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**RBD FASTFACTS – WHEN
A MINOR DOES NOT
HAVE A SOCIAL
SECURITY NUMBER**

MARY ROSS
ROSS BUSINESS DEVELOPMENT, INC
WWW.RBDNOW.COM

RBD FASTFACTS WHEN A MINOR DOES NOT HAVE A SOCIAL SECURITY NUMBER

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

Disclaimer

The material contained in this document is not comprehensive of the continually emerging issues surrounding policies in The Multifamily Housing industry. In addition, the handbook guidance is derived from The HUD Handbook 4350.3 Rev 1 Change 4 released in August 2013 and in December 2013 and subsequent notices and memos from HUD.

These materials were updated 1/2021.

The reader should understand that these materials 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.

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Owners and management should seek competent legal advice in developing and carrying out housing policies and procedures.

We have been diligent in our efforts to provide comprehensive and accurate regulatory instruction; Ross Business Development shall not be responsible for errors or inaccuracies.

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WHEN A MINOR DOES NOT HAVE A SOCIAL SECURITY NUMBER

INTRODUCTION

On March 8, 2016, HUD released a new Federal Register Notice (Final Rule) entitled **Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher, Multifamily Housing, and Community Planning and Development Programs**. This FASTFact describes the change to the Social Security Number Disclosure requirements. HUD subsequently released HUD HSG Notice 16-09 [Streamlining Administrative Regulations for Multifamily Housing Programs](#).



SOCIAL SECURITY NUMBER DISCLOSURE

Until January 31, 2010, HUD required that all residents provide a Social Security Number and adequate documentation that the Social Security Number was accurate. If a resident did not have a Social Security Number, the resident could provide a certification stating that no certification had been assigned. Children under the age of six were exempt.



HUD changed Social Security Disclosure Requirements with the release of the Rent Refinement Final Rule (4th iteration released as *24 CFR Parts 5 and 908 Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs: Implementation of the Enterprise Income Verification System—Amendments; Final Rule*) **dated December 29, 2009**.

This change became **effective on January 31, 2010** and requires applicants and residents to disclose Social Security Numbers and adequate documentation to verify the Social Security Number. Certain exemptions apply.

The instruction explaining Social Security Number (SSN) disclosure was enhanced with the release of HUD HSG Notice 10-08

[Implementation of Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs: Implementation of the Enterprise Income Verification System - Amendments; Final Rule](#).

SSN AT MOVE-IN

Starting January 31, 2010, owner/agents must require all non-exempt household members to provide a Social Security Number and adequate documentation to verify the Social Security Number **before move-in**. Applicants/residents are exempt, at move-in, if a household member:

1. Was 62 or older as of January 31, 2010 and receiving HUD assistance as of January 31, 2010 or
2. Is claiming status as an ineligible non-citizen.

Between January 31, 2010 and April 7, 2016, an owner/agent **could not allow a new family to move-in when a minor**, under the age of six, did not have a Social Security Number unless:

1. The parents/guardians claimed the child was exempt because the child is an ineligible non-citizen or
2. The owner/agent has written approval from HUD

Effective April, 7, 2016, if an applicant family approaches the top of the waiting list and the family includes a minor under the age of six, the owner/agent is required to collect a Social Security Number and adequate documentation to verify the Social Security Number.

If the parents/guardians claim that the minor – under the age of six – does not have a Social Security Number:

1. The minor is exempt if the minor is an ineligible non-citizen
2. The minor is exempt for 90 days if the minor **was added to the family within six months of the move-in date**. In this case, the resident household must provide the SSN and adequate documentation within 90

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days of the move-in date (can be extended another 90 days in specific cases). If required documentation is not provided within 90 days the owner/agent **must** terminate tenancy (evict).

TRACS has not been updated to handle this change. TRACS version 2.0.3.A will be designed to accept a MI or IC certification when a minor is exempt from the SSN Disclosure requirement.

Until TRACS 2.0.3.A is released, owner/agents **MUST** submit the certification using 999990000 for the exempt minor and owner/agents will not enter anything in the SSN Exception Field.

