 23\textsuperscript{rd}

2:30PM to 4:00 PM
HUD Regulatory Requirements

A discussion with RCMs concerning the nuances dealing with HUD, whether the issues stem from National HUD Offices or on a local HUD hub level. The RCM registrants can compare similar issues and exchange ideas and new HUD initiatives like EIV and PETRA will also be discussed.

Overview

Introduction:
Greg Carlson – Chair RCM Program

ITEMS:
- Enterprise Income Verification (EIV)
- Lead Base Paint
- Revised Fair Housing chapter to Handbook 4350.1
- PETRA
- REAC
- MOR – Discussion Different MOR experiences

Additional Topic – If Time Permits:
- Green Management Credentials – It’s out there
- Live-in Aides
Enterprise Income Verification (EIV)

The EIV system is a web-based computer system, which contains employment and income information of individuals who participate in HUD rental assistance programs. HUD obtains information about the member from the Social Security Administration (SSA) and the U. S. Department of Health and Human Services (HHS).

✓ Examine or reexamine family income:
✓ Verifying your reported income sources and amounts
✓ Confirming your name, DOB, and SSN with SSA
✓ Confirming your participation in only one HUD rental assistance program
✓ Following up with you, other adult household members, or your listed emergency contact regarding deceased household members

Instructions for O/As to gain access to EIV are posted at:
http://www.hud.gov/offices/hsg/mfh/rhiip/eivapps.cfm

Further explanation on the purpose and use of the system for multifamily O/As along with access to the systems is here:
http://www.hud.gov/offices/hsg/mfh/rhiip/eivhome.cfm

For EIV compliance go to:
http://www.hud.gov/offices/hsg/mfh/rhiip/mfhrihip.cfm

Latest April EIV Version—New Fields:

1. Income by re-exam Month by last name & added printer friendly report with certification page
2. New Hires Report period of review can be modified by user (e.g. 3mos,6 mos)
3. Deceased Tenants Report now includes number & percentage of deceased single-member households; and the ability to search Decreased Tenants by household type
4. EIV User Certification is now semiannually, in April and October of each year
5. Income Discrepancy report link has been moved under Verification Reports Section
6. Former Tenant End of Participation date is now a new column with PIC data
7. Repayment Agreement with Former Tenant checkbox added below the Bankrupt checkbox
8. Search for Former Tenant can now be conducted by users for anyone who was a part of household when the family ended their program participation.

EIV Penalties for Non-Compliance
Your Cooperative may be hit with a 5 percent reduction in federal subsidy for non-compliance with EIV.
To have the penalty waived you must show:
- The initial Hard copy CAAF you sent to the help desk
- A copy of the online CAAF for certification
- Evidence that you followed up with the help desk when access was not granted
- Evidence that you began implementing the EIV system immediately upon receiving access

Latest Notice:

Notice H 2010-10 – Procedures O/As must implement to comply with the EIV mandate. It describes:

1) Updates to the property's tenant selection plan, policies and procedures that are necessary to run EIV reports;
2) How to use the EIV reports;
3) Who may view the EIV reports;
4) What to do if the tenant disputes information in the EIV report
5) What to do if the EIV data reveals the tenant has overpaid or underpaid rent;
6) Documentation the O/A must keep on file and the length of time records must be retained;
7) Required procedures to safeguard EIV information and protect the tenant's privacy;
8) Penalties for misuse of EIV information; and
9) Penalties for noncompliance if the O/A does not use EIV as instructed

Summary

Privacy Act.

Restricted Access and Limited Use of EIV data:

It is important to note that the information about residents which is available through EIV is protected under the federal Privacy Act. The law provides both criminal and civil remedies for willful misuse of the information. Penalties for unauthorized disclosure include a felony conviction and maximum $5000 fine or up to five years imprisonment, as well as civil damages. Unauthorized inspection carries a misdemeanor penalty of up to $1,000 and/or one year imprisonment, as well as civil damages.

There are strict rules about accessing, using and safeguarding the information generated from EIV because the information is also protected under the Social Security Act and HUD's agreements with the federal agencies that provide income and employment data. EIV can only be used by authorized persons for official limited purposes.

Access to the database is restricted, and those who use the hard copy reports generated from EIV must sign rules of behavior. The notice explains:
- Owners and agents must use EIV for third-party income verification and to reduce subsidy errors;
- Contract Administrators and HUD staff must use EIV to monitor the O/A's compliance in using the EIV system; and
- HUD's Office of Inspector General (IG) has access to EIV for auditing purposes.

More recently, HUD allowed independent public auditors (IPAs) to use EIV information for auditing an owner's compliance with verifying income and the accuracy of rent/subsidy
determinations. After IPAs sign the EIV Rules of Behavior for Non System Users, they are only allowed to use EIV information in the hard copy files within the O/A's offices. IPAs are not authorized to obtain access to EIV, and they may not download any information from EIV to portable devices.

Notice H 10-10 explains that the Privacy Act prohibits disclosure of a person's information unless he or she has provided written consent. Realizing there will be times that a tenant wants assistance during the recertification process, HUD will issue a sample form for "obtaining the tenant's consent to disclose information to another adult household member or to persons assisting the tenant with the recertification process." If the tenant provides written consent, disclosure of EIV information is permitted to the following persons who may assist tenants during the recertification process. They may only review EIV information pertaining to the tenant who provided written consent for the disclosure:

- Service coordinators (if they are present at the annual or interim recertification);
- Translators/Interpreters;
- Individuals assisting an elderly individual or a person with a disability;
- Guardians;
- Powers of Attorney; or
- Other Family Members.

EIV information must not be used for unauthorized purposes and must not be disclosed to unauthorized persons. It cannot be used to complete the LIHTC Tenant Income Certification (TIC) or to certify tenants in Section 515 rural housing (if they are not receiving Section 8 assistance). The information cannot be disclosed to state agency officials for LIHTC compliance monitoring or to RHS staff for compliance monitoring—even if the tenant is receiving Section 8 assistance.

Section XII of Notice H 10-10 describes security procedures for accessing, using, storing and destroying EIV data. It discusses the Rules of Behavior for EIV users with system access and for authorized individuals who do not have EIV system access, but need the information from EIV to do their jobs. Required annual security training for the O/A's staff is also discussed.

Technical safeguards are built into the EIV system to ensure only authorized, certified EIV Coordinators and Users have access to the EIV system.

O/A's must also establish administrative safeguards to protect EIV data. The O/A must establish policies and procedures to govern use of the EIV system. These procedures should cover authorized use of EIV, how to deal with security breaches and destruction of EIV data. Written policies and procedures must be provided to O/A's staff for using the EIV Income Report as third-party verification of employment and income and for using the other EIV income and verification reports.

