

Exhibit 22
EIV SECURITY POLICY & PROCEDURES
PINEY CREEK NORTH
ADOPTED ON: 07/18/2017
RESOLUTION # 520

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1. PURPOSE

The purpose of this policy is to provide instruction and information to the Bastrop Housing Authority staff, consultants, contractors and tenants on the acceptable use, disposition and storage of data obtained through any EIV (Enterprise Income Verification System). The Bastrop Housing Authority defines a system as an external data source that provides information either through computer matching, data storage and retrieval and transmitted either via computer, fax, or e-mail. Data received through the U.S. Mail will also be treated in the same format as EIV data.

This policy will also provide notice for access for dispute of data received from various EIV Systems employed by the Bastrop Housing Authority. Disputes regarding the data will be resolved in accordance with the Bastrop Housing Authority's Grievance Policy and Procedures.

The data in EIV contains personal information on individual tenants that is covered by the Privacy Act of 1974, (SSNs, names, DOBs, SS/SSI benefits, wages, unemployment compensation benefits and new hires (W-4)). The data provided via any EIV System will be protected to ensure that it is only used for official limited purposes (by O/A for verifying the employment and income at the time of recertification, by CAs for monitoring and oversight of the tenant recertification process and by OIG investigators for investigative purposes). Official use **does not** include sharing the information with governmental entities not involved in the recertification process used for HUD's assisted housing programs.

The Bastrop Housing Authority staff pulling EIV Data will assure that a copy of Form HUD-9886, HUD-9887 or HUD-9887A, (Authorization for the Release of Information/Privacy Act Notice) has been signed by each member of the household age 18 years old or older or by a parent or legal guardian for verifications provided to the agency for a minor. All HUD-9886's or HUD-9887 and HUD-9887-A will be placed in the resident file and will be updated on an annual basis for each tenant or minor in the household. By signing this form, the tenant authorizes the Bastrop Housing Authority to obtain and verify income and unemployment compensation information from various sources including, but not limited to, Current and former employers, State agencies, The Work Number, Factual Data, Tenant Tracker, Credit Bureau reports, the IRS, the SSA and other entities that may be indemnified in this policy in the future.

On January 11, 2010, HUD issued Notice H 2010-02, which includes the EIV & You Brochure and the requirement for distribution. Effective May 1, 2010, Bastrop Housing will provide each tenant with the "EIV & You" brochure at the time of annual recertification, along with a copy of the, "HUD Fact Sheet," "How your Rent is Determined," and the "Resident's Rights and Responsibilities." The "EIV & You brochure must also be provided to all applicants and to new tenants at move in.

2. SAFEGUARDING EIV DATA:

The information processed by any EIV System can include wage and income data about private individuals, as well as identifying information such as Social Security Number, Address, and Employment information.

The Bastrop Housing Authority Director, or designated staff, will have the responsibility of ensuring compliance with the Bastrop Housing Authority security policies and procedures outlined in this document. These responsibilities include:

1. Maintaining and enforcing the security procedures;
2. Keeping records and monitoring security issues;

3. Communicating security information and requirements to appropriate personnel, including coordinating and conducting security awareness training sessions;
4. Conducting a quarterly review of all User Ids issued to determine if the users still have a valid need to access the EIV data and taking the necessary steps to ensure that access rights are revoked or modified as appropriate; and
5. Reporting any evidence of unauthorized access or known security breaches and taking immediate action to address the impact of the breach including but not limited to prompt notification to appropriate authorities including the HUD Field Office.

2A. LIMITING ACCESS TO EIV DATA

The Bastrop Housing Authority will restrict access to EIV data only to persons whose duties or responsibilities require access. The Bastrop Housing Authority will maintain a record of users who have approved access to the EIV data. Further, the Bastrop Housing Authority will revoke the access rights of those users who no longer require such access or modify the access rights if a change in the user's duties or responsibilities indicates a change in the current level of privilege.

