

Enterprise Income Verification Policy

FASTForms Description

RBD does not act as a legal advisor nor as a regulatory governing agency. The recipient should understand that any materials or comments contained herein are not designed for, nor should be relied upon as a source of legal guidance or as a final authority with respect to any particular circumstance. Ross Business Development, Inc. makes no warranty of merchantability or fitness for a particular purpose or any other warranty of any type. Owners and management should seek competent legal advice in developing and carrying out policies and procedures. While we have been diligent in our efforts to provide comprehensive and accurate regulatory information, Ross Business Development, Inc. shall not be responsible for errors or inaccuracies.

Revised 10/2016

It is mandatory for owner/agents of specified HUD properties to obtain access, develop policies and use the data provided through EIV.

The documents provided on this CD **have been designed to assist you** in your development of EIV processes and to help you maintain compliance with HUD's requirements. While we have made every attempt to make these policies neutral, each document should be reviewed and you should decide if they work for your specific organization. All documents, especially legal documents, such as the repayment agreement and termination notices, should be reviewed by legal counsel before you begin using these forms. Forms and documents may need to be edited to ensure consistency with your organization's policies and with local tenant/landlord requirements.

We have designed the following Notices, Forms, Policies and Spreadsheets to help you create a comprehensive EIV policy. Owner/agents should review the documents and The HUD Notices and some other HUD publications, available at time of CD publication (10/5/2013). Some of these publications have been included on this CD for your convenience.

HUD periodically releases revised instruction through the RHIIP Listserv. We strongly encourage you to sign-up for the RHIIP Listserv, so you can receive current RHIIP related information from HUD

[http://portal.hud.gov/hudportal/HUD?src=/subscribe/signup&listname=Multifamily%20Housing%20RHIIP%20\(Rental%20Housing%20Integrity%20Improvement%20Program\)%20Tips&list=MFH-RHIIP-TIPS-L](http://portal.hud.gov/hudportal/HUD?src=/subscribe/signup&listname=Multifamily%20Housing%20RHIIP%20(Rental%20Housing%20Integrity%20Improvement%20Program)%20Tips&list=MFH-RHIIP-TIPS-L) . You can view the RHIIP Tips Archives, under "Listserv-Multifamily RHIIP Tips" at <http://www.hud.gov/offices/hsg/mfh/rhiip/mfhrhiip.cfm>

We also encourage you to sign up for the RBD HUDBlast. To sign up for the HUDBlast, visit our web site at www.rbdnow.com. Just enter your email address in the box in the center of the home page. You can view previously posted HUDBlasts from our web site at <http://www.rbdnow.com/hudblasts.htm>.

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3134 Shumard Way
 Marietta, GA 30064
 770-424-1806
www.rbdnow.com
info@rbdnow.com

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Sharing Forms

This “Forms CD” has been purchased by your organization for use within your organization. Sharing forms with others outside your organization is prohibited. Except for HUD’s Notices and Forms, documents on this CD, are the intellectual property of RBD and general distribution, publishing on web sites and publishing in training and resource materials, for use outside your organization, is strictly prohibited. Thank you for your consideration.

EIV Use Policies and Supporting Checklists

[EIV Use Policy All Reports Monthly](#)

[EIV Use Policy Monthly/Quarterly](#)

There are two policies. Choose one. The difference is mainly in regard to the Master File. If the Identity Verification reports are reviewed monthly but other Master File reports are reviewed quarterly, use the appropriate policy and associated checklists. If all Master File reports are reviewed monthly, then use the appropriate policy and associated checklists.

The policies address concerns when there is program layering such as Section 8 and Tax Credit or 515/8 properties. We have added discussion explaining how income verification will be addressed and we have included information about how resident files will be maintained in order to secure EIV information.

Added new language for Repayment Agreements including limiting the number of repayment agreements to one. Supporting forms have been added to this CD.

Update Social Security Disclosure Requirements description to include new language included in Streamlining Final Rule effective 4/2016.

You MUST edit these policies before implementation. The policy must reflect how you really use EIV.

This is a comprehensive EIV Use and Security Policy which incorporates policies based on HUD instruction provided in HUD Notice 13-06, HH 4350.3, Revision 1, Change 4 and other HUD guidance.

