



PIH

OFFICE OF PUBLIC & INDIAN HOUSING

Adopting Best Practices for Virtual Operations

May 17 and May 19, 2022

Agenda

- Session 1

- Introduction
- Civil rights considerations when working in a remote environment
- Overview of remote applications and remote hearings

- Session 2

- Considerations for conducting remote reexaminations
- Communicating with families and HCV owners in a virtual environment

Learning Objectives

- The goal of this training is to:
 - Identify the regulatory requirements to which PHAs must adhere when working with families in a remote environment
 - Including ensuring equal opportunity for persons with disabilities
 - Including equal access for those with limited English proficiency (LEP)
 - Provide best practices for PHAs who wish to move some program functions to a remote environment

Introduction

- As PHAs return to normal operations, they should consider the sustainability of the virtual model and what may work for the PHA long-term
- This training will explore how thoughtful implementation of virtual operations can improve PHA operations, increase customer service, and benefit applicants and participants

Civil Rights Considerations When Working in a Remote Environment



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Persons with Disabilities

Equal Access During Virtual Operations

Requirements for Equal Access for Persons with Disabilities

- Under Section 504, the Americans with Disabilities Act (ADA), and the Fair Housing Act, PHAs are required to:
 - Take appropriate steps to ensure effective communication with applicants, participants, and members of the public with disabilities
 - Make reasonable accommodations in policies, practices, and procedures to ensure persons with disabilities have equal opportunity to participate in, and enjoy the benefits of, each of the PHA's services, programs, and activities

Technology Access for Persons with Disabilities

- According to a 2021 Pew Research Center survey:
 - Americans with a disability are less likely than those without a disability to have a traditional computer or smartphone
 - 62% of adults with a disability say they own a desktop or laptop computer, compared with 81% of those without a disability
 - Americans with a disability are more likely than those without disabilities to say they never go online

Barriers to Access

- Barriers to access for persons with disabilities may include:
 - Color, size, and layout of text on printed materials or websites
 - Incompatibility of websites or digital materials with screen readers
 - Difficulty holding a mouse, using keyboards, or sitting at a device for long periods
 - Frustration at not owning technology to which they have access (e.g. using a computer in a library)
 - Reliance on “proxy users” and lack of consistent trusted support

Effective Communication

- The requirement for effective communication applies to all oral, written, audible, visual, and electronic communications
 - Includes written documents and electronic media
 - Letters, notices, emails, social media, websites, forms, leases, rules
 - Includes oral communications that occur in person, over the telephone, over the internet, and in interviews, meetings, training classes, hearings, and public presentations, when communicating with an individual with a disability or when such communications are expected

Using AA/S for Effective Communication

- Effective communication may generally be provided through the use of appropriate auxiliary aids/services (AA/S)
- PHAs must furnish appropriate AA/S where necessary as a reasonable accommodation (§ 24 CFR 8.6(a)(1))

Definition of AA/S

- *Auxiliary aids* means aids, services or devices that enable persons with vision, hearing, manual, or speech impairments to have an equal opportunity to participate in, or enjoy the benefits of, programs, services, or activities, including housing and other programs, services, and activities subject to the requirements of Section 504 and/or the ADA
- AA/S include, but are not limited to, the aids, services, and devices set out in the definition of auxiliary aids in 24 CFR § 8.3 and the definition of auxiliary aids and services in 28 CFR § 35.104

Examples of AA/S

- Examples may include:
 - Interpreters
 - Computer-assisted real time transcription (CART)
 - Captioned videos with audible video descriptions
 - Visual alarm devices
 - Accessible electronic communications and websites
 - Documents in alternative formats

Things to Consider

- PHAs may never request or require that individuals provide their own AA/S
- In order to be effective, AA/S must be provided:
 - In accessible formats
 - In a timely manner
 - In such a way as to protect the privacy and independence of the individual with a disability

Things to Consider: AA/S

- The type of AA/S necessary to ensure effective communication will vary in accordance with:
 - The method of communication used by the individual
 - The nature, length, and complexity of the communication involved
 - The context in which the communication is taking place

Accessible Technology

- PHAs must ensure that any information, websites, portals, emails, digital notifications, and platforms are accessible for persons with vision, hearing, and other disabilities
- Technology is considered "accessible" if, regardless of the medium of the technology, individuals with disabilities have ready access to and use of information and data that is comparable to the access to and use of the information and data by individuals without disabilities

Resources

- How can PHAs ensure technology is Section 508 accessible?
 - Section508.gov offers free resources on content creation, testing, and training as well as information on how to make virtual meetings accessible
 - Free and low-cost accessibility checkers are available online
 - Microsoft PowerPoint has an accessibility check feature built in
 - The PHA may work with local advocacy groups and state assistive technology groups
 - The PHA may include language about accessibility requirements when procuring new technology

Things to Consider: Reasonable Accommodations

- Disabilities are individualized
 - To ensure equal opportunity, the appropriate AA/S or reasonable accommodation depends on specific circumstances and individual requirements
- Individuals with cognitive or learning disabilities may require assistance from an advocate who may not be in the same location as that individual
- Individuals with vision disabilities may request documents in different formats
 - In order to increase font size and use with assistive technologies

Things to Consider: Reasonable Accommodation

- Individuals who are hearing impaired may request captioning
- Individuals with limited mobility may have difficulty with transportation to PHA offices
- Individuals who are immuno-compromised may be unable to meet with PHA staff in person

Benefits of a Remote Environment

- Using technology platforms may allow people with cognitive or learning disabilities to utilize an advocate who may not be in the same location as that person
- Digital materials may allow persons with vision impairments to more easily utilize a screen reader or increase font sizes

Benefits: Closed Captioning

- Using technology platforms may allow the PHA to more easily provide closed captioning to persons with hearing impairments
 - Captions must be professionally prepared and not auto-generated by the platform since that would not result in effective communication