The residents can provide written consent for the following to view EIV information to assist them in their ability to participate in the recertification process:

- 1- Service coordinators have access to the data only if they are present at and assisting the resident with the recertification process
- 2- Translators/interpreters
- 3- Individuals assisting an elderly individual or a person with a disability
- 4- Guardians
- 5- Power of attorney
- 6- Other family members

EIV data will be handled in such a manner that it does not become misplaced or available to unauthorized personnel. Files containing EIV information will be labeled clearly with the following statement "**CONFIDENTIAL.**"

2B. PHYSICAL SECURITY REQUIREMENTS

The Bastrop Housing Authority may use a combination of methods to provide physical security for tenant file records. These may include, but are not limited to, locked containers of various types, locked rooms that have enforced perimeters, and a locked building. The EIV data may also be maintained in locked metal file cabinets within a locked room.

Access to the locked file cabinets where EIV files are stored in the office will be limited even during regular working hours. The file cabinets with EIV files will be marked "**AUTHORIZED PERSONNEL ONLY –CONFIDENTIAL FILES.**" The EIV Coordinator (Executive Director) will maintain control of the keys to the file cabinet. Locks to the office will be changed or reset whenever an employee leaves the Bastrop Housing Authority.

The Bastrop Housing Authority EIV Coordinator will establish and maintain the list of users who can access the restricted area. The list will indicate the type of access that the user may have to the restricted area. Tenant record files will never be left out in the open with access to individuals without permission. Tenant record files will not be left on desks at lunch or other times except when being updated by the responsible party.

2.C COMPUTER SYSTEM SECURITY REQUIREMENTS

All computer systems and computers will have password-restricted access, password screen saver and The Bastrop Housing Authority will use a firewall to prevent access by unknown persons. The Bastrop Housing Authority will also use Antivirus software to limit data destruction or unintended transmission via viruses, worms, Trojan horses or other malicious means. The EIV Coordinator will be responsible for maintaining and updating the firewall and anti-virus software as well as applying any security patches for the operating and other computer systems.

Remote access by other computers other than those specifically authorized by a written agreement is prohibited. Violations of the requirement will result in reporting of a security breach and prosecution under the Privacy Act. Access to EIV data on the computer will be restricted to authorized users of the EIV data.

Computer repair service personnel and companies will be required to provide the following:

1. A confidentiality agreement
2. A guarantee that the data stored on any hard drives and other recording media will be destroyed by wiping the drive with a magnet after deleting the information or other program such as Clean Sweep or other programs that erase computer data so that it cannot be retrieved.

Users will retrieve computer printouts as soon as they are generated so the EIV data is not left lying unattended in printers where unauthorized users may access them.

Authorized users of EIV data are directed to avoid leaving EIV data displayed on their computer screens where unauthorized users may view it. A computer will never be left unattended with EIV data displayed on the screen. If an authorized user is in EIV and an unauthorized user approaches the work area, the authorized user will lessen the chance of inadvertent disclosure of EIV data by minimizing or closing out the screen on which the EIV data is being displayed.

User Accounts: User accounts for EIV system will be provided on a need-to-know basis, with appropriate approval and authorization. The level of access granted determines the functionalities, features, and amounts of data that a specified user can see. The Bastrop Housing Authority Access Form will be used to request additions, deletions, or modifications of user accounts with access rights to the EIV system.

All Bastrop Housing Authority employees and contractors who access any EIV system will have a current signed User Agreement on file.

Users will maintain the security of the User Accounts by not disclosing their passwords to other staff members and not sharing user accounts with other employees or contractors. Users will not, deliberately or inadvertently, override the authorized access levels by providing EIV data to others who have limited or no access to the data.

At no time will any EIV system be accessed to provide information that does not relate to a tenant.

