

# Exhibit 1-3

## Information Requests

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.

### 1-3.1 REQUEST TYPES

AHFC must authenticate any request to release information to another agency or law enforcement agent prior to release. That may include calling back to verify the requestor is at the agency she/he claims to represent, requesting a faxed statement that verifies the agency name at the top, or voice verification if known to the staff member. The client file will be noted whenever information is given, either the hard copy file or the computer note screen.

#### 1-3.1.A Disclosure of Family Records

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. Privacy Act and Confidentiality of Records

All assistance applicants shall be provided with a *Privacy Act Notice* at the time of eligibility determination. All adult household members will be required to sign a *Privacy Act Notice* as required in order to maintain a current version in the file.

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

- a. The individual to whom such information pertains consents to the release;  
or
- b. 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:

- 1) Public safety (including, but not limited to, police or fire department officials); or
- 2) Health and social services; or
- 3) 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
- 4) The individual or entity to which the information will be provided is a contractor; or
- 5) Quality assurance to ensure program compliance; or
- 6) Other entity used by AHFC for the purpose of applicant screening.

## **2. Release of Financial Information**

AHFC shall not disclose any financial information obtained from a family, or from any other source pursuant to any release of information, to any person or governmental agency except in the following circumstances: (1) AHFC receives a subpoena or other court order, or (2) AHFC obtains a signed release of information from the individual affected by the disclosure.

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

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

### **1-3.1.B 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 supply, upon legitimate request, (1) the current address, (2) Social Security number, and (3) photograph (if available) of any recipient of assistance.

### **1-3.1.C FOIA Information Requests**

The federal Freedom of Information Act (FOIA) requires AHFC to make certain records available to persons who request access to these records.

The Corporate Communications Officer has the responsibility for responding to FOIA requests in a timely and appropriate manner. An employee who receives a FOIA request should forward it immediately to the Corporate Communications Officer (letter,

email, phone calls, etc.). Routine requests for AHFC documents such as news releases or applications do not go to the Communications Officer; the department receiving them should provide the requestor the information at no charge.

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. For AHFC staff, the FOIA procedure is detailed on the Intranet at [http://athome/grpa/procedures/foia\\_requests.htm](http://athome/grpa/procedures/foia_requests.htm).

#### **1-3.1.D Policy Requests**

Each office that administers this program will maintain at least one, current, printed version of the Housing Choice Voucher Administrative Plan and Public Housing Admissions and Occupancy Policy (ACOP) for viewing by the public. The Administrative Plan and ACOP are also available on AHFC's web site at [www.ahfc.us](http://www.ahfc.us).

### **1-3.2 RELEASES OF INFORMATION**

Under HUD regulations at 24 CFR 960.259, all adult applicants and participants are required to sign and submit any consent forms necessary for HUD or AHFC to verify family income, composition, or status in order to determine eligibility or subsidy under the Public Housing Program. Failure to sign or submit required consent forms may result in denial or termination of assistance (24 CFR 5.232).

AHFC currently has the following release of information forms. Each form is briefly discussed below as well as its intended use.

- *Supplement to Application for Federally Assisted Housing* (HUD-92006)
- *Authorization for the Release of Information/Privacy Act Notice* (HUD-9886 or VF200EIV)
- *Release of Information to AHFC* (VF200 or VF200M)
- *Client Consent to Release of Information* (PW321)

#### **1-3.2.A Supplement to Application for Federally Assisted Housing**

This form is attached to all AHFC applications for housing assistance. This form is also available to families in any housing assistance program. In the middle of the form is a Reason for Contact section.

1. Each applicant family must be offered this form.
2. An applicant or participant can choose to name a contact and then check a contact reason.

- a. An applicant or participant can have multiple contacts listed, each with a different reason.
  - b. Each adult household member can complete a form and name his/her own contact.
3. The applicant or participant can also choose to check the “choose not to provide the contact information” box at the bottom of the form.
  4. Each assisted family must have this form in the file. If no adult household members will sign the form, then staff will write “declined to sign”, sign and date it, and place it in the file.
  5. There is no expiration date on this form. If a family chooses to name a contact, staff will not give the contact any information other than the type of information the family indicated on the form. The family can fill out a new version of this form at any time. If a family chooses to complete a new form, staff will:
    - a. Place the new form in the proper section of the file.
    - b. Place the superseded form in the correspondence section of the file. When the file is parted, the old form will be archived.
    - c. Put a note in the client notes screen noting the new family contact and the withdrawal of the old.