Benefits of Meeting Virtually

- Meeting virtually or over the phone may allow individuals with disabilities who are unable to come into PHA offices because of a disability with equal access to the PHA's program
 - Persons with limited mobility
 - Persons who lack transportation
 - Persons who must reserve transportation well in advance
 - Persons who are immuno-compromised

Accessibility Resources

- PHAs may research state assistive technology programs
 - Available in every state
 - Matches older adults and persons with disabilities to appropriate technology
 - The program directory may be accessed [here](#)
- PHAs may access guidance from the Web Accessibility Initiative (WAI) by clicking [here](#)
 - For example, accessible sites may have keyboard-based controls and voice-based navigation

DOJ Accessibility Resources

- On March 18, 2022, the Department of Justice's (DOJ) Civil Rights Division published guidance on web accessibility and the ADA describing how state and local governments and businesses open to the public can make sure that their websites are accessible to people with disabilities as required by ADA
- The full guidance is available [here](#)

Best Practice 1

- PHAs may collaborate with local disability and fair housing advocacy groups to help design and implement virtual operations that ensure accessibility for persons with disabilities

Best Practice 2

- PHA may engage in ongoing quality control and recalibration once programs have been implemented to ensure programs continue to meet the needs of applicants and participants with disabilities

Best Practices 3

- PHAs may conduct meetings with or perform surveys of program participants about disability-related needs in the virtual environment both when systems are implemented and as an ongoing quality control measure

Limited English Proficient (LEP) Individuals

Ensuring Access During Virtual Operations

LEP Requirements

- Under Title VI of the Civil Rights Act, recipients of federal financial assistance have a responsibility to ensure meaningful access to their programs and activities by persons with limited English proficiency (LEP)
- Further, the Fair Housing Act prohibits discrimination based on national origin

Things to Consider for LEP

- Even in a remote environment, PHAs are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP individuals
- The PHA is not required to provide the language assistance itself and may partner with other organizations to provide the services
 - Local community resources may be used if language services are competently provided

Things to Consider: Translating

- The skill of translating is very different than the skill of interpreting
 - A person who is a competent interpreter may not be a competent translator
 - To ensure the quality of written translations and oral interpretations, HUD encourages recipients to use members of professional organizations

Things to Consider: Family Members or Friends as Interpreters

- Generally, PHAs should not rely on family members, friends of the LEP person, or other informal interpreters
 - Why?
 - The topics discussed in interviews may be complex
 - Privacy considerations, particularly when minors serve as interpreters
- However, when LEP persons choose not to utilize the free language assistance services expressly offered to them by the PHA and rely upon an interpreter of their own choosing (whether a professional, family member, or friend), LEP persons should be permitted to do so, at their own expense

Benefits of a Remote Environment for LEP Persons

- Conferencing technology may allow for remote interpretation services from anywhere in the country
- While onsite interpretation must be scheduled in advance, there are service providers that offer on-demand interpretation remotely via the phone or through technology platforms
- For remote reexams, removing an in-person interview may alleviate anxiety for LEP individuals of being interviewed or going into PHA offices

LEP Resources

- LEP.gov
- HUD LEP information is accessible [here](#)
- In December 2021, the *Limited English Proficiency Committee Title VI Interagency Working Group* published a guide for improving access to websites and services for LEP persons that can be accessed [here](#)
 - Includes best practices for developing multilingual websites and digital services

Best Practice 4

- As a best practice, the PHA should use video technology, rather than voice-only technology, if available, because of the additional visual cues
- Don't just Google it. For critical written materials, PHAs should engage with professional language translation services

Best Practice 5

- PHAs may use HUD's LEP website to access translated brochures, handbooks, forms, and booklets for different programs
- If the PHA serves many LEP individuals from one community, the PHA may collaborate with community groups and/or refugee service providers to assess any barriers to access that might exist

Older Adults

Equal Access During Virtual Operations

Digital Inclusion for Older Adults

- The Age Discrimination Act of 1975 prohibits discrimination on the basis of age in federally assisted programs and activities
- A recipient of HUD program funds may not use age distinctions or take any other actions that have the effect of excluding individuals, denying them benefits, or subjecting them to discrimination because of age (§ 24 CFR 146.13(a)(1))

Things to Consider: Barriers to Access

- Barriers to access for older adults may include:
 - Attitudes and beliefs about technology
 - Privacy concerns
 - Low technology literacy
 - Feelings of frustration or lack of self-confidence with technology use
 - Visual and hearing impairments
 - Trouble with touch screens or using a mouse
 - Reduced reactivity

Things to Consider: Individual Preference

- Some older adults may prefer to meet with PHA staff in-person
 - The PHA must allow in-person meetings as a reasonable accommodation
- If not related to a disability, the PHA still may consider offering limited in-person or over-the-phone meetings based on participant preference

Benefits of Virtual Operations

- Moving to virtual operations may help persons with limited mobility or who lack transportation no longer have to come to a PHA office
- PHA staff can help older adults perceive the usefulness of technology to enrich their lives and promote digital inclusion

Benefits of Increased Digital Literacy

- Increased digital literacy may help older adults by:
 - Decreasing social isolation
 - Prior to the pandemic, social isolation affected nearly 1 in 4 older adults
 - Connecting to family, friends, faith community
 - Better managing health and wellness – telemedicine appointments, manage preventative health, wellness programs, mental health, exercise classes
 - Accessing critical services and resources – DMV, PHA online resources, etc.
 - Pursuing interests – listen to music, watch videos, read books, practice hobbies, education and enrichment classes
 - Recognizing and avoiding internet scams

Resources for Working with Older Adults

- PHAs may research state assistive technology programs
 - Available in every state
 - Matches older adults and persons with disabilities to appropriate technology
 - The program directory may be accessed at <https://www.at3center.net/stateprogram>