2D. DISPOSAL OF EIV INFORMATION

All EIV data from SSA will be retained in the tenant's file for the duration of tenancy, plus three years from the end of participation date. All EIV printouts containing Nation Directory of New Hires (NDNH) data (employment, wage and unemployment information) will be retained in the tenant's file for the duration of tenancy, plus three years from the end of participation date. All EIV originals and any documents created in association with their use will be burned or shredded. Data that is stored on media other than paper will be burned or shredded after the 3 year required period for storage has elapsed. Paper data storage will be shredded or burned after appropriate data storage has expired.

Burning Precautions: The EIV material may be burned in an incinerator that produces enough heat to burn material and to ensure that all of the material is consumed.

Shredding Precautions: To make reconstruction more difficult, the EIV data will be shredded using a crosscut ¼ inch shredder. It is important that a log or register be maintained of all documents that have been burned or shredded.

3. SECURITY AWARENESS TRAINING

Security awareness training is a crucial aspect of ensuring the security of the EIV system and data. Users and potential users will be made aware of the importance of respecting the privacy of data, following established procedures to maintain privacy and security, and notifying management in the event of a security or privacy violation.

Before granting Bastrop Housing Authority employees and contractors access to EIV information, each employee and contractor must be given a copy of the EIV security policies and procedures. Additionally, all employees having access to EIV data will be briefed at least annually on the Bastrop Housing Authority's security policy and procedures that require their awareness and compliance. The Bastrop Housing Authority EIV Coordinator will keep a record of the Security Training for all users.

On completion of security awareness training the Bastrop Housing Authority will make sure that employees or contractors who access the EIV data have completed a Bastrop Housing Authority User Agreement or a Bastrop Housing Authority Contractor Agreement indicating that they are aware of the safeguards and responsibilities associated with using the system. Bastrop Housing Authority employees will be advised of the penalties associated with the provisions of the Privacy Act of 1974, Section 553 (a), which make unauthorized disclosure or misuse of tenant wage data a crime punishable by a fine of up to \$5,000.00. (See Section 1.2 Privacy Act Considerations and Appendix 2. Criminal Penalties Associated with the Privacy Act.)

The Bastrop Housing Authority EIV Coordinator may communicate security information and requirements to appropriate personnel using a variety of methods outside of the formal training and awareness sessions. These methods may include:

- Discussions at group and managerial meetings; and
- Security bulletins posted throughout the work area.

4. PASSWORDS AND PASSWORD CHANGES:

The HUD Secure System, in which EIV is in, requires frequent changes in passwords; these passwords will be recorded and stored in a secure location.

It will be required that any password granted to an employee or authorized user will be revoked prior to termination of that employee or user to ensure data safety.

The Chairman of the Board will have the authority to change the password of any employee of the agency including the Executive Director and/or personnel prior to termination. Otherwise the power to change passwords will reside with the Executive Director.

5. RECORD KEEPING AND REPORTING REQUIREMENTS

Recognition, reporting, and disciplinary action in response to security violations are crucial to successfully maintaining the security and privacy of the EIV System. These security violations may include the disclosure of private data as well as attempts to access unauthorized data and the sharing of User ID's and passwords. Upon the discovery of a possible improper disclosure of EIV information or another security violation by a Bastrop Housing Authority employee or any other person, the individual making the observation or receiving the information will contact the Bastrop Housing Authority's EIV Coordinator and/or the Field Office's Director of Public Housing or Director of Multifamily Housing. The Bastrop Housing Authority Executive Director or designated staff will document all improper disclosures in writing providing details including who was involved, what was disclosed, how the disclosure occurred, and where and when it occurred.

6. WHEN EIV INCOME VERIFICATION REPORTS WILL BE ACCESSED:

EIV Income Reports will be accessed within two to three months of all Annual Recertification's effective dates in case there is an Income Discrepancy that has to be addressed. We will print, review, and utilize the Summary Report, the Income Discrepancy Report, the New Hires Report, and the Income Report for all annual and interim recertifications.

