

# **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

## CHAPTER 8: VERIFICATION

[24 CFR 960.259, 24 CFR 5.230, Notice PIH 2010-19]

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### **Introduction**

The HACCP must verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain written authorization from the family in order to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. The HACCP must not pass on the cost of verification to the family.

The HACCP will follow the verification guidance provided by HUD in Notice PIH 2010-19 and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary HACCP policies.

**Part I** describes the general verification process.

**Part II** provides more detailed requirements related to family information.

**Part III** provides information on income and assets, and Part IV covers mandatory deductions.

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies established by the HACCP.

### **Part I: General Verification Requirements 8-I.A.**

#### **Family Consent to Release of Information [24 CFR 960.259, 24 CFR 5.230]**

The family must supply any information that the HACCP or HUD determines is necessary to the administration of the program and must consent to HACCP verification of that information [24 CFR 960.259(a)(1)].

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### **Consent Forms**

It is required that all adult applicants and tenants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and the HACCP may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

### **Penalties for Failing to Consent [24 CFR 5.232]**

If any family member who is required to sign a consent form fails to do so, the HACCP will deny admission to applicants and terminate the lease of tenants. The family may request a hearing in accordance with the HACCP's grievance procedures.

### **8-I.B. Overview of Verification Requirements**

#### **HUD's Verification Hierarchy [Notice PIH 2010-19]**

HUD mandates the use of the EIV system and offers administrative guidance on the use of other methods to verify family information and specifies the circumstances in which each method will be used. In general, HUD requires the HACCP to use the most reliable form of verification that is available and to document the reasons when the HACCP uses a lesser form of verification. In order of priority, the forms of verification that the HACCP will use are:

- Up-front Income Verification (UIV) using HUD's Enterprise Income Verification (EIV) system
- Up-front Income Verification (UIV) using a non-HUD system
- Written Third Party Verification (may be provided by applicant or resident)
- Oral Third-party Verification
- Self-Certification

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Each of the verification methods is discussed in subsequent sections below.

### **Requirements for Acceptable Documents**

#### **HACCP Policy**

Any documents used for verification must be the original (not photocopies) and generally must be dated within 60 days of the HACCP request. The documents must not be damaged, altered or in any way illegible. Print-outs from web pages are considered original documents Any family self-certifications must be made in a format acceptable to the HACCP and must be signed in the presence of a HACCP representative or HACCP notary public.

#### **File Documentation**

The HACCP must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that the HACCP has followed all of the verification policies set forth in this ACOP. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

#### **HACCP Policy**

The HACCP will document, in the family file, the following:

- Reported family annual income;
- Value of assets;
- Expenses related to deductions from annual income;
- Other factors influencing the adjusted income or income-based rent determination.

When the HACCP is unable to obtain third-party verification, the HACCP will document in the family file the reason that third-party verification was not available [24 CFR 960.259(c)(1); Notice PIH 2010-19].

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### **8-I.C. Up-Front Income Verification (UIV)**

Up-front income verification (UIV) refers to the HACCP's use of the verification tools available from independent sources that maintain computerized information about earnings and benefits. UIV will be used to the extent that these systems are available to the HACCP.

There may be legitimate differences between the information provided by the family and UIV generated information. If the family disputes the accuracy of UIV data, no adverse action can be taken until the HACCP has independently verified the UIV information and the family has been granted the opportunity to contest any adverse findings through the HACCP's informal review/hearing processes. (For more on UIV and income projection, see section 8-I.C.)

### **Upfront Income Verification Using HUD's Enterprise Income Verification (EIV) System (Mandatory)**

HACCPs must use HUD's EIV system in its entirety as a third-party source to verify tenant employment and income information during mandatory reexaminations or recertifications of family composition and income in accordance with 24 CFR 5.236 and administrative guidance issued by HUD. HUD's EIV system contains data showing earned income, unemployment benefits, social security benefits, and SSI benefits for participant families. The following policies apply to the use of HUD's EIV system.

#### **EIV Income Reports**

The data shown on income reports is updated quarterly. Data may be between three and six months old at the time reports are generated.

#### **HACCP Policy**

The HACCP will obtain income reports for annual reexaminations on a monthly basis. Reports will be generated as part of the regular reexamination process.

Income reports will be compared to family-provided information as part of the annual reexamination process. Income reports may be used in the calculation of annual income, as described in Chapter 7.I.C. Income reports may also be used to meet the regulatory requirement for third party verification, as described above. Policies for resolving discrepancies between income reports and family-provided information will be resolved as described in Chapter 8.I.C. and in this chapter.

