

## **Exhibit 1-3 Information Requests**

Participant families, applicants, or the public may request copies of documentation or policies from AHFC. As an instrumentality of the state, AHFC is subject to provisions of Alaska Statutes and Administrative Code regarding the obligation to disclose public records and provide copies of those records in an expeditious manner.

All family participant and applicant records held by AHFC shall remain confidential and shall not be disclosed to any person unless:

1. The individual to whom such information pertains consents to the release; or
2. The entity requesting the information is the Office of the Ombudsman for the State of Alaska or any other agency of the state or federal government responsible for:
  - a) Public safety (including, but not limited to, police or fire department officials); or
  - b) Health and social services; or
  - c) The individual or entity to whom the information will be provided is a collection agency, as defined in Alaska Statute 08.24.380, and used by AHFC for the collection of any outstanding debt determined to be owed to AHFC; or
  - d) The individual or entity to which the information will be provided is a contractor; or
  - e) AHFC is conducting quality assurance to ensure program compliance; or
  - f) AHFC contracts with another entity for the purpose of applicant screening.

AHFC will keep family applications, applicant files, and participant files in a secured area, away from public view.

### **1. Policy Requests**

Each office will maintain at least one, current, printed version of a program policy manual for viewing by the public for each program administered at that geographic location. Policy manuals are also available on AHFC's web site at [www.ahfc.us](http://www.ahfc.us).

For HUD regulations, persons may access these records at [www.gpo.gov](http://www.gpo.gov). The requestor may print his/her own copies of the Code of Federal Regulations (CFR).

## 2. FOIA Information Requests

### **HUD Regulation 24 CFR 15.1**

(b) Subpart B. Subpart B of this part contains the rules that HUD follows in processing requests for records under the Freedom of Information Act (FOIA) (5 U.S.C. 552). These rules should be read together with the FOIA, which provides additional information about access to records maintained by HUD. Information routinely provided to the public as part of a regular Department activity may be provided to the public without following this subpart.

### **HUD Regulation 24 CFR 15.101**

(a) In General. Records that are required to be made available for public inspection in an electronic format are accessible on the Department's Web site at [www.hud.gov/FOIA](http://www.hud.gov/FOIA). Each HUD office (headquarters and field) has a FOIA Public Liaison that can assist individuals in locating records. A list of the Department's FOIA Public Liaisons is available at [www.hud.gov/FOIA](http://www.hud.gov/FOIA).

(b) Electronic FOIA reading room. As required by 5 U.S.C. 552(a)(2), HUD makes records created on or after November 1, 1996, available through its electronic FOIA Reading Room, located on HUD's FOIA Web site at [www.hud.gov/FOIA](http://www.hud.gov/FOIA).

### **AHFC Policy**

The Corporate Communications Officer has the responsibility for responding to FOIA requests in a timely and appropriate manner.

FOIA requests for non-routine information can involve a charge for copying and research time. These potential charges, timeframes to respond, and the appeals process are referenced in the Release of Information Policies and Procedures maintained by Government Relations & Public Affairs.

## 3. Cooperation with Law Enforcement Agencies

AHFC will comply, on a case-by-case basis, with information requests from federal, state, or local law enforcement officers. AHFC will authenticate any request to release applicant or family information prior to release. AHFC will supply, upon legitimate request, (1) the current address, (2) Social Security number, when appropriate, or (3) photograph (if available) of any recipient of assistance.

## 4. Requests from Other Agencies

AHFC will comply, on a case-by-case basis and when appropriate, with information requests from federal, state, or local agencies. AHFC will authenticate any request to release applicant or family information prior to release.

### 4.A Attorney Requests

An attorney representing AHFC, a participant or applicant family, or other agency may contact AHFC for records in a family's file. These requests will be coordinated with AHFC's representative at the Attorney General's office.

### 4.B Subpoena Requests

AHFC may receive a subpoena from a court requesting copies of documents from a family's file. These requests will be coordinated with AHFC's representative at the Attorney General's office and the Housing Operations Director.

## 5. Family Requests

Only authorized persons may request copies of a family's file. The request may be for all or part of a file.

### 5.A Information Collection

#### **HUD Regulation 24 CFR 5.210(c)**

Subpart B— Disclosure and Verification of Social Security Numbers and Employer Identification Numbers; Procedures for Obtaining Income Information

(a) Purpose. This subpart B requires applicants for and participants in covered HUD programs to disclose, and submit documentation to verify, their Social Security Numbers (SSNs). This subpart B also enables HUD and PHAs to obtain income information about applicants and participants in the covered programs through computer matches with State Wage Information Collection Agencies (SWICAs) and Federal agencies, in order to verify an applicant's or participant's eligibility for or level of assistance. The purpose of this subpart B is to enable HUD to decrease the incidence of fraud, waste, and abuse in the covered programs.

(c) Federal preemption. This subpart B preempts any State law, including restrictions and penalties, that governs the collection and use of income information to the extent State law is inconsistent with this subpart.