Physical safeguards for storing and transmitting EIV data are also discussed in section XII. If EIV information is stored electronically, it must be kept in a restricted access directory or encrypted using a NIST compliant vendor. Hard copy EIV data must not be left unattended. Those with access to the EIV system should take additional security precautions such as using password protected screensavers and locking their computers when leaving their workspaces. Emails containing EIV data must also be encrypted, and the resident's full social security number must
never be included in electronic communications. Once EIV data has served its purpose, it must be destroyed, "as prescribed by HUD's policies and procedures and in accordance with HUD's prescribed retention period." Acceptable methods for destruction include shredding, burning or pulverizing. Section X and Attachment 6 discuss the documents O/As must retain, as well as retention periods for the documents.

**What's In EIV?**

Section VII and Attachment 6 provide detailed explanations of how to use the EIV income and verification reports. For each report in EIV, these sections describe:

**The report's purpose:**

- Whether the O/A must update the policies and procedures or tenant selection plans to use it;
- Tenant consent requirements for each report;
- How often O/As must use the reports;
- Procedures to follow when there are discrepancies between the EIV data and the tenant's reported information;
- Required file documentation to demonstrate the O/A's compliance; and
- Record retention requirements.

Generally, O/As must describe the use of the Existing Tenant Search in their Tenant Selection Plans. The use of all other EIV reports must be explained in the O/As' written policies and procedures. Additionally, O/As must have signed, valid forms HUD 9887 and HUD 9887-A on file to view employment and income records in EIV and to obtain third-party verification of income. Both forms restrict information about a tenant to "within the last 5 years when the tenant received assistance." The HUD-9887 is not required to use the EIV verification reports.

**Specific reports in EIV include:**

**Summary Report:** Summarizes information taken from the current, active certifications contained in the TRACS file at the time of the income match, and provides the Identity Verification Status for each household member.


**Income Report:** Provides employment and income information reported in the National Directory of New Hires (NDNH) and Social Security Administration (SSA) databases for each household member who passes the SSA identity test. It also identifies household members who may be receiving multiple subsidies. It must be used as a third-party verification of a tenant's employment and income during annual and interim recertification's of family composition and income.

**Income Discrepancy Report:** Identifies households where there is a difference of $2,400 or more annually in the wages, unemployment compensation and/or Social Security benefit income reported by NDNH and SSA and the wages, unemployment compensation and/or Social Security benefit income reported in TRACS (from the form HUD-50059 in effect at the time of the computer match) for the period of income used for the discrepancy analysis. The $2,400 threshold is based on the requirement that tenants must report to the O/A when the family's income cumulatively increases by $200 or more per month.

**No Income Report:** Identifies tenants who passed the identity match against SSA's records, but no employment or income information was received from the match against either the SSA or NDNH records.
**New Hires Report:** Identifies tenants who have started new jobs within the last six months.

**Verification Reports:** Include Existing Tenant Search, Multiple Subsidy Report, Identity Verification Reports (failed EIV Prescreening & Failed EIV Verification) and Deceased Tenants Report.

**Existing Tenant Search:** Identifies applicants applying for assisted housing that may be receiving rental assistance at the time of application processing at another location.

**Multiple Subsidy Report:** Identifies individuals who may be receiving multiple rental subsidies.

**Identity Verification Reports:** Include Failed EIV Prescreening Report and Failed Verification Report.

**Failed EIV Pre-Screening Report:** Identifies tenants who fail the EIV pre-screening test because of invalid or missing personal identifiers (SSN, last name or DOB). The tenants on this list will not be sent to SSA from EIV for the SSA identity match until the personal identifier information is corrected in TRACS. Tenants who are exempt from the SSN disclosure and verification requirements will continue to have a TRACS generated identification number in the SSN field, but no employment or income information will be provided in EIV for them.

**Failed Verification Report (Failed the SSA Identity Test):** Identifies household members who failed the SSA identity test because their personal identifiers (SSN, last name or DOB) do not match SSA's records.

**Deceased Tenants Report:** Identifies tenants who are participating in one of Multifamily Housing's rental assistance programs who are reported by SSA as being deceased.

**Systematic Alien Verification for Entitlements (SAVE):** An external link to the Department of Homeland Security's SAVE system can be accessed from the EIV Homepage. SAVE verifies the immigration status of non-citizens.

**When Discrepancies or Disagreements Arise:**

HUD regulations prohibit O/As from taking any adverse actions against the tenant (including terminating or reducing rental assistance) based solely on EIV data. EIV is an imperfect tool. Data in the reports may be incorrect for any number of reasons—ranging from data entry errors to identity theft.

The notice instructs,

"O/As must investigate and confirm possible income discrepancies of $2,400 or more as disclosed on the EIV Income Discrepancy Report. They must also investigate and confirm other possible errors that may result in over or underpayment of HUD subsidy, e.g., tenants reported by SSA as being deceased, tenants receiving multiple subsidies, etc."

Tenants have the right to dispute EIV data, which will trigger investigation and third-party verification requirements [from the third-party source] for the O/A. Section IX provides detailed procedures for investigating and resolving income discrepancies. Attachment 5 also explains procedures to follow when the tenant agrees with or disputes EIV information.

Curing improper subsidy payments is also explained in Notice H 2010-10. If the tenant's income was over-reported and he paid too much rent, the O/A must investigate the discrepancy, correct prior certifications, determine the amount of the overpayment and reimburse the resident. In the cases of unreported or underreported income, where the tenant did not pay enough rent, the O/A must investigate the discrepancy and correct previous certifications and adjust the voucher submissions. Tenants are not obligated to reimburse the O/A if the underpayment was the sole result of the O/A's failure to follow HUD's procedures for calculating rent or assistance payments. However, the O/A must use the relevant form HUD-50059 and supporting documentation to determine the amount of underpayment, so reimbursements can only be recovered from the tenant.
if the form HUD-50059 and supporting documentation for the relevant period is on file. Then, the tenant may enter into a repayment agreement with the O/A.

**Penalties for O/A’s Noncompliance with HUD’s Requirement to Use EIV:**
Use of EIV became mandatory on January 31, 2010. O/A’s who did not begin using EIV as of this date or are not using it at the time of the MOR will be subject to administrative and financial penalties. First, they will receive a MOR finding. In addition, the voucher payment for the month following the violation will be reduced by five percent. The O/A has 30 days to cure the finding. If the O/A becomes compliant, "the O/A will make an adjustment to the next scheduled voucher to collect the funds previously returned to HUD." If the O/A does not become compliant during the 30-day period, the owner and agent (if applicable) will receive a flag in the APPS system. The flag will remain in APPS until the finding is cured.

When the property changes owners or management agents, the new operator will have 90 days to gain access and use the EIV system.

**EIV DATA FLOW CHART – Attachment #1**

**USE of EIV REPORTS – Attachment #2**

**MOR FINDINGS for EIV COMPLIANCE – Attachment #3**

**LEAD BASED PAINT**

HUD, along with other national agencies and an advocacy group, wants families to get the message about the dangers of lead and the health risks it poses to children and pregnant women. In an initiative to raise awareness of the consequences of lead poisoning among those who live in homes built before 1978, HUD joined the Coalition to End Childhood Lead Poisoning, the U.S. Environmental Protection Agency (EPA), and the Ad Council to kick off a national multimedia public service advertising (PSA) campaign.