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Income reports will be used in interim reexaminations to identify any discrepancies between reported income and income shown in the EIV system, and as necessary to verify earned income, and to verify and calculate unemployment benefits, Social Security and/or SSI benefits. EIV will also be used to verify that families claiming zero income are not receiving income from any of these sources.

Income reports will be retained in resident files with the applicable annual or interim reexamination documents.

When the HACCP determines through income reports and third-party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in Chapter 15, Program Integrity.

### **EIV Identity Verification**

The EIV system verifies resident identities against Social Security Administration (SSA) records. These records are compared to Public and Indian Housing Information Center (PIC) data for a match on social security number, name, and date of birth.

HACCPs are required to use EIV's Identity Verification Report on a monthly basis to improve the availability of income information in EIV [Notice PIH 2012-10]. When identity verification for a resident fails, a message will be displayed within the EIV system and no income information will be displayed.

### **HACCP Policy**

The HACCP will identify residents whose identity verification has failed by reviewing EIV's Identity Verification Report on a monthly basis. The HACCP will attempt to resolve PIC/SSA discrepancies by obtaining appropriate documentation from the tenant. When the HACCP determines that discrepancies exist as a result of HACCP errors, such as spelling errors or incorrect birth dates, it will correct the errors promptly.

### **Upfront Income Verification**

Using Non-HUD Systems (Optional) In addition to mandatory use of the EIV system, HUD encourages HACCPs to utilize other upfront verification sources. HACCP Policy the HACCP will inform all applicants and residents of its use of the

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following UIV resources during the admission and reexamination process, specifically HUD's EIV system.

### **8-I.D. Third-Party Written and Oral Verification**

HUD's current verification hierarchy defines two types of written third-party verification. The more preferable form, "written third-party verification," consists of an original document generated by a third-party source, which may be received directly from a third-party source or provided to the HACCP by the family. If written third-party verification is not available, the HACCP must attempt to obtain a "written third-party verification form." This is a standardized form used to collect information from a third party.

#### **Written Third-Party Verification [Notice PIH 2010-19]**

Written third-party verification documents must be original and authentic and may be supplied by the family or received from a third-party source. Examples of acceptable tenant-provided documents include, but are not limited to: pay stubs, payroll summary reports, employer notice or letters of hire and termination, SSA benefit verification letters, bank statements, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices.

The HACCP is required to obtain, at minimum, two current and consecutive pay stubs for determining annual income from wages.

The HACCP may reject documentation provided by the family if the document is not an original, if the document appears to be forged, or if the document is altered, mutilated, or illegible.

#### **HACCP Policy**

Third-party documents provided by the family must be dated within 60 days of the HACCP request date.

If the HACCP determines that third-party documents provided by the family are not acceptable, the HACCP will explain the reason to the family and request additional documentation.

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As verification of earned income, the HACCP will require the family to provide the three (3) most current, consecutive pay stubs.

### **Written Third-Party Verification Form**

When upfront verification is not available and the family is unable to provide written third-party documents, the HACCP must request a written third-party verification form. HUD's position is that this traditional third-party verification method presents administrative burdens and risks which may be reduced through the use of family-provided third-party documents.

HACCPs may mail, fax, or e-mail third-party written verification form requests to third-party sources.

### **HACCP Policy**

The HACCP will send third-party verification forms directly to the third party. Third-party verification forms will be sent when third-party verification documents are unavailable or are rejected by the HACCP.

### **Oral Third-Party Verification [Notice PIH 2010-19]**

For third-party oral verification, HACCPs contact sources, identified by UIV techniques or by the family, by telephone or in person.

Oral third-party verification is mandatory if neither form of written third-party verification is available.

Third-party oral verification may be used when requests for written third-party verification forms have not been returned within a reasonable time—e.g., 10 business days. HACCPs should document in the file the date and time of the telephone call or visit, the name of the person contacted, the telephone number, as well as the information confirmed.

### **HACCP Policy**

In collecting third-party oral verification, HACCP staff will record in the family's file the name and title of the person contacted, the date and time of the conversation (or attempt), the telephone number used, and the facts provided. When any source responds verbally to the initial written request for verification the HACCP

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will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.

When Third-Party Verification is not required [Notice PIH 2010-19] Third-party verification may not be available in all situations. HUD has acknowledged that it may not be cost-effective or reasonable to obtain third-party verification of income, assets, or expenses when these items would have a minimal impact on the family's total tenant payment.

### **HACCP Policy**

If the family cannot provide original documents, the HACCP will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost [VG, p. 18].

### **Primary Documents**

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

### **Imputed Assets**

The HACCP may accept a self-certification from the family as verification of assets disposed of for less than fair market value [HCV GB, p. 5-28]. HACCP Policy The HACCP will accept a self-certification from a family as verification of assets disposed of for less than fair market value [HCV GB, p. 5-28].

