HOUSING AUTHORITY OF THE CITY OF KYLE, TEXAS

Notice of Kyle Housing Authority Meeting
Kyle City Hall - Council Chambers, 100 W. Center Street, Kyle, TX 78640

Notice is hereby given that the governing body of the Kyle Housing Authority will meet at 6:00 PM on January 20, 2017 at Kyle City Hall - Council Chambers, 100 W. Center Street, Kyle, TX 78640, for the purpose of discussing the following agenda.

NOTE: There may be a quorum of the City Council of Kyle, Texas present at the meeting who may participate in the discussion. No official action will be taken by the City Council members in attendance.

Posted this 17th day of January, 2017, prior to 6:00 p.m.

I. Call Meeting To Order

1. Roll Call.

II. Citizen Comment Period with Kyle Housing Authority

The Kyle Housing Authority welcomes comments from Citizens early in the agenda of its meetings. Those wishing to speak are encouraged to sign in before the meeting begins. Speakers may be provided with an opportunity to speak during this time period on any agenda item or any other matter concerning Kyle Housing Authority business, and they must observe the three-minute time limit.

III. Approval of minutes

2. Approval of Kyle Housing Authority meeting minutes for December 22, 2016.

IV. Consider and Possible Action

3. Unfinished Business from Previous Meetings

4. Resolution 01-2017 - Utility Allowance

5. Resolution 02-2017 - Establishing Security Requirement Through the EIV System

V. Executive Session

6. Pursuant to Chapter 551, Texas Government Code, the Kyle Housing Authority reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting. The Kyle Housing Authority may convene into Executive Session pursuant to any lawful exception contained in Chapter 551 of the Texas Government Code including any or all of the following topics.
    1. Pending or contemplated litigation or to seek legal advice pursuant to Section 551.071.
    2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.

3. Personnel matters pursuant to Section 551.074.

7. Take action on items discussed in Executive Session.

VI. Staff Report

8. Pete Dressen - 1. Southwest Housing Compliance Corp.

9. Pete Dressen - 2. HUD Management Letter

10. Bobcat Build

11. Signage Repair

12. Administrative Review; equipment replacement

VII. ADJOURN

KYLE HOUSING AUTHORITY

Meeting Date: 1/20/2017
Date time:6:00 PM

Minutes 12/22/2016

Subject/Recommendation: Approval of Kyle Housing Authority meeting minutes for December 22, 2016.

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

- 2016 1222 KHA Draft Meeting Minutes

KYLE HOUSING AUTHORITY MEETING MINUTES

The Kyle Housing Authority met on December 22, 2016 at Kyle City Hall with the following persons present:

Daniel Harper, Chair
Michelle Lopez, Vice Chair
Clara Rodriguez, Secretary
David Salazar

Kyle City Staff:
Jennifer Vetrano, City Secretary
Robert Olvera, IT Manager

I. Call Meeting To Order

1. Roll Call.

Chairman Harper called the meeting to order at 5:45 PM. Present were Daniel Harper, Clara Rodriguez, and David Salazar. A quorum was present. Chairman Harper announced that Michelle Lopez was expected to arrive shortly.

II. Approval of minutes

2. Approval of Housing Authority meeting minutes for December 15, 2016.

Commissioner Salazar moved to approve the Housing Authority meeting minutes for December 15, 2016. Commissioner Rodriguez seconded the motion. All votes aye; motion carried 3-0.

III. Citizen Comment Period with Kyle Housing Authority

The Kyle Housing Authority welcomes comments from Citizens early in the agenda of regular meetings. Those wishing to speak are encouraged to sign in before the meeting begins. Speakers may be provided with an opportunity to speak during this time period on any agenda item or any other matter concerning Housing Authority business, and they must observe the three-minute time limit.

Chairman Harper opened citizen comments at 5:46 PM. With no one wishing to speak, Chairman Harper closed citizen comments at 5:46 PM.