The campaign, running nationwide on TV and radio, is directed primarily at parents and caregivers of children age 6 and under and pregnant women. These are the populations most at risk for lead poisoning. The most common pathway for lead poisoning, according to the EPA, is caused by deteriorating lead-based paint, which can be found on older windows, doors, and trim, or walls.

Problems also arise from improper renovation, repair, and painting activities that cause paint to chip, peel, or flake. Children can be poisoned by ingesting lead dust that has accumulated on their hands, fingers, toys, or clothing from lead hazard sources like floors and windowsills.

The PSAs direct parents to visit a new Web site, [http://www.leadfreekids.org](http://www.leadfreekids.org), or call a toll-free number, 800-424-LEAD, to learn more about where lead might be found in their homes, how to protect children from exposure to lead, and steps to take if they think a family has been exposed to lead. The Web site, also available in Spanish, offers free toolkits that can be downloaded.
Renovation, Repair, and Painting Rule Now Effective
In related news, the EPA's "Renovation, Repair, and Painting Rule" became effective April 22. It applies to paid renovators who work in pre-1978 housing and child-occupied facilities.

On April 22, 2008, the EPA issued a rule requiring the use of lead-safe practices and other actions aimed at preventing lead poisoning. Under the rule, beginning in April 2010, contractors performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities, and schools built before 1978 must be certified and must follow specific work practices to prevent lead contamination. Up until the rule became effective, HUD and the EPA were recommending that anyone performing renovation, repair, and painting projects that disturb lead-based paint in pre-1978 homes, child care facilities, and schools should follow lead-safe work practices. The fines can be as high as $32,500.00 per day.

There are some differences between the EPA rule and the HUD Lead Safe Housing Rule (LSHR). A major difference is that the LSHR requires clearance examinations. All housing receiving federal assistance must still comply with the LSHR.

All contractors must follow three simple procedures:
- Contain the work area;
- Minimize dust; and
- Clean up thoroughly.

Since the rule became effective on April 22, it is being applied to paid renovators who work in pre-1978 housing and child-occupied facilities, including:
- Renovation contractors;
- Maintenance workers in multifamily housing; and
- Painters and other specialty trades.

Under the now-effective rule, child-occupied facilities are defined as residential, public, or commercial buildings where children under age 6 are present on a regular basis. The requirements apply to renovation, repair, or painting activities. The rule does not apply to minor maintenance or repair activities where less than six square feet of lead-based paint is disturbed in a room or where less than 20 square feet of lead-based paint is disturbed on the exterior. Window replacement is not minor maintenance or repair.

For more information, check the HUD Web site at: [http://www.hud.gov/offices/lead/training/rrp/rrp.cfm](http://www.hud.gov/offices/lead/training/rrp/rrp.cfm)

**FOR EXAMPLE OF CHECK LIST ON RENOVATION RECORD KEEPING – attachment #4**

Revised Fair Housing chapter to Handbook 4350.1

Handbook Revision Takes Effect

HUD has issued a revision to Handbook 4350.1, Multifamily Asset Management and Project Servicing, Chapter 9, effective May 28, 2010. The focus of the change is fair housing compliance. REV-1, Chapter 9, Monitoring Civil Rights Statutes, Regulations and Program Requirements, provides current guidance for conducting civil rights front-end and limited on-site monitoring reviews.
Civil rights front-end monitoring reviews are used to evaluate and monitor owner/agent compliance with fair housing and civil rights nondiscrimination requirements in multifamily housing projects. Compliance with the revised Chapter 9 should assist HUD's Office of Fair Housing and Equal Opportunity with identifying current or potential civil rights violations and correcting deficiencies. For more information, visit http://www.hud.gov/offices/adm/hudclips/handbooks/hsg/hsg4350.1

PETRA

This is a regulatory initiative not legislation. HUD Just started to get into this so there is not much to say. Basically they are taking all the subsidies programs, which all have different processes, and put them into a single process.

Other Items to include are:
- Resident right to organize and be recognize by “Owners”
- Funding to facilitate organizing
- Right to review Documents
REAC:

"Preparing for REAC Inspections"
(Guidance for Multifamily and Public Housing Properties)

REAC is providing the following guidance to assist you as the Property Owner-Agent in preparing your property for the upcoming REAC inspection(s). Our objective is to provide helpful Inspection preparation information that a property can use to effectively prepare for a REAC Inspection using its own staff.

PREPARING FOR A REAC INSPECTION:
Prior to the REAC Inspection date the property should conduct a complete (100%) inspection of the property. It should include the site, a building exteriors, all building systems, all common areas and all units. For clarification purposes: all areas within a building that are not residential units are considered common areas for the REAC Inspection and you will need to provide access to each of these areas.

This 100% inspection can be completed using the 2.3 public version of the inspection software, which is available for download from the REAC website, http://www.hud.gov/offices/reac/products/pass/software.cfm, if you choose to complete the inspection electronically.

If you prefer to complete it manually (on paper) there is a formatted inspection form available that allows you to inspect all the Inspectable items, but it does not have the definitions readily available for each of the deficiencies. However, using this form allows you to enter the level and then check the accuracy of the findings after returning to the office or completing the Inspection.

The URL for this document is:

While conducting the 100% inspection keep in mind that if an inspectable item exists on your property it must function as designed by the manufacturer.

The REAC Inspection is a hands-on inspection. Whether the property staff or a contract inspector conducts your 100% Inspection they must physically test the function of all windows, doors, fixed lighting, stoves, etc. You will not be able to accurately determine if the Inspectable item(s) functions properly without first checking the operation, (i.e. if a door is designed to latch/lock, then the door should latch/lock.) However, if whoever is conducting the 100% Inspection fails to check the door for both these functions it would be recorded as a defect on the REAC inspection If that area/item were selected in the random sample.
In addition to the "Top 20 Deficiencies" which can be found at http://www.hud.gov/offices/rea/products/pass/materials.cfm, special attention should be directed at any possible "Exigent Health & Safety" deficiency that may be found. They are:

- Propane, natural, or methane gas leaks
- Exposed wires or open electrical panels
- Water leaks on or near electrical equipment
- Blocked or unusable emergency or fire exits
- Blocked fire escapes or ladders
- Missing or misaligned chimney for gas-fired water heater or HVAC unit
- Window security bars preventing exit
- Expired fire extinguishers
- Inoperative or missing smoke detectors

Property staff should adhere to the following when preparing for the REAC Inspection:

**Electrical:**

- All electrical boxes, electrical pane) boxes, fuse boxes, disconnect boxes, timer boxes, etc. are subject to inspection by the REAC Inspector regardless of the location. These boxes will be inspected even if behind locked doors for any electrical deficiency that exists.