EIV Checklists

[EIV Reporting Log Monthly and Quarterly](#)

[EIV Reporting Log Monthly](#)

(Revised 10/2016) These reporting logs assist with monitoring compliance with EIV requirements. Property managers can use these logs to document that EIV reports are run in compliance with HUD requirements and the property’s EIV Use Policy. A report log has been created to conform to each of the EIV Use Policies. If you change reporting requirements in the use policy and you plan to use reporting logs, you must change the reporting logs to coincide. Use of the Pending Verification Report, No Income on 50059 Report and No Income from HHS or SSA Report have been added. Workbooks have been updated to reflect 2015 dates.

[EIV 90 Day Post Move-in Checklist](#)

Use this checklist to document review of EIV reports 90 days after the submission of a move-in 50059. We have updated this checklist to provide additional instruction to assist property managers. Added new references.

[EIV AR IR Checklist](#)

(Revised 10/2016) Use this checklist to document review of EIV reports at AR and IR. We have updated this checklist to provide additional instruction to assist property managers. Added an Income Discrepancy Worksheet.

EIV Inc Disc Worksheet

(Revised 10/2016) Use this Excel worksheet to document review of EIV reports at AR and IR.

EIV Deceased Tenant Report Reconciliation

The EIV Deceased Tenant Report Reconciliation is a checklist used to track compliance with HUD's EIV Master File review requirements. Use this checklist to ensure complete and consistent review and response to data provided on the EIV Deceased Tenant report. We added an option for "Other" in the causes for the discrepancy.

EIV Failed Verification Report Reconciliation

The EIV Failed Verification Report Reconciliation is a checklist used to track compliance with HUD's EIV Master File review requirements. Use this checklist to ensure complete and consistent review and response to data provided on the EIV Failed Verification report.

EIV New Hires Report Reconciliation

The EIV New Hires Report Reconciliation is a checklist used to track compliance with HUD's EIV Master File review requirements. Use this checklist to ensure complete and consistent review and response to data provided on the EIV New Hires report. We added an option for "Other" in the causes for the discrepancy.

EIV Failed Pre Screening Report Reconciliation

The EIV Failed Pre Screening Report Reconciliation is a checklist used to track compliance with HUD's EIV Master File review requirements. Use this checklist to ensure complete and consistent review and response to data provided on the EIV Failed Pre Screening report.

EIV Multiple Subsidy Report Reconciliation

The EIV Multiple Subsidy Report Reconciliation is a checklist used to track compliance with HUD's EIV Master File review requirements. Use this checklist to ensure complete and consistent review and response to data provided on the EIV Multiple Subsidy report. Refined reasons for the discrepancy including adding "Other" as an option.

Policy - EIV Privacy Policy

Some owner/agents wish to ensure that staff fully understands the rules surrounding the privacy policy. You can use a form like this to convey information about the privacy act and to ensure that staff understands the rules. Removed outdated HUD references.

Policy - EIV Privacy Policy for Auditors

For use with the EIV Security Policy when an auditor is going to be accessing file for a HUD compliance review. (See RHIP ListServ 181) This document is not required, however, the information about restrictions must be provided to the auditor in some manner and the auditor must certify their understanding of the requirements. The auditor is required to sign HUD's Rules of Behavior before viewing any EIV information. Removed outdated HUD references.

HUD EIV Rules of Behavior

This is a HUD Form - The EIV Rule of Behavior document describes the HUD's security protocol in regards to Secure Systems and EIV. Independent Public Auditors performing HUD audits must sign an ROB. Staff involved in the certification process must sign an ROB and participate in ISS non-DOD Security Awareness Training. The EIV Rules of Behavior document can be found on HUD's web site at www.hud.gov/offices/hsg/mfh/rhiip/eiv/rulesofbehavior.pdf

EIV Coordinator Owner Authorization Letter

EIV Coordinators must receive written permission from property owners before attempting to establish EIV Coordinator access for any property. This is a memo that can be completed and sent to the owner for signature. **This notice should be provided on owner letterhead.** An owner/authorization letter must be available for review at HUD's request.

DO NOT SEND THIS LETTER TO HUD UNLESS SPECIFICALLY ASKED TO DO SO. Failure to produce an owner authorization at MOR will result in a finding. In addition, EIV access will be terminated until such authorization can be produced.

[EIV File Checklist](#)

(Revised 10/2016) Use this spreadsheet to make sure you have all documents required for the management and occupancy review. Removed references to ISS training and used term Security Awareness Training to reflect compliance with HUD's training requirement.

[EIV Data File Destruction Log](#)

Use this spreadsheet to track when EIV information is destroyed. This has been updated to include new reports maintained in the Master File. Updated information about the destruction of reports maintained in the EIV Master File.