### **1-3.2.B Authorization for the Release of Information/Privacy Act Notice**

This form is used by families in the Housing Choice Voucher and Public Housing Programs.

1. Once a participant, this form authorizes AHFC to access household income information in the EIV system.
2. If a family wishes to continue receiving assistance in the Voucher or Public Housing Program, this form must be signed by all adult household members.

The use of this form is specifically tied to retrieving information from state and federal electronic wage databases such as the EIV system and local Department of Labor information. This form should never be attached to a third party income verification.

### **1-3.2.C Release of Information to AHFC**

This form is used by all families in AHFC housing assistance programs. This form serves as a general release of information from the family to AHFC that allows AHFC to gather or verify eligibility or continuing eligibility information given by a family.

1. If a family wishes to continue receiving housing assistance, this form must be signed by all adult household members.

2. Depending on the program, this form expires 15 or 60 months from the date of signature.

When third party verification is generated without the family's signature, this is the form that AHFC staff should attach. Generally, staff should not use this form to discuss specific family requests or tenancy issues.

### **1-3.2.D Client Consent to Release of Information**

This form is available upon the family's request. When AHFC requires additional information for a specific family request such as a reasonable accommodation, a family may use this form to give permission to AHFC to discuss their specific request with a third party. Generally, this form will be used whenever a family wishes a third party or outside service agency to speak to AHFC on their behalf regarding a tenancy issue or request.

Applicants may also use this form if they wish a third party to speak on their behalf during the eligibility determination process.

1. This form is not mandatory. Families may use it whenever appropriate.
2. Encourage the family to be as specific as possible when completing the form so that staff is clear about which information from the client file is released. Staff may assist the family with completing the form.
3. The form expires upon the family's written request, upon the date indicated at the top of form, or 12 months from the date of signature.

Once this release is given to AHFC, staff needs to keep careful notes regarding the information discussed with third parties. Staff may use the *Client Notes* (PW300) to keep track of these discussions. Generally, staff should not use this form to verify income information.

#### **Example: Release Uses**

1. A family receives a lease violation for housekeeping issues. The family wants staff to speak with a social worker regarding a service to help clean the unit.

The family may use PW321 *Client Consent to Release of Information* to authorize AHFC staff to speak with the social worker regarding the lease violation and its possible cure.

2. A family is repeatedly late paying his/her rent. The family gets a payee service to address the problem.
  - a. The family may use PW321 Client Consent to Release of Information to have AHFC staff speak with the payee service regarding rental payment due dates or payments not received timely.

- b. The family may use the HUD-92006 and check the “late payment of rent” box to have AHFC staff contact the payee service regarding rental payment due dates or payments not received timely.
  3. Staff pulls an EIV report and sees unreported employment income for a family member.
    - a. A current (as of the date of the EIV printout), signed Authorization for Release of Information/Privacy Act Notice must be in the file for that family member.
    - b. A third party income verification is sent to the employer to verify the income. The Release of Information to AHFC is attached to the verification.

### 1-3.3 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. The guidelines listed below state AHFC PHD’s policy on providing agency record copies.

#### 1-3.3.A Standard Agency Documents

Documents produced by PHD 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.

For HUD regulations, staff may also refer the requestor to [www.gpo.gov](http://www.gpo.gov). The requestor may print his/her own copies of the CFR at this location. The AHFC policy manuals are available at [www.ahfc.us](http://www.ahfc.us).

#### 1-3.3.B Family File Records

As stated in the section *Privacy Act/Confidentiality of Records*, only authorized persons may request copies of a family’s file. The request may be for all or part of a file. In order to request a copy of records, families may submit form PW321 *Client Consent to Release to Information*, form HUD-92006 *Supplement to Application for Federally Assisted Housing*, or a third party form which consents to the release of the information.

##### 1. Attorney Requests

If staff is contacted by an attorney with a request for records, those requests will be forwarded to the supervisor or regional manager. The supervisor or regional

manager will be responsible for forwarding the request to the Attorney General's office.

## **2. Subpoena Requests**

If staff receives a subpoena for family records, those requests will be forwarded to the regional manager. The regional manager will be responsible for forwarding the request to the Housing Operations Director. The Housing Operations Director will determine how to prepare and submit the required records.

## **3. File Review Appointment**

When a family requests a copy of his or her file, staff will ask the family if she or he wishes to review the file to select documentation from the file. It is not mandatory for a family to attend a file review appointment.