The household **is not eligible** to move in if the minor (under the age of six – without an SSN or adequate documentation for verify the SSN):

1. Was added to the household **more than six months** before the move-in date and
2. The minor is not an ineligible non-citizen and

Owner/agents are required to update the TSP to reflect this change. In response, RBD has edited the FASTForms TSP to read as follows:

SAMPLE LANGUAGE - DISCLOSURE AND VERIFICATION OF SOCIAL SECURITY NUMBERS

All household members receiving HUD housing assistance or applying to receive HUD housing assistance are required to provide a Social Security Number and adequate documentation necessary to verify that number. This rule applies to all household members including live-in aides, foster children and foster adults. Adequate documentation includes a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

- Original Social Security card
- Driver's license with SSN
- Identification card issued by a federal, State, or local agency, a medical insurance provider, or an employer or trade union.
- Earnings statements on payroll stubs
- Bank statement
- Form 1099
- Retirement benefit letter
- Life insurance policy
- Court records

Sample Language - Exceptions to Disclosure of Social Security Number

The Social Security Number requirements do not apply to:

1. *Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.*
2. *Individuals who do not contend eligible immigration status. When applicants and residents are required to declare their citizenship status, the existing regulations pertaining to proration of assistance or screening for mixed families must continue to be followed.*
3. *A child under the age of 6 years added to the applicant household within the 6-month period prior to the household's date of admission. The household will have a maximum of 90-days after the date of admission to provide the Social Security Number and adequate documentation that the Social Security Number is valid. An additional 90 days may be granted under certain circumstances. If the household does not provide the Social Security Number and adequate documentation to verify the Social Security Number within the prescribed timeframe, HUD requires that the owner/agent terminate tenancy.*

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Sample Language - Applicants Who Have Not Disclosed a Social Security Number

If, at the time a unit becomes available, all non-exempt household members have not provided adequate documentation necessary to verify Social Security Numbers, the next eligible applicant must be offered the available unit.

All non-exempt household members have ninety (90) days-from the date they are first notified that a unit is available-to provide documentation necessary to verify the Social Security Numbers. During this 90-day period, the household may retain its place on the waiting list, but will not be considered again until the required documentation is provided.

If, after ninety (90) days, the applicant is unable to disclose/verify the Social Security Numbers of all non-exempt household members, the household will be determined ineligible and removed from the waiting list.

*The applicant may apply again, after obtaining the appropriate documentation. The applicant will be placed on the waiting list based on the date and time the **new** application is received.*

SSN AT INTERIM CERTIFICATION (ADDING A NEW HOUSEHOLD MEMBER)



Prior to January 31, 2010, HUD required all household members to provide a Social Security Number for all household members. If a member did not have a Social Security Number, he/she was required to provide a certification stating that no Social Security Number had been assigned. The requirement did not apply to minors under the age of six.

Effective January 31, 2010, HUD requires all non-exempt residents to disclose Social Security Numbers and adequate documentation to verify the SSN. This disclosure is required at MI/IC or at AR/IR if a new resident is added or if the resident's exemption status changes. Household members are exempt if the member:

1. Was 62 or older as of January 31, 2010 and receiving HUD assistance as of January 31, 2010 or
2. Is claiming status as an ineligible non-citizen.

For residents (*not applicants*) adding a child under the age of six (6) to an existing household (IR/AR), an additional exemption was included.

...If the new household member is under the age of six, special consideration regarding Social Security Number disclosure and verification of Social Security Numbers is given.

The household will be given ninety (90) calendar days to provide the Social Security Number and adequate documentation to verify the Social Security Number provided. In some cases, an additional ninety (90) days may be provided.

If the household fails to provide the required Social Security Number information within the allotted timeframe, the household's tenancy will be terminated (eviction) in accordance with HUD requirements.

Remember, since the release of HUD HSG Notice 10-08 (page 8)...