Best Practice 6 for Using Technology

- Provide technology demonstrations
- Recruit and train resident ambassadors
- Set up internet areas/computer labs/internet cafés
 - Pair with support and education
- Review the individual's Form HUD 92006 to see if they've identified individuals to assist with reexams

Best Practice 7 for Using Technology

- Gamification
 - Prizes, competitions, badges, etc.
- Recognition
 - Certificates, features in newsletters, etc.
- Online opportunities for connection and continued learning
 - Virtual senior centers, libraries, museums, etc.
- Provide voice-activated technology

Case Study 1

A small PHA launched a wellness check initiative to assess the needs of public housing families. The PHA began by calling all elderly and disabled families and eventually called all families on the program. PHA representatives asked a series of questions targeting food insecurity, medical insecurity, and internet and computer access issues. Staff provided appropriate referrals based on resident needs. In the event that a family was particularly vulnerable (due to food insecurity or health conditions), PHA team members scheduled regular follow ups with the family to monitor the situation.

Violence Against Women Act (VAWA)

Equal Access for Victims During Virtual Operations

VAWA Requirements

- The Violence Against Women Act (VAWA) protects applicants, tenants, and program participants in public housing and HCV from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them (24 CFR Part 5, Subpart L)
 - Despite the name of this law, VAWA protections are available regardless of sex, gender identity, or sexual orientation

Things to Consider: VAWA

- As a result of the pandemic and related economic impacts, there has been a national surge in domestic violence
- If PHAs conduct remote reexams, it may be harder for individuals who need protection under VAWA to claim protections
 - Victims may be unable to ask for help because they are in the home with the abuser
- When using remote technology, the PHA should consider how they will ensure that a victim is in a confidential, safe location when interacting with the PHA

Things to Consider: Confidentiality

- VAWA confidentiality requirements still apply
- The PHA shall not enter any information submitted to the PHA that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking into any shared database or disclose such information to any other entity or individual, except to the extent that the disclosure is:
 - Requested or consented to in writing by the individual in a time-limited release
 - Required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program; or
 - Otherwise required by applicable law

Things to Consider

- In addition to providing required notifications to families about VAWA, the PHA may:
 - Add language to notices, forms, and electronic communications that clearly states how individuals who wish to claim protections can contact the PHA

Best Practice 8

- When using remote conferencing technology, the PHA may explain how the system operates and that there may be potential safety and confidentiality risks, even if the system is encrypted
- The PHA may work with local advocacy groups when designing and implementing remote processes to ensure that victims are protected

Best Practice 9

- The PHA may train maintenance and inspections staff on VAWA since they may be the only PHA employees who interact in person with a victim

Best Practice 10

- When providing forms through the mail, the PHA should be mindful that delivery of information about VAWA via mail may place the victim at risk (the abuser may monitor the mail)
 - HUD encourages PHAs to work with individuals to make delivery arrangements that do not place the tenant at risk

Case Study 2

With rates of substance abuse, child abuse, domestic violence, depression, and isolation at high levels due to the pandemic, a medium-sized PHA received funding from a local foundation to create an initiative to address the needs of residents and participants during the pandemic. A licensed clinical social worker worked in tandem with several PHA staff to act on referrals from the PHA's security, maintenance, public safety, and resident services staff concerning residents in crisis. The licensed clinical social worker also recruited and supervised a social work intern. Together they provided counseling and support services to families, triaged urgent situations, and guided residents to effective services.

Overview of Considerations for Remote Applications and Hearings



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Notice PIH 2020-32

- *Guidance for PHAs on the Allowability of Remote Hearings and Remote Briefings*
- Issued November 20, 2020
- Presents best practices for determining if barriers exist to conducting a remote hearing or remote briefing and outlines PHA requirements to ensure equal opportunity and nondiscrimination for individuals with disabilities and limited English proficient (LEP) persons

Accepting Applications Remotely

- The PHA decides the method of accepting and processing applications in both the HCV and public housing programs
 - PHAs may, but are not required to, accept paper applications in-person
 - PHAs may accept applications by mail, email, online, by telephone, or by fax

Benefits of Accepting Applications Online

- May be more convenient for applicants to access applications from various electronic devices using the internet
- May allow a PHA to gather applicant data automatically and populate the PHA's waiting list database
- May eliminate the need to contact applicants when information is missing since all required fields will need to be completed prior to application submission and acceptance

Accessibility of Applications Online

- Online applications must be:
 - Accessible to individuals who are blind or visually impaired
 - Translated into other languages in accordance with the four factors described in HUD's LEP Guidance
- If a PHA accepts online applications, accepting applications by other means as a reasonable accommodation is also required
 - For example, PHAs may assist with the completion of applications during home visits upon request

Benefits of Accepting Applications Other than In-Person

- Accepting applications via mail, email, online, or fax may have the following benefits:
 - May reduce barriers for applicants who have difficulty traveling to the PHA office because of a disability, work, or family care responsibilities
 - May reduce barriers because the family lives in another neighborhood within the PHA's market area or is living out-of-state and interested in relocating to the PHA's area
 - May limit staff time spent servicing walk-in applicants and scheduling and conducting applicant interviews

Considerations When Accepting Applications Other than In-Person

- If a full application is mailed, follow-up phone calls or correspondence are often required to obtain additional information and to ascertain the accuracy of all entries on the application form prior to verification

Additional Resources

- For more information, please refer to:
 - The *Waiting List and Tenant Selection* chapter of *The Public Housing Occupancy Guidebook*
 - https://www.hud.gov/sites/dfiles/PIH/documents/PHOG_Waiting_List_Chapter.pdf
 - Note, the *Waiting List and Tenant Selection* chapter of *The Housing Choice Voucher Program Guidebook* is coming soon

End of First Session

Questions and Answers



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Considerations for Conducting Remote Reexaminations



