

Chapter 7

VERIFICATION

[24 CFR 982.516, 24 CFR 982.551, 24 CFR 5.230 ~~Notice PIH 2010-19~~ [PIH Notice 2023-27](#)]

INTRODUCTION

LMHA will verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain written authorization from the family in order to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. LMHA will not pass on the cost of verification to the family.

LMHA will follow the verification guidance provided by HUD in ~~Notice PIH 2010-19~~ [Notice PIH Notice 2023-27](#) and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary LMHA policies.

Part I describes the general verification process. Part II provides more detailed requirements related to family information. Part III provides information on income and assets, and Part IV covers mandatory deductions.

~~Part I describes the general verification process. More detailed requirements related to individual factors are provided in subsequent parts including family information (Part II), income and assets (Part III), and mandatory deductions (Part IV).~~

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies of LMHA.

[Part I: General Verification Requirements.](#) HUDs regulations specify what levels of verification are required to verify family eligibility and income. This part covers the general requirements and LMHA Policies on the verification process.

[Part II: Verifying Family Information.](#) This part will cover the HUD and LMHA policies on verifying family information to determine eligibility.

[Part III: Verifying Income and Assets.](#) Once a family is determined eligible, income verification is required to ensure the family is within HUD guidelines. This part covers the HUD and LMHA policies verifying family income.

[Part IV: Verifying Mandatory Deductions.](#) This part describes the verification required for deductions utilized to calculate adjusted gross income.

PART I. GENERAL VERIFICATION REQUIREMENTS

7-I.A. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 982.516 AND 982.551, 24 CFR 5.230; AND PIH NOTICE 2023-27]

Consent Forms

The family must supply any information that LMHA or HUD determines is necessary to the administration of the program and must consent to LMHA verification of that information [24 CFR 982.551; and Notice PIH Notice 2023-27]

All adult family members must sign consent forms as needed to collect information relevant to the family's eligibility and level of assistance. **Form HUD-9886A [24 CFR 5.230(b)(1), b(2), (c)(4), and (c)(5)]; Notice PIH 2023-27.**

LMHA Policy

All adult applicants and participants must sign form HUD-9886A, Authorization for Release of Information at admission. Effective January 1, 2024, current program participants must sign and submit a new Form HUD-9886A at their next interim or annual reexamination. This form will only be signed once. Another Form HUD-9886A will not be submitted to LMHA except under the following circumstances:

- When any person 18 years or older becomes a member of the family;
- When a current member of the family turns 18; or
- As required by HUD or LMHA in administrative instructions.

~~Consent Forms~~

~~It is required that all adult applicants and participants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and LMHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.~~

Family members turning 18 years of age between annual recertifications will be notified in writing that they are required to sign the required Consent to the Release of Information Form HUD-9886A at the family's next annual or interim reexamination, whichever is earlier. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and LMHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA).

LMHA may obtain any financial record from any financial institution, as the terms financial record and financial institution are defined in the Right to Financial Privacy Act (12 U.S.C. 3401), whenever LMHA determines the record is needed to determine an applicant's or participant's eligibility for assistance or level of benefits [24 CFR 5.230(c)(4)].

The executed form will remain effective until the family is denied assistance, assistance is terminated, or the family provides written notification to the PHA to revoke consent.

Penalties for Failing to Consent [24 CFR 5.232]

LMHA Policy

If any family member who is required to sign a consent form fails to do so, LMHA will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with LMHA procedures.

However, this does not apply if the applicant, participant, or any member of their family, revokes their consent with respect to the ability of LMHA to access financial records from financial institutions. LMHA will not process interim or annual reexaminations of income without the family's executed consent forms.

LMHA has established a policy that revocation of consent to access financial records will result in denial of admission or termination of assistance in accordance with LMHA policy.

In order for a family to revoke their consent, the family must provide written notice to LMHA. Within 15 calendar days of the date the family provides written notice, LMHA will send the family a notice acknowledging receipt of the request and explaining that revocation of consent will result in denial or termination of assistance, as applicable. At the same time, LMHA will notify their local HUD office.

~~7-I.B. OVERVIEW OF VERIFICATION REQUIREMENTS~~

7-I.B. USE OF OTHER PROGRAMS' INCOME DETERMINATIONS [24 CFR 5.609(c)(3) and Notice PIH 2023-27]

LMHA will only utilize the following program income determinations as part of its certification Process (see Chapter 6-I.K. entitled *Determination of Income Using Other Means Tested Public Assistance (i.e., "Safe Harbor") Regulation* [24 CFR 5.609(c)(3) and 891.105; 891.410(b)-(c) and (g); and 891.610(b)-(c) and (g)])

LMHA Policy

LMHA may determine a family's annual income, including income from assets, prior to the application of any deductions based on income determinations made within the previous 12-month period, using income determinations from the following types of means-tested federal public assistance programs:

- The Temporary Assistance for Needy Families block grant (42 U.S.C. 601, et seq.).
- Supplemental Security Income (42 U.S.C. 1381 et seq.)

For additional information and a description of means-tested federal public assistance programs, see Chapter 6-I.K.

~~7-I.C. UP-FRONT INCOME VERIFICATION (UIV)~~

7-I.C. STREAMLINED FIXED INCOME DETERMINATIONS [24 CFR 960.257(c); Notice PIH 2023-27]

HUD permits LMHA to streamline the income determination process for family members with fixed sources of income. While third-party verification of all income sources must be obtained during the intake process and every three years thereafter, in the intervening years, LMHA may determine income from fixed sources by applying a verified cost of living adjustment (COLA) or other inflationary adjustment factor. Streamlining policies are optional.

Fixed sources of income include Social Security and SSI benefits, pensions, annuities, disability or death benefits, and other sources of income subject to a COLA or rate of interest. The determination of fixed income may be streamlined even if the family also receives income from other non-fixed sources.

LMHA Policy

LMHA will use streamlined income determinations where applicable.

If 90 percent or more of a family's unadjusted income is from fixed income sources:

- LMHA will streamline the annual reexamination process by applying the verified inflationary adjustment factor to fixed-income sources.
- The family will be required to sign a self-certification stating that 90 percent or more of their unadjusted income is fixed income and that their sources of fixed income have not changed from the previous year.
- LMHA will document in the file how the determination that a source of income was fixed was made.
- Third-party verification of non-fixed income will be obtained annually regardless of the percentage of family income received from fixed sources.
- If the family's sources of fixed income have changed from the previous year, LMHA will obtain third-party verification of any new sources of fixed income.

When less than 90 percent of a family's unadjusted income consists of fixed income:

- LMHA will apply a COLA to each of the family's sources of fixed income.
- All other income will be verified using third-party verification as outlined in PIH Notice 2023-27 and Chapter 7 of this policy.

The table below explains the applicable PHA/MFH Owner action at each point in time in the streamlining cycle

PHA/MFH Owner Action at Point in Time in Streamlining Cycle (PIH Notice 2023-27)

Point in Time in Streamlining Cycle	PHA Action
Year 1	PHA/MFH Owner completes a Move in, Initial Certification (MFH Only) or Annual Reexamination consistent with the regulations on reexaminations.
Years 2 and 3	PHA/MFH Owner completes an Annual Reexamination with the following streamlined income determination for each type of source: Fixed Income: Apply inflation adjustment factor; PHA/MFH Owner does not collect third-party verification. Non-fixed income when fixed income is more than 90 percent of unadjusted income: PHA/MFH Owner has discretion to either adjust the income using third-party verification or use the previous year's calculation. Non-fixed income when fixed income is less than 90 percent of unadjusted income: PHA/MFH Owner must adjust the income using third-party verification. Assets and Deductions: PHA/MFH Owner completes verification and calculation of assets and deductions.
Year 4	Three-year cycle starts over.

LMHA Policy

In the following circumstances, regardless of the percentage of income received from fixed sources, LMHA will obtain third-party verification as outlined in PIH Notice 2023-27 and Chapter 7 of this policy:

- Of all assets when net family assets exceed \$50,000.
- Of all deductions and allowances from annual income.
- If a family member with a fixed source of income is added.
- If verification of the COLA or rate of interest is not available.
- During the intake process and at least once every three years thereafter.

~~7-I.B. OVERVIEW OF VERIFICATION REQUIREMENTS~~

7-I.D. VERIFICATION HIERARCHY [Notice PIH 2023-27]

HUD's Verification Hierarchy

HUD authorizes LMHA to use six methods to verify family information and specifies the circumstances in which each method will be used. In general HUD requires LMHA to use the most reliable form of verification that is available and to document the reasons when LMHA uses a lesser form of verification:

LMHA Policy

~~In order of priority, the forms of verification that LMHA will use are:~~

- ~~• Upfront Income Verification (UIV) using HUD's Enterprise Income Verification (EIV) system~~
- ~~• Upfront Income Verification (UIV) using a non-HUD system~~
- ~~• Written Third Party Verification (may be provided by applicant or participant)*~~
- ~~• Written third Party Verification Form~~
- ~~• Oral Third Party Verification~~
- ~~• Self Certification~~

* *PIH Notice ~~2013-03~~ 2023-27 allows PHAs to allow households to self-certify as to having assets of less than ~~\$5,000~~ \$50,000 in lieu of moving through the hierarchy.*

When LMHA does not use a streamlined determination of income or an income determination from a means-tested federal assistance program, HUD requires LMHA to obtain third-party verification of:

- Reported family annual income;
- The value of net family assets when the net value exceeds \$50,000 (as adjusted annually);
- Expenses related to deductions from annual income; and
- Other factors that affect the determination of adjusted income.

HUD mandates the use of the EIV system and offers administrative guidance on the use of other methods to verify family information and specifies the circumstances in which each method will be used. In general HUD requires LMHA to use the most reliable form of verification that is available and to document the reasons when LMHA uses a lesser form of verification.