Copies of all three Reports must be maintained in the tenant file. (Note: Once a Summary Report is placed in the tenant file during recertification that shows an Identity Verification of "Verified" for all household members required to have a Social Security Number, the property does not have to continue to print the Summary Report at recertification unless there is a change in household composition or in a household member's identity verification status.) There must be a valid copy of the HUD-9886 or HUD-9887 and HUD-9887-A in the Resident's file and the form is valid for 15 months from the date of signature. The forms must be signed by each household member who is at least 18 years of age, and each family head, spouse, and co-head regardless of age, in order to view the data contained in EIV, When a resident turns 18, Bastrop Housing will send them the HUD-9886 or HUD-9887 and HUD-9887-A form to be signed and returned to the office within 30 days. If applicable, an interim adjustment will be completed. If the tenant fails to sign the consent form(s), the household is in non-compliance with their lease and assistance to, and the tenancy of, the household may be terminated (24 CFR 5.232).

- A. The O/A **may not** suspend, terminate, reduce, make a final denial of rental assistance or take any other adverse action against an individual based on the data in EIV.
- B. When the employment and income date in EIV is not the same as reported by the tenant, or when the tenant disputes the EIV data, O/As must independently verify any

information by obtaining third party verification directly from the employer or by having the tenant request a current Award Letter for SSA.

- C. The O/A must notify the tenant of the results of the third party verification and request the tenant come into the office to discuss the results in accordance the requirements in Chapter 8, Paragraph 8-17 of the Handbook 4350.3 REV-1.
- D. If the O/A determines that the tenant had unreported or underreported income, he/she must go back to the point in time the unreported or underreported income started and calculate the amount the tenant owes. A record of this calculation will be provided to the tenant and retained in the tenant's file. The O/A must have the HUD-50059 or HUD 50059 on file that was in effect during the period(s) that the tenant had unreported or underreported income, along with any supporting documentation, in order to calculate the amount the tenant owes. If the O/A does not have this historical information, he/she cannot go back to the tenant for unreported or underreported income.

E. REPAYMENT AGREEMENTS:

- a. Tenants are obligated to reimburse the owner if they are charged a rent less than required by HUD/s rent formula due to not reporting or underreporting income. The tenant is required to reimburse the owner for the difference between the rent he/she should have paid and the rent he/she was charged.
- b. If the tenant is unable to pay the amount due, the owner should enter into a repayment agreement with the tenant to collect the funds over a specific period of time. The repayment amount will be renegotiated if the household income increases or decreases by \$200 or more per month. Tenants are not required to reimburse the owner for undercharges caused solely by the owner's failure to follow HUD's procedures for computing rent or assistance payments.
- c. Section 8 owners are required to reimburse funds collected from the tenant to HUD in accordance with the requirements in Chapter 8, Paragraph 20 of Handbook 4350.3 REV-1
- d. If the O/A finds that the tenant is in non-compliance with his/her lease because he/she knowingly provided incomplete or inaccurate information, the O/A must follow the guidance in Chapter 8, Section 3 of Handbook 4350.3 REV-1 for terminating the tenant/s tenancy and Chapter 8, Paragraph8-18 for the requirements for filing a civil action against the tenant to recover improper subsidy payments. Where fraud is suspected, the O/A should report this to the HUD OIG Office of Investigation in the District that has jurisdiction in the state the project is located.

7. WHEN EIV IDENTITY VERIFICATION REPORTS WILL BE ACCESSED:

This report identifies household members who failed the SSA identity match due to invalid personal identifiers – incorrect SSN, DOB, or last name, as well as identifies deceased household members. EIV Identity Verification Reports will be run **monthly**. The O/A will need to confirm with the affected tenant that his/her SSN, DOB, and/or last name are correct in TRACS. The O/A should have third party verification or documentation to support the tenant's personal identifiers and the accuracy of the TRACS date. O/As must correct any incorrect information that may be in the TRACS system. If the information in TRACS is

accurate, the O/A should encourage the tenant to contact the SSA to correct any inaccurate data in their databases.