*"... If the child does not have a SSN, the O/A must give the household 90 days in which to provide documentation of a SSN for the child. An additional 90-day period **must** be granted by the O/A if the failure to provide documentation of a SSN is due to circumstances that are outside the control of the tenant. Examples include but are not limited to: delayed processing of the SSN application by the SSA, natural disaster, fire, death in family, etc. During this time period, the child is to be included as part of the household and will receive all of the benefits of the program in which the tenant is involved, including the dependent deduction.*

A TRACS ID will be assigned to the child until the documentation of the SSN is required to be provided.

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At the time of the disclosure of the SSN, an interim recertification must be processed changing the child's TRACS ID to the child's verified SSN. If the SSN is not provided, the household is subject to the penalties described in Paragraph E. below..."

Owner/agents **must not wait until the resident can provide a Social Security Number** for the new child under the age of six years old. In these cases, the owner/agent must create an IR or AR (depending on the timing) and add the child using 999-99-9999 as the Social Security Number and including the Exception Code M to designate an exemption for a minor.

The owner/agent should advise the household that they have 90 days to provide the SSN and adequate documentation to verify the SSN or the owner/agent is required to terminate tenancy.

TRACS will assign a TRACS Identification Number which must be used on all future certifications. This number can usually be found in EIV after the certification is processed in TRACS (check the Failed Pre-Screening Report).

When the resident provides the information for the minor, the OA completes a new interim adding the new Social Security Number.

If the household has not provided the SSN in 60 days, the owner/agent should send the 30 day Notice of Termination of Tenancy.

The owner/agent can extend the exemption period up to ninety (90) additional days based on HUD rules:

1. The reason that the resident cannot provide the SSN is beyond the resident's control and
2. The OA can expect to get the SSN within the next ninety (90) days

CERTIFICATION THAT NO SOCIAL SECURITY NUMBER HAS BEEN ASSIGNED

While not required, our sample policies require any applicant or resident who has not disclosed a Social Security Number (SSN), self-certify that they do not have an SSN and that they understand HUD's rules and requirements regarding disclosure. See our FASTForms web site.

Failure to Provide the SSN Within 90 Days

Owner/agents must follow up with residents when no SSN has been provided for a minor. The household's tenancy **MUST** be terminated.

Owner/agents are allowed to collect subsidy while the owner/agent seeks eviction, so no termination of assistance is required.

However, if an owner/agent fails to follow-up and obtain the SSN, the owner/agent is not compliant.

During an MOR, a Reviewer may determine that the owner/agent was not entitled to subsidy.

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APPENDIX A: SAMPLE CERTIFICATION – NO SSN

Date: _____

Property Name:		Telephone:	
Address:		Fax:	
City, State, Zip:		TTD/TTY:	711 National Voice Relay

TO: Name	
Address:	
Unit Number	
City, State, Zip	

All assisted household members **must** provide:

- The complete and accurate SSN assigned to each member of the applicant’s household and
- Documentation necessary to prove that the Social Security Number is accurate (verification)

The Social Security Number provided will be compared to the information recorded in the Social Security Administration database (through HUD’s Enterprise Income Verification System) to ensure that the Social Security Number, birth date and last name match. If EIV returns an error that cannot be explained or resolved, **tenancy must be terminated** and any assistance paid in error **must** be returned to HUD.

If an applicant/resident deliberately provides an inaccurate Social Security Number or false documents, the owner/agent and/or HUD may pursue additional penalties due to attempted fraud. The Resident Selection Plan includes additional information regarding submission of proof of Social Security numbers. A copy of the Resident Selection Plan is available upon request.

The owner/agent **must** deny or terminate tenancy, in accordance with the provisions governing the program if applicants or residents do not meet the applicable SSN disclosure, documentation, and verification requirements.

Because you have not provided a Social Security Number or documentation necessary to verify the Social Security Number for _____, we **must** document the file to specify why this information is not currently included in the file. Please complete the questionnaire on the next page.

Questions about this Document

The owner/agent is dedicated to providing decent, safe, and affordable housing to our residents. If you have any questions about this document, please contact the management office.