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Reexaminations

Conducting Remote Annual and Interim Reexaminations in Public Housing and HCV

Regulations and Guidance Governing Annual Reexams

Public Housing

- The regulations requiring annual reexams for income-based rent in public housing are found at § 24 CFR 960.257
- The *Reexaminations* chapter of the *Public Housing Occupancy Guidebook* may be accessed [here](#)

HCV

- The regulations requiring annual reexams in HCV are found at § 24 CFR 982.516(a)(1)
- The *Reexaminations* chapter of the *HCV Guidebook* may be accessed [here](#)

Regulations and Guidance Governing Interim Reexams

Public Housing

- The regulations for interims in public housing are found at § 24 CFR 960.257(b)
- The *Reexaminations* chapter of the *Public Housing Occupancy Guidebook* covers interims in Section 2.5 may be accessed [here](#)

HCV

- The regulations for interims in HCV are found at § 24 CFR 982.516(c) and (d)
- The *Reexaminations* chapter of the *HCV Guidebook* covers interims in Section 2.2 and may be accessed [here](#)

Things to Consider: Establishing Remote Reexams

- PHAs are not required to conduct in-person reexams
 - Unless it is necessary to accommodate persons with disabilities or persons with Limited English Proficiency (LEP)
- PHAs that have established effective remote annual reexam procedures because of the pandemic may continue utilizing those procedures as they return to normal operations provided reexams are conducted in a timely manner

Things to Consider: Reexam Policies

- The PHA must establish policies indicating how annual reexaminations will be conducted
 - A move to remote reexams may require revision to PHA policies and/or the PHA Plan
- A family may request, and the PHA must process within a reasonable time of the request, an interim reexamination of family income or composition at any time due to changes since the last reexamination

Things to Consider: Remote Reexams

- In the HCV program, if the PHA implements remote voucher briefings at intake, implementing remote reexams may mean that families never meet face-to-face with the housing authority
- Postage costs may increase for reexams conducted by mail

Things to Consider: Electronic Portals and Files

- If the PHA wishes to implement online reexam portals, the PHA may need to procure a new software system or supplement existing software
- If the PHA moves to electronic files, the PHA may need to procure a file management system and will need to set up procedures for scanning documents into the system and maintaining files
 - Initial set up will likely be labor intensive

Things to Consider: Processing Reexams

- If reexams are processed through an online portal, the PHA may also consider implementing a digital file system
 - Moving to a digital platform will require both financial and human resources
- If reexams are processed through the mail, either digital or paper files are feasible

Things to Consider: Other Remote Reexam Issues

- Many elderly individuals look forward to meeting with PHA staff
- When initially moving to remote reexams, the PHA will likely need to educate families on the new process
- The PHA must have systems in place to safeguard PII

Things to Consider: Required Reporting

- In both public housing and HCV, the PHA has flexibility in determining when and under what circumstances families are required to report increases in income between annuals
- PHAs may amend interim reporting requirements to reduce the number of interims processed by staff
 - For example, only processing an interim for increases that follow an interim that was conducted for a decrease in income