HUD developed a hierarchy that described verification documentation from most acceptable to least acceptable. LMHA will demonstrate efforts to obtain third party verification prior to accepting self-certification except instances when self-certification is explicitly allowed.

LMHA Policy

In order of priority, the forms of verification LMHA will use are based upon HUD's hierarchy below:

Highest: Level 6:

Up-front Income Verification (UIV) using HUD's Enterprise Income Verification (EIV) system

Highest: Level 5:

Up-front Income Verification (UIV) using a non-EIV system

High: Level 4:

Written third-party verification from the source, also known as "family-provided verification" or EIV plus self-certification

Medium: Level 3: Written third-party verification form

Medium: Level 2: Oral third-party verification

Low: Level 1: Self-certification (not third-party verification)

Each of the verification methods is discussed in subsequent sections below.

Requirements for Acceptable Documents

LMHA Policy

Any documents used for verification must be the original (not photocopies) and generally must be dated within ~~60~~ 120 days of the date they are provided to LMHA. The documents must not be damaged, altered or in any way illegible.

Print-outs from web pages are considered original documents.

LMHA staff members who view the original document must make a photocopy, annotate the copy with the name of the person who provided the document and the date the original was viewed, and sign the copy.

File Documentation

LMHA must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that LMHA has followed all of the verification policies set forth in this plan. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

When LMHA is unable to obtain 3rd party verification, LMHA will document in the family file the reason that third-party verification was not available [24 CFR 960.259(c)(1); Notice PIH 2010-19].

~~7.I.C.~~ 7.I.E. LEVEL 5 AND 6 VERIFICATION: UP-FRONT INCOME VERIFICATION (UIV)

Up-front income verification (UIV) refers to LMHA's use of the verification tools available from independent sources that maintain computerized information about earnings and benefits. EIV will be used to the extent that these systems are available to LMHA.

There may be legitimate differences between the information provided by the family and UIV-generated information. If the family disputes the accuracy of UIV data, no adverse action can be taken until LMHA has independently verified the UIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of LMHA.

See Chapter 6 for LMHA's policy on the use of UIV/EIV to project annual income.

Upfront Income Verification Using HUD's Enterprise Income Verification (EIV) System (Mandatory)

~~HUD's EIV system contains data showing earned income, unemployment benefits, social security benefits, and SSI benefits for participant families. HUD requires LMHA to use the EIV system in its entirety, including additional requirements outlined in subsequent PIH notices. The following policies apply to the use of HUD's EIV system. LMHA must restrict access to and safeguard EIV data in accordance with HUD guidance on security procedures.~~

LMHA will use HUD's EIV system in its entirety as a third-party source to verify tenant employment and income information during annual and streamlined reexaminations of family composition and income in accordance with 24 CFR 5.236 and PIH Notice PIH 2023-27. HUD's EIV system contains data showing earned income, unemployment benefits, social security benefits, and SSI benefits for participant families.

The income validation tool (IVT) in EIV provides projections of discrepant income for wages, unemployment compensation, and SSA benefits pursuant to HUD's data sharing agreements with other departments.

The following policies apply to the use of HUD's EIV system.

EIV Income and IVT Reports

LMHA Policy

~~LMHA will obtain EIV income reports for annual reexaminations on a monthly basis. Reports will~~

~~be generated as part of the reexamination process.~~

~~Income reports will be compared to family-provided information as part of the annual reexamination process. Income reports may be used in the calculation of annual income, as~~

~~described in Chapter 6 I.C. Income reports may also be used to meet the regulatory requirement for third-party verification, as described above. Policies for resolving discrepancies between income reports and family-provided information will be resolved as described in Chapter 6 I.C. and in this chapter.~~

~~Income reports will be used in interim reexaminations and other circumstances deemed appropriate by LMHA to identify any discrepancies between reported income and income shown in the EIV system, and as necessary to verify and calculate earned income, unemployment benefits, Social Security and/or SSI benefits. EIV will also be used to verify that families claiming zero income are not receiving income from any of these sources at annual reexamination.~~

~~Income reports will be retained in participant files with the applicable annual or interim reexamination documents.~~

~~When LMHA determines through income reports and third-party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in Chapter 14, Program Integrity.~~

- LMHA will obtain EIV income and IVT reports for all annual reexaminations for all families.
- LMHA will ensure that all EIV Income Reports are pulled within 90 calendar days of the effective date of the annual reexamination.
- Income and IVT reports will only be used for interim reexaminations as necessary. For example, EIV may be used to verify that families claiming zero income are not receiving income from any sources listed in EIV.
- Income and IVT reports will be retained in participant files with the applicable annual documents or interim reexamination documents (if applicable) for the duration of the family's participation.
- If LMHA determines through EIV reports and third-party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in Chapter 14, Program Integrity.

New Hires Report [Notice PIH 2023-27]

The New Hires Report identifies participant families who have new employment within the last six months. The report is updated monthly.

LMHA Policy

In accordance with LMHA policies in Chapter 11, LMHA does not process interim reexaminations for families who have increases in earned income except for increases in earned income unless the increase results in a 10% or more increase in the family's overall adjusted income and for instances in which LMHA uses Safe Harbor income determinations to determine a family's annual income, LMHA will only review the New Hires Report at annual reexamination.

No Income Reported by HHS or SSA Report

LMHA Policy

- LMHA will generate the No Income Reported by HHS or SSA Report quarterly and will retain the report.
- LMHA will re-verify the status of participants identified on the report quarterly.
- Based on the information provided by the family and in EIV, LMHA will require that family members provide verifications or sign release forms in order to obtain additional verification.
- When LMHA determines through this report and third-party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in Chapter 14, Program Integrity

EIV Discrepancy Reports

The EIV discrepancy report is a tool for identifying families who may have concealed or under-reported income. Data in the discrepancy report represents income for past reporting periods and may be between 6 months and 30 months old at the time reports are generated.

Families who have not concealed or under-reported income may appear on the discrepancy report in some circumstances, such as loss of a job or addition of new family members.

Income discrepancies may be identified through use of the EIV “Income Discrepancy Report” or by review of the discrepancy tab for the individual family.

LMHA Policy

LMHA will generate the Income Discrepancy Report at least once every 6 months.

When LMHA determines that a participant appearing on the Income Discrepancy Report has not concealed or under-reported income, the participant’s name will be placed on a list of “false positive” reviews. To avoid multiple reviews in this situation, participants appearing on this list will be eliminated from discrepancy processing until a subsequent interim or annual reexamination has been completed.

LMHA will review the EIV discrepancy tab during processing of annual and interim reexaminations. When it appears that a family may have concealed or under-reported income, LMHA will request written third-party verification of the income in question.

When LMHA determines through file review and third-party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in Chapter 14, Program Integrity.

EIV Identity Verification

The EIV system verifies tenant identities against SSA records. These records are compared to **PIC/HIP** data for a match on social security number, name, and date of birth.

LMHA Policy

LMHA is required to use EIV’s *Identity Verification Report* on a monthly basis to improve the availability of income information in EIV [Notice PIH 2012-10].

When identity verification for a participant fails, a message will be displayed within the EIV system and no income information will be displayed.

LMHA Policy

LMHA will identify participants whose identity verification has failed by reviewing EIV's *Identity Verification Report* on a monthly basis.

LMHA will attempt to resolve **PIC/HIP** /SSA discrepancies by obtaining appropriate documentation from the participant. When LMHA determines that discrepancies exist due to LMHA errors such as spelling errors or incorrect birth dates, the errors will be corrected promptly.

The following table from PIH Notice 2023-27 identifies mandatory and discretionary use of EIV by PHA's.

Report Title	Report Description	Frequency of Use	PHAs/MFH Owners
Debts Owed to PHAs & Terminations	Allows users to access information concerning former tenants who left owing a debt to a PHA or who had their voucher terminated for cause.	At the time of processing an applicant family for admission, and to enter debt information or terminations for families who have ended program participation.	PHAs only Report does not exist in MFH EIV.
Deceased Tenants Report	Identifies tenants reported by Social Security Administration (SSA) as being deceased.	At least quarterly	PHAs/MFH
Existing Tenant Search	Identifies applicants who may be receiving assistance at another Multifamily project or PIH location.	At the time of processing an applicant family for admission	PHAs/MFH Owners
Failed EIV Prescreening Report	Identifies tenants who have missing or invalid personal identifiers (last name, date of birth, SSN) in HIP/TRACS. These tenants will not be sent to SSA from EIV for the SSA identity test.	Monthly	PHAs/MFH Owners
Failed Verification Report (Failed SSA Identity Test)	Identifies tenants whose personal identifiers (last name, date of birth, SSN) do not match the SSA database. *PHAs/MFH Owners that admit families using a self-certification of SSN must review the Failed SSN Verification Report monthly to identify and follow up on new issues.	Monthly	PHAs/MFH Owners