Forms Used For Tenant Consent & Release

[HUD EIV and You Brochure](#)

This brochure must be provided to applicants when they are selected from the waiting list for final determination of eligibility and to all existing households at the time of annual certification. The EIV and You Brochure can also be found on HUD's web site at www.hud.gov/offices/hsg/mfh/rhiip/eivbrochure.pdf.

Alternative language versions are not included on this CD, but, when available, can be accessed from HUD's web site at <http://www.hud.gov/offices/fheo/lep.xml>

The brochure can be ordered, at no cost, from HUD's Clearinghouse, as specified in Housing Notices. Go to the distribution web site at http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/dds

[HUD Tenant Consent to Disclose EIV Income Information](#)

In HUD Notice 11-21, HUD clarified that EIV information can only be disclosed 1) to people participating in the certification process 2) only with written permission. HUD added a form with the release of the Notice. Subsequently, this form was added to HH 4350.3 R1, C4, Exhibit 9-4 in December 2013. This requirement applies to adult household members. We have taken the PDF version in the notice and converted it to Microsoft Word.

[Notice of Requirement to Sign 9887](#)

Use this notice to notify residents who are turning 18 of their requirement to sign HUD Form 9887/9887A. Added language referencing VAWA 2013 and LEP requirements.

Applicant Notices & Forms

[Dual Subsidy Notice](#)

Use this notice to advise applicants that they must forfeit any current HUD assistance before they will begin receiving HUD assistance for a unit on your property. Based on customer comment, this Notice has been edited and is now a form to be complete by applicants that can be included as part of the Application Package or part of the application process.

[Notice of Potential Rental History Conflict - Applicant](#)

Use this notice if EIV indicates that the household may be receiving assistance on a property that has not been disclosed at application. Added language referencing VAWA 2013 and LEP requirements.

[Verification - Receipt of HUD Assistance](#)

Use this form to request verification from the landlord indicated in EIV, if the EIV Existing Tenant Report indicates that an applicant is receiving assistance in another residence that was not disclosed.

[Verification - No 3rd Party Prior Landlord](#)

Use this form to document why no third party verification is in the file when prior landlords will not respond to inquiries.

[Verification - Move Out](#)

Some owner/agents are struggling to keep new residents compliant with single subsidy requirements. This document may help assist with the effort. If an applicant is currently receiving assistance in another HUD assisted residence, owner/agents may want to verify move-out before allowing the resident to move in to the new unit. This will help ensure compliance with the single subsidy rule and may assist in resolving disputes that may come up in the future. Format was updated to make it more consistent with other forms.

[Self Certification – Existing Tenant](#)

The form is used to document applicant's response to inquiries about subsidy indicated on the Existing Tenant Report. Added LEP language.

Resident Notices & Forms – Social Security

[Notice of Failed SSA Verification](#)

Use this notice when EIV returns a discrepancy related to the resident's Social Security Number, birth date or last name (EIV Failed Verification Report). This includes language regarding termination of tenancy. Added VAWA 2013 and LEP language.

[Self Certification - No SSN](#)

(Revised 4/2016) There are situations where a household member may be included on a 50059 but no Social Security Number is provided. This document certifies the resident claim that the reason for the exemption is valid. Added LEP language.

[Notice of SSN Requirements - Adding Member](#)

Use this notice to notify residents of the requirement to provide a Social Security Number for new household members less than 6 years of age. The resident has 90 days to provide such information. Added LEP language.

[Notice No SSN Under 6](#)

(Revised 10/2016) Use this form to remind residents of requirement to provide missing SSN information for a new household member. This letter provides notice of termination of tenancy. It has been revised to add language related to VAWA 2013 and LEP requirements.

[Verification - No 3rd Party SSA](#)

The owner/agent is required to document the file when EIV is not used to verify Social Security Income.

[Verification - Unexplained SS Deductions](#)

Use this document when there are differences between gross Social Security Benefits and net Social Security benefits and those differences are not explained on the EIV Income Report. This document assists the OA in deciding whether additional verification is required. Added option for "Unpaid FHA Loans".

Resident Notices & Forms – Employment, Employment Income & Unemployment

[Verification - No 3rd Party Employment](#)

Use this form to verify why there is no third party verification of employer information provided by EIV. Reformatted form.

Notice of Potential Failure to Report Change in Employment or Income

(Revised 10/2016) Used to notify residents when EIV and follow-up file review indicate that the resident may have failed to report new employment, income or changes in household composition as required. Reference HUD Handbook 4350.3 Revision 1, Change 4, Paragraph 7-12 for additional information regarding this notice. This notice has been updated to add language pertaining to VAWA 2013 and LEP requirements.