### **Value of Assets and Asset Income [24 CFR 960.259]**

For families with net assets totaling \$5,000 or less, the HACCP may accept the family's declaration of asset value and anticipated asset income. However, the HACCP is required to obtain third-party verification of all assets regardless of the amount during the intake process, whenever a family member is added, and at least every three years thereafter.

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### **HACCP Policy**

The HACCP will use third-party documentation for assets as part of the intake process and whenever a family member is added to verify the individual's assets. At annual reexamination, for families with net assets totaling \$5,000 or less, the HACCP will:

- If the head of household's social security number ends in an odd number, the HACCP will obtain third-party verification of all assets regardless of the amount in every year ending in an odd number (2017, 2019, etc.). The HACCP will accept the family's self-certification of the value of family assets and anticipated asset income for these families in every year ending in an even number.
- If the head of household's social security number ends in an even number, the HACCP will obtain third-party verification of all assets regardless of the amount in every year ending in an even number (2018, 2020, etc.). The HACCP will accept the family's self-certification of the value of family assets and anticipated asset income for these families in every year ending in an odd number.

The family's declaration must show each asset and the amount of income expected from that asset. All family members 18 years of age and older must sign the family's declaration

### **8-I.E. Self-Certification**

When HUD requires third-party verification, self-certification, or "tenant declaration," is used as a last resort when the HACCP is unable to obtain third-party verification. Self-certification, however, is an acceptable form of verification when:

- A source of income is fully excluded
- Net family assets total \$5,000 or less and the HACCP has adopted a policy to accept self-certification at annual recertification, when applicable
- The HACCP has adopted a policy to implement streamlined annual recertifications for fixed sources of income (See Chapter 10) When the HACCP was required to obtain third-party verification but instead relies on a tenant declaration for verification of income, assets, or expenses,

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the family's file must be documented to explain why third-party verification was not available.

### **HACCP Policy**

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to the HACCP.

The HACCP may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to the HACCP and must be signed by the family member whose information or status is being verified. All self-certifications must be signed in the presence of a HACCP representative or HACCP notary public.

## **Part II: Verifying Family Information**

### **8-II.A. Verification of Legal Identity**

#### **HACCP Policy**

The HACCP will require families to furnish verification of legal identity for each household member.

#### **Verification of Legal Identity for Adults**

Certificate of birth, naturalization papers Current, valid driver's license or Department of Motor Vehicles identification card U.S. military discharge (DD 214) Current U.S. passport Student identification card (with picture) Current government employer identification card (with picture) Valid picture identification card issued by USCIS

#### **Verification of Legal Identity for Children**

Certificate of birth Adoption papers Custody agreement Certified school records

If a document submitted by a family is illegible for any reason or otherwise questionable, more than one of these documents may be required. Legal identity

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will be verified for all applicants at the time of eligibility determination and in cases where the HACCP has reason to doubt the identity of a person representing him or herself to be a tenant or a member of a tenant family.

### **8-II.B. Social Security Numbers [24 CFR 5.216 and Notice PIH 2012-10]**

The family must provide documentation of a valid social security number (SSN) for each member of the household, with the exception of individuals who do not contend eligible immigration status. Exemptions also include, existing residents who were at least 62 years of age as of January 31, 2010, and had not previously disclosed an SSN. The HACCP must accept the following documentation as acceptable evidence of the social security number:

- An original SSN card issued by the Social Security Administration (SSA)
- An original SSA-issued document, which contains the name and SSN of the individual
- An original document issued by a federal, state, or local government agency, which contains the name and SSN of the individual

The HACCP may only reject documentation of an SSN provided by an applicant or resident if the document is not an original document, if the original document has been altered, mutilated, is illegible, or if the document appears to be forged.

### **HACCP Policy**

The HACCP will explain to the applicant or resident the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to the HACCP within 90 days.

If an applicant family includes a child under 6 years of age who joined the household within the 6 months prior to the date of program admission, an otherwise eligible family may be admitted and must provide documentation of the child's SSN within 90 days. A 90-day extension will be granted if the HACCP determines that the resident's failure to comply was due to unforeseen circumstances and was outside of the resident's control.

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### **HACCP Policy**

The HACCP will grant one additional 90-day extension if needed for reasons beyond the applicant's control, such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency.

When a resident request to add a new household member who is at least 6 years of age, or who is under the age of 6 and has an SSN, the resident must provide the complete and accurate SSN assigned to each new member at the time of reexamination or recertification, in addition to the documentation required to verify it. The HACCP may not add the new household member until such documentation is provided.