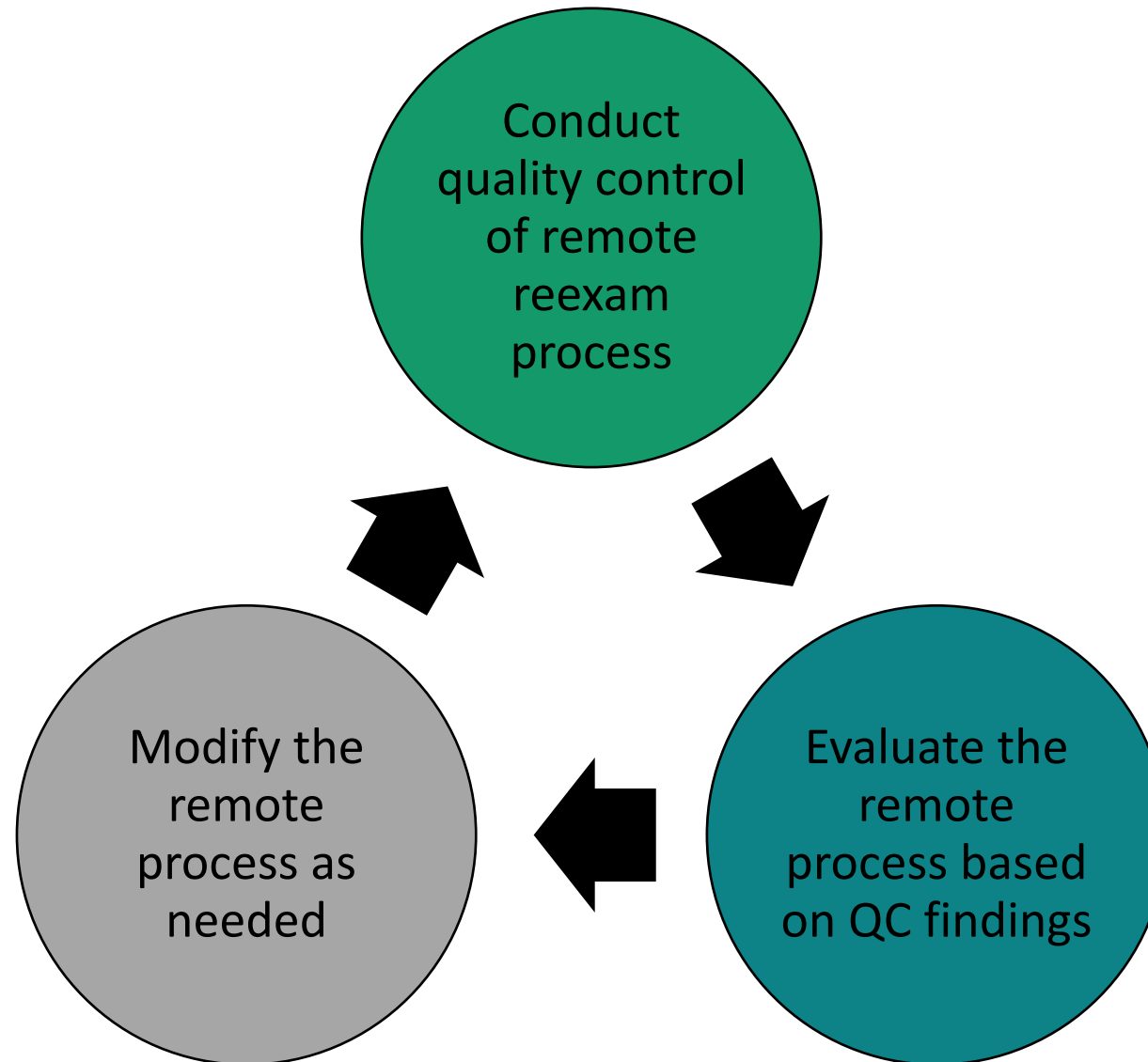
Things to Consider: Failure to Report

- One risk of performing remote reexams is that families may fail to report required information because:
 - PHA documents may be unclear
 - The family may lack information on how to properly provide information or verifications
 - A face-to-face interview is not being conducted
 - The PHA is unable to immediately ask follow-up questions of the family
 - Some families may intentionally underreport

Quality Control

- The PHA may consider conducting quality control reviews in order to ensure the remote process is working by:
 - Pulling a sample of files and reviewing paperwork
 - Bringing a sample of families who have completed remote reexams for in-person follow-up
- The PHA may analyze:
 - Do families have difficulty with certain paperwork or questions?
 - Are there certain questions people consistently leave blank?
 - Are there certain questions that are consistently answered incorrectly?

Quality Control Process



Remote vs In-Person Work

- When adopting remote reexams, PHA staff may remain at PHA offices or may work remotely
- In other words, remote reexams do not necessarily mean that PHA staff works remotely
- The PHA may consider the capability of staff to work remotely and the benefits and drawbacks of remote vs in-person work

Benefits for Families

- Remote reexams may allow persons with limited mobility, persons who lack transportation, persons who must reserve transportation well in advance, or persons who are immunocompromised to no longer come to a PHA office
- People who are working will not need to request time off to come into the PHA's office for a reexam interview
- People who require childcare will not need to arrange childcare to come into the PHA's office for a reexam interview

Benefits to PHAs

- May take less time to process a reexam since an in-person interview is not being conducted
- May allow PHAs to reevaluate staffing
- If the PHA is required to move to remote operations due a disaster, infrastructure will already be in place
- Digital files may reduce storage needs and/or reduce paper/file costs for the PHA
- May provide an opportunity to streamline PHA operations

Options for Conducting Remote Reexams

- Remote reexams may be conducted in various ways, such as:

The PHA mails packets to families and the family mails the packet back.

- The PHA may keep a paper file or scan the documents and keep a digital file

The PHA mails packets to families and gives families the option to mail the packet or complete the reexam through a portal/website.

- Most likely, the PHA will keep digital files for reexams completed through the portal
- For mailed reexams, the PHA may keep a paper file or scan the documents and keep a digital file

The PHA performs all reexams through digital means such as a portal or website.

- Most likely, the PHA will keep a digital file

Option 1 for Implementing Remote Reexams

Option 1

Ask clients their preferred method when the system is implemented

- Allow clients to change methods, as need, in the future

Options may include:

- Uploading documents through a portal/website and an email notification of reexam results
- Paper reexam packets sent to the PHA via mail and a paper letter with reexam results
- Traditional in-person reexam and a paper letter with reexam results

Option 2 for Implementing Remote Reexams

Option 2

At each reexam, as part of the notification letter, give all families the option to recertify either online through a website/portal or through the mail

- As part of the reexam packet, provide both information on accessing the PHA's website/portal and an envelope with the PHA's address and pre-paid postage

Option 3 for Implementing Remote Reexams

Option 3

Adopt a hybrid model: Certain reexams are conducted by mail/virtually and others are conducted in-person

- For example, the PHA may move to reexams by mail or virtually for elderly or disabled families or for families whose only source of income is a fixed source
- For those families who recertify remotely, offer the ability to recertify in-person if needed as a reasonable accommodation or for LEP individuals

Best Practices 11: Notification Letters

- Notification letters may need to be revised to ensure:
 - All documents the family must provide are clearly described
 - The format for submission of documents is clearly described
 - Only documents that are necessary to process the reexam are requested
 - The remote reexam process is clearly described

Best Practices 12: Applications

- The application for continued occupancy may need to be revised
 - Are questions clear, concise, and written in plain language?
 - For example, are concepts like “assets disposed of for less than fair market value” or “disability assistance expenses” explained?
 - Are all questions pertinent?
 - Don’t capture information that doesn’t need to be captured

Best Practice 13: Reexam Packets

- The PHA's reexam packet may need to be reviewed
 - Are all forms clear and concise?
 - Will clients be able to understand what the forms are asking without assistance?
 - Are all forms necessary?
 - Are there duplications among forms?
 - For recertifications through the mail, the PHA may create a booklet to ensure all documents are returned and to avoid missing documents
 - All necessary documents located in one place
 - Stapled/bound rather than loose sheets of paper

Best Practice 14: Initial Implementation

- When initially moving to remote reexams, the PHA may need to educate families on the new process
 - Create YouTube videos
 - Hold meetings
 - Use the PHA website and social media
 - Send emails
 - Involve participants, including meeting with resident groups/leaders

Best Practice 15: Customer Contact Center

- The PHA may consider implementing a customer contact center in order to aid with processing reexams
 - Clients may call to inquire about the status of their reexam and with other questions
 - Call center staff contact clients if any information is missing
 - This allows the staff who process reexams to concentrate on processing

Best Practice 16: Kiosks

- The PHA may implement a kiosk for families who do not have access to the internet or need assistance to fill out documents
 - The PHA may provide kiosks at PHA locations
 - PHA staff may need to be available to assist families in using the kiosk

- The PHA may offer:
 - All forms families may need on the PHA's website for download
 - A wide variety of methods to submit verifications—email, fax, website, portal, in-person drop box, and through the mail

Case Study 3

A medium-sized PHA adopted an online, portal-based system for reexams and other activities. The PHA provided a step-by-step online tutorial via YouTube to walk participants through how to recertify online. Families are also able to print a summary of the information they provided in the portal once all information has been submitted. An email is also generated to the family confirming that all information has been submitted to the portal.