- All electrical panels and fuse boxes must be made available for Inspection whether located Inside or outside and secured or unsecured.

- All other electrical boxes, disconnects, timers, etc. will not be opened by the REAC inspector and no deficiency cited if secured at the time of the inspection. A box Is considered secured by REAC definition If It can not be opened using only your hands. (No tools are allowed.)

- Blocked Egress:

  All individual living areas/rooms In a unit and all common area rooms must have 2 independent and unimpeded means of egress (escape) if so designed. The only exception is windows above the 3rd floor that do not serve as a means of access to a designed escape route. In cases where local code differs with this standard, either a letter from a local code official re copy of the code should be provided/submitted within the guidelines of the TR/DBA process so that applicable lost points can be restored.

**ON THE DAY OF THE INSPECTION HAVE THE FOLLOWING INFORMATION AVAILABLE**

**FOR THE INSPECTOR:**
• Certificates (If applicable) fan Boilers, Fire Alarm, Building Sprinkler System, Elevator and Lead Based Paint Report and Resident Disclosure If the property has a building built prior to 1978.
• Area Measures: Parking Lots / Driveways / Roads (square footage) and Walkways / Steps (square footage).
• Rent Roll: Should be current for the day of Inspection and must contain all occupied units, vacant units and non-revenue units. If the purpose of any of these dwelling units changes to a non-dwelling use you wish need to Inform the inspector and It must be removed from the unit count (e.g. Office, Police Substation, etc.)
• Sitemap: (If available) This enables the Inspector to navigate the property in a more efficient manner.

IMPORTANT POINTS TO REMEMBER:

When the inspector contacts you to schedule the inspection it must be a mutually agreeable time/date. (The Inspection should take place during normal business hours of course.)

You should not schedule the maintenance/service of any of the inspectable items the day of the inspection, i.e. elevators - "Out of Order" due to planned maintenance will be cited for a level 3 deficiency.

If property staff or contractors have work in progress or have recently completed work that required the removal of panel covers exposing electrical wiring/connections, outlet/switch plate covers, etc you need to ensure that these items have been properly re-installed.

Carry a notepad and camera with you during the REAC inspection to document the various findings when appropriate.

The property staff is required to provide the inspector with access to all inspectable areas within the sample units and sample building common areas.

You are allowed to do the following during the inspection:
In a unit or common area you may install a light bulb to demonstrate that a fixture functions properly, if so, it is not a defect.
If a pilot is out on two or more burners you may light the pilot and test the burners. If they both function, a Level 1 deficiency Is recorded in lieu of a Level 3. If the exhaust fan In the bathroom has been unplugged you may plug the exhaust fan in and if it functions properly there Is no deficiency recorded.
SUPPLEMENTAL GUIDANCE:
The "Compilation Bulletin" and Inspector Notices are clarifications of the
definitions and take priority over the written definitions in the Inspection 2.3
software. The "Inspector Business Rules detail the protocol for conducting the
REAC inspection. You will need to familiarize yourself with these documents:

Compilation Bulletin URL:
http://www.hud.gov/offices/reac/products/pass/pass/_bulletin.cfm

Inspector Notices URL:
http://www.hud.gov/offices/reac/products/pass/pass_doc.cfm

Inspector Business Rules URL:
http://www.hud.gov/offices/reac/products/pass/PDFs/i_a_business_rule.pdf

MOST FREQUENTLY CITED DEFICIENCIES – Attachment #5

Know the Ins and Outs of Live-In Aides

From time to time, you may be asked by a resident to approve the addition of a
"live-in aide" to his household. Reasons for the aide vary. The resident may have
a disability and need help with day-to-day living. An elderly resident may need an
aide for assistance and companionship to continue living independently. Federal
law says that you are required to consider the request and, upon verification of the
reason for the request, okay it as a "reasonable accommodation."

It is important to verify both the need for the aide and the individual's
qualifications for serving as the aide. The reason these are such vital steps is that
certain rules apply to households with qualified live-in aides. First, they are
eligible for and can insist upon a larger unit to accommodate the aide. Second, the
income of the aide cannot be factored into the household's rent calculation.

Aide Must Meet Criteria
HUD has certain criteria live-in aides must meet to be considered legitimate and
qualified. With the issuance of Change 3 to Handbook 4350.3 (Occupancy
Requirements of Subsidized Multifamily Housing Programs) in June 2009, HUD
expanded on its definition of and qualifications for live-in aides.
A live-in aide is defined as a person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities, and who:
- Is determined to be essential to the care and well-being of the person(s);
- Is not obligated for the support of the person(s); and
- Would not be living in the unit except to provide the necessary supportive services.

Verify need for live-in aide. Verification that the live-in aide is needed to provide the necessary supportive services essential to the care and well-being of the person must be obtained from the person's physician, psychiatrist, or other medical practitioner or health care provider.

Approve live-in aide if needed as reasonable accommodation. In accordance with 24 CFR Part 8, an accommodation must be granted if needed to make the program accessible to and usable by the family member with a disability. You may verify whether the live-in aide is necessary only to the extent necessary to document that applicants or residents who have requested a live-in aide have a disability-related need for the requested accommodation. This may include verification from the person's physician, psychiatrist, or other medical practitioner or health care provider. You may not require applicants or residents to provide access to confidential medical records or to submit to a physical examination.

The live-in aide qualifies for occupancy only as long as the individual needing support services requires the aide's services and remains a resident. The live-in aide may not qualify for continued occupancy as a remaining family member. The income of a live-in aide is excluded from the annual income of the household.

You can use a lease addendum that denies occupancy of the unit to a live-in aide after the resident, for whatever reason, is no longer living in the unit. The lease addendum should also give the owner the right to evict a live-in aide who violates any of the house rules.

Relatives may be considered to be live-in aides if they meet applicable requirements, especially the stipulation that they would not be living in the unit except to provide the necessary supportive services.

**Verify Carefully and Courteously**
When it comes to verifying the need for a live-in aide, you need to get it in writing. Often managers simply request a letter from the resident's doctor or other health care professional. The problem with that approach is that the health care professional may not know what information HUD and federal laws say you need to make the decision about a live-in aide. The health care professional could give you more information than is appropriate or leave out essential information you need.
Develop a form for verification purposes, "It should be a standard form the owner creates and sends to an applicant's or resident's physician asking about his need for a live-in aide."

A standard form, send Provider Form to Verify Need for Live-In Aide helps to ensure that you treat each request for a live-in aide the same and that you get exactly the information you need for verification. When a resident makes the request for a live-in aide, you can explain that you need to verify specific information with his or her health care professional and that this is something you do with all such requests.
Ask the resident for the professional's name, practice name (if applicable), address, and phone number. Fill in this information on the form and have the resident sign the release allowing his information to be provided to you. Let the resident know when you will be sending the verification form.
Using EIV Data Flow Chart

**EIV**

**Social Security Data**
- O/A accesses data and compares EIV income data to the income the tenant reports he/she receives.
  - Benefits reported in EIV agree with income tenant reports he/she receives. O/A uses EIV data as 3rd-party verification and to calculate tenant’s income.
  - Tenant disputes benefits reported in EIV. O/A obtains 3rd-party verification directly from SSA.