When a resident requests to add a new household member who is under the age of 6 and has not been assigned an SSN, the resident must provide the SSN assigned to each new child and the required documentation within 90 calendar days of the child being added to the household. A 90- day extension will be granted if the HACCP determines that the resident's failure to comply was due to unforeseen circumstances and was outside of the resident's control. During the period the HACCP is awaiting documentation of the SSN, the child will be counted as part of the assisted household.

### **HACCP Policy**

The HACCP will grant one additional 90-day extension if needed for reasons beyond the resident's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency. Social security numbers must be verified only once during continuously assisted occupancy.

### **HACCP Policy**

The HACCP will verify each disclosed SSN by:

- Obtaining documentation from applicants and residents that is acceptable as evidence of social security numbers
- Making a copy of the original documentation submitted, returning it to the individual, and retaining a copy in the file folder

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Once the individual's verification status is classified as "verified," the HACCP may, at its discretion, remove and destroy copies of documentation accepted as evidence of social security numbers. The retention of the EIV Summary Report or Income Report is adequate documentation of an individual's SSN. HACCP Policy  
Once an individual's status is classified as "verified" in HUD's EIV system, the HACCP will not remove and destroy copies of documentation accepted as evidence of social security numbers.

### **8-II.C. Documentation of Age**

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.

#### **HACCP Policy**

If an official record of birth or evidence of social security retirement benefits cannot be provided, the HACCP will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification. Age must be verified only once during continuously assisted occupancy.

### **8-II.D. Family Relationships**

Applicants and tenants are required to identify the relationship of each household member to the head of household. Definitions of the primary household relationships are provided in the Eligibility chapter.

#### **HACCP Policy**

Family relationships are verified only to the extent necessary to determine a family's eligibility and level of assistance. Certification by the head of household normally is sufficient verification of family relationships.

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### **Marriage**

#### **HACCP Policy**

Certification by the head of household is normally sufficient verification. If the HACCP has reasonable doubts about a marital relationship, the HACCP will require the family to document the marriage. A marriage certificate generally is required to verify that a couple is married. If the HOH is married after admission, they will be required to provide a marriage certificate.

#### **Separation or Divorce**

#### **HACCP Policy**

A notarized certification by the head of household is normally sufficient verification. If the HACCP has reasonable doubts about a separation or divorce, or if the HACCP determines a need to verify the receipt of child support or alimony, the HACCP will require the family to provide documentation of the divorce or separation.

- A certified copy of a divorce decree, signed by a court officer, is required to document that a couple is divorced.
- A copy of a court-ordered maintenance or other court record is required to document a separation.

### **Absence of Adult Member**

#### **HACCP Policy**

If an adult member who was formerly a member of the household is reported to be permanently absent, the family must provide evidence to support that the person is no longer a member of the family (e.g., documentation of another address at which the person resides such as a lease or utility bill) if the HACCP so request.

### **Foster Children and Foster Adults**

#### **HACCP Policy**

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.

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### **8-II.E. Verification of Student Status**

#### **HACCP Policy**

The HACCP requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if: The family claims full-time student status for an adult other than the head, spouse, or cohead, or the family claims a child care deduction to enable a family member to further his or her education.

### **8-II.F. Documentation of Disability**

The HACCP must verify the existence of a disability to allow certain income disallowances and deductions from income. The HACCP is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. The HACCP may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If the HACCP receives a verification document that provides such information, the HACCP will redact all medical conditions or the HACCP will not place this information in the tenant file. Under no circumstances will the HACCP request a resident's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' Web site at [www.os.dhhs.gov](http://www.os.dhhs.gov).

The HACCP may make the following inquiries, for all applicants, whether or not they are persons with disabilities:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiry about whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiry about whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance

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### **Family Members Receiving SSA Disability Benefits**

Verification of receipt of disability benefits from the Social Security Administration (SSA) is sufficient for verification of disability for the purpose of qualification for waiting list preferences or certain income disallowances and deductions.

#### **HACCP Policy**

For family members claiming disability who receive disability payments from the SSA, the HACCP will attempt to obtain information about disability benefits through HUD's Enterprise Income Verification (EIV) system. If documentation is not available through HUD's EIV system, the HACCP will request a current (dated within the last 60 days) SSA benefit verification letter from each family member claiming disability status. If a family member is unable to provide the document, the HACCP will ask the family to obtain a benefit verification letter either by calling SSA at 1-800-772-1213 or by requesting one from [www.ssa.gov](http://www.ssa.gov). Once the family receives the benefit verification letter, it will be required to provide the letter to the HACCP.