However, since not all families have access to reliable internet or a computer, the PHA also implemented kiosks in its offices where families may recertify and upload documents.

Case Study 4

A large PHA allows families to recertify by mail or through an online system. The housing authority adopted two different portals – one allows participants to complete and submit their annual reexam documentation online and to communicate with staff and the other allows clients to review their current family information and submit requests, including for interim reexams.

The annual reexam process is generally started 120 days prior to the effective date. Clients are given 30 days to submit their information either through the mail or via the PHA's portal. Staff have 60 days to contact clients if any information is missing and to complete the reexam. Notices are sent through the mail at least 30 days in advance of the effective date.

PII Considerations

Protection Personally Identifiable Information (PII)

Personally Identifiable Information (PII)

- **Personally Identifiable Information (PII)**

- Defined in OMB M-07-16 as “. . . information which can be used to distinguish or trace an individual’s identity, such as their name, social security number, biometric records, etc. alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother’s maiden name, etc.” ii)

Sensitive Personally Identifiable Information (PII)

- **Sensitive Personally Identifiable Information**

- PII that when lost, compromised, or disclosed without authorization could substantially harm an individual
- Examples include social security or driver's license numbers, medical records, and financial account numbers such as credit or debit card numbers.

PII Regulations and Notices

- Regulations and notices governing PII for PHAs:
 - Notice PIH 2015-06
 - 24 CFR § 5.212
 - Office of Management and Budget (OMB) Memorandum-17-12, “Preparing for and Responding to a Breach of Personally Identifiable Information”, January 3, 2017
 - Section 6 of the Housing Act of 1937
 - The Privacy Act of 1974, 5 U.S.C. § 552a (Privacy Act)
 - The Freedom of Information Act (FOIA)
 - 5 U.S.C. § 552
 - Section 208 of The E-Government Act

Privacy Act Requirements

- The Privacy Act requires that:
 - Federal agencies maintain only such information about individuals that is relevant and necessary to accomplish its purpose.
 - Information be maintained in systems or records – electronic and paper – that have the appropriate administrative, technical, and physical safeguards to protect the information, however current
- PHAs must be aware of requirements under state and local law as well

- Do not collect or maintain sensitive PII without proper authorization
- Collect only the PII that is needed for the purposes for which it is collected
- Do not place PII on shared drives, multi-access calendars, an Intranet, or the Internet

- Do not distribute or release sensitive PII to other employees, contractors, or other third parties unless you are first convinced that the release is authorized, proper and necessary
- Only share or discuss sensitive PII with those personnel who have a need to know for purposes of their work. Challenge anyone who asks for access to sensitive PII for which you are responsible

- When discussing sensitive PII on the telephone, confirm that you are speaking to the right person before discussing the information and inform him/her that the discussion will include sensitive PII
- Never leave messages containing sensitive PII on voicemail

- Before faxing PII:
 - Coordinate with the recipient so that the PII will not be left unattended on the receiving end
- After faxing PII:
 - Ensure that none of the transmission is stored in memory on the fax machine, that the fax is in a controlled area, and that all paper waste is disposed of properly (e.g., shredded)
- When possible, use a fax machine that uses a secure transmission line

- When faxing sensitive PII:
 - Use only individually-controlled fax machines, not central receiving centers
 - Use the date stamp function
 - Confirm the fax number
 - Verify that the intended recipient is available
 - Confirm that intended recipient has received the fax

Best Practices 18: Mailing PII

- When using the mail to deliver information with sensitive PII:
 - Double-wrap the documents (e.g., use two envelopes – one inside the other)
 - Mark only the inside envelope as confidential with the statement —To Be Opened By Addressee Only.
 - Seal Sensitive PII in an opaque envelope or container
 - Mail using First Class or Priority Mail or a traceable commercial delivery service (e.g., UPS or FedEx)

Notice PIH 2015-06: Resources

- The National Institute of Standards and Technology (NIST) publishes templates and guides for what security awareness trainings should entail
 - PHAs should maintain adequate documentation that supports the training for all staff as well as maintain auditable records of training completion
- NIST provides publications for reference on Building an Information Technology Security Awareness and Training Program and Security and Privacy Controls for Federal Information Systems and Organizations

Electronic Signatures

Requirements and Best Practices

Accepting Electronic Signatures

- PHAs who move to online systems, portals, or kiosks may accept electronic signatures on certain documents
- The *COVID-19-Related Frequently Asked Questions (FAQs) for Public Housing Agencies (PHAs)* state:
 - OC15. Can we switch to electronic signatures for leases, procurement documents, and forms? Do we need a third-party verification software for validation?
 - A. This answer depends on your state or agency's own policies. There are no requirements for third-party verification for these documents in the public housing or HCV regulations.

Requirements for Electronic Signatures

- Creating a valid and enforceable electronic signature requires satisfying the following signing requirements:
 1. A person (i.e., the signer) must use an acceptable electronic form of signature;
 2. The electronic form of signature must be executed or adopted by a person with the intent to sign the electronic record (e.g., to indicate the person's approval of the information contained in the electronic record);
 3. The electronic form of signature must be attached to or associated with the electronic record being signed;
 4. There must be a means to identify and authenticate a particular person as the signer; and
 5. There must be a means to preserve the integrity of the signed record.