**Health & Human Services Data**
- O/A accesses data and compares EIV data to what tenant reports he/she receives.
  - Tenant agrees with income/income source reported in EIV. O/A uses EIV as 3rd-party verification and uses tenant provided documents, e.g., pay stubs, to calculate tenant income.
  - Tenant disputes income/income source reported in EIV. O/A obtains 3rd-party verification directly from source. O/A uses 3rd-party verification to calculate tenant’s income.

O/A reviews EIV data for previous years to determine any unreported income. If unreported income is discovered for previous years, O/A must discuss with tenant. O/A is limited to requesting third party verification on income the tenant may have received to the past 5 years for which the tenant was assisted (see forms HUD-9887 and HUD-9887-A).

- If tenant doesn’t dispute, O/A determines amount of rent under-payment either by obtaining 3rd-party verification or using income data reported in EIV. O/A either requires repayment in full or enters into a repayment plan with the tenant and returns correct amount to HUD.
- If tenant disputes, O/A must verify with 3rd-party source. If unreported income, owner determines amount of rent under-payment. O/A either requires payment in full or enters into repayment plan with tenant and returns correct amount to HUD.

Attachment #1
# USE OF EIV REPORTS

<table>
<thead>
<tr>
<th>REPORT</th>
<th>*UPDATE</th>
<th>REPORT USE</th>
<th>FILE DOCUMENTATION</th>
<th>RETENTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summary Report</td>
<td>X</td>
<td>Must be used at recertification (annual and interim)</td>
<td>Summary Report(s) as verification of the SSN for all household members whose</td>
<td>Tenant file</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- To validate a tenant's SSN</td>
<td>Identity Verification Status is &quot;Verified&quot;</td>
<td>Summary Report and supporting documentation must be retained in the tenant's file</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- To review and resolve discrepant or invalid personal identifiers of</td>
<td>Correspondence or documentation received to resolve a tenant's &quot;Failed&quot; or &quot;Deceased&quot; status.</td>
<td>for term of tenancy plus 3 years.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>tenants with a &quot;failed&quot; or &quot;deceased&quot; status</td>
<td>Documentation for household members identified as exempt from disclosing and providing verification of a SSN:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Note: Nothing has to be done at the time of recertification with those</td>
<td>- Tenants who were 62 years of age or older as of January 31, 2010 and</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>tenants with an Identity Verification Status of &quot;Not Verified&quot;. However,</td>
<td>whose initial determination of eligibility was begun before January 31, 2010:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>the Failed SSA Identity Test report must be checked monthly as a change in</td>
<td>and</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>the Identity Verification Status may occur.</td>
<td>- Individuals who do not contend eligible immigration status</td>
<td></td>
</tr>
<tr>
<td>Provides Identity</td>
<td></td>
<td></td>
<td>If the Summary Report in the tenant file shows an Identity Verification Status of</td>
<td></td>
</tr>
<tr>
<td>Verification Status</td>
<td></td>
<td></td>
<td>&quot;Verified&quot; for all household members required to have a SSN, the Owner does not</td>
<td></td>
</tr>
<tr>
<td>by identifying tenants</td>
<td></td>
<td></td>
<td>have to continue to print out the Summary Report at recertification unless there is a</td>
<td></td>
</tr>
<tr>
<td>whose personal</td>
<td></td>
<td></td>
<td>change in household composition or in a household member's identity verification status</td>
<td></td>
</tr>
<tr>
<td>identifiers:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Match the SSA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>database - &quot;Verified&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Does not match the SSA database - &quot;Failed&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Have not been</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>sent by HUD to SSA for validation or have not yet been matched by SSA for validation - &quot;Not Verified&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- SSA's records</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>indicate the person is deceased - &quot;Deceased&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See Section VII.A.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*TSP = Tenant Selection Plan  P&P = Policies and Procedures
## USE OF EIV REPORTS

<table>
<thead>
<tr>
<th>REPORT</th>
<th>UPDATE</th>
<th>O/A REPORT USE</th>
<th>FILE DOCUMENTATION</th>
<th>RETENTION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INCOME REPORTS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Note: A current, signed form HUD-9887 must be on file to <strong>view</strong> and/or use the income reports.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A current, signed form HUD-9887-A must be on file to <strong>obtain written third party verification of</strong> income.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Income Report

Provides employment and income reported by HHS and SSA for each household member that passes the SSA identity test.

Identifies tenants who:
- May not have reported complete and accurate income information
- May be receiving multiple subsidies

See Section VII.A.2

<table>
<thead>
<tr>
<th></th>
<th>TSP</th>
<th>P&amp;P</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Mandatory use at Recertification - Annual and Interim

May be used at other times as indicated in O/A's policies and procedures.

- Serves as third party verification of employment and income.

### New Admissions:

- Review new admissions within 90 days after the move-in information is transmitted to TRACS to confirm/validate the income reported by the household.

### Resolve discrepancies in reported income with the family within 30 days of the EIV Income Report date.

### No Dispute of EIV Information:

- EIV Income Report
- Current, acceptable tenant provided documents
- Third party verification from the source, if necessary

### Disputed EIV Information:

- EIV Income Report
- Third party verification from the source for the disputed information

### Tenant-reported income not verified through the EIV system:

- EIV Income Report
- Current, acceptable tenant-provided documents, and/or
- Third party verification from the source

### Any correspondence with/from tenant relating to disputes of the employment or income reported in EIV.

### Form HUD-50059(s)

**Tenant File**

- Retain copy of Income Report and supporting documentation with applicable form HUD-50059 for term of tenancy plus 3 years.

Note: The O/A must make copies of any tenant provided documents and return the originals to the tenant.

---

*TSP = Tenant Selection Plan  P&P = Policies and Procedures*
### USE OF EIV REPORTS

<table>
<thead>
<tr>
<th>REPORT</th>
<th>*UPDATE</th>
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<th>FILE DOCUMENTATION</th>
<th>RETENTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>TSP</td>
<td>P&amp;P</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INCOME REPORTS Cont'd.**

Note: A current, signed form HUD-9887 must be on file to view and/or use the income reports.

A current, signed form HUD-9887-A must be on file to obtain written third party verification of income.

**Income Discrepancy Report**

- Identifies households where there is a difference of $2,400 or more in the wage, unemployment and SSA benefit information reported in EIV and wage, unemployment and SSA benefit information reported in TRACS for the period of income used for discrepancy analysis.

The report serves as a tool to alert O/As that there may be a discrepancy in the income reported by the tenant during the period of income used for the discrepancy analysis.

See Section VII.A.3

- Mandatory use at Recertification - Annual and Interim Report may be used at other times as indicated in O/A's policies and procedures.