### **8-II.G. Citizenship or Eligible Immigration Status [24 CFR 5.508]**

#### **Overview**

Housing assistance is not available to persons who are not citizens, nationals, or eligible immigrants. Prorated assistance is provided for "mixed families" containing both eligible and ineligible persons. See the Eligibility chapter for detailed discussion of eligibility requirements. This chapter (7) discusses HUD and HACCP verification requirements related to citizenship status. The family must provide a certification that identifies each family member as a U.S. citizen, a U.S. national, an eligible noncitizen, or an ineligible noncitizen and submit the documents discussed below for each family member. Once eligibility to receive assistance has been verified for an individual it need not be collected or verified again during continuously-assisted occupancy [24 CFR 5.508(g)(5)].

#### **U.S. Citizens and Nationals**

HUD requires a declaration for each family member who claims to be a U.S. citizen or national. The declaration must be signed personally by any family member 18 or older and by a guardian for minors.

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The HACCP may request verification of the declaration by requiring presentation of a birth certificate, United States passport or other appropriate documentation.

### **HACCP Policy**

Family members who claim U.S. citizenship or national status will not be required to provide additional documentation unless the HACCP receives information indicating that an individual's declaration may not be accurate.

### **Eligible Immigrants**

#### **Documents Required**

All family members claiming eligible immigration status must declare their status in the same manner as U.S. citizens and nationals.

The documentation required for eligible noncitizens varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, age, and the date on which the family began receiving HUD-funded assistance. Exhibit 8-1 at the end of this chapter summarizes documents family members must provide.

#### **PHA Verification [HCV GB, pp 5-3 and 5-7]**

For family members age 62 or older who claim to be eligible immigrants, proof of age is required in the manner described in 7-II.C. of this ACOP. No further verification of eligible immigration status is required.

For family members under the age of 62 who claim to be eligible immigrants, the HACCP must verify immigration status with the U.S. Citizenship and Immigration Services (USCIS).

The HACCP will follow all USCIS protocols for verification of eligible immigration status.

#### **8-II.H. Verification of Preference Status**

The HACCP must verify any preferences claimed by an applicant that determined his or her placement on the waiting list.

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### **HACCP Policy**

#### **Residency Preference:**

The HACCP offers a preference to families that hold legal residence within the HACCP's jurisdiction, to families that work within the HACCP's jurisdiction, and to families that have been hired to work within the HACCP's jurisdiction. The HACCP will verify this preference as follows: Live within the HACCP's jurisdiction: An approved document in the applicant's name reflecting an address within the jurisdiction, such as: a utility bill, proof of public aid benefits received at the relevant address (including Social Security benefits), bank statements, paystubs or a certification from the property owner that the family resides at the address. Works within the HACCP's jurisdiction: Third party verification form. Has been hired to work within the HACCP's jurisdiction: The original hire letter reflecting the employment address.

#### **Natural Disaster:**

The HACCP offers a preference to families who have been displaced from their unit within 60 days of application due to state, local or federally declared natural disaster. The HACCP will verify this through review of documents reflecting the family's address, and review of available information regarding state, local and federally declared natural disasters. Referrals will come from the Prince Georges County Department of Social Services.

#### **Elderly:**

The HACCP offers a preference to single persons that meet the definition of Elderly family at 24 CFR 5.403. The HACCP will verify elderly status in accordance with Section 7-II.C or as appropriate.

#### **Surrounding College Park:**

The HACCP offers a preference to families who reside in a county contiguous to College Park. The HACCP will verify this preference as follows: live in areas surrounding College Park, an approved document in the applicant's name reflecting an address within the contiguous area, such as: a lease, utility bill, proof of public aid benefits received at the relevant address (including Social Security benefits), bank statements, paystubs or a certification from the property owner that the family resides at the address.

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### Part III: Verifying Income and Assets

Chapter 7, Part I of this ACOP describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified. This part provides HACCP policies that supplement the general verification procedures specified in Part I of this chapter.

#### **8-III.A. Earned Income**

##### ***Tips***

##### **HACCP Policy**

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year.

##### ***Wages***

##### **HACCP Policy**

For wages other than tips, the family must provide originals of the three (3) most current, consecutive pay stubs. If the HACCP determines additional paystubs are required, the HACCP may require additional paystubs at its sole discretion.

#### **8-III.B. Business and Self Employment Income**

##### **HACCP Policy**

Business owners and self-employed persons will be required to provide:

An audited financial statement for the previous fiscal year if an audit was conducted. If an audit was not conducted, a statement of income and expenses must be submitted and the business owner or self-employed person must certify to its accuracy.