8. WHEN EXISTING TENANT SEARCH FUNCTION FOR APPLICANTS WILL BE ACCESSED:

When an applicant is being processed for move-in, the Existing Tenant Search function will be accessed **before move-in** to determine if any applicant is currently residing at another Multifamily Housing or Public and Indian Housing location and receiving rental assistance. If the applicant is residing at another location, the O/A should discuss this with the applicant, giving the applicant the opportunity to explain any circumstances relative to his/her being assisted at another location. This may be a case where the applicant wants to move from their existing location. The O/A should also follow-up with the respective PHA or O/A to confirm the individual's program participation status before admission. The report gives the O/A the ability to coordinate move-out and move-in dates with the O/A of the property at the other location.

9. WHEN DECEASED TENANT REPORT WILL BE ACCESSED:

The Deceased Tenant Report will be accessed **quarterly**. If the report identifies a current tenant, the O/A should confirm with the head-of-household, next of kin or emergency contact person whether or not the person is deceased and, if so, update the family composition on the HUD-50059 to terminate tenancy. Where the O/A finds that the tenant is not deceased, the O/A should encourage the tenant to contact the SSA to get the discrepancy resolved.

10. WHEN MULTIPLE SUBSIDY REPORT WILL BE ACCESSED:

The Multiple Subsidy Report will be completed **quarterly**. This report is to identify individuals who may be receiving multiple rental subsidies. If the report shows the a tenant is being assisted at another location, the O/A should discuss this with the tenant, giving the tenant the opportunity to explain any circumstances relative to his/her being assisted at another location. The O/A will need to follow-up with the respective PHA or O/A to confirm that the tenant is being assisted at the other location. Depending on the results of this investigation, the O/A may need to terminate the tenant's assistance or tenancy.

11. WHEN NEW HIRES REPORT WILL BE ACCESSED:

The New Hires Report will be reviewed and acted upon **quarterly**. Each applicable tenant will be contacted regarding new employment. The new employment will be verified with the Tenant, and the Tenant will be requested to provide documents to support current income and/or third party verification from his/her employer, as applicable. An interim recertification will be processed to include the new income, if applicable.

12. WHEN NO INCOME REPORT WILL BE ACCESSED:

A. No Income Reported on 50059

This report is a tool for owners to use to identify tenants who passed the identify match against SSA's records but have zero income represented in the TRACS System. The No Income Report will be accessed at least **quarterly**. If the Report shows No Income, but the Tenant declares that they do have a source of income, then third party verification will be used to document the source. The Tenant's file will have a statement from the Tenant disputing the No Income Report and any correspondence/documents to verify the Tenant's statement. If the Tenant declares that they have no income, then they must complete a

“Zero Income Questionnaire” form. BHA will re-verify the status of tenants reporting zero income at least quarterly.

B. No Income Reported by HHS or SSA

This report is a tool for owners to use to identify tenants who passed the identify match against SSA’s identity test but no employment or income information was received from the match against either the SSA or NDNH records. The No Income Report will be accessed at least **quarterly**.

Because no income was reported as a result of the match against SSA and NDNH Records does not mean that the tenant(s) does not have income. If the Report shows No Income, but the Tenant declares that they do have a source of income, then third party verification will be used to document the source. The Tenant’s file will have a statement from the Tenant disputing the No Income Report and any correspondence/documents to verify the Tenant’s statement. If the Tenant declares that they have no income, then they must complete a “Zero Income Questionnaire” form. BHA will re-verify the status of tenants reporting zero income at least quarterly.

13. WHEN INCOME REPORT/INCOME DISCREPANCY REPORT WILL BE ACCESSED:

This report will run no more than 90 days after a MI certification is submitted to TRACS and at *all* Annual Re-certifications and Interim Re-certifications. If the Income Discrepancy Report indicates a discrepancy may exist, the file must contain documentation of resolution of the discrepancy, that is, documentation that supports that the discrepancy is valid or invalid. (1) The file documentation must show resolution of the discrepancy at the time of the recertification, or within 30 days of the date on the EIV Income Report. (2) If the discrepancy is determined to be valid, the file must include a copy of the corrected 50059(s) correcting the error, dating back to the time the unreported or underreported income started, not to exceed 5 years.