IV. Executive Session

3. Pursuant to Chapter 551, Texas Government Code, the Kyle Housing Authority reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting. The Kyle Housing Authority may convene into Executive Session pursuant to any lawful exception contained in Chapter 551 of the Texas Government Code including any or all of the following topics.
    1. Pending or contemplated litigation or to seek legal advice pursuant to Section
    2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
    3. Personnel matters pursuant to Section 551.074.
        - Interviews for Interim Executive Director Position
        - Executive Director Position

Chairman Harper announced that the Housing Authority would adjourn into Executive Session at 5:47 PM. Commissioner Lopez arrived at the time the Housing Authority convened into

executive session. Commissioner Lopez departed while the Housing Authority was convened into executive session at 7:17 PM.

4. Take action on items discussed in Executive Session.

Chairman Harper announced that the Housing Authority would reconvene into open session at 6:42 PM. He stated that no action was taken in Executive Session.

V. Consider and Possible Action

5. Set Date for future regularly scheduled meetings.

Chairman Harper brought forward Item No. 5 for discussion. He announced the following dates and times for meetings of the Kyle Housing Authority: January 2, 2017 at 6:00 PM, January 20, 2017 at 6:00 PM, February 2, 2017 at 6:30 PM, and February 23, 2017 at 6:30 PM.

6. Consider and possible action to approve a contract for legal services with Davidson Troilo Ream and Garza PC.

Chairman Harper brought forward Item No. 6 for discussion.

Commissioner Rodriguez moved to approve a contract for legal services with Davidson Troilo Ream and Garza PC. Chairman Harper seconded the motion. All votes aye; motion carried 3-0.

7. Consider and possible action to appoint an Interim Executive Director.

Chairman Harper brought forward Item No. 7 for discussion.

Commissioner Salazar moved to appoint Frank Arredondo as the Kyle Housing Authority Interim Executive Director beginning December 27, 2016 and authorize the Chair to line up an engagement contract for professional services. Commissioner Rodriguez seconded the motion. All votes aye; motion carried 3-0.

VI. ADJOURN

With no further business to discuss, and no objections to adjourning the meeting, Chairman Harper announced the Kyle Housing Authority as adjourned at 7:26 PM.

_____
Daniel Harper, Chair

_____
Minutes Prepared by:
Jennifer A. Vetrano, Kyle City Secretary

KYLE HOUSING AUTHORITY

Meeting Date: 1/20/2017
Date time:6:00 PM

Unfinished Business and New Business

Subject/Recommendation: Unfinished Business from Previous Meetings

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available

KYLE HOUSING AUTHORITY

Meeting Date: 1/20/2017
Date time:6:00 PM

Resolution 01-2017 - Utility Allowance

Subject/Recommendation: Resolution 01-2017 - Utility Allowance

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

	Description
🗋	Resolution 01-2017 - Utility Allowance

Kyle Housing Authority

Board Resolution No.: **01-2017**

Resolution to Adopt Utility Allowance Schedule for Public Housing Developments (as attached) Resident-Purchased Utilities

WHEREAS, HUD regulation 24 CFR 966.502 requires that Public Housing Agencies (PHA) establish allowances for resident purchased utilities for all utilities purchased directly from the utility suppliers, and

WHEREAS: HUD requires the PHA to review their Utility Allowances at least annually; and

WHEREAS, the PHA must revise its allowances for a utility category if there has been a change of 10% or more in the utility rate since the last time the utility allowance schedule was revised; and

WHEREAS, the PHA has completed its annual review and complied with the provision to inform the residents of the planned allowances, surcharges, and revisions; and

WHEREAS: It is the desire and intent of the Board of Commissioners to comply with HUD regulations,

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the **Kyle Housing Authority** hereby approves and adopts the Public Housing Utility Allowance Schedule for resident-purchased utilities as presented on this the **20th** day of **January, 2017.**

The revised Public Housing Utility Allowance Schedule shall become effective the **1st** day of **January, 2017.**

Signatures:

Chairperson - Board of Commissioners

Secretary

Allowances for Tenant-Furnished Utilities and Other Services

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0169
(exp. 4/30/2014)

