

HOTMA EIV Policy Requirements
Deadline to Create HOTMA Compliant EIV Policies - No Later Than 5/31/2024

PLEASE NOTE. WHILE A HOTMA COMPLIANT EIV POLICIES MUST BE AVAILABLE NO LATER THAN 5/31/2024, OWNER/AGENTS MAY NOT IMPLEMENT THE NEW EIV POLICIES UNTIL SITE SOFTWARE IS AVAILABLE AND HAS BEEN IMPLEMENTED AND NEW LEASES HAVE BEEN EXECUTED.

USE OF EACH REPORT

EIV Reports are used for HUD purposes only.

These reports are not to be used to verify income or other information for other programs such as LIHTC, USDA 515, etc.

APPLICATION

Existing Tenant Search – Requirements did not change with HOTMA. .

ETS must be reviewed for all family (including minors) and non-family members before the family's application is approved and a unit offer is extended.

MASTER FILES

Identity Verification Reports - Requirements did not change with HOTMA.

- Two required reports 1) Failed Pre-Screening Report and 2) Failed Verification Report.
- Must be reviewed each month and stored as part of the Master File.

Deceased Tenant Report - Requirements did not change with HOTMA.

- Must be reviewed at least quarterly and stored as part of the Master File.
- Owner/agents may review more frequently only if they have established a written policy to do so.

Multiple Subsidy Report - Requirements did not change with HOTMA.

- Must be reviewed at least quarterly and stored as part of the Master File.
- Owner/agents may review more frequently only if they have established a written policy to do so.

Note: Policy developers may want to discuss the exceptions to the Dual Subsidy Rule:

- *Fosters;*
- *Children in Joint custody arrangements;*
- *Swap (member from one family moves to another existing family);*
- *Split (members leave to establish a new family leaving some members behind);*

New Hires Report - Requirements changed with HOTMA.

- (NEW) Must be reviewed at least quarterly and stored as part of the Master File unless the owner/agent has developed a policy not to review earned income increases except at AR.
 - (NEW) Owner/agents that do not require families to undergo Interim Recertification (IRs) for earned income increases after submitting an IR to decrease earned income do not need to review this report at all between a family's Annual Recertification.
 - (NEW) If the owner/agent's policy is to require an IR for increases in earned income after submitting an IR to decrease earned income, then the owner/agent must review the report quarterly after submitting an IR to decrease earned income.
- Owner/agents may review more frequently only if they have established a written policy to do so.
- (NEW) Must be reviewed when conducting AR interviews unless OA used Means-tested verification when determining income for the most recent certification.

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REPORTS REVIEWED WHEN CERTIFYING OR RECERTIFYING

Income Summary Report - Requirements changed with HOTMA.

- (NEW) The Income Summary Report is reviewed at AR. HUD used to require review of this report only until all household members' Personal Identifiers have been verified but that language is no longer included in HUD's instruction. Personal Identifiers are Last Name, SSN, and Birth Date.
- Owner/agents may, but are not required to, use the Income Summary Report as verification of the SSN for the tenant file and the owner/agent may remove previously used verifications such as the SS Card.
- (NEW) Owner/agents may, but are no longer required to, review this report when creating an IR.

Income Report (Income Detail) - Requirements changed with HOTMA.

- The Income Report is reviewed at AR.
- (NEW) Owner/agents may use this report to verify any income shown on the report when paired with self-certification.
- (NEW) Residents should indicate that the report is correct when using the report to verify specific information (or disagree if that is appropriate).
- (NEW) Owner/agents **are not** required to use the report when creating the Annual Recertification if they used Means-tested verification to determine the family's income for the current certification.
- (NEW) OAs are required to review the report 120 days after submission of the MI/IC transaction. Additional Requests for clarification have been submitted to HUD. (changed from 90 days).
- (NEW) Owner/agents may, but are no longer required to, review this report when creating an IR.

Income Discrepancy Report - Requirements changed with HOTMA.

- (NEW) Owner/agents may discontinue use of the EIV Income Discrepancy Report once HOTMA compliant site software has been updated and residents have signed the new lease. Because the report is designed to detect discrepancies related to a \$200 income variance, it is no longer valid under HOTMA. The report will have to be updated (or hopefully eliminated) before the data provided is meaningful.
- Once the report has been modified, the Income Discrepancy Report will be reviewed at AR.
- (NEW) Owner/agents are no longer required to review this report when creating an IR.

MISCELLANEOUS REPORTS

No Income on 50059 – Requirements did not change with HOTMA.

- Previously used to assist when an owner/agent conducts quarterly reviews when families claim zero income from any source.
- Owner/agents may or may not want to establish a policy to continue such review. If so, the report is generally reviewed quarterly and maintained with the other Master File Reports.

No Income from HHS or SSA – Requirements did not change with HOTMA.

- Previously used to assist when an owner/agent conducts quarterly reviews when families claim zero income from any source.
- Owner/agents may or may not want to establish a policy to continue such review. If so, the report is generally reviewed quarterly and maintained with the other Master File Reports.