All schedules completed for filing federal and local taxes in the preceding year. If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

The HACCP will provide a format for any person who is unable to provide such a statement to record income and expenses for the coming year. The business owner/self-employed person will be required to submit the information requested and to certify to its accuracy at all future reexaminations.

At any reexamination the HACCP may request documents that support submitted financial statements such as manifests, appointment books, cash books, or bank statements. If a family member has been self-employed less than three (3) months, the HACCP will accept the family member's certified estimate of income and schedule an interim reexamination in three (3) months. If the family member has been self-employed for three (3) to twelve (12) months the HACCP will require the family to provide documentation of income and expenses for this period and use that information to project income.

### **8-III.C. Periodic Payments and Payments In Lieu Of Earnings**

For policies governing streamlined income determinations for fixed sources of income, please see Chapter 7.

### **Social Security/SSI Benefits**

#### **HACCP Policy**

To verify the SS/SSI benefits of applicants, the HACCP will request a current (dated within the last 60 days) SSA benefit verification letter from each family member who receives social security benefits. If a family member is unable to provide the document, the HACCP will help the applicant request a benefit verification letter from SSA's Web site at [www.socialsecurity.gov](http://www.socialsecurity.gov) or ask the family to request one by calling SSA at 1-800-772-1213. Once the family has received the original benefit verification letter, it will be required to provide the letter to the HACCP.

To verify the SS/SSI benefits of residents, the HACCP will obtain information about social security/SSI benefits through HUD's EIV system, and confirm with the resident(s) that the current listed benefit amount is correct. If the resident disputes the EIV-reported benefit amount, or if benefit information is not available in HUD systems, the HACCP will request a current SSA benefit verification letter from each family member that receives social security benefits. If a family member is unable to provide the document, the HACCP will help the

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

resident request a benefit verification letter from SSA's Web site at [www.socialsecurity.gov](http://www.socialsecurity.gov) or ask the family to request one by calling SSA at 1-800-772- 1213. Once the family has received the benefit verification letter, it will be required to provide the letter to the HACCP

### **8-III.D. Alimony or Child Support**

#### **HACCP Policy**

The methods the HACCP will use to verify alimony and child support payments differ depending on whether the family declares that it receives regular payments. If the family declares that it receives regular payments, verification will be obtained in the following order of priority:

- Copies of the receipts and/or payment stubs for the 12 months prior to HACCP request;
- Third-party verification form from the state or local child support enforcement agency;
- Third-party verification form from the person paying the support  
Family's self-certification of amount received.

If the family declares that it receives irregular or no payments, in addition to the verification process listed above, the family must provide evidence that it has taken all reasonable efforts to collect amounts due. This may include:

A statement from any agency responsible for enforcing payment that shows the family has requested enforcement and is cooperating with all enforcement efforts if the family has made independent efforts at collection, a written statement from the attorney or other collection entity that has assisted the family in these efforts

**Note:** Families are not required to undertake independent enforcement action.

### **8-III.E. Assets and Income from Assets**

#### **Assets Disposed of for Less than Fair Market Value**

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years. The HACCP needs to verify only those certifications that warrant documentation [HCV GB, p. 5-28].

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### **HACCP Policy**

The HACCP will verify the value of assets disposed of only if:

- The HACCP does not already have a reasonable estimation of its value from previously collected information, or
- The amount reported by the family in the certification appears obviously in error.

**Example 1:** An elderly resident reported a \$10,000 certificate of deposit at the last annual reexamination and the HACCP verified this amount. Now the person reports that she has given this \$10,000 to her son. The HACCP has a reasonable estimate of the value of the asset; therefore, reverification of the value of the asset is not necessary.

**Example 2:** A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately \$5,000. Based upon market conditions, this declaration does not seem realistic. Therefore, the HACCP will verify the value of this asset

When verifying the value, the HACCP will use documents that reflect the value at the time the property was disposed of.

### **8-III.F. Retirement Accounts**

#### **HACCP Policy**

The HACCP will accept written third-party documents supplied by the family as evidence of the status of retirement accounts. The type of original document that will be accepted depends upon the family member's retirement status. Before retirement, the HACCP will accept an original document from the entity holding the account with a date that shows it is the most recently scheduled statement for the account but in no case earlier than 3 months from the effective date of the examination. Upon retirement, the HACCP will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments. After retirement, the HACCP will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

### **8-III.G. Income from Excluded Sources**

A detailed discussion of excluded income is provided in Chapter 7, Part I.

HUD guidance on verification of excluded income draws a distinction between income which is fully excluded and income which is only partially excluded.