See Public Reporting Statement and Instructions on back

Locality	Unit Type	Date (mm/dd/yyyy)
Kyle, Texs PHA	Public Housing	1-1-12

Utility or Service		Monthly Dollar Allowances					
		0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating	a. Natural Gas		11.25	14.78	18.35		
	b. Bottle Gas						
	c. Oil / Electric						
	d. Coal / Other						
Cooking	a. Natural Gas		5.00	6.00	7.00		
	b. Bottle Gas						
	c. Oil / Electric						
	d. Coal / Other						
Other Electric			24.85	29.15	33.35		
Air Conditioning			N/A	N/A	N/A		
Water Heating	a. Natural Gas		11.85	13.75	15.85		
	b. Bottle Gas						
	c. Oil / Electric						
	d. Coal / Other						
Water			provided	provided	provided		
Sewer			provided	provided	provided		
Trash Collection			provided	provided	provided		
Range/Microwave							
Refrigerator			provided	provided	provided		
Other – specify		TOTAL	$52.95	$63.68	$74.55		

Actual Family Allowances To be used by the family to compute allowance.
Complete below for the actual unit rented.

Name of Family

Address of Unit

Number of Bedrooms

Utility or Service	per month cost
Heating	$
Cooking	
Other Electric	
Air Conditioning	
Water Heating	
Water	
Sewer	
Trash Collection	
Range/Microwave	
Refrigerator	
Other	
Total	$

Previous editions are obsolete

form **HUD-52667** (12/97)
ref. Handbook 7420.8

KYLE HOUSING AUTHORITY

Resolution 02-2017 - Establishing Security Requirement Through the EIV System

Meeting Date: 1/20/2017
Date time:6:00 PM

Subject/Recommendation: Resolution 02-2017 - Establishing Security Requirement Through the EIV System

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

- Resolution 02-2017 - Establishing Security Requirement Through the EIV System

Kyle Housing Authority

Board Resolution No.: **02-2017**

Resolution Identifying Steps and Procedures Establishing Security Requirements For Families Assisted by The City of Kyle Housing Authority Through the EIV System

WHEREAS, HUD requires that certain personal information from assisted families be received,

WHEREAS: HUD that this information be adequately secure,

WHEREAS, HUD requires that steps and procedure be fully identified,

WHEREAS: It is the desire and intent of the Board of Commissioners to comply with HUD regulations,

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the **Kyle Housing Authority** :

To authorize the executive director, Frank Arredondo, to implement EIV Systems,

To authorize the executive director to assure the security and protection of all Information collected from assisted families.

Hereby approves and adopts EIV System as presented on this the **20th** day of **January, 2017.**

The EIV System shall become effective, Passed and Approved the **20th** day of **January, 2017.**

_____ _____

Chairperson - Board of Commissioners Secretary

EIV SECURITY POLICY & PROCEDURES OF THE
KYLE HOUSING AUTHORITY

ADOPTED ON:

DATE

RESOLUTION # _____

1. Purpose

2. Safeguarding EIV Data

    A. Limiting Access to EIV Data
    B. Physical Security Requirements
    C. Computer System Security Requirements
    D. Disposal of EIV Information

3. Security Awareness Training

4. Passwords and Password Changes

5. Record Keeping and Reporting Requirements

6. When EIV Income Reports will be accessed

7. When EIV Identity Verification Reports will be accessed

8. When Existing Tenant Search function for applicants will be accessed

9. When Deceased Tenant Report will be accessed

10. When Multiple Subsidy Report will be accessed

11. When New Hires Report will be accessed

12. When No Income Report will be accessed

13. When Income Report/Income Discrepancy Report will be accessed

14. When Income Report –90 Days After Move-In will be accessed

15. Identity Theft: How Identity Theft will be investigated/addressed

16. The procedures above also address the following:

    A. Tenants failing verification (i.e. Tenant name, SSN, or DOB does not match SS database)
    B. Tenants potentially receiving multiple subsidies
    C. How fraud will be investigated/addressed
    D. How identity theft will be investigated/addressed
    E. How Income Discrepancies will be addressed including repayment agreements

1. PURPOSE

The purpose of this policy is to provide instruction and information to the Kyle Housing Authority staff, consultants, contractors and tenants on the acceptable use, disposition and storage of data obtained through any EIV (Enterprise Income Verification System). The Kyle Housing Authority defines a system as an external data source that provides information either through computer matching, data storage and retrieval and transmitted either via computer, fax, or e-mail. Data received through the U.S. Mail will also be treated in the same format as EIV data.