Self Certification - Employment

Use this form to document residents' response to potential failure to report changes in employment or income. Added LEP language.

Self Cert Irregular Income

(New 10/2016) The EIV policy included on this FASTForms CD allows owner/agents to use historical information in EIV to estimate income when a resident has irregular income. Since EIV cannot be used to verify income, the resident must self-certify. This method is used when no other acceptable method is available and attempts to obtain 3rd party verification must be documented in the tenant file.

Notice Change Employment or Income No IR Required

(New 10/2016) Use this notice to advise residents that the change in income or employment has been reviewed and no IR is required.

Notice of Overpayment of Rent

(Revised 10/2016) Use to inform residents that the owner/agent has re-calculated assistance and that the resident is entitled to a rent refund. This also advises the household that they have a requirement to meet with the owner/agent to sign a new certification. Added LEP language.

Self Certification - Rent Credit

Use this form to document residents request to have rent credit returned as a refund or rent credit.

Notice Zero Inc Req to Meet

(New 10/2016) The EIV Use Policy included on this FASTForms CD includes a requirement for zero income tenants to participate in quarterly meetings to review income. Those meetings are held in March, June, September and December. If you have opted to include this requirement, you can use this 30 day notice to remind tenants that they must schedule and participate in the meeting or face termination of assistance.

Verification Zero-Irregular Income Questionnaire

(Revised 10/2016) Used to provide a more detailed questionnaire to uncover undisclosed income when a resident claims zero or irregular income. In accordance with HH 4350.3 Revision 1, Change 4, Appendix 3, owner/agents may require residents who claim zero income to participate in an interview to review income every 90 days. This form has been updated to include 2016 IRS cost of living information. LEP language was added.

Resident Notices & Forms – Multiple Subsidy

Notice of Potential Rental History Conflict - Resident

Use this form to let residents know that EIV Multiple Subsidy Report indicates that the resident is receiving HUD assistance in another residence. If the resident indicates that he/she does not live on the property, the resident response should be verified using the Verification of Receipt of Assistance. Added language referencing VAWA 2013 and LEP requirements.

Self Certification - Multiple Subsidy

Use this form to document resident's response to inquiries about dual/multiple subsidy indicated in EIV. Added LEP language.

[Verification - Receipt of HUD Assistance](#)

Use this form to request verification from a landlord indicated in EIV.

[Verification - No 3rd Party Prior Landlord](#)

Use this form to document why no third party verification is in the file when the prior/current landlord will not respond to requests for third party verification.

Documents to Support Repayment Agreements

[Repayment Agreement](#)

Residents who have received housing assistance in error, due to failure to report, must return assistance-paid-in-error to HUD. This agreement outlines the requirements and payment plan and penalties for failure to meet the terms of the agreement. This form has been updated based on customer comment. **THIS IS A LEGAL DOCUMENT. WHILE NO HUD OR CA APPROVAL IS REQUIRED, REVIEW BY LEGAL COUNSEL IS STRONGLY RECOMMENDED.** Please refer to HUD Notice 13-06 (or the most recent Notice) and HH 4350.3 Revision 1, Change 4 for additional Repayment Agreement Requirements. This agreement was edited to notify residents that repayment information is being transmitted to HUD.

[Repayment Agreement Zero Income](#)

(New 10/2016) Residents who have received housing assistance in error, due to failure to report, must return assistance-paid-in-error to HUD. This agreement outlines the requirements when a person has zero income and explains penalties for failure to meet the terms of the agreement. This form has been updated based on customer comment. **THIS IS A LEGAL DOCUMENT. WHILE NO HUD OR CA APPROVAL IS REQUIRED, REVIEW BY LEGAL COUNSEL IS STRONGLY RECOMMENDED.** Please refer to HUD Notice 13-06 (or the most recent Notice) and HH 4350.3 Revision 1, Change 4 for additional Repayment Agreement Requirements. This agreement was edited to notify residents that repayment information is being transmitted to HUD.

[Acknowledgement of Repayment Agreement Policy](#)

(New 10/2016) This Self Certification allows owner/agents to require residents to agree to a Repayment Agreement Policy. It documents that residents understand that they do not have to agree to payments in excess of 10% of adjusted income, but they may do so voluntarily. The policy also explains that the owner/agent will not enter into multiple repayment agreements.