Identity Verification Report	Identifies tenants that failed SSA verification, and failed EIV pre-screening.	Monthly	PHAs/MFH Owners
Income Information for PIH Programs Income Report for MFH Programs	Provides employment and income reported by HHS and SSA for each household member that passes the SSA identity test. Identifies tenants who: May not have reported complete and accurate income information; and/or May be receiving multiple subsidies.	Must be used at annual reexamination; not required at interim reexaminations. PHAs/Owners may use, if desired. PHAs/MFH Owners are not required to use at annual reexamination if they use Safe Harbor verification to determine the family's income.	PHAs/MFH
Income Validation Tool Report for PIH Programs	Provides projections of discrepant income for wages, unemployment compensation, and SSA benefits pursuant to HUD's data sharing agreements with the Department of Health and Human Services (HHS) using the National Directory of New Hires (NDNH) database, and the SSA.	PHAs are required to obtain an EIV Income and Income Validation Tool Report for each family any time the PHA conducts an annual reexamination of family income and composition. PHAs may use the report at other intervals, in accordance with the PHA's ACOP or Administrative Plan. PHAs are not required to use the report at annual reexamination if they used Safe Harbor verification to determine the family's income at the last reexamination. *See note under Summary above about updates to the MFH and Public Housing Income Discrepancy Reports.	PHAs
Multiple Subsidy Report	Identifies tenants who may be receiving rental assistance at more than one location.	At least quarterly	PHAs/MFH Owners
New Hires Report	Identifies tenants who have new employment within the last six months. Report is updated monthly.	PHAs/MFH Owners must review this information at annual reexamination except when the PHA/MFH Owner uses Safe Harbor verification to determine the family's income. PHAs/MFH Owners that do not require families to undergo interim reexaminations (IRs) for	PHAs/MFH Owners

		income increases after an IR decrease do not need to review this report at all between a family's annual reexamination. If the PHA/MFH Owner's policy requires an IR for increases in income after an IR decrease, then the PHA/MFH Owner must review the report quarterly after the family's IR decrease.	
No Income Reported by HHS or SSA	Identifies tenants who passed the SSA identity test but where no income was reported by HHS or SSA. This scenario does not mean that the tenant does not have any income. PHAs/MFH Owners must obtain written third-party verification of any income reported by the tenant.	As identified in a PHA's ACOP or Administrative Plan or a MFH Owner's written EIV policies and procedures.	PHAs/MFH Owners

Deceased Tenants Reports [Notice PIH 2012-4 and Notice PIH 2023-27]

LMHA Policy

LMHA will review the Deceased Tenants Report on a monthly basis. LMHA will list the EOP as the last day of the month in which the death occurred. The landlord is entitled to receive the full HAP amount for the month in which the tenant death occurred.

When the only remaining household member is the live-in aide, the live-in aide is not entitled or eligible for any rental assistance or continued occupancy. LMHA will not designate the live-in aide as the new head of household or change the relation code on the Form HUD-50058.

Other EIV Reports [Notice PIH 2023-27]

LMHA Policy

LMHA is required to review the Multiple Subsidy Report at least quarterly and the Failed EIV Pre-Screening and Failed Verification (Failed SSA Identity Test) reports at least monthly.

Upfront Income Verification Using Non-HUD Systems (Optional)

In addition to mandatory use of the EIV system, HUD encourages LMHA to utilize other upfront verification sources.

LMHA Policy

LMHA will inform all applicants and participants of its use of the following UIV resources during the admission and reexamination process:

- HUD's EIV system
- ~~The Work Number~~

~~7-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION~~

7-I.F. LEVEL 4 VERIFICATION [Notice PIH 2023-27]

~~HUD's current verification hierarchy defines two types of written third-party verification. The more preferable form, "written third-party verification," consists of an original document generated by a third-party source, which may be received directly from a third-party source or provided to LMHA by the family. If written third-party verification is not available, LMHA must attempt to obtain a "written third-party verification form." This is a standardized form used to collect information from a third party.~~

~~Written Third-Party Verification [Notice PIH 2010-19]~~

~~Written third-party verification documents must be original and authentic and may be supplied by the family or received from a third-party source.~~

~~Examples of acceptable tenant-provided documents include, but are not limited to: pay stubs, payroll summary reports, employer notice or letters of hire and termination, SSA benefit verification letters, bank statements, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices.~~

~~LMHA is required to obtain, at minimum, two current and consecutive pay stubs for determining annual income from wages.~~

~~LMHA may reject documentation provided by the family if the document is not an original, if the document appears to be forged, or if the document is altered, mutilated, or illegible.~~

~~LMHA Policy~~

~~Third-party documents provided by the family must be dated within 60 calendar days of LMHA request date.~~

~~If LMHA determines that third-party documents provided by the family are not acceptable, LMHA will explain the reason to the family and request additional documentation.~~

~~As verification of earned income, LMHA will request pay stubs covering the 60-day period prior to LMHA's request.~~

HUD identifies two types of Level 4 verification: written-third party verification from the source and EIV + self-certification.

EIV + Self-Certification

LMHA Policy

At annual reexamination, if LMHA is unable to use a determination of income from a means tested federal assistance program and if there are no reported changes to an income source, LMHA will use EIV + self-certification as verification of employment income, provided the family agrees with the amounts listed in EIV.

LMHA will use an average of the last two quarters of income listed in EIV to determine income from employment. LMHA will provide the family with the information in EIV. The family will be required to sign a self-certification stating that the amount listed in EIV is accurate and

representative of current income. If the family disagrees with the amount in EIV, the amount is not reflective of current income, or if less than two quarters are available in EIV, LMHA will use written third-party verification from the source as outlined below.

LMHA will not use this method of verification at new admission since EIV is not available for applicant families or at interim reexamination since the income information in EIV is not current.

~~Written Third-Party Verification [Notice PIH 2010-19]~~

~~Written Third-Party Verification from the Source [Notice PIH 2010-19]~~**[PIH NOTICE 2023-27]**

Written, third-party verification from the source is also known as “tenant-provided verification.” Examples of acceptable tenant-provided documents include, but are not limited to: pay stubs, payroll summary reports, employer notice or letters of hire and termination, SSA benefit verification letters, bank statements, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices.

In order to qualify as written-third party verification from the source, the documents must be original or authentic and (generally) dated within 120 ~~/60~~ days of the date received by LMHA.

For fixed-income sources, a statement dated within the appropriate benefit year is acceptable documentation. ~~Written third-party verification documents must be original and authentic and may be supplied by the family or received from a third-party source.~~ Documents may be supplied by the family or received from a third-party source.

In general, LMHA will use third-party verification from the source in the following circumstances:

- At annual reexamination when EIV + self-certification is not used;
- For all new admissions; and
- For all interim reexaminations.

LMHA Policy

~~Third party documents provided by the family must be dated within 60 calendar days of LMHA request date.~~

~~If LMHA determines that third party documents provided by the family are not acceptable, LMHA will explain the reason to the family and request additional documentation.~~

~~As verification of earned income, LMHA will request pay stubs covering the 60 day period prior to LMHA's request.~~

LMHA Policy

LMHA will not use this method if LMHA is able to use an income determination from a means-tested federal assistance program or if LMHA uses EIV + self-certification as outlined above.

In general, third-party documents provided by the family or the source must be dated within 120 days of the date received by LMHA. However, for fixed-income sources, a statement dated within the appropriate benefit year is acceptable documentation.

~~LMHA may reject documentation provided by the family if the document is not an original, if the document appears to be forged, or if the document is altered, mutilated, or illegible.~~

LMHA may reject documentation provided by the family if the document is not an original, if the document appears to be forged, or if the document is altered, mutilated, or illegible. If LMHA determines that third-party documents provided by the family are not acceptable, LMHA will explain the reason to the family and request additional documentation from the family or will use a lower form of verification such as a written third-party verification form.

When verification of assets held by a banking or financial institution is required, LMHA will obtain one (1) statement that reflects the current balance of the account.

~~LMHA is required to obtain, at minimum, two current and consecutive pay stubs for determining annual income from wages.~~

When pay stubs are used, LMHA will require the family to provide the two (2) most current, consecutive pay stubs. LMHA's discretion, if additional paystubs are needed due to the family's circumstances (e.g., sporadic income, fluctuating schedule, etc.), LMHA may request additional paystubs or a payroll record.

~~Written Third-Party Verification Form~~

7-I.G. LEVEL 3 VERIFICATION: WRITTEN, THIRD-PARTY FORM [NOTICE PIH 2023 -27]

~~When upfront verification is not available and the family is unable to provide written third-party documents, LMHA must request a written third-party verification form. HUD's position is that this traditional third-party verification method presents administrative burdens and risks which may be reduced through the use of family-provided third-party documents.~~

~~A written third-party verification form is mandatory when there is an unreported source of income or a substantial difference in reported income (\$2400 annually or more) and there is no UIV or tenant-provided documentation to support the income discrepancy.~~

This type of verification is a form developed by LMHA and used uniformly for all families when needed to collect information from a third-party source. This is known as "traditional third-party verification." LMHA will send a self-developed form directly to the third-party source by mail, fax, or email and the source completes the form by hand (in writing or typeset). LMHA will use this method when higher forms are unavailable or are rejected by LMHA or when the family is unable to provide acceptable verification.

LMHA may skip this level of verification and may instead substitute oral third-party verification before moving to self-certification.

Typically, LMHA will attempt to send written third-party verification forms to the verification source whenever higher forms of verification are unavailable. However, on a case-by-case basis, LMHA may choose to obtain oral third-party verification without first attempting, and in lieu of, a written-third party verification form.

LMHA Policy

- LMHA will send third-party verification forms directly to the third party.
- LMHA may mail, fax, or e-mail third-party written verification form requests to third-party sources.
- Third-party verification forms will be sent when third-party verification documents are unavailable or are rejected by LMHA.

- LMHA may choose to obtain oral third-party verification without first attempting, and in lieu of, a written-third party verification form on a case-by-case basis.

~~Oral Third-Party Verification [Notice PIH 2010-19]~~

7-I.H. LEVEL 2 VERIFICATION: ORAL THIRD-PARTY VERIFICATION [NOTICE PIH 2023 -27]

For third-party oral verification, LMHA may contact sources, identified by UIV techniques or by the family, by telephone or in person.

Third-party oral verification may be used when requests for written third-party verification forms have not been returned within a reasonable time (i.e., 15 calendar days).

~~LMHA Policy~~

~~In collecting third-party oral verification, LMHA staff will record in the family's file the name and title of the person contacted, the date and time of the conversation (or attempt), the telephone number used, and the facts provided.~~

~~When any source responds verbally to the initial written request for verification LMHA will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.~~

LMHA Policy

In general, LMHA will attempt to obtain written third-party verification via a form from the verification source. If written third-party verification forms are not returned within 15 calendar days, LMHA will accept self-certification from the family without attempting to obtain oral third-party verification.

However, if LMHA chooses to obtain oral third-party verification, LMHA will document in the file:

- The date and time of the telephone call or visit
- The name of the person contacted
- The telephone number, as well as the information confirmed

When any source responds verbally to the initial written request for verification, LMHA will accept it as oral verification but will also request that the source complete and return any verification forms provided.