This policy will also provide notice for access for dispute of data received from various EIV Systems employed by the Kyle Housing Authority. Disputes regarding the data will be resolved in accordance with the Kyle Housing Authority's Grievance Policy and Procedures.

The data in EIV contains personal information on individual tenants that is covered by the Privacy Act of 1974, (SSNs, names, DOBs, SS/SSI benefits, wages, unemployment compensation benefits and new hires (W-4)). The data provided via any EIV System will be protected to ensure that it is only used for official limited purposes (by O/A for verifying the employment and income at the time of recertification, by CAs for monitoring and oversight of the tenant recertification process and by OIG investigators for investigative purposes). Official use **does not** include sharing the information with governmental entities not involved in the recertification process used for HUD's assisted housing programs.

The Kyle Housing Authority Director, or designated staff, will assure that a copy of Form HUD-9886, HUD-9887 or HUD-9887A, (Authorization for the Release of Information/Privacy Act Notice) has been signed by each member of the household age 18 years old or older or by a parent or legal guardian for verifications provided to the agency for a minor. All HUD-9886's will be placed in the resident file and will be updated on an annual basis for each tenant or minor in the household. By signing this form, the tenant authorizes the Kyle Housing Authority to obtain and verify income and unemployment compensation information from various sources including, but not limited to, Current and former employers, State agencies, The Work Number, Tenant Tracker, Credit Bureau reports, the IRS, the SSA and other entities that may be indemnified in this policy in the future.

On January 11, 2010, HUD issued Notice H 2010-02, which includes the EIV & You Brochure and the requirement for distribution. Effective January 31, 2010, Kyle Housing Authority will provide each tenant with the "EIV & You" brochure at the time of annual recertification, along with a copy of the, " HUD Fact Sheet," "How your Rent is Determined," and the "Resident's Rights and Responsibilities." The "EIV & You brochure must also be provided to all applicants and to new tenants at move in.

2. SAFEGUARDING EIV DATA:

The information processed by any EIV System can include wage and income data about private individuals, as well as identifying information such as Social Security Number, Address, and Employment information.

The Kyle Housing Authority Executive Director, or other designated staff, will have the responsibility of ensuring compliance with the Kyle Housing Authority security policies and procedures outlined in this document. These responsibilities include:

1. Maintaining and enforcing the security procedures;
2. Keeping records and monitoring security issues;
3. Communicating security information and requirements to appropriate personnel, including coordinating and conducting security awareness training sessions;
4. Conducting a quarterly review of all User Ids issued to determine if the users still have a valid need to access the EIV data. O/A will terminate access promptly (within 30 days) of all users who no longer have a valid need to access EIV data.
5. Reporting any evidence of unauthorized access or known security breaches and taking immediate action to address the impact of the breach including but not limited to prompt notification to appropriate authorities including the HUD National Help Desk 1-800-297-8689 24 hours a day, 365 days a year.

2A. LIMITING ACCESS TO EIV DATA

The Kyle Housing Authority will restrict access to EIV data only to persons whose duties or responsibilities require access. The Kyle Housing Authority will maintain a record of users who have approved access to the EIV data. Further, the Kyle Housing Authority will terminate the access promptly within 30 days of all users who no longer have a valid need to access the EIV data.

The residents can provide written consent for the following to view EIV information to assist them in their ability to participate in the recertification process:

1- Service coordinators have access to the data only if they are present at and assisting the resident with the recertification process

2- Translators/interpreters
3- Individuals assisting an elderly individual or a person with a disability
4- Guardians
5- Power of attorney
6- Other family members

EIV data will be handled in such a manner that it does not become misplaced or available to unauthorized personnel.