- a. AHFC will set an appointment for a mutually convenient time to review the file. Staff should allow an appropriate amount of time to review the entire file.
- b. The appointment will be at the AHFC office where the family's file is maintained.
- c. Staff will remain in the room with the file and the family.
- d. AHFC will provide the family with a method to mark which file pages are desired (post-it notes, file tags, etc.).

Once the family has marked all file pages desired, staff will count the pages. 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.

If the count is over 20 pages, staff will advise the family that the cost is \$0.25 per page. Staff will arrange a date to collect the payment from the family and provide the copies. The information will not be provided to the family until payment in full is rendered. For families unable to pay the copy fee, see the Waiver procedure below.

## **4. Documents to Redact**

Not all documents in the file may be copied. Staff may have to prepare a file before it is reviewed and remove documents that may not be copied or distributed. See the Administrative Desk Manual, Redact a Document, for further instructions.

### **a. EIV Printouts**

A family member 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.

- b. Department of Labor Printouts  
Follow the rules pertaining to EIV printouts.
- c. 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.

### **1-3.3.C Fee Waiver Request**

In order to qualify for a waiver, the family must complete and submit the *Fee Waiver Request* (form PW331). The request must be submitted and approved by AHFC before any documentation copies are provided. AHFC **must** make the documents available within seven (7) business days of the approval.

When a *Fee Waiver Request* is submitted, staff will complete page 2 of the form to determine if a family qualifies for a waiver. Staff will either approve or disapprove the request within **two** business days of receipt of the request.

#### **1. Poverty Guidelines**

The Department of Health and Human Services publishes poverty guidelines for the state of Alaska annually. Central Office staff will be responsible for distributing these annual updates to all offices.

### **Determining Federal Poverty Guideline Status**

Under the Staff Research section of the *Fee Waiver Request*, staff will look up the family's information in the computer database.

1. Staff will total the number of family members (excluding live-in aides and foster children) and enter that information on the form.
2. Staff will enter the family's gross income on the form.
3. Staff will consult the Poverty Guidelines for Alaska table (Exhibit 1-4) to determine if the family qualifies.
4. Staff will check Yes or No on the form.
5. If the answer is no, the family must provide supporting documentation to their request for a waiver.
6. If the answer is yes, staff will provide the requested copies free of charge.

If the request will take more than one hour for staff to make copies from the file, staff will arrange a date when the documents will be available to the family (see section *File Review Appointment* above).

Staff does not need the regional manager's approval if a family meets the poverty guidelines. Staff will then log the request (see Tracking Log below).

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

The family must submit documentation to support the waiver request due to a family emergency or other reason. Staff will evaluate the documentation provided by the family and approve/disapprove the request.

### **a. Approved**

Staff will contact the family and arrange a date when the documents will be available to the family.

### **b. Disapproved**

Staff will contact the family and inform the family of the decision. Although the initial contact with the family disapproving the request may be telephonic, staff will send a copy of the disapproved *Fee Waiver Request* to the family for his/her records.

The family may choose to submit additional documentation to support his/her request. Staff will evaluate the additional documentation following the time guidelines above.

The family may choose to pay the documentation fees and receive the documents or may choose to ask for a review of the disapproval decision (see below).

### **1-3.3.D 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 to a review of the decision, staff will forward the *Fee Waiver Request* and supporting documentation to the regional manager or designee.

The regional manager will review the documentation and either approve or disapprove the request. The regional manager will contact the family with his/her decision. If the request is disapproved, the regional manager will send a copy of the disapproved *Fee Waiver Request* to the family for his/her records.

### **1-3.3.E Tracking Log**

Each office will enter documentation requests in a tracking log. Tracking logs will be based on a calendar year and will be located in the Logs folder in the shared Housing Department folder. The individual logs will be named with "Documents" in their file name.

Staff must log the date of the request, the date the request was received by staff, the program, the client number, the last name of the head of household, the destination of the copies, and the number of pages provided. For the destination, staff may choose from a pull-down menu. The choices are Advocate, Attorney, HUD, and Client. Once the request has been logged, staff may file the *Fee Waiver Request* and supporting documents in the correspondence section of the file.

### **Forms**

HUD-92006 Supplement to Application for Federally Assisted Housing

HUD-9886 Authorization for the Release of Information/Privacy Act Notice

PW300 Client Notes

PW321 Client Consent to Release of Information

PW331 Fee Waiver Request

PW332 Appointment Notice

VF200 Release of Information to AHFC

VF200EIV Authorization for the Release of Information/Privacy Act Notice

VF200M Release of Information to AHFC

### **Administrative Desk Manual**

Redact a Document