#### **AHFC Policy**

1. AHFC shall obtain financial information from state agencies only where a Memorandum of Agreement exists outlining the need for such information

exchange – i.e., the Alaska Division of Public Assistance and the Alaska Department of Labor and Workforce Development.

2. AHFC shall obtain information related to cash benefits and wages only as they pertain to AHFC housing assistance programs.

## **5.B Privacy Act and Confidentiality of Records**

### **HUD Regulation 24 CFR 5.212**

(a) Compliance with the Privacy Act. The collection, maintenance, use, and dissemination of SSNs, EINs, any information derived from SSNs and Employer Identification Numbers (EINs), and income information under this subpart shall be conducted, to the extent applicable, in compliance with the Privacy Act (5 U.S.C. 552a) and all other provisions of Federal, State, and local law.

(b) Privacy Act notice. All assistance applicants shall be provided with a Privacy Act notice at the time of application. All participants shall be provided with a Privacy Act notice at each annual income recertification.

### **AHFC Policy**

AHFC complies with 42 U.S. Code 3544, Preventing Fraud and Abuse in Housing and Urban Development Programs, in the collection, maintenance, use, and dissemination of Social Security Numbers (SSN), Employer Identification Numbers (EIN), and any information derived from SSNs and EINs. In conformance with the Authorization for the Release of Information/Privacy Act Notice, AHFC will gather, use, and retain income information accordingly. Violations of privacy laws can result in criminal charges under both the Federal Privacy Act and Alaska Statute, including AS 11.46.484, AS 11.46.740, and AS 23.20.110.

1. All assistance applicants are provided and required to sign a Privacy Act Notice at the time of eligibility determination.
2. All adult household members are required to sign a Privacy Act Notice as required in order to maintain a current version in the file.

## **5.C Releases of Information**

AHFC has several types of release of information forms. All forms are available at each local AHFC office, and staff can help families decide which form is appropriate for each circumstance.

## **5.D File Review Appointment**

When a family requests a copy of his or her file, AHFC will set an appointment with the family to review the file and determine which documents the family requires. If the

number of pages is 20 or under, staff will make the copies for the family at that time and provide the copies at no cost to the family.

## **6. Documentation Fees**

The U.S. Department of Housing and Urban Development (HUD) allows PHAs to set reasonable fees for providing copies of agency documents and records. This documentation includes electronic family information that is stored in AHFC's computer programs such as memos.

If the copies needed are over 20 pages, the cost is \$0.25 per page. The information will not be provided until payment in full is rendered. For families unable to pay the copy fee, see the Fee Waiver procedure below.

### **6.A Standard Agency Documents**

Documents produced by AHFC for use in the normal course of business are provided to the public at no charge. Examples of these types of documents include blank applications, blank forms, grievance procedures, AHFC policy, and HUD regulations.

If a person requests a large number of these documents (over an hour to produce), staff may schedule a date when these documents will be available to the requestor. Staff may have up to seven (7) business days to assemble the required documents.

### **6.B Family File Records**

Only authorized persons may request copies of a family's file. The request may be for all or part of a file. Not all documents in the file may be copied.

#### **1. EIV Printouts**

A person may only have access to or copies of the portion of the EIV report that contains his/her information. Adults may have access to or copies of the portions of the EIV report that contain information pertaining to minor children in their custody.

These documents will be redacted from a family's file before any third party viewing. The exception is a review of the family file by persons authorized to audit or perform quality assurance.

#### **2. Department of Labor Printouts**

Follow the rules pertaining to EIV printouts.

#### **3. Housing Choice Voucher – Owner/Landlord W-9s**

Only an owner or landlord may have access to or copies of the W-9 in the file.

These documents will be redacted from a family's file before any third party viewing. The exception is a review of the family file by persons authorized to audit or perform quality assurance.

## **6.C Fee Waiver Request**

Families that believe they are unable to pay for document copies may request a waiver. In order to qualify for a waiver, the family must complete and submit the Fee Waiver Request. The request must be submitted and approved by AHFC before any documentation copies are provided.

### **6.C.1. Poverty Guidelines**

The Department of Health and Human Services publishes poverty guidelines for the state of Alaska annually. These are available in each policy manual as Poverty Guidelines for Alaska. Any family that falls at or below the poverty level (30 percent of area median income) is eligible to have document fees waived.

### **6.C.2. Family Emergency or Other Reason**

A family may provide other reasons why a fee waiver should be granted. AHFC will evaluate any information submitted by the family.

### **6.C.3. Disapproval Reviews**

If a waiver request has been disapproved, the family may ask for a review of the disapproval. If the family wishes to request a review of the decision, staff will forward the Fee Waiver Request and supporting documentation to a supervisor or regional manager for review.

## **Numbered Memo**

20-18 Exhibit 1-3 Information Requests, Exhibit 1-4, and Chapter 1