2B. PHYSICAL SECURITY REQUIREMENTS

The Kyle Housing Authority may use a combination of methods to provide physical security for tenant file records. These may include, but are not limited to, locked containers of various types, locked rooms that have enforced perimeters, and a locked building. The EIV data may also be maintained in locked metal file cabinets within a locked room.

Access to the locked file cabinets where EIV files are stored in the office by authorized personnel only. The EIV Coordinator (Executive Director) will maintain control of the keys to the file cabinet. Locks to the office will be changed or reset whenever an employee leaves the Kyle Housing Authority.

The Kyle Housing Authority EIV Coordinator will establish and maintain the list of users who can access the restricted area. The list will indicate the type of access that the user may have to the restricted area. Tenant record files will never be left out in the open with access to individuals without permission. Tenant record files will not be left on desks at lunch or other times except when being updated by the responsible party.

2.C COMPUTER SYSTEM SECURITY REQUIREMENTS

All computer systems and computers will have password-restricted access, password screen saver and The Kyle Housing Authority will use a firewall to prevent access by unknown persons. The Kyle Housing Authority will also use Antivirus software to limit data destruction or unintended transmission via viruses, worms, Trojan horses or other malicious means. The EVI Coordinator will be responsible for maintaining and updating the firewall and anti-virus software as well as applying any security patches for the operating and other computer systems.

Computer repair service personnel and companies will be required to provide the following:

1. A confidentiality agreement

2. A guarantee that the data stored on any hard drives and other recording media will be destroyed by wiping the drive with a magnet after deleting the information or other program such as Clean Sweep or other programs that erase computer data so that it cannot be retrieved.

Users will retrieve computer printouts as soon as they are generated so the EIV data is not left lying unattended in printers where unauthorized users may access them.

Authorized users of EIV data are directed to avoid leaving EIV data displayed on their computer screens where unauthorized users may view it. A computer will never be left unattended with EIV data displayed on the screen. If an authorized user is in EIV data and an unauthorized user approaches the work area, the authorized user will lessen the chance of inadvertent disclosure of EIV data by minimizing or closing out the screen on which the EIV data is being displayed.

User Accounts: User accounts for EIV system will be provided on a need-to-know basis, with appropriate approval and authorization. The level of access granted determines the functionalities, features, and amounts of data that a specified user can see. The Kyle Housing Authority Access Form will be used to request additions, deletions, or modifications of user accounts with access rights to the EIV system.

All Kyle Housing Authority employees and contractors who access any EIV system will have a current signed User Agreement on file.

Users will maintain the security of the User Accounts by not disclosing their passwords to other staff members and not sharing user accounts with other employees or contractors. Users will not, deliberately or inadvertently, override the authorized access levels by providing EIV data to others who have limited or no access to the data.

At no time will any EIV system be accessed to provide information that does not relate to a tenant.

2D. DISPOSAL OF EIV INFORMATION

All EIV data from SSA will be retained in the tenant's file for the duration of tenancy, plus three years from the end of participation date. All EIV printouts containing Nation Directory of New Hires (NDNH) data (employment, wage and unemployment information) will be retained in the tenant's file for the duration of tenancy, plus three years from the end of participation date. All EIV originals and any documents created in association with their use will be either burned or shredded. Data that is stored on media other than paper will be burned after the 3 year required period for storage has elapsed. Paper data storage will be shredded or burned after appropriate data storage has expired.

Burning Precautions: The EIV material may be burned in an incinerator that produces enough heat to burn material and to ensure that all of the material is consumed.

Shredding Precautions: To make reconstruction more difficult, the EIV data will be shredded using a crosscut ¼ inch shredder. It is important that a log or register be maintained of all documents that have been burned or shredded.