14. MASTER FILE: A “Master File” that contains a copy of the following reports printed, reviewed, and resolved in accordance with the property’s EIV Policies and Procedures: *New Hires Summary Report, Identity Verification Reports (Failed EIV Pre-Screening Report and Failed Verification Report), Multiple Subsidy Summary Report and Deceased Tenants Report*. These Reports will be retained for three years.

15. IDENTITY THEFT: HOW IDENTITY THEFT WILL BE INVESTIGATED/ADDRESSED: See Attached “*Documentation for Identity Theft*”

Bastrop Housing Authority does not discriminate against persons on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.

Documentation for Identity Theft

- ◆ When tenant disputes data, the tenant should indicate in writing the reason for dispute and provide supporting documentation
 - ◆ Supporting documents for identity theft:
 - Copy of police report (not a police report number); or
 - Notice from credit bureau regarding fraud alert placed on credit report or copy of credit report with fraud alert notice; or
 - Copy of identity theft report filing with the Federal Trade Commission; **and**
 - Copy of tenant's letter sent to employer to dispute information and request for correction; **and**
 - Any correspondence the tenant received from employer
 - ◆ If tenant believes that he/she is the victim of identity theft, the tenant should take the following three steps as soon as possible, and keep a record with the details of conversations and copies of all correspondence:
 - ◆ **1. File a report with the local police or the police in the community where the identity theft took place**
 - Then, get a copy of the police report. The tenant should provide the PHA with a copy of the report. If the police are reluctant to make a report, the tenant may ask to file a "Miscellaneous Incidents" report, or try another jurisdiction, such as the state police
 - ◆ **2. The tenant should place a fraud alert on his/her credit reports, and review your credit reports**
 - Fraud alerts can help prevent an identity thief from opening any more accounts in the tenant's name. Contact the toll-free fraud number of any of the three consumer reporting companies below to place a fraud alert on your credit report. You only need to contact one of the three companies to place an alert. The company you call is required to contact the other two, which will place an alert on their versions of your report, too
 - Equifax:** 1-800-525-6285; **www.equifax.com**; P.O. Box 740241, Atlanta, GA 30374-0241
 - Experian:** 1-888-EXPERIAN (397-3742); **www.experian.com**; P.O. Box 9532, Allen, TX 75013
 - TransUnion:** 1-800-680-7289; **www.transunion.com**; Fraud Victim Assistance Division, P.O. Box 6790, Fullerton, CA 92834-6790
 - ◆ **3. File a complaint with the Federal Trade Commission.**
 - By sharing your identity theft complaint with the FTC, you will provide important information that can help law enforcement officials across the nation track down identity thieves and stop them. The FTC can refer victims' complaints to other government agencies and companies for further action, as well as investigate companies for violations of laws the agency enforces
 - You can file a complaint with the FTC using the online complaint form at [https://rn.ftc.gov/pls/dod/widtpubl\\$.startup?Z_ORG_CODE=PU03](https://rn.ftc.gov/pls/dod/widtpubl$.startup?Z_ORG_CODE=PU03) or call the FTC's Identity Theft Hotline, toll-free: 1-877-ID-THEFT (438-4338); TTY: 1-866-653-4261; or write Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580
 - Be sure to call the Hotline to update your complaint if you have any additional information or problems
- Resource: Federal Trade Commission – www.ftc.gov**

Documentation for Employer Reporting Error

- ◆ When tenant disputes data, the tenant should provide documentation to support claim of incorrect data, such as:
 - Copy of tenant's letter sent to employer to dispute information and request for correction
 - Any correspondence the tenant received from employer