~~Oral third-party verification is mandatory if neither form of written third-party verification is available. Third party oral verification may be used when requests for written third-party verification forms have not been returned within a reasonable time—e.g., 10 business days.~~

~~LMHA should document in the file the date and time of the telephone call or visit, the name of the person contacted, the telephone number, as well as the information confirmed.~~

When Third-Party Verification is Not Required [Notice PIH 2010-19] [Notice PIH 2023-27]

Third-party verification may not be available in all situations. HUD has acknowledged that it may not be cost-effective or reasonable to obtain third-party verification of income, assets, or expenses when these items would have a minimal impact on the family's total tenant payment. In these cases, LMHA will pursue alternative options for families.

LMHA Policy

If the family cannot provide original documents, LMHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family. The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost [VG, p. 18].

Primary Documents

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

Assets and Imputed Assets

~~HUD permits LMHA~~

HUD permits LMHA to accept a self-certification from a family as verification of assets disposed of for less than fair market value [HCV GB, p. 5-28].

LMHA Policy

LMHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

Value of Assets and Asset Income [24 CFR 982.516(a)]

LMHA Policy

For families with net assets totaling \$50,000 or less, LMHA will accept the family's self-certification of the value of family assets and anticipated asset income when applicable. The family's declaration must show each asset and the amount of income expected from that asset. All family members 18 years of age and older must sign the family's declaration. ~~will accept the family's declaration of asset value and anticipated asset income. However, LMHA will obtain third-party verification of all assets regardless of the amount during the intake process and at least every three years thereafter.~~

~~7-I.E. SELF-CERTIFICATION~~

~~7-I.I. LEVEL 1: NON-THIRD-PARTY VERIFICATION TECHNIQUE: SELF-CERTIFICATION [NOTICE PIH 2023-27]~~

~~Self-certification, or "tenant declaration," is used as a last resort when LMHA is unable to obtain third-party verification. However, PIH Notice 2013-03 allows LMHA to use self-certification for the verification of assets under \$5,000 in lieu of moving through the hierarchy.~~

~~When LMHA relies on a tenant declaration for verification of income, assets, or expenses, the family's file must be documented to explain why third-party verification was not available.~~

LMHA Policy

~~When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certification attesting to the accuracy of the information they have provided to LMHA.~~

~~LMHA may require a family to certify that a family member does not receive a particular type of income or benefit.~~

~~The self-certification must be made in a format acceptable to LMHA and must be signed by the family member whose information or status is being verified.~~

Non-third-party verification consists of a signed statement of reported income and/or expenses. This verification method will be used as a last resort when LMHA has not been successful in obtaining information via all other required verification techniques. Self-certification, however, is an acceptable form of verification when:

- A source of income is fully excluded
- Net family assets total \$50,000 or less and LMHA has adopted a policy. See LMHA policy 7.I.I.
- The family declares that they do not have any present ownership in any real property
- A family states that they have non-recurring income that will not be repeated in the coming year; and/or
- LMHA has adopted a policy to implement streamlined annual recertifications for fixed sources of income (See Chapter 11).

LMHA Policy

When LMHA is required to obtain third-party verification but instead relies on self-certification, the family's file will be documented to explain why third-party verification was not available. When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to LMHA.

LMHA may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to LMHA and must be signed by the family member whose information or status is being verified. All self-certifications will include the following language:

"I/We, the undersigned, certify under penalty of perjury that the information provided here is true and correct, to the best of my knowledge and recollection. WARNING: Anyone who knowingly submits a false claim or knowingly makes a false statement is subject to criminal and/or civil penalties, including confinement for up to five years, fines, and civil and administrative penalties (18 U.S.C. 287, 1001, 1010, 1012; 31 U.S.C. 3279, 3802)."

PART II. VERIFYING FAMILY INFORMATION

7-II.A. VERIFICATION OF LEGAL IDENTITY

LMHA Policy

LMHA will require families to furnish verification of legal identity for each household member.

Verification of Legal Identity for Adults	Verification of Legal Identity for Children
Certificate of birth, naturalization papers	Certificate of birth
Church issued baptismal certificate	Adoption papers
Current, valid driver's license or Department of Motor Vehicles identification card	Custody agreement
U.S. military discharge (DD 214) U.S. passport	Health and Human Services ID
Employer identification card	School records
State Issued ID (for Non-drivers)	

If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

If none of these documents can be provided and at LMHA's discretion, a third party who knows the person may attest to the person's identity. Legal identity will be verified and on an as needed basis.

7-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216; [PIH Notice PIH 2023-27](#)]

The family must provide documentation of a valid social security number (SSN) for each member of the household, with the exception of individuals who do not contend eligible immigration status. Exemptions also include, existing program participants who were at least 62 years of age as of January 31, 2010, and had not previously disclosed an SSN.

Note that an individual who previously declared to have eligible immigration status may not change his or her declaration for the purpose of avoiding compliance with the SSN disclosure and documentation requirements or penalties associated with noncompliance with these requirements. Nor may the head of household opt to remove a household member from the family composition for this purpose.

LMHA Policy

LMHA will accept the following documentation as acceptable evidence of the social security number:

- An original SSN card issued by the Social Security Administration (SSA)
- An original SSA-issued document, which contains the name and SSN of the individual
- An original document issued by a federal, state, or local government agency, which contains
- the name and SSN of the individual

LMHA may only reject documentation of an SSN provided by an applicant or participant if the document is not an original document, if the original document has been altered, mutilated, or is not legible, or if the document appears to be forged. LMHA will explain to the applicant or participant the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to LMHA within 90 calendar days.

LMHA Policy

LMHA will grant one additional 90-day extension if needed for reasons beyond the participant's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency. If the individual fails to comply with SSN disclosure and documentation requirements upon expiration of the provided time period, LMHA will terminate the individual's assistance.

LMHA Policy [24 CFR 5.216 (h)(2)]

In the case of Moderate Rehabilitation Single Room Occupancy (SRO) individuals, the required documentation must be provided within 90 calendar days from the date of admission into the program. LMHA will grant one additional 90-day extension if it determines that the applicant's failure to comply was due to circumstances that were beyond the applicant's control and could not have been reasonably foreseen. If the individual fails to comply with SSN disclosure and documentation requirements upon expiration of the provided time period, LMHA will terminate the individual's assistance.

Self-Certification of Social Security Numbers [24 CFR 5.216(g)(1)(iii); PIH Notice 2023-27]

LMHA Policy

While ~~the~~ LMHA must attempt to gather third-party verification of SSNs prior to admission as listed above, LMHA also has the option of accepting a self-certification and a third-party document (such as a bank statement, utility or cell phone bill, or benefit letter) with the applicant's name printed on it to satisfy the SSN disclosure requirement if LMHA has exhausted all other attempts to obtain the required documentation.

- If verifying an individual's SSN using this method, LMHA will document why the other SSN documentation was not available.
- If the tenant's SSN becomes verified in EIV, then no further verification is required.
- If the tenant's SSN fails the SSA identity match, then LMHA will obtain a valid SSN card issued by the SSA or an original document issued by a federal or state government agency that contains the name of the individual and the SSN of the individual, along with other identifying information of the individual. The tenant's assistance must be terminated if they fail to provide the required documentation.

~~The change creates a 90-day period during which an applicant family may become a program participant, even if the family lacks the documentation necessary to verify the Social Security Number (SSN) of a family member under the age of 6 years. An extension of one additional 90-day period must be granted if the PHA determines that, in its discretion, the applicant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside of the control of the applicant. For example, an applicant may be able to demonstrate timely submission of a request for an SSN, in which case processing time would be the cause of the delay. If the applicant family does not produce the required documentation within the authorized time period, the PHA or processing entity must impose appropriate penalties, in accordance with 24 CFR 5.218.~~

Children 6 Years of Age or Under

~~An applicant family with a child under the age of 6 years may become a participant family, even if the SSN for the child has not been verified at the time of admission. If the SSN has still not been verified at the end of the initial 90-day period, then the PHA must determine whether a 90-day extension is merited.~~

~~If it is not merited, then the PHA must follow the provisions of 24 CFR 5.218. If a 90-day extension is merited, then the PHA must either verify the SSN for the child by the end of the 90-day extension period or follow the provisions of 24 CFR 5.218.~~

If an applicant family includes a child under 6 years of age who joined the household within the 6 months prior to the date of voucher issuance, an otherwise eligible family may be admitted to the program and the family must provide documentation of the child's SSN within 90 calendar days of the effective date of the **initial HAP contract**. A 90-day extension will be granted if LMHA determines that the participant's failure to comply was due to unforeseen circumstances and was outside of the participant's control.

When a participant requests to add a new household member who is at least 6 years of age, or who is under the age of 6 and has a SSN, the participant must provide the complete and accurate SSN assigned to each new member at the time of reexamination or recertification, in addition to the documentation required to verify it. LMHA will not add the new household member until such documentation is provided.

When a participant requests to add a new household member who is under the age of 6 and has not been assigned a SSN, the participant must provide the SSN assigned to each new child and the required documentation within 90 calendar days of the child being added to the household.

LMHA Policy

A 90-day extension will be granted if LMHA determines that the participant's failure to comply was due to unforeseen circumstances and was outside of the participant's control. During the period LMHA is awaiting documentation of the SSN, the child will be counted as part of the assisted household.