Things to Consider: Maintaining Documents

- The PHA must ensure they maintain documents in appropriate formats
- PHAs are strongly encouraged to consult their legal counsel in determining the requirements for “wet” signatures for documents required by other federal, state, or local laws and/or agencies

Resources on Electronic Signatures

- The use of electronic signatures in transactions involving federal organizations is primarily governed by one or more of the following laws (“E-Transaction Laws”):
 - Electronic Signatures in Global and National Commerce Act (E-SIGN) (15 U.S.C. § 7001 et. seq., effective October 1, 2000)
 - The Uniform Electronic Transactions Act (UETA)
 - Government Paperwork Elimination Act (GPEA) (44 U.S.C. § 3504, enacted in 1998)
- PHAs are encouraged to review “Use of Electronic Signatures in Federal Organization Transactions” issued by the Federal Chief Information Officer (CIO) Council in January 2013 for general guidance for compliance with the legal requirements for electronic signatures

Working with Files

Requirements and Best Practices for Electronic Files and Working with Paper Files Remotely

Maintaining Files

- PHAs may maintain electronic files, paper files, or a combination of both
- When information is stored electronically, data should be encrypted using a NIST compliant encryption solution

Accessing Electronic Information

- Access to electronic information must comply with the same HUD program requirements that apply to paper files
- Record retention regulations apply whether files are digital or paper format
 - PHAs are required to retain the last three years of the form HUD-50058, and supporting documentation, during the term of each assisted lease, and for a period of at least 3 years from the end of participation (EOP) date (§ 24 CFR 908.101)

- Clearly label all files containing sensitive PII by placing appropriate physical labels on all documents, removable media such as thumb drives, information systems, and applications
 - Examples of appropriate labels might include —For Official Use Only or —For (Name of Individual/Program Office) Use Only

- Lock up all hard copy files containing sensitive PII in secured file cabinets and do not leave them unattended
- Protect all media (e.g., thumb drives, CDs, etc.,) that contain sensitive PII and do not leave unattended
- This information should be maintained either in secured file cabinets or in computers that have been secured

Notice PIH 2015-06: Bringing Paper Files Home

- Do not remove records about individuals with sensitive PII from facilities where HUD information is authorized to be stored and used unless approval is first obtained from a supervisor
- Sufficient justification, as well as evidence of information security, must be presented

Best Practice 19

- Set up a virtual private network (VPN) for employees who are working with PII while at home
- Ensure that staff do not save or store any file containing PII on their own PC or other device
- Have staff save files to an encrypted USB-flash drive

Best Practice 20

- Secure digital copies of files containing sensitive PII
- Protections include:
 - Encryption
 - Implementing enhanced authentication mechanisms such as two-factor authentication
 - Limiting the number of people allowed access to the files

Communicating with Families and HCV Owners in a Virtual Environment



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Broadband Access

Creating access to broadband technology for low-income families

Things to Consider: Benefits of Broadband Access

- Broadband internet is vitally important for education, employment, health, and connection to others
- Multiple studies have shown that having broadband internet in the home increases household income and yields higher educational achievement for students

Things to Consider: The Digital Divide

- According to a 2016 article by HUD PD&R, low-income families are disproportionately disadvantaged when it comes to access to broadband technology
- Although 67% of all US adults aged 18 and older had broadband internet access at home in 2015, this rate was 41% among adults with a household income below \$20,000 and 90% among adults with a household income of more than \$100,000
- This is known as “the digital divide”

Public Housing Funds for Broadband Access

Operating Funds

- May be used to provide computer internet services to residents in their units and in common areas
- Cover costs of computer internet service for computer labs, common areas, and PHA operation and management purposes

Resident Councils

- May use the \$25 per occupied unit funding they receive for the same internet connectivity expenses

Capital Funds

- May be used for development, modernization, and management improvements
- Update buildings to support broadband internet and Wi-Fi,
- Purchase and install equipment
- Capital expenditures to facilitate programs to improve the empowerment and economic self-sufficiency of public housing residents and training to operate equipment

Things to Consider: Rural Areas

- In rural areas, it may not always be feasible to provide broadband access
 - A 2020 study from the Federal Communications Commission (FCC) found that 22% of Americans in rural areas lack broadband coverage compared to only 1.5% in urban areas
- There are American Rescue Plan (ARP) funds exclusively set aside for funding for digital equity policies which may help increase access

Resources: ConnectHomeUSA

- In 2015, HUD and nonprofit partners *EveryoneOn* and *Us Ignite* launched the *ConnectHome* pilot program
 - *ConnectHome* is a public-private collaboration to narrow the digital divide for families with school-aged children who live in HUD-assisted housing
 - The federal government, local governments, PHAs, Internet Service Providers (ISPs), nonprofits, and other stakeholders collaborate on a common platform to develop locally-tailored solutions to narrow the digital divide
 - Stakeholders provide free or low-cost internet access, computing devices, and digital literacy training
 - The *ConnectHomeUSA Playbook* can be accessed at <https://connecthomeusa.org/digital-inclusion-resources>

Best Practice 21

- The PHA may consider:
 - Providing PHA-supplied devices such as laptops/tablets or mobile hotspots for check out from the PHA office or at public housing sites
 - Adding computers and internet service in community rooms or rooms in the PHA office
 - Privacy considerations
 - Allowing temporary access to password protected Wi-Fi at PHA offices/in the PHA lobby/at public housing developments

Best Practice 22

- The PHA may consider:
 - Use of smartphone apps in addition to websites for individuals who don't have access to computers
 - However, participants may have restricted data plans – provide WiFi access
 - Researching broadband internet providers offering free or low-cost internet access
 - Providing toll-free numbers for call-ins
 - Participants may have a limited number of minutes

Communications Strategies Employed by PHAs

Text messages, email, phone calls, social media, websites

Things to Consider: Text Messages

- Text messages tend to have much higher open rates than emails
- Many companies offer platforms to text and/or email applicants and participants through software
 - May be integrated into PHA software systems or through a separate service
 - PHAs can see open rates and if messages were received