RECORDKEEPING

– Requirements did not change with HOTMA.

- EIV reports will be maintained in the tenant file for the time of tenancy and for three years after tenancy ends.
- Master Files are maintained for three years.

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The owner/agent will destroy records and data and will document when and how records and data are destroyed.

1. Electronic Data.
 - a. The owner/agent will destroy electronic data and will document when and how records and data are destroyed. The method used to destroy such data will ensure that records and documents cannot be accessed once they have been destroyed. The type of destruction method used will correlate to the sensitivity of the data and HUD's or other federal/state/local government requirements.
2. Paper File Destruction.
 - a. The owner/agent will dispose of paper files in a manner that will prevent any unauthorized access to personal information, e.g., burn, pulverize, shred, etc.
3. Converting Paper Files To Electronic Files.
 - a. When converting paper files/documents to electronic format and prior to destroying the paper format, the owner/agent will ensure that local and state laws and practices to determine if hardcopy documents with original signatures must be retained or whether a print-out of an electronic document with a verifiable electronic signature is acceptable.

EMPLOYEE ACCESS & SECURITY

Be sure the following Safeguards are described in your EIV policy. If the property receives support from an agency other than HUD (LIHTC/Treasury or 515/USDA), owner/agents must describe how disclosure of EIV reports is prevented.

TECHNICAL SAFEGUARDS

1. Reduce the risk of a security violation related to the EIV system's software, network, or applications.
2. Identify and authenticate all users seeking to the EIV system data. (see below)
3. Deter and detect attempts to access the system without authorization.
4. Monitor the user activity on the EIV system.

PHYSICAL SAFEGUARDS

1. Establish barriers between unauthorized persons and documents or computer media containing private data.
2. Clearly identify restricted areas by use of prominently posted signs or other indicators.
3. Develop a list of authorized users who can access restricted areas-e.g., contractors, maintenance, and janitorial/cleaning staff.
4. Prevent undetected entry into protected areas and/or documents.
5. Notify Coordinators/Security Administrators of system breaches and penetration by unauthorized users.

ADMINISTRATIVE SAFEGUARDS

1. Ensure that access rights, roles, and responsibilities are appropriately and adequately assigned.
2. Protect copies of sensitive data and destroy system-related records to prevent reconstruction of the contents.
3. Ensure authorized release of tenant information consent forms are included in all family files, before accessing and using data. Consent for release of EIV Data.
4. Train staff on security measures and awareness, preventing the unauthorized accessibility and use of data.

EMPLOYEE ACCESS & SECURITY

– Requirements did not change with HOTMA.

The following employees will be given access to EIV

- Staff responsible for resident certification and resident compliance;
- Staff responsible for site operations oversight;
- CPAs responsible for a HUD financial audit;
- HUD or Contract Administrators or other HUD designated persons responsible for site monitoring.

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EMPLOYEES WITH ACCESS TO EIV

The owner of the property will provide a letter authorizing any Secure Systems Coordinator to act as the EIV Coordinator.

The EIV Coordinator will submit HUD Form 90011 [Enterprise Income Verification \(EIV\) System- Multifamily Housing Coordinator Access Authorization Form](#) (CAAF) to HUD for approval. The CAAF will be submitted electronically each year after the first submission.

The Coordinator will monitor access to EIV. Any EIV User will submit HUD Form 90012 [Enterprise Income Verification \(EIV\) System - User Access Authorization Form](#) (UAAF) to the Coordinator for approval. The UAAF will be submitted electronically, every six months, after the first submission.

Be sure to describe how Coordinators' and Users' access is removed when they no longer need access or when they no longer work for the owner/agent.

EMPLOYEES & AUDITORS WHO DO NOT HAVE ACCESS TO EIV

Employees and HUD auditors/reviewers who have access to EIV reports through tenant files will sign the [EIV Rules of Behavior](#). This form is collected once for each employee with access to EIV reports and is maintained and will be made available to any HUD auditor upon request.

CPAs conducting the HUD Financial Audit, will provide a copy of the EIV ROB to the owner/agent before accessing any tenant file or other file that includes EIV reports.

MOR Reviewers will be responsible for maintaining compliance with EIV Security Requirements.

CYBER AWARENESS CHALLENGE

EIV Coordinators, EIV Users and Employees who have access to EIV will complete the DOD Cyber Awareness Challenge when employment starts and each year thereafter.

RBD FASTFORMS

If you do not want to create your own policies or forms, check out our FASTForms.

RBD FASTForms Packages include policies and supporting forms and checklists to support the process. For example, the TSP FASTForms Packages include the TSP Template, applications, pre-applications, file checklists and applicant notices.

[HOTMA FASTForms Package](#)

[S8 TSP FASTForms Package](#)

[Non-S8 TSP FASTForms Package](#)

[EIV FASTForms Package](#)

RBD FASTForms can also be purchased [Individually](#).