~~Note that an individual who previously declared to have eligible immigration status may not change his or her declaration for the purpose of avoiding compliance with the SSN disclosure and documentation requirements or penalties associated with noncompliance with these requirements. Nor may the head of household opt to remove a household member from the family composition for this purpose.~~

LMHA Policy

~~LMHA must accept the following documentation as acceptable evidence of the social security number:~~

~~An original SSN card issued by the Social Security Administration (SSA)~~

~~An original SSA issued document, which contains the name and SSN of the individual~~

~~An original document issued by a federal, state, or local government agency, which contains the name and SSN of the individual~~

~~LMHA may only reject documentation of an SSN provided by an applicant or participant if the document is not an original document, if the original document has been altered, mutilated, or is not legible, or if the document appears to be forged~~

LMHA Policy

~~LMHA will explain to the applicant or participant the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to LMHA within 10 calendar days.~~

~~The required documentation must be provided within 90 calendar days from the date of admission into the program. LMHA must grant one additional 90-day extension if it determines that the applicant's failure to comply was due to circumstances that were beyond the applicant's control and could not have been reasonably foreseen.~~

LMHA Policy

~~LMHA will grant one additional 90-day extension if needed for reasons beyond the participant's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency. If the individual fails to comply with SSN disclosure and documentation requirements upon expiration of the provided time period, LMHA will terminate the individual's assistance.~~

~~When the participant requests to add a new household member who is at least 6 years of age, or who is under the age of 6 and has an SSN, the participant must provide the complete and accurate SSN assigned to each new member at the time of reexamination or recertification, in addition to the documentation required to verify it. LMHA may not add the new household member until such documentation is provided.~~

~~When a participant requests to add a new household member who is under the age of 6 and has not been assigned an SSN, the participant must provide the SSN assigned to each new child and the required documentation within 90 calendar days of the child being added to the household. A 90-day extension will be granted if LMHA determines that the participant's failure to comply was due to unforeseen circumstances and was outside of the participant's control. During the period LMHA is awaiting documentation of the SSN, the child will be counted as part of the assisted household.~~

~~For applicants, the change is slightly more flexible, requiring at least one 90-day grace period if the SSN has not been verified (for program participants, the standard is that the SSN has not been assigned). Program staff, in considering the change, determined that greater flexibility could make a difference for applicant families who adopt a child or add a foster child within the 6-month period preceding their admission to the program; such a child may already have been assigned a SSN, but there may be circumstances that make it difficult for the adoptive or foster family to obtain the documentation in a timely fashion~~

LMHA Policy

~~LMHA will grant one additional 90-day extension if needed for reasons beyond the participant's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency.~~

Social Security Number Verification [24 CFR 5.216, Notice PIH 2023-27]

Social security numbers must be verified only once during continuously assisted occupancy.

LMHA Policy

LMHA will verify each disclosed SSN by:

- Obtaining documentation from applicants and participants that is acceptable as evidence of social security numbers.
- ~~Make a copy~~ Copying ~~of~~ the original documentation submitted, returning it to the individual, and retaining a copy in the file folder.
- Once the individual's verification status is classified as "verified," LMHA may, at its discretion, remove and destroy copies of documentation accepted as evidence of social security numbers. The retention of the EIV Summary Report or Income Report is adequate documentation of an individual's SSN.

7-II.C. DOCUMENTATION OF AGE

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.

LMHA Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, LMHA will require the family to submit other documents that support the reported age and sex of the family member (e.g., school records, driver's license if birth year and sex is recorded) and to provide a self-certification.

Age must be verified only once during continuously-assisted occupancy.

7-II.D. FAMILY RELATIONSHIPS

Applicants and program participants are required to identify the relationship of each household member to the head of household. Definitions of the primary household relationships are provided in the Eligibility chapter.

LMHA Policy

Family relationships are verified only to the extent necessary to determine a family's eligibility and level of assistance. Certification by the head of household normally is sufficient verification of family relationships, however, copies of birth certificates, custody/court paperwork, etc. is preferred.

Marriage

LMHA Policy

Certification by the head of household is normally sufficient verification, if LMHA has reasonable doubts about a marital relationship, LMHA will require the family to document the marriage.

A marriage certificate generally is required to verify that a couple is married.

Separation or Divorce

LMHA Policy

- Certification by the head of household is normally sufficient verification. If LMHA has reasonable doubts about a separation or divorce, LMHA will require the family to document the divorce, or separation.
- A certified copy of a divorce decree, signed by a court officer, is required to document that a couple is divorced.
- A copy of a court-ordered maintenance or other court record is required to document a separation.

If no court document is available, documentation from a community-based agency will be accepted.

Absence of Adult Member

LMHA Policy

If an adult member who was formerly a member of the household is reported to be permanently absent, the family must provide evidence to support that the person is no longer a member of the family (e.g., documentation of another address at which the person resides such as a lease or utility bill).

If no documentation is readily available, self-certification from the absent family member that indicates they have moved from the household will be accepted.

Foster Children and Foster Adults

LMHA Policy

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.

7-II.E. VERIFICATION OF STUDENT STATUS

General Requirements

LMHA requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

- The family reports full-time student status for an adult other than the head, spouse, or cohead.
- The family reports childcare expenses to enable a family member to further his or her education.

- The family includes a student enrolled in an *institution of higher education*.

Restrictions on Assistance to Students Enrolled in Institutions of Higher Education

This section applies only to students who are seeking assistance on their own, separately from their parents. It does not apply to students residing with parents who are seeking or receiving HCV assistance.

LMHA Policy

In accordance with the verification hierarchy described in section 7-1.B, LMHA will determine whether the student is exempt from the restrictions in 24 CFR 5.612 by verifying any one of the following exemption criteria:

The student is enrolled at an educational institution that does not meet the definition of *institution of higher education* in the Higher Education Act of 1965 (see section Exhibit 3-2).

- The student is at least 24 years old.
- The student is a veteran, as defined in section 3-II.E.
- The student is married.
- The student has at least one dependent child, as defined in section 3-II.E.
- The student is a person with disabilities, as defined in section 3-II.E, and was receiving assistance prior to November 30, 2005.

If LMHA cannot verify at least one of these exemption criteria, LMHA will conclude that the student is subject to the restrictions on assistance at 24 CFR 5.612. In addition to verifying the student's income eligibility, LMHA will then proceed to verify either the student's parents' income eligibility (see section 7-III.J) or the student's independence from his/her parents (see below).

Independent Student

LMHA Policy

LMHA will verify a student's independence from his/her parents to determine that the student's parents' income is not relevant for determining the student's eligibility by doing all of the following:

- Either reviewing or verifying previous address information to determine whether the student has established a household separate from his/her parents for at least one year or reviewing and verifying documentation relevant to determining whether the student meets the U.S. Department of Education's definition of *independent student* (see section 3-II.E).
- ~~Reviewing prior year income tax returns to verify whether a parent has claimed the student as a dependent.~~
- Reviewing the student's prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education's definition of *independent student* (see section 3-II.E)
- ~~Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0.~~
- Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0, except in cases in which LMHA determines that the student is a *vulnerable youth* (see section 3-II.E)

7-II.F. DOCUMENTATION OF DISABILITY

LMHA must verify the existence of a disability in order to allow certain income disallowances and deductions from income. LMHA is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. LMHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If LMHA receives a verification document that provides such information, LMHA will not place this information in the tenant file. LMHA shall either return the document, destroy the document, or redact. Under no circumstances will LMHA request a participant's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' website at www.os.dhhs.gov.

The above cited regulation does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they are persons with disabilities [VG, p. 24]:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance

Family Members Receiving SSA Disability Benefits

Verification of the receipt of disability benefits from the Social Security Administration (SSA) is sufficient verification of disability for the purpose of qualifying for waiting list preferences (if applicable) or certain income disallowances and deductions [VG, p. 23].

LMHA Policy

For family members claiming disability who receive disability benefits from the SSA, LMHA will attempt to obtain information about disability benefits through the HUD Enterprise Income Verification (EIV) system when it is available and accurate. If documentation from HUD's EIV System is not available, LMHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member claiming disability status. If the family is unable to provide the document(s), LMHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by the participant/applicant requesting it from www.ssa.gov. Once the applicant or participant receives the benefit verification letter they will be required to provide it to LMHA.

Family Members Not Receiving SSA Disability Benefits

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.403.

LMHA Policy

For family members claiming disability who do not receive disability benefits from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD.

7-II.G. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5.508]

Overview

Housing assistance is not available to persons who are not citizens, nationals, or eligible immigrants. Prorated assistance is provided for "mixed families" containing both eligible and ineligible persons. A detailed discussion of eligibility requirements is in the Eligibility chapter. This verifications chapter discusses HUD and LMHA verification requirements related to citizenship status.

The family must provide a certification that identifies each family member as a U.S. citizen, a U.S. national, an eligible noncitizen or an ineligible noncitizen and submit the documents discussed below for each family member. Once eligibility to receive assistance has been verified for an individual it need not be collected or verified again during continuously-assisted occupancy. Verification of non-citizens having temporary status will need to be re-verified prior to the expiration date. [24 CFR 5.508(g)(5)]

U.S. Citizens and Nationals

HUD requires a declaration for each family member who claims to be a U.S. citizen or national. The declaration must be signed personally by any family member 18 or older and by a guardian for minors.

LMHA may request verification of the declaration by requiring presentation of a birth certificate, United States passport or other appropriate documentation.

LMHA Policy

Family members who claim U.S. citizenship or national status will be required to provide additional documentation such as a birth certificate or other acceptable documentation.

Eligible Immigrants

Documents Required

All family members claiming eligible immigration status must declare their status in the same manner as U.S. citizens and nationals.

The documentation required for eligible non-citizens varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, age, and the date on which the family began receiving HUD-funded assistance. Exhibit 7-1 at the end of this chapter summarizes documents family members must provide.

Verification [HCV GB, pp. 5-3 and 5-7]

LMHA Policy

~~For family members age 62 or older and receiving housing assistance on or before 6-19-05 who claim to be eligible immigrants, proof of age is required in the manner described in 7-II.C. of this plan. No further verification of eligible immigration status is required.~~

- For family members age 62 or older who claim to be eligible immigrants, proof of age is required in the manner described in 7-II.C. of this plan. No further verification of eligible immigration status is required.
- For family members under the age of 62 who claim to be eligible immigrants, LMHA will verify immigration status with the United States Citizenship and Immigration Services (USCIS). LMHA will follow all USCIS protocols for verification of eligible immigration status.