- Must print the report at the same time the Income Report is printed.

- Discrepancies must be reviewed and resolved at the time of recertification or within 30 days of the EIV Income Report date.

- Review data in TRACS to make sure agrees with the form HUD-50059 data. Correct any discrepant data in the TRACS database.

- All correspondence to/from the tenant regarding the income discrepancy.

- Documentation received to resolve the discrepancy, including written third party verification of income, if applicable.

- The file must be documented regardless of whether the O/A determines the discrepancy to be valid or invalid.

- Corrected form HUD-50059(s), if applicable.

- Repayment Agreement, if applicable.

- Tenant file
  - Retain copy of Income Discrepancy Report and any documentation related to the resolution of the discrepancy, including any repayment agreements for term of tenancy plus 3 years.

*TSP = Tenant Selection Plan  P&P = Policies and Procedures*
USE OF EIV REPORTS

<table>
<thead>
<tr>
<th>REPORT</th>
<th>*UPDATE</th>
<th>O/A REPORT USE</th>
<th>FILE DOCUMENTATION</th>
<th>RETENTION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>INCOME REPORTS Cont'd.</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Note: A current, signed form HUD-9887 must be on file to view and/or use the income reports.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A current, signed form HUD-9887-A must be on file to obtain written third party verification of income.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No Income Report</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Identifies tenants who passed the SSA identity test but no income was reported by HHS or SSA.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>This does not mean that the tenant does not have any income. O/A must obtain written third party verification of any income reported by the tenant.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommend &quot;zero&quot; income tenants be required to disclose and O/A re-verify income at least quarterly. These are tenants who report no income at all.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See Section VI I.A.4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TSP = Tenant Selection Plan  P&P = Policies and Procedures**

As identified in O/A*s policies and procedures. Interview tenants, asking the right questions to provide the tenant the opportunity to disclose any income.

Third party verification from income sources of other income reported by tenant, if applicable.

Correspondence/documents received for re-verification of zero income tenants.

Tenant file
Any documentation or third party verifications for other income reported by the tenant for term of tenancy plus 3 years.
## USE OF EIV REPORTS

<table>
<thead>
<tr>
<th>REPORT</th>
<th>UPDATE</th>
<th>O/A REPORT USE</th>
<th>FILE DOCUMENTATION</th>
<th>RETENTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>TSP</td>
<td>P&amp;P</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### INCOME REPORTS Cont’d.

**Note:** A current, signed form HUD-9887 must be on file to view and/or use the income reports.

**A current, signed form HUD-9887-A must be on file to obtain written third party verification of income.**

**New Hires Report**

Identifies tenants who have new employment within the last 6 months. Report is updated monthly.

See Section VII.A.5

<table>
<thead>
<tr>
<th>X</th>
<th>At least quarterly</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Contact tenant regarding new employment</td>
</tr>
<tr>
<td></td>
<td>Confirm new employment with tenant. Request tenant provided documents to support current income and/or third party verification from employer, as applicable.</td>
</tr>
<tr>
<td></td>
<td>Process Interim Recertification to include new income, if applicable.</td>
</tr>
</tbody>
</table>

New Hires Report with notation of action(s) taken.

No Dispute of EIV Information:
- EIV Income Report
- Current, acceptable tenant provided documents
- Third party verification from the source, if necessary.

Disputed EIV Information:
- EIV Income Report
- Third party verification from the source for disputed information

Any correspondence with/from tenant relating to new employment and/or disputes of the employment or income reported in EIV.
Form HUD-50059(s)

**Master file**

**Tenant file**
Retain New Hires Detail Report for the tenant along with any correspondence with tenant, third party verifications, form HUD-50059(s), etc., for term of tenancy plus 3 years.

TSP = Tenant Selection Plan  P&P = Policies and Procedures
### USE OF EIV REPORTS

<table>
<thead>
<tr>
<th>REPORT</th>
<th>TSP</th>
<th>P&amp;P</th>
<th>O/A REPORT USE</th>
<th>FILE DOCUMENTATION</th>
<th>RETENTION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Search results for each member of the household.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Results of any contact with applicant must be recorded on and/or with the search results for affected household member.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Results of any contact with PHA, owner, management agent where applicant is reported as receiving assistance must be recorded on and/or with the search results for affected household member.</td>
<td></td>
</tr>
</tbody>
</table>

**Existing Tenant Search**

Identifies applicants who may be receiving assistance at another Multifamily or PIH location.

See Section VII B.2.a

<table>
<thead>
<tr>
<th>X</th>
<th>At the time of processing an applicant for admission</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Search each applicant and applicant household member to see if receiving assistance at another location.</td>
</tr>
<tr>
<td></td>
<td>Discuss with tenant regarding circumstances relative to being assisted at another Multifamily or PIH property.</td>
</tr>
<tr>
<td></td>
<td>Follow up with respective PHA or O/A to confirm the individual's program participation status before admission.</td>
</tr>
<tr>
<td></td>
<td>Coordinate move-in/out dates with PHA or O/A.</td>
</tr>
</tbody>
</table>

*Application file*

If not admitted - retain search results and any supporting documentation with the application for 3 years.

*Tenant file*

If admitted - retain search results and any supporting documentation with the application for term of tenancy plus 3 years.

*TSP = Tenant Selection Plan  P&P = Policies and Procedures*
**USE OF EIV REPORTS**

<table>
<thead>
<tr>
<th>REPORT</th>
<th>*UPDATE</th>
<th>O/A REPORT USE</th>
<th>FILE DOCUMENTATION</th>
<th>RETENTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>TSP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P&amp;P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**VERIFICATION REPORTS Cont'd.**

*Note: A form HUD-9887 is not required to view and/or use verification reports.*

**Multiple Subsidy Report**

- Identifies tenants who may be receiving rental assistance at more than one location.

  **See Section VII.B.2.b**

<table>
<thead>
<tr>
<th></th>
<th>X</th>
<th>At least quarterly</th>
<th>Search results</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Documentation supporting any contacts made or information obtained to determine if household and/or household member is receiving multiple subsidies.</td>
</tr>
</tbody>
</table>

Provide tenant opportunity to explain any circumstances relative to his/her being assisted at another location.

Follow up with respective PHA or O/A, if necessary, to confirm tenant is being assisted at the other location. Depending on the results, may need to take action to terminate the assistance or tenancy and repay subsidy to HUD.

**Note:** If a tenant's multiple subsidies were discussed and resolved at the time of recertification, this must be noted on the printed report and no further action is required.

**Search results**

**Master file**
Retain Multiple Subsidy Summary Report and supporting documentation in a master "Multiple Subsidy Report" file for 3 years.

**Tenant file**
Retain a copy of the Multiple Subsidy Detail Report for the tenant along with any documentation of action taken for a household member for term of tenancy plus 3 years.