[Notice Contact HUD Housing Counseling Agency](#)

Use this Notice to let residents know that they have a right to contact HUD's Housing Counseling Agency to receive assistance with repayment agreement negotiations. This notice was updated to address VAWA 2013 and LEP requirements.

[Repayment Tracker No Expenses](#)

[Repayment Tracker with Expenses](#)

(Revised 10/2016) Use these excel spreadsheets to monitor resident compliance with repayment requirements. There are two versions of the repayment tracker. One version is set up for those owner/agents who do not track or recover expenses. The second version is set up for those owner/agents who do track and recover the lesser of actual expenses or 20% of the repayment amount.

[Policy - Timing of Notification of Change](#)

Since HUD does not define how long a resident has to report a change, owner/agents are tasked with developing a standard policy. This explains reporting requirements to residents and provides documentation of such process.

The language can be added to the House Rules (with proper notice) or can be included as part of the standard policy distribution at move in or annual certification. This is not required by HUD but is considered good practice and ensures consistent treatment. Added LEP language.

[Notice Termination Tenancy – Multiple Repayment Agreements](#)

(New 10/2016) Based on the Repayment Policy included as part of this FASTForms CD, use this termination notice to advise residents that you have discovered a second instance of failure to report required information. The standard policy acknowledgement advises residents that you will not enter in to a second repayment agreement. Residents may pay back the new amount in one lump sum or must be terminated.

[Notice Term Tenancy Failure to Repay](#)

(New 10/2016) This is a termination notice sent to residents who fail to fulfill the repayment agreement. This notice advises residents of termination of assistance (not eviction).

[Notice Term Asst Failure to Repay](#)

(New 10/2016) This is a termination notice sent to residents who fail to fulfill the repayment agreement. This notice advises residents of termination of assistance (not eviction).

[Notice Failure to Report Fulfill Repayment](#)

If an owner/agent suspects fraud or wishes to report default on a repayment, the owner/agent has the option of notifying HUD. Use this form to notify HUD or the CA when a resident refuses or fails to repay assistance-paid-in-error as required. WE reformatted and added an area to enter an address for a Contract Administrator. Information about HUD's IG Division can be found at http://portal.hud.gov/portal/page/portal/HUD/program_offices/oig You can also complete a Fraud form online at <http://oig.hhs.gov/fraud/hotline/>

HUD Internet Links

The following are references available for implementing and using EIV. Please be sure to watch for updates and changes to HUD requirements. Reference resources include but are not limited to:

[HUD Web Sites](#)

- HUD's EIV Web Site for the Multifamily Housing Industry
www.hud.gov/offices/hsg/mfh/rhiip/eiv/eivapps.cfm
- HUD's EIV Training Outreach Web Site
www.hud.gov/offices/hsg/mfh/rhiip/eiv/eivtraining.cfm
- HUD's Rental Housing Integrity Improvement Web Site
www.hud.gov/offices/hsg/mfh/rhiip/mfhrhiip.cfm

[HUD Security Awareness Training \(Web Based Training available for free\)](#)

- Cyber Awareness Challenge for DOD and Federal Personnel Security Awareness Training (required for all staff who have access to EIV or EIV reports – also used for Security Awareness Training for TRACS)
The Federal version link has been removed from the website. All Federal Employees, contractors and business partners are to utilize the DoD Employee course version, *CyberAwareness Challenge Department of Defense Version*. The Multifamily Housing Programs Security Administration Manual located at <http://portal.hud.gov/hudportal/documents/huddoc?id=securityadminmanual.pdf> has been updated to reflect the changes.

[Other HUD Publications](#)

- Instructional Packet for Owners and Agents for Implementing the Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs: Implementation of EIV-Amendments; Final Rule
<http://www.hud.gov/offices/hsg/mfh/rhiip/instructionalpacketforoas.pdf>

- HUD Handbook 4350.3 Revision 1, Change 4
<http://www.hud.gov/offices/adm/hudclips/handbooks/hsg/4350.3/index.cfm>
- Rent and Income Quality Control Monitoring Guide
<http://www.hud.gov/offices/hsg/mfh/rhiip/qcguide.pdf>
- EIV Questions and Answers Document
<http://www.hud.gov/offices/hsg/mfh/rhiip/eiv/training/eivwebcastqna61209.pdf>

RBD Online Training

Join Mary Ross to discuss EIV Basics and more advanced EIV topics. Online Training schedules can be accessed by visiting our web site at: <http://www.rbdnow.com/onlinetraining.htm>