7-II.H. VERIFICATION OF PREFERENCE STATUS

LMHA must verify any preferences claimed by an applicant.

LMHA will verify any preferences claimed by an applicant that determined placement on the waiting list.

LMHA Policy

LMHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.	50 Points
Special Admissions (HUD targeted funding)	30 Points
Special Programs (limited to 10% of program size that is inclusive to person transitioning from nursing homes or institutions that is covered under the Olmstead decision; Project Based Vouchers may also be classified in this category).	30 Points
Families without income-based rent (over those with income-based rent)	15 Points

PART III. VERIFYING INCOME AND ASSETS

Chapter 6, Part I of this plan describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified. This part provides LMHA policies that supplement the general verification procedures specified in Part I of this chapter.

7-III.A. EARNED INCOME

Tips

LMHA Policy

Unless tip income is included in a family member's W-2 by the employer, pays stubs provided by the family or indicated on the third-party verification, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year.

Wages

LMHA Policy

When LMHA requires third-party verification of wages, for wages other than tips, the family must provide two most current (within 60 calendar days), consecutive pay stubs.

7-III.B. BUSINESS AND SELF-EMPLOYMENT INCOME

LMHA Policy

Business owners and self-employed persons will be required to provide:

- An audited financial statement for the previous fiscal year if an audit was conducted. If an audit was not conducted, a statement of income and expenses must be submitted and the business owner or self-employed person must certify to its accuracy.
- All schedules completed for filing federal and local taxes in the preceding year.
- If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.
- LMHA will provide a format for any person who is unable to provide such a statement to record income and expenses for the coming year. The business owner/self-employed person will be required to submit the information requested and to certify to its accuracy at all future reexaminations.
- At any reexamination LMHA may request documents that support submitted financial statements such as manifests, appointment books, cashbooks, or bank statements.

- If a family member has been self-employed less than three (3) months, LMHA will accept the family member's certified estimate of income. If the family member has been self-employed for three (3) to twelve (12) months LMHA will require the family to provide documentation of income and expenses for this period and use that information to project income.

7-III.C. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS

For policies governing streamlined income determinations for fixed sources of income, see Chapter 11.

Social Security/SSI Benefits [Notice PIH 2023-27]

Verification requirements for Social Security (SS) and Supplemental Security Income (SSI) benefits differ for applicants and participants.

For applicants, since EIV does not contain SS or SSI benefit information, LMHA will ask applicants to provide a copy of their current SS and/or SSI benefit letter (dated within the last ~~60~~ 120 calendar days) for each family member that receives SS and/or SSI benefits. If the family is unable to provide the document or documents, LMHA will help the applicant request a *Benefit Verification Letter* from SSA's website at www.ssa.gov or ask the family to request one by calling SSA at 1-800-772-1213. LMHA will obtain the original benefit letter from the applicant, make a photocopy of the document for the file, and return the original to the family.

LMHA Policy

- For participants, LMHA will obtain information through the HUD EIV system and confirm with the participants that the current listed benefit amount is correct.
- If the participant agrees with the amount reported in EIV, LMHA will use the EIV reported gross benefit amount to calculate annual income from Social Security. LMHA is required to use the EIV-reported SS and SSI benefit amounts when calculating income unless the tenant disputes the EIV-reported amount. For example, an SSA benefit letter may list the monthly benefit amount as \$450.80 and EIV displays the amount as \$450.00. LMHA will use the EIV-reported amount unless the participant disputes the amount.
- If the participant disputes the EIV-reported benefit amount, or if benefit information is not available in EIV, LMHA will request a current SSA benefit verification letter (dated within the last ~~60~~ 120 calendar days) from each family member that receives SS and/or SSI benefits.
- If the family is unable to provide the document or documents, LMHA should help the participant request a benefit verification letter from SSA's website at www.ssa.gov or ask the family to request one by calling SSA at 1-800-772-1213. LMHA will obtain the original benefit letter from the participant, make a photocopy of the document for the file, and return the original to the family.

Photocopies of social security checks or bank statements are not acceptable forms of verification for SS/SSI benefits.

LMHA Policy

~~To verify the SS/SSI benefits of applicants, LMHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s), LMHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from www.ssa.gov. Once the applicant has received the benefit verification letter they will be required to provide it to LMHA.~~

~~To verify the SS/SSI benefits of participants, LMHA will obtain information about social security/SSI benefits through the HUD EIV System, and confirm with the participant(s) that the current listed benefit amount is correct. If the participant disputes the EIV reported benefit amount, or if benefit information is not available in HUD systems, LMHA will request a current SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s) LMHA will help the participant request a benefit verification letter from SSA's Web site at www.ssa.gov or ask the family to request one by calling SSA at 1-800-772-1213. Once the participant has received the benefit verification letter they will be required to provide it to LMHA.~~

7-III.D. ALIMONY OR CHILD SUPPORT [PIH Notice 2023-27]

Annual income includes “all amounts received,” not the amount that a family may be legally entitled to receive but which they do not receive. For example, a family’s child support or alimony income must be based on payments received, not the amounts to which the family is entitled by court or agency orders. A copy of a court order or other written payment agreement alone may not be sufficient verification of amounts received by a family.

The methods LMHA will use to verify alimony and child support payments differ depending on whether the family declares that it receives regular payments.

LMHA Policy

If the family declares that it receives regular payments, verification will be obtained in the following order of priority:

- Copies of the receipts and/or payment stubs for the 6 months prior to LMHA’s request
- Third-party verification form from the state or local child support enforcement agency payments for the last 6 months
- Third-party verification form from the person paying the support of payments for the last 6 months.
- ~~Third-party verification from the person paying the support.~~
- Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
- Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If the family declares that it *receives irregular or no payments*, in addition to the verification process listed above, the family must provide evidence that it has taken all reasonable efforts to collect amounts due.

This may include:

- A statement from any agency responsible for enforcing payment that shows the family has requested enforcement and is cooperating with all enforcement efforts
- If the family has made independent efforts at collection, a written statement from the attorney or other collection entity that has assisted the family in these efforts

Note: Families are not required to undertake independent enforcement action.

~~7-III.E. ASSETS AND INCOME FROM ASSETS~~

7-III.E. NONRECURRING INCOME [Notice PIH 2023-27]

Income that will not be repeated beyond the coming year (i.e., the 12 months following the effective date of the certification), based on information provided by the family, is considered nonrecurring income and is excluded from annual income.

LMHA Policy

LMHA will accept self-certification from the family stating that income will not be repeated in the coming year. However, LMHA may choose, on a case-by-case basis, to require third-party verification that income sources will not be repeated in the coming year.

7-III.F. ASSETS AND INCOME FROM ASSETS

~~7-III.E. ASSETS AND INCOME FROM ASSETS~~

Net Family Assets [24 CFR 5.603]

For families with net assets totaling ~~\$5,000~~ \$50,000 or less, LMHA will accept the family's self-certification of the value of family assets and anticipated asset income.

The family's declaration must show each asset and the amount of income expected from that asset. All family members 18 years of age and older must sign the family's declaration.

LMHA reserves the right to require additional verification in situations where the accuracy of the declaration is in question.

Any income the family expects to receive from assets will be included in the family's annual income. The family will be required to provide third-party verification of net family assets every three years.

When verification is required, in determining the value of checking or savings accounts, LMHA will use the current balance.

In determining the anticipated income from an interest-bearing checking or savings account when verification is required and the rate of return is known, LMHA will multiply the current balance of the account by the current rate of interest paid on the account. If a checking account does not bear interest, the anticipated income from the account is zero.

Self-Certification of Real Property Ownership [24 CFR 5.618(b)(2)]

Both at admission and reexam, LMHA will accept self-certification from the family that the family does not have any present ownership in any real property. The certification will state that the family does not have

any present ownership interest in any real property and must be signed by all family members 18 years of age and older. LMHA reserves the right to require additional verification in situations where the accuracy of the declaration is in question.

LMHA Policy

If the family declares they have a present ownership in real property, LMHA will obtain third-party verification of the following factors:

- Whether the family has the legal right to reside in the property;
- Whether the family has effective legal authority to sell the property; and
- Whether the property is suitable for occupancy by the family as a residence.
- However, in cases where a family member is a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking, LMHA will comply with confidentiality requirements under 24 CFR 5.2007 and will accept a self-certification.

7-III.G. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE [PIH Notice 2023-27]

~~Assets Disposed of for Less than Fair Market Value~~

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years.

LMHA Policy

LMHA needs to verify only those certifications that warrant documentation [HCV GB, p. 5-28]. LMHA will verify the value of assets disposed of only if:

- LMHA does not already have a reasonable estimation of its value from previously collected information, or
- The amount reported by the family in the certification appears obviously in error.

Example 1: An elderly participant reported ~~a \$10,000~~ \$50,000 in certificates of deposits at the last annual reexamination and LMHA verified this amount. Now the person reports that she has given ~~this \$10,000~~ these CD's to her son. LMHA has a reasonable estimate of the value of the assets; therefore, re- verification of the value of the asset is not necessary.

Example 2: A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately ~~\$5,000~~ \$49,000. Based upon market conditions, this declaration does not seem realistic. Therefore, LMHA will verify the value of this asset.

Per PIH Notice 2023-27, LMHA may accept a self-certification for assets \$50,000 or less.

7-III.~~F.~~ H. NET INCOME FROM RENTAL PROPERTY

LMHA Policy

The family must provide:

- A current executed lease for the property that shows the rental amount or certification from the current tenant.