For fully excluded income, the HACCP is not required to follow the verification hierarchy, document because third-party verification is not available, or report the income on the 50058. Fully excluded income is defined as income that is entirely excluded from the annual income determination (for example, food stamps, earned income of a minor, or foster care funds) [Notice PIH 2013-04].

HACCPs may accept a family's signed application or reexamination form as self-certification of fully excluded income. They do not have to require additional documentation. However, if there is any doubt that a source of income qualifies for full exclusion, HACCPs have the option of requiring additional verification. For partially excluded income, the HACCP is required to follow the verification hierarchy and all applicable regulations, and to report the income on the 50058. Partially excluded income is defined as income where only a certain portion of what is reported by the family qualifies to be excluded and the remainder is included in annual income (for example, the income of an adult full-time student, or income excluded under the earned income disallowance).

#### **HACCP Policy**

The HACCP will accept the family's notarized self-certification as verification of fully excluded income. The HACCP may request additional documentation if necessary to document the income source. The HACCP will verify the source and amount of partially excluded income as described in Part 1 of this chapter.

### **8-III.H. Zero Annual Income Status**

#### **HACCP Policy**

The HACCP will check UIV sources and/or request information from third-party sources to verify that certain forms of income such as unemployment benefits,

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

TANF, SS, SSI, earned income, etc. are not being received by families claiming to have zero annual income.

### **Part IV: Verifying Mandatory Deductions**

#### **8-IV.A. Dependent and Elderly/Disabled Household Deductions**

The dependent and elderly/disabled family deductions require only that the HACCP verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

##### **Dependent Deduction**

See Chapter 7 (7-II.B.) for a full discussion of this deduction. The HACCP will verify that:

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse or cohead of the family and is not a foster child
- Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full time student

##### **Elderly/Disabled Family Deduction**

See the Eligibility chapter for a definition of elderly and disabled families and Chapter 7 (7-II.C.) for a discussion of the deduction. The HACCP will verify that the head, spouse, or cohead is 62 years of age or older or a person with disabilities.

#### **8-IV.B. Medical Expense Deduction**

Policies related to medical expenses are found in 7-II.D. The amount of the deduction will be verified following the standard verification procedures described in Part I.

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

### **Amount of Expense**

#### **HACCP Policy**

- Medical expenses will be verified through: written third-party documents provided by the family, such as pharmacy printouts or receipts.
- The HACCP will make a best effort to determine what expenses from the past are likely to continue to occur in the future.
- Written third-party verification forms, if the family is unable to provide acceptable documentation.
- Non prescribed expenses will not be counted.

In addition, the HACCP must verify that:

- The household is eligible for the deduction.
- The costs to be deducted are qualified medical expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

#### **Eligible Household**

The medical expense deduction is permitted only for households in which the head, spouse, or cohead is at least 62 or a person with disabilities. The HACCP will verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter, and as described in Chapter 8 (8-IV.B) of this plan.

#### **Qualified Expenses**

To be eligible for the medical expense's deduction, the costs must qualify as medical expenses. See Chapter 7 (7-II.D.) for the HACCP's policy on what counts as a medical expense.

#### **Unreimbursed Expenses**

To be eligible for the medical expenses deduction, the costs must not be reimbursed by another source.

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

### **HACCP Policy**

The family may be required to certify that the medical expenses are not paid or reimbursed to the family from any source. If expenses are verified through a third party, the third party must certify that the expenses are not paid or reimbursed from any other source.

### **Expenses Incurred in Past Years**

#### **HACCP Policy**

When anticipated costs are related to on-going payment of medical bills incurred in past years, the HACCP will verify:

- The anticipated repayment schedule;
- The amounts paid in the past, and
- Whether the amounts to be repaid have been deducted from the family's annual income in past years.

### **8-IV.C. Disability Assistance Expenses**

Policies related to disability assistance expenses are found in 7-II.E. The amount of the deduction will be verified following the standard verification procedures described in Part I.

### **Amount of Expense**

#### **Attendant Care**

#### **HACCP Policy**

- The HACCP will accept written third-party documents provided by the family.
- If family-provided documents are not available, the HACCP will provide a third-party verification form directly to the care provider requesting the needed information.
- Expenses for attendant care will be verified through:
  - Written third-party documents provided by the family, such as receipts or cancelled checks.

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

### **Auxiliary Apparatus**

#### **HACCP Policy**

Expenses for auxiliary apparatus will be verified through:

- Written third-party documents provided by the family, such as a paid billing statement/s for purchase of auxiliary apparatus from a provider.
- Third-party verification form signed by the provider, if family-provided documents are not available.

In addition, the HACCP must verify that:

- The family member for whom the expense is incurred is a person with disabilities (as described in 8-II.F above).
- The expense permits a family member, or members, to work (as described in 7-II.E.).
- The expense is not reimbursed from another source (as described in 7-II.E.).