*TSP = Tenant Selection Plan  P&P = Policies and Procedures*
### USE OF EIV REPORTS

<table>
<thead>
<tr>
<th>REPORT</th>
<th>*UPDATE</th>
<th>O/A REPORT USE</th>
<th>FILE DOCUMENTATION</th>
<th>RETENTION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TSP</td>
<td>P&amp;P</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**VERIFICATION REPORTS Cont'd.**

Note: A form HUD-9887 is not required to view and/or use verification reports.

**Failed EIV Pre-screening Report**
- Identifies tenants who have missing or invalid personal identifiers (last name, date of birth, SSN) in TRACS. These tenants will not be sent to SSA from EIV for the SSA identity test.
- Identifies tenants who need to disclose a SSN, e.g., replace TRACS generated id number.
- See Section VII.B.2.c.(1)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Monthly</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>X</td>
<td>Follow up with tenants identified on the report where discrepant personal identifiers were not corrected at the time of recertification. Check accuracy of data entry, e.g., numbers not transposed in SSN. Contact tenant and confirm to verify discrepant personal identifiers. Correct TRACS data within 30 days of the date of the report.</td>
<td>Failed EIV Pre-screening Report documented with action taken to resolve invalid or discrepant personal identifiers. Note: This report will include those persons who are exempt from the SSN disclosure and verification requirements. In these instances the O/A will note on the copy of the report retained in the &quot;Failed EIV Pre-Screening Report&quot; master file that tenant(s) is exempt from SSN requirements. Note: If a tenant's information was corrected at the time of recertification but the EIV data has not yet been updated, this must be noted on the printed report and no further action is required.</td>
<td>Master file Retain copy of report in a master &quot;Failed EIV Pre-screening Report&quot; files for 3 years. Tenant file Documentation to verify discrepant personal identifiers for term of tenancy plus 3 years.</td>
</tr>
</tbody>
</table>

**Failed Verification Report (Failed SSA Identity Test)**
- Identifies tenants whose personal identifiers (last name, date of birth, SSN) do not match the SSA database.
- See Section VII.B.2.c.(2)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Monthly</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>X</td>
<td>Follow up with tenants identified on the report where discrepant personal identifiers were not corrected at the time of recertification. Check accuracy of data entry, e.g., numbers not transposed in SSN. Contact tenant and confirm to verify discrepant personal identifiers. Correct TRACS data within 30 days of the date of the report.</td>
<td>Failed Verification Report (Failed SSA Identity Test) report documented with action taken to resolve invalid or discrepant personal identifiers. Note: If a tenant's information was corrected at the time of recertification but the EIV data has not yet been updated, this must be noted on the printed report and no further action is required.</td>
<td>Master file Retain copy of report in a master &quot;Failed EIV SSA Identity Test&quot; files for 3 years. Tenant file Documentation to verify discrepant personal identifiers for term of tenancy plus 3 years.</td>
</tr>
</tbody>
</table>

*TSP = Tenant Selection Plan  P&P = Policies and Procedures*
## USE OF EIV REPORTS

<table>
<thead>
<tr>
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<th>O/A REPORT USE</th>
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<th>RETENTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deceased Tenants</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Identifies tenants</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>reported by SSA as</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>being deceased.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See Section VII.B.2.d</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Verification Reports Cont'd.**

Note: A form HUD-9887 is not required to view and/or use verification reports.

- **Deceased Tenants Report**
  - At least quarterly
  - Confirm, in writing, with head of household, next of kin or contact person or entity provided by the tenant to determine whether or not the person is deceased.
  - If deceased, within 30 days from date of report:
    - Update family composition, and, if applicable, income and allowance, on the form HUD-50059. See Paragraph 7-13D of Handbook 4350.3 REV-1 for effective date.
    - Single member of a household. process move-out using form HUD-50059-A. Effective date retroactive to earlier of 14 days after date of death or date unit vacated.
  - Note: Overpayment of subsidy must be returned to HUD.
  - Any discrepant data in TRACS must be updated within 30 days from the date of the report.
  - Encourage tenant to contact SSA if Sosa's data is incorrect.

- **Deceased Tenants Report**
  - Documentation obtained to resolve discrepancy.
  - Form HUD-50059 with change of family composition.
  - Form HUD-50059-A for move-out.

- **Master file** Retain copy of report in a master "Deceased Tenants Report" file for 3 years.

- **Tenant file** Form HUD-50059 and/or form HUD-50059-A plus any other documentation received for a particular tenant must be retained for term of tenancy plus 3 years.

*TSP = Tenant Selection Plan  
P&P = Policies and Procedures
### What is considered a Management and Occupancy Review (MOR) Finding? (Mandatory EIV Use)

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>O/A does not have access to EIV</td>
</tr>
<tr>
<td>2.</td>
<td>O/A is not using EIV for recertification’s effective June 1, 2010</td>
</tr>
<tr>
<td></td>
<td>Missing/incomplete EIV documents as listed on the Addendum C.</td>
</tr>
<tr>
<td></td>
<td>(Email HUD Headquarters immediately to Terminate the coordinator’s/user’s access at the followed address: mfaalert2.hud.gov)</td>
</tr>
<tr>
<td></td>
<td>• Name, property, MOR date and missing documentation</td>
</tr>
<tr>
<td></td>
<td>• Advise O/A mitigate and contact CA to reinstate access</td>
</tr>
<tr>
<td>4.</td>
<td>Rules of Behavior for non-system users missing where applicable</td>
</tr>
<tr>
<td>5.</td>
<td>EIV data being shared with other entities, e.g., state officials monitoring tax credit projects, rural Housing staff monitoring Section 515 projects, or Service Coordinators</td>
</tr>
<tr>
<td>6.</td>
<td>EIV data not kept secure</td>
</tr>
<tr>
<td>7.</td>
<td>O/A has not updated Policies and Procedures to include EIV use</td>
</tr>
<tr>
<td>8.</td>
<td>O/A has not updated Tenant Selection Plan to include use of Existing Tenant Search</td>
</tr>
<tr>
<td>9.</td>
<td>EIV Income Reports are not in tenant files as third party verification</td>
</tr>
<tr>
<td>10.</td>
<td>Tenant files do not have documentation to support EIV income discrepancy resolution</td>
</tr>
<tr>
<td>11.</td>
<td>O/A is not using Existing Tenant Search</td>
</tr>
<tr>
<td>12.</td>
<td>O/A is not reviewing New Hires Report</td>
</tr>
<tr>
<td>13.</td>
<td>Unresolved Failed Verification (SSA Identity Test) and Pre-screening discrepancies</td>
</tr>
<tr>
<td>14.</td>
<td>Deceased Tenants Report has not been reviewed and/or errors corrected</td>
</tr>
<tr>
<td>15.</td>
<td>Multiple Subsidy Report has not been reviewed and/or errors corrected</td>
</tr>
<tr>
<td>16.</td>
<td>O/A is not following HUD’s record retention requirements</td>
</tr>
<tr>
<td>17.</td>
<td>Missing/Incomplete form 11UD-9887</td>
</tr>
<tr>
<td>18.</td>
<td>O/A is not providing tenants with the EIV &amp; You brochure when selected from waiting list to move-in and at annual recertification</td>
</tr>
<tr>
<td>19.</td>
<td>Individual’s having access to the EIV system or data had annual security training?</td>
</tr>
<tr>
<td>20.</td>
<td>O/A is sharing access IDs and passwords</td>
</tr>
</tbody>
</table>
Sample Renovation Recordkeeping Checklist