- A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 with Schedule E (Rental Income).
- If schedule E was not prepared, LMHA will require the family members involved in the rental of property to provide a self-certification of income and expenses for the previous year and may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

7-III.I. FEDERAL TAX REFUNDS OR REFUNDABLE TAX CREDITS [Notice PIH 2023-27]

LMHA Policy

LMHA is not required to verify the amount of the family's federal tax refund or refundable tax credit(s) if the family's net assets are equal to or below \$50,000 (adjusted annually for inflation), even in years when full verification of assets is required or if LMHA does not accept self-certification of assets. LMHA must verify the amount of the family's federal tax refund or refundable tax credits if the family's net assets are greater than \$50,000.

7-III.G.J. RETIREMENT ACCOUNTS

LMHA Policy

LMHA will accept written third-party documents supplied by the family as evidence of the status of retirement accounts.

The type of original document that will be accepted depends upon the family member's retirement status:

- *Before* retirement, LMHA will accept an original document from the entity holding the account with a date that shows it is the most recently scheduled statement for the account but in no case earlier than 6 months from the effective date of the examination.
- *Upon* retirement, LMHA will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.
- *After* retirement, LMHA will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

7-III.H.K. INCOME FROM EXCLUDED SOURCES

A detailed discussion of excluded income is provided in Chapter 6, Part I.

HUD guidance on verification of excluded income draws a distinction between income which is fully excluded and income which is only partially excluded.

For fully excluded income, the PHA is **not** required to document why third-party verification is not available, or report the income on 50058.

Fully excluded income is defined as income where the entire amount qualifies to be excluded from the annual income determination in accordance with 24 CFR 5.609(b) and any *Federal Register* notice on mandatory exclusions issued by HUD (for example, food stamps, earned income of a minor, or foster care funds). LMHA will accept the family's self-certification as verification of fully excluded income. LMHA may request additional documentation if necessary to document the income source.

For partially excluded income, LMHA is required to follow the verification hierarchy and all applicable regulations, and to report the income on the 50058.

Partially excluded income is defined as income where only a certain portion of what is reported by the family qualifies to be excluded and the remainder is included in annual income (for example, the income of an adult full-time student).

LMHA will verify the source and amount of partially excluded income as described in Part 1 of this chapter.

LMHA Policy

- LMHA will accept the family's self-certification as verification of fully excluded income. LMHA may request additional documentation if necessary to document the income source.
- For partially excluded income, LMHA is required to follow the verification hierarchy and all applicable regulations, and to report the income on the 50058.
- LMHA will reconcile differences in amounts reported by the third party and the family only when the excluded amount is used to calculate the family share. In all other cases, LMHA will report the amount to be excluded as indicated on documents provided by the family.

~~LMHA must obtain verification for income exclusions only if, without verification, LMHA would not be able to determine whether the income is to be excluded. For example: If a family's 16-year-old has a job at a fast-food restaurant, LMHA will confirm that LMHA records verify the child's age but will not send a verification request to the restaurant. However, if a family claims the earned income disallowance for a source of income, both the source and the income must be verified. *Note: The Earned Income Disallowance (EID) has been eliminated per the HOTMA Final Rule (2023). PIH Notice 2023-27~~

~~Under PIH Notice 2013-04, LMHA does not have to obtain verifications for fully excluded income sources.~~

LMHA Policy

~~LMHA will reconcile differences in amounts reported by the third party and the family only when the excluded amount is used to calculate the family share. In all other cases, LMHA will report the amount to be excluded as indicated on documents provided by the family.~~

7-III.1.L. ZERO ANNUAL INCOME STATUS AND REVIEWS [Notice PIH 2023-27]

A *zero-income review* is an assessment, sometimes periodic, performed by LMHA of the income of a family who claims that they do not receive income from any source, including from assets. During such reviews, it is common for PHAs to request that families complete and sign a worksheet explaining how they pay for the household's expenses.

HUD does not require PHAs to conduct periodic zero income reviews. In calculating annual income, PHAs must not assign monetary value to nonmonetary in-kind donations from a food bank or similar organization received by the family [24 CFR § 5.609(b)(24)(vi)].

PHAs that perform zero income reviews must update local discretionary policies, procedures, and forms. Families who begin receiving income which does not trigger an interim reexamination should no longer be considered zero income even though the family's income is not reflected on the Form HUD-50058.

LMHA Policy

At interim and annual reexaminations, LMHA will check UIV sources and/or request information from third-party sources to verify that certain forms of income such as unemployment benefits, TANF, SSI, etc., are not being received by families claiming to have zero annual income.

~~7-III.J. TEMPORARY ADDENDUM—[PIH Notice 2013-03 Dated January 22, 2013]~~

~~INTRODUCTION~~

~~On January 22, 2013 HUD issued Notice PIH 2013-03. Effective until March 31, 2014 and extended through PIH 2013-26 until March 31, 2015, the notice acknowledges and addresses the budget and staff constraints that PHAs have had to face in recent years. To address these burdens, the notice gives a series of three optional methods to reduce administrative burden, addressed below.~~

~~HUD posted Frequently Asked Questions (FAQs) about the notice on March 1, 2013.~~

~~Before implementing any of the temporary policy options, the PHA must notify HUD by e-mail.~~

~~The e-mail must state which of the 3 options will be implemented.~~

~~The PHA must revise its admissions and continued occupancy policies (ACOP) before any of the temporary policies are implemented. This document, with Board approval, contains the PHA's policies for implementation. The PHA must also evaluate whether adoption of any of the temporary policies would constitute a significant amendment to its annual plan, and must revise the annual plan if necessary.~~

~~The temporary provisions that an agency may adopt include:~~

~~**Option 1: Allow option to use participants' past income in verifying income** This option may simplify the verification process by eliminating the need for family provided documents, such as pay stubs, in some situations.~~

~~**Option 2: Allow households to self-certify assets of \$5,000 or less** Due to the imputed asset calculation, assets with a value of \$5,000 or less have little to no impact on TTP. The notice allows agencies to accept a self-certification to save administrative time.~~

~~**Option 3: Allow optional streamlined annual reexaminations for elderly families and disabled families on fixed incomes** For elderly and disabled families whose income is limited to such fixed sources as Social Security or a pension, the agency can reduce administrative time by simply updating income on an annual basis for any cost of living adjustments. If the family has other sources of income that are not fixed a streamlined reexamination would not be an option.~~

~~HUD has clarified that Option 1 and Option 3 are mutually exclusive. Therefore, the PHA may not implement both options.~~

~~Policies contained in this temporary addendum will override existing Administrative Plan policies until March 31, 2015.~~

~~**OPTION 2: ALLOW HOUSEHOLD TO SELF-CERTIFY ASSETS OF \$5,000 OR LESS**~~

~~**OPTION 3: ALLOW OPTIONAL STREAMLINED ANNUAL REEXAMINATIONS FOR ELDERLY FAMILIES AND DISABLED FAMILIES ON FIXED INCOMES**~~

~~PHAs are statutorily required to verify income and calculate rent annually, including for elderly and disabled families on fixed incomes. The requirement to undertake the complete process for income verification and rent determination for families on fixed incomes is not necessary given the infrequency of changes to their incomes. Further, this requirement requires considerable staff time and PHA resources. This provision is intended to simplify the requirements associated with determining the annual income of participants on fixed incomes (24 CFR 982.516, 960.257).~~

~~LMHA Policy:~~

~~LMHA will implement Option 2 and 3, and will comply with all HUD requirements.~~

~~LMHA will opt to conduct a streamlined reexamination of income for elderly families and disabled families when 100 percent of the family's income consists of fixed income. In a streamlined reexamination,~~

~~LMHA will allow households to self-certify assets of \$5,000 or less.~~

~~LMHA will recalculate family incomes by applying any published cost of living adjustments to the previously verified income amount.~~

~~For purposes of this notice, the term 'fixed income' includes income from:~~

- ~~1. Social Security payments to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI);~~
- ~~2. Federal, State, local, and private pension plans; and~~
- ~~3. Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are substantially the same amounts from year to year~~

7-III.K.M. STUDENT FINANCIAL ASSISTANCE [PIH Notice 2015-21]

Any financial assistance, in excess of amounts received for tuition, that a person attending an institution of higher education receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education must be considered income unless the student is over the age of 23 with dependent children or is residing with parents who are seeking or receiving HCV assistance [24 CFR 5.609(b)(9) and FR 3/8/16].

For students over the age of 23 with dependent children or students residing with parents who are seeking or receiving HCV assistance, the full amount of student financial assistance is excluded from annual income [24 CFR 5.609(c)(6)]. The full amount of student financial assistance is also excluded for students attending schools that do not qualify as institutions of higher education (as defined in Exhibit 3-2). Excluded amounts are verified only if, without verification, LMHA would not be able to determine whether or to what extent the income is to be excluded (see section **7-III.H**).

LMHA Policy

For a student subject to having a portion of his/her student financial assistance included in annual income in accordance with 24 CFR 5.609(b)(9), LMHA will request written third-party verification of both the source and the amount.

Family-provided documents from the educational institution attended by the student will be requested, as well as documents generated by any other person or entity providing such assistance, as reported by the student.

~~In addition, LMHA will request written verification of the student's tuition amount.~~

~~If LMHA is unable to obtain third-party written verification of the requested information, LMHA will pursue other forms of verification following the verification hierarchy in section 7-I.B.~~

Verification of Tuition and Fees

- LMHA will verify the amounts of tuition and required fees charged by the school when determining annual income.
- LMHA may verify the amounts using the student's bill or account statement (including an online account statement) as provided by the school's bursar's office, or by contacting the bursar's office directly.
- Additionally, LMHA may obtain an itemized list covering tuition and fees from the school.
- If the LMHA is unable to obtain third-party written verification of the requested information, LMHA will pursue other forms of verification following the verification hierarchy in section 7-I.B.

7-III.L.N. PARENTAL INCOME OF STUDENTS SUBJECT TO ELIGIBILITY RESTRICTIONS

If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, does not have a dependent child, and is not a person with disabilities receiving HCV assistance as of November 30, 2005, the income of the student's parents must be considered when determining income eligibility, unless the student is determined independent from his or her parents in accordance with LMHA policy [24 CFR 5.612, FR 4/10/06, p. 18146, and FR Notice 9/21/16].].