3. SECURITY AWARNESS TRAINING

Security awareness training is a crucial aspect of ensuring the security of the EIV system and data. Users and potential users will be made aware of the importance of respecting the privacy of data, following established procedures to maintain privacy and security, and notifying management in the event of a security or privacy violation.

Before granting Kyle Housing Authority employees and contractors access to EIV information, each employee and contractor must be given a copy of the EIV security policies and procedures. Additionally, all employees having access to EIV data will be briefed at least annually on the Kyle Housing Authority's security policy and procedures that require their awareness and compliance. The Kyle Housing Authority EIV Coordinator will keep a record of the Security Training for all users.

On completion of security awareness training the Kyle Housing Authority will make sure that employees or contractors who access the EIV data have completed a Kyle Housing Authority User Agreement or a Kyle Housing Authority Contractor Agreement indicating that they are aware of the safeguards and responsibilities associated with using the system. Kyle Housing Authority employees will be advised of the penalties associated with the provisions of the Privacy Act of 1974, Section 553 (a), which make unauthorized disclosure or misuse of tenant wage data a crime punishable by a fine of up to $5,000.00. (See Section 1.2 Privacy Act Considerations and Appendix 2. Criminal Penalties Associated with the Privacy Act.)

The Kyle Housing Authority EIV Coordinator may communicate security information and requirements to appropriate personnel using a variety of methods outside of the formal training and awareness sessions. These methods may include:

Discussions at group and managerial meetings; and
Security bulletins posted throughout the work area.

4. PASSWORDS AND PASSWORD CHANGES:

The HUD Secure System, in which EIV is in, requires frequent changes in passwords; these passwords will be recorded and stored in a secure location.

It will be required that any password granted to an employee or authorized user will be revoked prior to termination of that employee or user to ensure data safety.

The Chairman of the Board will have the authority to change the password of any employee of the agency including the Executive Director and/or ISM personnel prior to termination. Otherwise the power to change passwords will reside with the Executive Director.

5. RECORD KEEPING AND REPORTING REQUIREMENTS

Recognition, reporting, and disciplinary action in response to security violations are crucial to successfully maintaining the security and privacy of the EIV System. These security violations may include the disclosure of private data as well as attempts to access unauthorized data and the sharing of User ID's and passwords. Upon the discovery of a possible improper disclosure of EIV information or another security violation by a Kyle Housing Authority employee or any other person, the individual making the observation or receiving the information will contact the Kyle Housing Authority's EVI Coordinator and/or the Field Office's Director of Public Housing or Director of Multifamily Housing. The Kyle Housing Authority Executive Director or designated staff will document all improper disclosures in writing providing details including who was involved, what was disclosed, how the disclosure occurred, and where and when it occurred.

6. WHEN EIV INCOME VERIFICATION REPORTS WILL BE ACCESSED:

EIV Income Reports will be accessed within two to three months of all Annual Recertification's effective dates in case there is an Income Discrepancy that has to be addressed. We will print, review, and utilize the Summary Report, the Income Discrepancy Report, the New Hires Report, and the Income Report for all annual and interim recertifications. Copies of all three Reports must be maintained in the tenant file. (Note: Once a Summary Report is placed in the tenant file during recertification that shows an Identity Verification of "Verified" for all household members required to have a Social Security Number, the property does not have to continue to print the Summary Report at recertification unless there is a change in household composition or in a household member's identity verification status.) There must be a valid copy of the HUD-9886, HUD-9887 or HUD-9887-A in the Resident's file and the form is valid for 15 months from the date of signature. The forms must be signed by each household member who is at least 18 years of age, and each family head, spouse, and co-head regardless of age, in order to view the data contained in EIV, When a resident turns 18, Kyle Housing will send them the HUD-9886, HUD-9887 and HUD-9887-A form to be

signed and returned to the office within 30 days. If applicable, an interim adjustment will be completed. If the tenant fails to sign the consent form(s), the household is in non-compliance with their lease and assistance to, and the tenancy of, the household may be terminated (24 CFR 5.232).