Benefits of Text Messages

- In public housing, contacting entire property at once vs printing notices and putting them under doors
- May make it easier for the PHA to schedule inspections and re-inspections
- PHA can send general PHA news/announcements quickly
- One tool to effectively communicate with persons with hearing disabilities
- One tool to effectively communicate during emergencies like natural disasters
- May be the preferred method of communication for some families and HCV owners

Best Practice 23

- The PHA may consider making receiving text messages an “opt-in” service
 - Some participants and HCV owners will opt out because of limited phone plans, lack of technology, or a lack of comfort with technology

Case Study 5

A small housing authority began using text messages to notify participants in both their public housing and HCV programs when an inspector was on the way. However, since not all families have access to reliable internet or a computer, the PHA also implemented kiosks in its offices where families may recertify and upload documents.

Things to Consider: Email

- Emails are official written communication from the PHA
 - Although emails are quick, they still represent the PHA to families and HCV owners
- Emails may be the preferred method of communication for many families and owners

Benefits of Email

- Quick communication with families and HCV owners
- No mailing and printing costs to the PHA
- Pairs well with online reexam platforms
- Creates a written record, unlike communication over the phone
- May allow for more frequent communication between the PHA and families and HCV owners
- May help families feel more comfortable reporting routine maintenance issues or other issues to the PHA

Best Practice 24

- Critical communications such as termination notifications should not be sent via email
- The PHA may make email communication an “opt-in” service for those who do not have access to technology, prefer paper communications, or are uncomfortable with technology because of unfamiliarity or privacy issues

Best Practice 25

- The PHA may consider reminding staff that:
 - Emails should appear professional and maintain a professional tone
 - Proper spelling, grammar, and punctuation should be used
 - Staff should not send or receive emails to clients from their personal emails
 - Staff should be careful when forwarding internal communications and threads

Best Practice 26

- The PHA may consider:
 - Setting up an automated system to provide reminders for annual reexams and inspections
 - Creating dedicated email addresses to organize different types of functions
 - For example, applications@XYZPHA.com to receive applications
 - Creating email templates for staff to ensure consistency
 - Creating a formal email policy with rules of behavior, signature requirements, timeframes for responses

Best Practice 27

- As a best practice, PII should not be sent over email
- If PII must be sent via email, best practices include:
 - Creating a separate, password-protected document with the PII data and attach it to the email
 - Providing passwords in separate email or by phone
 - Using an encrypted email
 - Sending a secure email link that takes the client to an encrypted server with the message

Case Study 6

A large housing authority uses an application portal to accept applications for housing. Once an application is completed, the portal sends applicants an email notifying them the application was received and later sends emails updating applicants throughout waiting list/eligibility process as to the status of their application. This has cut down on the number of calls the agency receives regarding applicant's application status. The PHA utilizes a similar system for annual reexams.

Things to Consider: Phone Calls

- During emergency situations, assuming phone lines are working, automated call systems, hotlines, or phone trees may be a quick and effective way to disseminate information
- Automated call systems may be used to increase customer service
- Some families or HCV owners may feel more comfortable conducting business and attending meetings over-the-phone rather than through online platforms

Best Practice 28

- The PHA may consider setting up automated calling systems to provide reminders for annual reexams and regular unit inspections
- The PHA may record important announcements in voicemail messages on its main or general information telephone number to compliment announcements on the PHA's website and through mailings

Best Practice 29

- If the PHA holds virtual meetings, the PHA should consider making these meetings available over the phone for individuals who do not have internet access or prefer to use a call-in feature
- As a reasonable accommodation, the PHA must consider providing interviews over the phone rather than in-person

Things to Consider: Social Media

- Social media is a place to tell the PHA's story for all PHA functions, including:
 - Publishing announcements like opening/closing wait lists
 - Notifying families and HCV owners of holidays or special office hours
 - Encouraging FSS participation
 - Performing community outreach
 - Announcing upcoming events for families or HCV owners
 - Communicating with HCV owners and conducting owner outreach
 - Announcing special PHA initiatives

Benefits of Social Media

- Social media can:
 - Help make the PHA more approachable for families
 - Increase owner participation in the HCV program
 - Improve the public perception of the PHA
 - Show the good work the PHA does in the community

Best Practice 30

- The PHA may consider:
 - Adopting a social media policy which includes:
 - Rules of behavior
 - Identifying PHA employees who may post to social media
 - Obtaining permission prior to posting pictures of families or PHA employees
 - Partnering with other agencies that assist low-income families

Things to Consider: Websites

- It's expected that PHAs have websites at this point
- The PHA must ensure that the PHA's website is accessible for persons with disabilities and LEP requirements are met

Best Practice 31

- The PHA may consider:
 - Obtaining permission prior to posting pictures of families or PHA employees
 - Making sure pictures on the website are reflective of the population the PHA serves
 - Creating specific landing pages for different functions
 - Applications, owners, maintenance, etc.
 - Making sure the information found on the website is up-to-date

Best Practice 32

- The PHA website may be a valuable resource for families and HCV owners.
- The PHA may post pertinent policies, forms, and other documents on the website in order to allow families and owners who choose to access these documents in this way with easy access
- The PHA's website may integrate any online portals the PHA uses for reexams or other functions

Customer Service Considerations

- When moving to remote platforms, the PHA should ensure that they continue to provide high levels of customer service to applicants, participants, and HCV owners

Best Practice 33

- The PHA may consider:
 - Adopting a communication framework that emphasizes customer service
 - Training staff in customer service specific to virtual operations
 - Adopting a customer service plan
 - Ensuring buy-in by the entire agency
 - Identifying a champion for customer service initiatives
 - Periodically measuring how the PHA is doing through surveys or other means

Questions and Answers



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