

HOUSING AUTHORITY OF THE CITY OF LUMBERTON

Privacy/Confidentiality/Use of Personal Identifiers

Requirement to Release Information

Applicants and participants, including all adults in their households, are required to sign a Release of Information. This document incorporates the Federal Privacy Act Statement and describes the conditions under which HUD and the Housing of the City of Lumberton (HACL) will release family information. As specified on the Release, HUD is required to protect the income information it obtains in accordance with the Privacy Act of 1974, 5 U.S.C. 552a. HUD may disclose information (other than tax return information) for certain routine uses, such as to other government agencies for law enforcement purposes, to federal agencies for employment suitability purposes and to housing authorities for the purpose of determining housing assistance. HACL is also required to protect the income information it obtains in accordance with any applicable state privacy law. HUD and HACL employees may be subject to penalties for unauthorized disclosures or improper uses of the income information that is obtained based on the consent form. Private owners may not request or receive information authorized by this form. Protection of Applicant and Participant Personal Information HACL's policy is to protect the privacy of applicants and participants. Except when responding to requests from HUD, law enforcement agencies, or governmental investigating agencies, health or building departments or responding to subpoenas and court orders, HACL staff will not disclose whether or not an individual is an applicant or a participant, or reveal any information about a family without their consent.

HACL staff shall consider the sensitivity of personal information at all times when communicating with applicants, participants, or their representatives (advocates, translators, or family members). Every effort shall be made to conduct conversations about applicants' and participants' personal information in such a way that third-parties are unlikely to overhear them.

Responding to Requests for Status Updates

HACL staff will take reasonable precautions to safeguard the personal information of applicants and participants, without creating barriers that make it more difficult for applicants and participants to communicate with HACL. Individuals who visit HACL in person on their own behalf will be presumed to be who they say they are if they can provide personal identification. Personal identification will be required of any walk-in visitor who is requesting information relevant to any HACL application or participating household to confirm they are a legitimate concerned party. Individuals must be able to show positive identification of who they are representing themselves to be (participant, landlord, or service provider with release of information on record) before HACL staff will acknowledge status of any program participation or share any information (verbally, electronically, or in written documentation). Acceptable forms of personal identification include the following:

1. State driver's license;
2. State-issued picture identification;
3. Photo identification bank card with signature on back; and

4. Other photo identification of official entity such as a school or business.

Individuals who call HACL to request status updates will be presumed to be who they say they are if they can provide an address, birth date, and/or Social Security Number that matches the information in HACL's records.

Translators and Advocates

HACL staff may assume that translators and advocates, including adult family members, who accompany applicants and participants in-person have the applicants' or participants' permission to witness confidential conversations and documents. HACL staff may assume that translators and advocates who telephone on behalf of an applicant or participant and represent that the applicant or participant is there with them at the time of the telephone call, have the applicants' or participants' permission to conduct the conversation. Staff, however, shall exercise caution in conducting such conversations on the telephone, and may request additional personal identifiers from the caller to verify that he or she is in fact present in the room with the applicant or participant, or refrain from disclosing highly sensitive information (e.g., denial based on a criminal record, or response to a request for an accommodation based on the presence of a disability), offering instead to send a letter with the requested information to the applicant or participant directly. HACL staff shall not discuss personal information about an applicant or participant with an advocate or family member when the applicant or participant is not present, without a written, signed and dated request (form HUD-9886) by the applicant or participant giving HACL permission to do so. The written request shall identify the specific persons or agency with whom the personal information may be discussed. HACL staff shall exercise caution in conducting personal conversations on the telephone with advocates, and may take such steps as are reasonably necessary to confirm the identity of the advocate.

Domestic Violence

An applicant or participant may request that no information be provided to a current or former spouse or partner, because of domestic violence or harassment related to a domestic conflict (e.g., child custody dispute). In such cases, staff shall note this in the file and computer records, and make every effort not to disclose information about the applicant or participant to any third-party, regardless of the relationship claimed. Staff shall inform applicants and participants who make such a request that it will not apply to requests from HUD or law enforcement, or other governmental agencies authorized by HACL's General Counsel to secure confidential information about them.

Retention of Information Relating to a Disability

Any and all information which would lead one to determine the nature and/or severity of a person's disability must be kept in a file with restricted access or returned to the family member after its use. The personal information in this folder must not be released except on an "as-needed" basis in cases where an accommodation is under consideration.

Retention of Criminal Background Checks

The results of criminal background checks shall also be maintained in a separate file in a secure location, marked "confidential." The personal information in this file must not be released except on an "as needed" basis, to defend against an appeal of an HACL determination, to deny

admission to the program, or terminate assistance under the policies outlined in policy. Criminal check information shall be destroyed as soon as possible from the date of an admissions decision based on it.

Forwarding Addresses; Information Necessary to Collect Delinquent Accounts

Unless a privacy request is made, HACL will provide information on forwarding addresses for current and former participants to police or other governmental authorities, previous landlords, and other public housing authorities, upon request by those parties. Regardless of any privacy request on record, information regarding delinquent residents/participants may be exchanged when it is deemed in the interest of HACL and its collection effort.

Requests by Governmental Agencies and Attorneys to View, Copy, or Remove Documents

Requests by law enforcement agencies to view, copy or remove documents shall be made to the HACL Attorney.

Public Disclosure Law

All requests for personally identifiable information about applicants and participants under the Freedom of Information Act or any other public disclosure law shall be referred to the HACL Attorney.

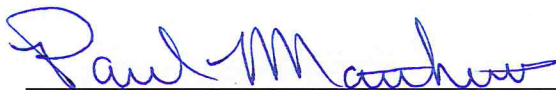
Use of Personal Identifiers (Social Security Numbers)

HACL is required to collect proof of Social Security Number from all applicants and participants who have been assigned a Social Security Number per HUD PIH Notice 2010-3. HACL uses Social Security Numbers as the primary, unique identifier of applicants and participant records. However, HACL shall take every precaution it reasonably can to prevent disclosure of applicant or participant Social Security Numbers to third-parties not authorized to have access to them. HACL will not include Social Security Numbers on correspondence mailed to the applicant's or participant's address. HACL will shred all documents containing personal identifiers, including Social Security Numbers, before disposing of them.

Including Social Security Numbers on Requests for Verification

HACL shall include Social Security Numbers on requests for verification of income or other household information submitted to governmental agencies and employers, on criminal background checks or credit checks, and on requests for verification of a disability submitted to medical professionals or other professionals authorized by the applicant or participant.

Adopted this the 22nd day of September, 2014



Mr. Paul Matthews, Chairman
Housing Authority of the City of Lumberton