Name of Firm: ________________________________________________________________

Date and Location of Renovation: ____________________________________________

Brief Description of Renovation: _____________________________________________

Name of Assigned Renovator: _______________________________________________

Name(s) of Trained Worker(s), if used: __________________________________________

Name of Dust Sampling Technician, Inspector, or Risk Assessor, if used: ________________

___ Copies of renovator and dust sampling technician qualifications (training certificates, certifications) on file.

___ Certified renovator provided training to workers on (check all that apply):
   ___ Posting warning signs
   ___ Setting up plastic containment barriers
   ___ Maintaining containment
   ___ Avoiding spread of dust to adjacent areas
   ___ Waste handling
   ___ Post-renovation cleaning
   ___ Test kits used by certified renovator to determine whether lead was present on components affected by renovation (identify kits used and describe sampling locations and results):

___ Warning signs posted at entrance to work area.

___ Work area contained to prevent spread of dust and debris
   ___ All objects in the work area removed or covered (interiors)
   ___ HVAC ducts in the work area closed and covered (interiors)
   ___ Windows in the work area closed (interiors)
   ___ Windows in and within 20 feet of the work area closed (exteriors)
   ___ Doors in the work area closed and sealed (interiors)
   ___ Doors in and within 20 feet of the work area closed and sealed (exteriors)
   ___ Doors that must be used in the work area covered to allow passage but prevent spread of dust
   ___ Floors in the work area covered with taped-down plastic (interiors)
   ___ Ground covered by plastic extending 10 feet from work area—plastic anchored to building and weighed down by heavy objects (exteriors)
   ___ If necessary, vertical containment installed to prevent migration of dust and debris to adjacent property (exteriors)

___ Waste contained on-site and while being transported off-site.

___ Work site properly cleaned after renovation
   ___ All chips and debris picked up, protective sheeting misted, folded dirty side inward, and taped for removal
   ___ Work area surfaces and objects cleaned using HEPA vacuum and/or wet cloths or mops (interiors)
   ___ Certified renovator performed post-renovation cleaning verification (describe results, including the number of wet and dry cloths used):

___ If dust clearance testing was performed instead, attach a copy of report

___ I certify under penalty of law that the above information is true and complete.

Name and title __________________________ Date __________________________

ATTACHMENT # 4
# Uniform Physical Condition Standards (UPCS) - Most Frequently Cited Deficiencies

<table>
<thead>
<tr>
<th>Rank</th>
<th>UPCS Area</th>
<th>UPCS Item Name</th>
<th>UPCS Deficiency Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>DU</td>
<td>Doors</td>
<td>Damaged Hardware/Locks**</td>
</tr>
<tr>
<td>2</td>
<td>DU</td>
<td>Kitchen</td>
<td>Refrigerator - Missing/Damaged/Inoperable</td>
</tr>
<tr>
<td>3</td>
<td>DU</td>
<td>Bathroom</td>
<td>Lavatory Sink - Damaged/Missing**</td>
</tr>
<tr>
<td>4</td>
<td>DU</td>
<td>Kitchen</td>
<td>Range/Stove - Missing/Damaged/Inoperable**</td>
</tr>
<tr>
<td>5</td>
<td>DU</td>
<td>Doors</td>
<td>Damaged Surface - Holes/Paint/Rusting/Glass**</td>
</tr>
<tr>
<td>6</td>
<td>DU</td>
<td>Walls</td>
<td>Damaged**</td>
</tr>
<tr>
<td>7</td>
<td>BldgExt</td>
<td>Walls</td>
<td>Stained/Peeling/Needs Paint</td>
</tr>
<tr>
<td>8</td>
<td>DU</td>
<td>Walls</td>
<td>Peeling/Needs Paint**</td>
</tr>
<tr>
<td>9</td>
<td>BldgExt</td>
<td>Walls</td>
<td>Missing Pieces/Holes/Spalling**</td>
</tr>
<tr>
<td>10</td>
<td>BldgExt</td>
<td>Roofs</td>
<td>Missing/Damaged Components from Downspout/Gutter**</td>
</tr>
<tr>
<td>11</td>
<td>DU</td>
<td>Windows</td>
<td>Missing/Deteriorated Caulking/Seals/Glazing Compound**</td>
</tr>
<tr>
<td>12</td>
<td>DU</td>
<td>Smoke Detector</td>
<td>Missing/Inoperable**</td>
</tr>
<tr>
<td>13</td>
<td>DU</td>
<td>Windows</td>
<td>Inoperable/Not Lockable**</td>
</tr>
<tr>
<td>14</td>
<td>DU</td>
<td>Outlets/Switches</td>
<td>Missing/Broken Cover Plates</td>
</tr>
<tr>
<td>15</td>
<td>HS</td>
<td>Hazards</td>
<td>Tripping</td>
</tr>
<tr>
<td>16</td>
<td>DU</td>
<td>Bathrooms</td>
<td>Plumbing - Leaking Faucet/Pipes</td>
</tr>
<tr>
<td>17</td>
<td>DU</td>
<td>Electrical System</td>
<td>GFI - Inoperable</td>
</tr>
<tr>
<td>18</td>
<td>DU</td>
<td>Call-for-Aid</td>
<td>Inoperable</td>
</tr>
<tr>
<td>19</td>
<td>DU</td>
<td>Ceiling</td>
<td>Peeling/Needs Paint**</td>
</tr>
<tr>
<td>20</td>
<td>HS</td>
<td>Emergency/Fire Exits</td>
<td>Emergency/Fire Exits Blocked/Unusable</td>
</tr>
<tr>
<td>21</td>
<td>DU</td>
<td>Bathroom</td>
<td>Shower/Tub - Damaged/Missing**</td>
</tr>
<tr>
<td>22</td>
<td>DU</td>
<td>Doors</td>
<td>Damaged/Missing Screen/Storm/Security Door**</td>
</tr>
<tr>
<td>23</td>
<td>DU</td>
<td>Doors</td>
<td>Missing Door</td>
</tr>
<tr>
<td>24</td>
<td>HS</td>
<td>Infestation</td>
<td>Insects</td>
</tr>
<tr>
<td>25</td>
<td>BldgExt</td>
<td>Windows</td>
<td>Damaged/Missing Screens**</td>
</tr>
</tbody>
</table>
DU = Dwelling Unit
BldgExt = Building Exterior

* FHEO defects were excluded for consistency with existing business rules.
** Since the beginning of 2.3 to September 20, 2006