If you are disabled and would like to request an accommodation or if you have difficulty understanding English, please request our assistance and we will ensure that you are provided with meaningful access based on your individual needs.

Si usted está incapacitado y desea solicitar un acomodo razonable o si tiene dificultad para entender Inglés, por favor solicite nuestra asistencia y nos aseguraremos de que se le proporciona un acceso significativo basado en sus necesidades individuales. *(Note from RBD – this Spanish translation was provided by a Microsoft translator tool. Be sure to verify with someone who speaks Spanish. If Spanish is not the alternative language described in your Language Assistance Plan, change this to comply with your LAP or add other languages.)*

Signature of Manager

FASTFacts
Social Security Number Disclosure Exemptions for Minors

Name

The Social Security Number is not included because (please check one):

- Applicant is a minor under the age of 6 years and does not have a Social Security Number (SSN) and/or the family does not have adequate documentation to verify the SSN. This minor was added to the applicant household within the 6-month period prior to the household's anticipated date of admission. The household will have a maximum of 90-days after the date of admission to provide the Social Security Number and/or adequate documentation that the Social Security Number is valid. An additional 90 days may be granted under certain circumstances. **If the Social Security Number and adequate documentation are not received by the owner/agent by _____, the household tenancy will be terminated (eviction) in accordance with HUD rules.**

- Applicant is a minor. _____ (name of household member) is under the age of six and does not have a Social Security Number (SSN) and/or the family does not have adequate documentation to verify the SSN. This minor was added to the applicant household more than 6 months prior to the anticipated date of admission. This member does not qualify for housing assistance based on HUD's eligibility criteria. I understand that, unless the child is an ineligible non-citizen, we **must** provide the SSN and adequate documentation to verify the SSN before we will be approved to move in.

- Adding a minor to an existing lease. _____ (name of household member) is under the age of six and does not have a Social Security Number (SSN) and/or the family does not have adequate documentation to verify the SSN. Our family currently lives on the property and we are adding this child to the lease. I understand that I/we have 90 days to provide the Social Security Number and documentation to verify that the Social Security Number is accurate. An additional 90 days may be provided under certain circumstances. **If the Social Security Number and adequate documentation are not received by the owner/agent by _____, the household tenancy will be terminated (eviction) in accordance with HUD rules.**

- _____ (name of household member) is an ineligible non-citizen, the requirement to disclose Social Security Numbers is waived.

- _____ (name of household member) was receiving HUD housing assistance on January 31, 2010 **and** was 62 or older as of January 31, 2010. This person is exempt from the Social Security Number disclosure requirements because no Social Security Number has been assigned to this person.

PENALTIES FOR MISUSING THIS VERIFICATION FORM

Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government, HUD, the PHA and any owner (or any employee of HUD, the PHA or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form. Use of the information collected based on this verification form is restricted to the purposes cited above. Any person who knowingly or willfully requests, obtains or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or participant affected by negligent disclosure of information may bring civil action for damages, and seek other relief, as may be appropriate, against the officer or employee of HUD, the PHA or the owner responsible for the unauthorized disclosure or improper use. Penalty provisions for misusing the social security number are contained in the ****Social Security Act at 208 (a) (6), (7) and (8).** Violation of these provisions are cited as violations of 42 U.S.C. 408 (a) (6), (7) and (8).

I certify that the information I have provided above is true and complete. I understand that if I furnish false or incomplete information, I can be fined up to \$10,000 or imprisoned up to five years. I also understand that, if I receive an improper payment, that improper payment must be returned to HUD. In addition, my family may face termination of assistance and/or tenancy.

FASTFacts
Social Security Number Disclosure Exemptions for Minors

Signature of HOH

Date

Signature of Household Member

Date

To Be Completed by Property Office Staff Only

Under the penalties of perjury, I declare that the person or people who signed this form have provided proof of identity and have signed this form, attesting to the accuracy of the information provided, in my presence.

Name of witness (*please print*): _____

Signature of Credible Witness

Date