#### **Family Member is a Person with Disabilities**

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. The HACCP will verify that the expense is incurred for a person with disabilities (See 7-II.E.).

#### **Family Member(s) Permitted to Work**

The HACCP must verify that the expenses claimed actually enable a family member, or members, (including the person with disabilities) to work.

#### **HACCP Policy**

The HACCP will request third-party verification from a rehabilitation agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work (See 7-II.E.). This documentation may be provided by the family.

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

If third-party verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense frees a family member, or members (possibly including the family member receiving the assistance), to work. This certification must be notarized.

### **Unreimbursed Expenses**

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

### **HACCP Policy**

The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

### **8-IV.D. Child Care Expenses**

Policies related to child care expenses are found in Chapter 7 (7-II.F). The amount of the deduction will be verified following the standard verification procedures described in Part I. In addition, the HACCP must verify that:

- The child is eligible for care (12 or younger).
- The costs claimed are not reimbursed.
- The costs enable a family member to work, actively seek work, or further their education.
- The costs are for an allowable type of child care.
- The costs are reasonable.

### **Eligible Child**

To be eligible for the child care deduction, the costs must be incurred for the care of a child under the age of 13. The HACCP will verify that the child being cared for (including foster children) is under the age of 13 (See 7-II.F.).

### **Unreimbursed Expense**

To be eligible for the childcare deduction, the costs must not be reimbursed by another source.

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

### **Pursuing an Eligible Activity**

The HACCP must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

### **HACCP Policy**

#### ***Information to be Gathered***

The HACCP will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

#### ***Seeking Work***

Whenever possible the HACCP will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases the HACCP will request family-provided verification from the agency of the member's job seeking efforts to date and require the family to submit to the HACCP any reports provided to the other agency.

In the event third-party verification is not available, the HACCP will provide the family with a form on which the family member must record job search efforts. The HACCP will review this information at each subsequent reexamination for which this deduction is claimed.

#### ***Furthering Education***

The HACCP will request third-party documentation to verify that the person permitted to further his or her education by the child care is enrolled and provide information about the timing of classes for which the person is registered. The documentation may be provided by the family.

#### ***Gainful Employment***

The HACCP will seek third-party verification of the work schedule of the person who is permitted to work by the child care. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified. The documentation may be provided by the family.

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

### **Allowable Type of Child Care**

The type of care to be provided is determined by the family, but must fall within certain guidelines, as discussed in Chapter 7.

### **HACCP Policy**

The HACCP will verify that the type of child care selected by the family is allowable, as described in Chapter 7 (7-II.F).

The HACCP will verify that the fees paid to the child care provider cover only child care costs (e.g., no housekeeping services or personal services) and are paid only for the care of an eligible child (e.g., prorated costs if some of the care is provided for ineligible family members).

The HACCP will verify that the childcare provider is not an assisted family member. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.

### **Reasonableness of Expenses**

Only reasonable childcare costs can be deducted.

### **HACCP Policy**

The actual costs the family incurs will be compared with the HACCP's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable. If the family presents a justification for costs that exceed typical costs in the area, the HACCP will request additional documentation, as required, to support a determination that the higher cost is appropriate.

### **Exhibit 8-1: Summary of Documentation Requirements for Noncitizens**

- All noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the PHA.
- Except for persons 62 or older, all noncitizens must sign a verification consent form
- Additional documents are required based upon the person's status.

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

### **Elderly Noncitizens**

- A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits.

### **All other Noncitizens**

Noncitizens that claim eligible immigration status also must present the applicable USCIS document. Acceptable USCIS documents are listed below:

- Form I-551 Alien Registration Receipt Card (for permanent resident aliens)
- Form I-94 Arrival-Departure Record annotated with one of the following:
  - “Admitted as a Refugee Pursuant to Section 207”
  - “Section 208” or “Asylum”
  - “Section 243(h)” or “Deportation stayed by Attorney General”
  - “Paroled Pursuant to Section 221 (d)(5) of the USCIS”
- Form I-94 Arrival-Departure Record with no annotation accompanied by:
  - A final court decision granting asylum (but only if no appeal is taken);
  - A letter from a USCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a USCIS district director granting asylum (application filed before 10/1/90);
  - A court decision granting withholding of deportation; or
  - A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90)
- Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”.
- Form I-688B Employment Authorization Card annotated “Provision of Law 274a. 12(11)” or “Provision of Law 274a.12”.
- A receipt issued by the USCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or

## **HACCP ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP)**

- Other acceptable evidence. If other documents are determined by the USCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the Federal Register