A. The O/A **may not** suspend, terminate, reduce, make a final denial of rental assistance or take any other adverse action against an individual based on the data in EIV.
B. When the employment and income date in EIV is not the same as reported by the tenant, or when the tenant disputes the EIV data, O/As must independently verify any information by obtaining third party verification directly from the employer or by having the tenant request a current Award Letter for SSA.
C. The O/A must notify the tenant of the results of the third party verification and request the tenant come into the office to discuss the results in accordance the requirements in Chapter 8, Paragraph 8-17 of the Handbook 4350.3 REV-1.
D. If the O/A determines that the tenant had unreported or underreported income, he/she must go back to the point in time the unreported or underreported income started and calculate the amount the tenant owes. A record of this calculation will be provided to the tenant and retained in the tenant's file. The O/A must have the HUD-50059 or HUD 50059 on file that was in effect during the period(s) that the tenant had unreported or underreported income, along with any supporting documentation, in order to calculate the amount the tenant owes. If the O/A does not have this historical information, he/she cannot go back to the tenant for unreported or underreported income.

E. **REPAYMENT AGREEMENTS:**

a. Tenants are obligated to reimburse the owner if they are charged a rent less than required by HUD/s rent formula due to not reporting or underreporting income. The tenant is required to reimburse the owner for the difference between the rent he/she should have paid and the rent he/she was charged.
b. If the tenant is unable to pay the amount due, the owner should enter into a repayment agreement with the tenant to collect the funds over a specific period of time. The repayment amount will be renegotiated if the household income increases or decreases by $200 or more per month. Tenants are not required to reimburse the owner for undercharges caused solely by the owner's failure to follow HUD's procedures for computing rent or assistance payments.

c. Section 8 owners are required to reimburse funds collected from the tenant to HUD in accordance with the requirements in Chapter 8, Paragraph 20 of Handbook 4350.3 REV-1
d. If the O/A finds that the tenant is in non-compliance with his/her lease because he/she knowingly provided incomplete or inaccurate information, the O/A must follow the guidance in Chapter 8, Section 3 of Handbook 4350.3 REV-1 for terminating the tenant/s tenancy and Chapter 8, Paragraph8-18 for the requirements for filing a civil action against the tenant to recover improper subsidy payments. Where fraud is suspected, the O/A should report this to the HUD OIG Office of Investigation in the District that has jurisdiction in the state the project is located.

7. **WHEN EIV IDENTITY VERIFICATION REPORTS WILL BE ACCESSED:**

This report identifies household members who failed the SSA identity match due to invalid personal identifiers – incorrect SSN, DOB, or last name, as well as identifies deceased household members. EIV Identity Verification Reports will be run **monthly**. The O/A will need to confirm with the affected tenant that his/her SSN, DOB, and/or last name are correct in TRACS. The O/A should have third party verification or documentation to support the tenant's personal identifiers and the accuracy of the TRACS date. O/As must correct any incorrect information that may be in the TRACS system. If the information in TRACS is accurate, the O/A should encourage the tenant to contact the SSA to correct any inaccurate data in their databases.

8. **WHEN EXISTING TENANT SEARCH FUNCTION FOR APPLICANTS WILL BE ACCESSED:**

When an applicant is being processed for move-in, the Existing Tenant Search function will be accessed **before move-in** to determine if any applicant is currently residing at another Multifamily Housing or Public and Indian Housing location and receiving rental assistance. If the applicant is residing at another location, the O/A should discuss this with the applicant, giving the applicant the opportunity to explain any circumstances relative to his/her being assisted at another location. This may be a case where the applicant wants to move from their existing location. The O/A should also follow-up with the respective PHA or O/A to confirm the individual's program participation status before admission. The report gives the O/A the ability to coordinate move-out and move-in dates with the O/A of the property at the other location.

9. **WHEN DECEASED TENANT REPORT WILL BE ACCESSED:**

The Deceased Tenant Report will be accessed **quarterly**. If the report identifies a current tenant, the O/A should confirm with the head-of-household, next of kin or emergency contact person whether or not the person is deceased and, if so, update the family composition on the HUD-50059 to terminate tenancy. Where the O/A finds that the tenant is not deceased, the O/A should encourage the tenant to contact the SSA to get the discrepancy resolved.