This provision does not apply to students residing with parents who are seeking or receiving HCV assistance. It is limited to students who are seeking or receiving assistance on their own, separately from their parents.

LMHA Policy

If LMHA is required to determine the income eligibility of a student's parents, LMHA will request an income declaration and certification of income from the appropriate parent(s) (as determined in section 3-II.E).

- LMHA will send the request directly to the parents, who will be required to certify to their income under penalty of perjury.
- The parents will be required to submit the information directly to LMHA.
- The required information must be submitted (postmarked) within 10 business days of the date of LMHA's request or within any extended timeframe approved by LMHA.
- ~~• LMHA reserves the right to request and review supporting documentation at any time if it questions the declaration or certification.~~
- Supporting documentation may include, but is not limited to, Internal Revenue Service (IRS) tax returns, consecutive and original pay stubs, bank statements, pension benefit

statements, benefit award letters, and other official and authentic documents from a federal, state, or local agency.

- LMHA reserves the right to request and review supporting documentation at any time if it questions the declaration or certification.

PART IV. VERIFYING MANDATORY DEDUCTIONS

7-IV.A. DEPENDENT AND ELDERLY/DISABLED HOUSEHOLD DEDUCTIONS

The dependent and elderly/disabled family deductions require only that LMHA verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

Dependent Deduction

See Chapter 6 (6-II.B.) for a full discussion of this deduction. LMHA will verify that:

Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse, or co-head of the family and is not a foster child

Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full-time student

Elderly/Disabled Family Deduction

See Eligibility chapter for a definition of elderly and disabled families and Chapter 6 (6-II.C.) for a discussion of the deduction. LMHA will verify that the head, spouse, or co-head is 62 years of age or older or a person with disabilities.

7-IV.B. HEALTH and MEDICAL EXPENSE DEDUCTION

Policies related to medical expenses are found in 6-II.D. The amount of the deduction will be verified following the standard verification procedures described in Part I.

Amount of Expense

LMHA Policy

Health and Medical expenses will be verified through:

- Written third-party documents provided by the family, such as pharmacy printouts or receipts.
- LMHA will make a best effort to determine what expenses from the past are likely to continue to occur in the future. LMHA will also accept evidence of monthly payments or total payments that will be due for medical expenses during the upcoming 12 months.
- Written third-party verification forms, if the family is unable to provide acceptable documentation.
- If third-party or document review is not possible, written family certification as to costs anticipated to be incurred during the upcoming 12 months

In addition, LMHA must verify that:

- The household is eligible for the deduction.
- The costs to be deducted are qualified health and medical expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

Eligible Household

The health and medical expense deduction is permitted only for households in which the head, spouse, or co-head is at least 62, or a person with disabilities. LMHA will verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter and as described in Chapter 7 (7-IV.A.) of this plan.

Qualified Expenses

To be eligible for the **health and** medical expenses deduction, the costs must qualify as medical expenses. See Chapter 6 (6-II.D.) for LMHA's policy on what counts as a medical expense.

Unreimbursed Expenses

To be eligible for the **health and** medical expenses deduction, the costs must not be reimbursed by another source.

LMHA Policy

The family will be required to certify that the medical expenses are not paid or reimbursed to the family from any source. **If expenses are verified through a third party, the third party must certify that the expenses are not paid or reimbursed from any other source.**

Expenses Incurred in Past Years

LMHA Policy

When anticipated costs are related to on-going payment of medical bills incurred in past years, LMHA will verify:

- The anticipated repayment schedule
- The amounts paid in the past, and
- Whether the amounts to be repaid have been deducted from the family's annual income in past years

7-IV.C. DISABILITY ASSISTANCE EXPENSES

Policies related to disability assistance expenses are found in **6-II.E.** The amount of the deduction will be verified following the standard verification procedures described in Part I.

Amount of Expense

Attendant Care

LMHA Policy

LMHA will accept written third-party documents provided by the family.

If family-provided documents are not available, LMHA will provide a third-party verification form directly to the care provider requesting the needed information.

Expenses for attendant care will be verified through:

- Written third-party documents provided by the family, such as receipts or cancelled checks.
- Third-party verification form signed by the provider, if family-provided documents are not available.
- If third-party or document review is not possible, written family certification as to costs anticipated to be incurred for the upcoming 12 month

Auxiliary Apparatus

LMHA Policy

Expenses for auxiliary apparatus will be verified through:

- Written third-party documents provided by the family, such as billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months.
- Third-party verification form signed by the provider, if family-provided documents are not verifiable.
- If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months

In addition, LMHA must verify that:

- The family member for whom the expense is incurred is disabled (as described in 7-II.F above).
- The expense permits a family member, or members, to work (as described in 6-II.E.).
- The expense is not reimbursed from another source (as described in 6-II.E.).
- The expense does not exceed the earned income received by the family member who is unable to work.

Family Member is a Person with Disabilities

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. LMHA will verify that the expense is incurred for a person with disabilities (See 7-II.F.).

Family Member(s) Permitted to Work

LMHA must verify that the expenses claimed enable a family member, or members, (including the person with disabilities) to work.

LMHA Policy

LMHA will request third-party verification from a rehabilitation agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work (See 6-II.E.).

If third-party and document review verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense frees a family member, or members (possibly including the family member receiving the assistance), to work.

Unreimbursed Expenses

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

LMHA Policy

The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source. LMHA may also require an attendant care

provider to certify that to the best of the provider's knowledge that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

7-IV.D. CHILD CARE EXPENSES

Policies related to childcare expenses are found in Chapter 6 (6-II.F). The amount of the deduction will be verified following the standard verification procedures described in Part I of this chapter. In addition:

LMHA Policy

LMHA must verify that:

- The child is eligible for care (13 or younger).
- The costs claimed are not reimbursed.
- ~~The costs enable a family member to pursue an eligible activity.~~
- The costs enable a family member to work, actively seek work, or further their education.
- The costs are for an allowable type of childcare.
- The costs are reasonable. ~~if seeking employment or furthering education.~~

Eligible Child

To be eligible for the childcare deduction, the costs must be incurred for the care of a child under the age of 13. LMHA will verify that the child being cared for (including foster children) is under the age of 13 (See 7-II.C.).

Unreimbursed Expense

To be eligible for the childcare deduction, the costs must not be reimbursed by another source.

LMHA Policy

The childcare provider will be asked to certify that, to the best of the provider's knowledge, the childcare expenses are not paid by or reimbursed to the family from any source.

Pursuing an Eligible Activity

LMHA must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

LMHA Policy

Information to be Gathered

LMHA will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

Seeking Work

Whenever possible LMHA will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases LMHA will request verification from the agency of the member's job seeking efforts to date and require the family to submit to LMHA any reports provided to the other agency.

In the event third-party verification is not available, LMHA will provide the family with a form on which the family member must record job search efforts. LMHA will review this information at each subsequent reexamination for which this deduction is claimed.

Furthering Education

LMHA will ask that the academic or vocational educational institution verify that the person permitted to further his or her education by the childcare is enrolled and provide information about the timing of classes for which the person is registered.

Gainful Employment

LMHA will seek verification from the employer of the work schedule of the person who is permitted to work by the childcare. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified. The documentation may be provided by the family.

Allowable Type of Child Care

The type of care to be provided is determined by the family, but must fall within certain guidelines, as discussed in Chapter 6.

LMHA Policy

- LMHA will verify that the type of childcare selected by the family is allowable, as described in Chapter 6 (6-II.F).
- LMHA will verify that the fees paid to the childcare provider cover only childcare costs (e.g., no housekeeping services or personal services) and are paid only for the care of an eligible child (e.g., prorate costs if some of the care is provided for ineligible family members).
- LMHA will verify the childcare provider is not a family member residing in the household. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.

Reasonableness of Expenses

Only reasonable childcare costs can be deducted for seeking employment or furthering education.

LMHA Policy

The actual costs the family incurs will be compared with LMHA's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable. LMHA will use local welfare agency guidelines.

If the family presents a justification for costs that exceed typical costs in the area, LMHA will request additional documentation, as required, to support a determination that the higher cost is appropriate.

EXHIBIT 7-1: SUMMARY OF DOCUMENTATION REQUIREMENTS FOR NONCITIZENS [HCV GB, pp. 5-9 and 5-10]

<ul style="list-style-type: none"> • All noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to LMHA. • Except for persons 62 or older, all noncitizens must sign a verification consent form • Additional documents are required based upon the person's status. 	
<p>Elderly Noncitizens</p> <ul style="list-style-type: none"> • A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits. 	
<p>All other Noncitizens</p> <ul style="list-style-type: none"> • Noncitizens that claim eligible immigration status also must present the applicable USCIS document. Acceptable USCIS documents are listed below. 	
<ul style="list-style-type: none"> • Form I-551 Alien Registration Receipt Card (for permanent resident aliens) • Form I-94 Arrival-Departure Record annotated with one of the following: • “Admitted as a Refugee Pursuant to Section 207” • “Section 208” or “Asylum” • “Section 243(h)” or “Deportation stayed by Attorney General” • “Paroled Pursuant to Section 221 (d)(5) of the USCIS” 	<ul style="list-style-type: none"> • Form I-94 Arrival-Departure Record with no annotation accompanied by: • A final court decision granting asylum (but only if no appeal is taken); • A letter from a USCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a USCIS district director granting asylum (application filed before 10/1/90); • A court decision granting withholding of deportation; or • A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90).
<ul style="list-style-type: none"> • Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”. 	<ul style="list-style-type: none"> • Form I-688B Employment Authorization Card annotated “Provision of Law 274a. 12(11)” or “Provision of Law 274a.12”.
<ul style="list-style-type: none"> • A receipt issued by the USCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or • Other acceptable evidence. If other documents are determined by the USCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the <i>Federal Register</i> 	