10. **WHEN MULTIPLE SUBSIDY REPORT WILL BE ACCESSED:**

    The Multiple Subsidy Report will be completed **quarterly**. This report is to identify individuals who may be receiving multiple rental subsidies. If the report shows the a tenant is being assisted at another location, the O/A should discuss this with the tenant, giving the tenant the opportunity to explain any circumstances relative to his/her being assisted at another location. The O/A will need to follow-up with the respective PHA or O/A to confirm that the tenant is being assisted at the other location. Depending on the results of this investigation, the O/A may need to terminate the tenant's assistance or tenancy.

11. **WHEN NEW HIRES REPORT WILL BE ACCESSED:** The New Hires Report will be reviewed and acted upon **quarterly**. Each applicable tenant will be contacted regarding new employment. The new employment will be verified with the Tenant, and the Tenant will be requested to provide documents to support current income and/or third party verification from his/her employer, as applicable. An interim recertification will be processed to include the new income, if applicable.

12. **WHEN NO INCOME REPORT WILL BE ACCESSED:** The No Income Report on 50059 will be accessed **quarterly** to identify tenants who passed the match against SSA's records but have zero income in the TRACS system. If the EIV Report shows No Income, but the Tenant declares that they do have a source of income, then third party verification will be used to document the source. The Tenant's file will have a statement from the Tenant disputing the No Income Report and any correspondence/documents to verify the Tenant's statement. If the Tenant declares that they have no income, then they must complete a "Zero Income Questionnaire" form. No income reported by HHS or SSA does not mean that the tenant(s) does not have income. The O/A must make sure that, at the time of recertification interviews, the right question are asked so that the tenants are given the opportunity to disclose any income they receive.

13. **INCOME REPORT/INCOME DISCREPANCY REPORT –** This report will be done at ***all*** Annual Recertifications and Interim Certifications. If the

Income Discrepancy Report indicates a discrepancy may exist, the file must contain documentation of resolution of the discrepancy, that is, documentation that supports that the discrepancy is valid or invalid. (1) The file documentation must show resolution of the discrepancy at the time of the recertification, or within 30 days of the date on the EIV Income Report. (2) If the discrepancy is determined to be valid, the file must include a copy of the corrected 50059(s) correcting the error, dating back to the time the unreported or underreported income started, not to exceed 5 years.

14. **INCOME REPORT – 90 DAYS AFTER MOVE-IN:** This report will be run no more than 90 days after a MI certification is submitted to TRACS. In case of an income discrepancy, it will be handled as stated in paragraph #13 above.

15. **MASTER FILE**: A "Master File" that contains a copy of the following reports printed, reviewed, and resolved in accordance with the property's EIV Policies and Procedures: *New Hires Summary Report, Identity Verification Reports (Failed EIV Pre-Screening Report and Failed Verification Report), Multiple Subsidy Summary Report and Deceased Tenants Report.* These Reports will be retained for three years.

KYLE HOUSING AUTHORITY

Meeting Date: 1/20/2017
Date time:6:00 PM

Director's Report

Subject/Recommendation: Pete Dressen - 1. Southwest Housing Compliance Corp.

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available

KYLE HOUSING AUTHORITY

Meeting Date: 1/20/2017
Date time:6:00 PM

Director's Report

Subject/Recommendation: Pete Dressen - 2. HUD Management Letter

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available

KYLE HOUSING AUTHORITY

Meeting Date: 1/20/2017
Date time:6:00 PM

Director's Report

Subject/Recommendation: Bobcat Build

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available

KYLE HOUSING AUTHORITY

Meeting Date: 1/20/2017
Date time:6:00 PM

Director's Report

Subject/Recommendation: Signage Repair

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available

KYLE HOUSING AUTHORITY

Meeting Date: 1/20/2017
Date time:6:00 PM

Director's Report

Subject/Recommendation: Administrative Review; equipment replacement

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available