



Commonwealth of Massachusetts

DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn E. Polito, Lieutenant Governor ♦ Jennifer D. Maddox, Undersecretary

Public Housing Notice 2020-18

To: All Local Housing Authorities
From: Ben Stone, Associate Director, Division of Public Housing
Subject: Protection of Personal Data at Home or in the Office
Date: April 16, 2020

DHCD has received several questions from Local Housing Authorities (LHAs) regarding their use of personal data when working remotely during the COVID-19 emergency. LHA staff must continue to comply with all applicable laws, contracts, and policies concerning privacy and confidentiality, whether working in the office or remotely..

LHA staff's use and dissemination of personal data is governed by the [Fair Information Practices Act](#) and the DHCD Privacy and Confidentiality regulation within [760 CMR 8.00](#) no matter where they are working. **LHA staff may bring files and written documents home to work on them to the extent necessary to perform their job duties and continue business operations**, but they must safeguard those materials so that no unauthorized individuals have access to the personal data. Pursuant to c. 66A and the DHCD regulation adopted thereto, the LHA must provide access to the personal information if the applicant or tenant requests it, and applicant/tenant must be given the opportunity to dispute it.

If a LHA is no longer required¹ to retain documents containing Personally Identifiable Information (PII) for business or record retention purposes, LHAs must dispose of any electronic or paper copies of documents that contain personal information by destroying it in such a manner consistent with [M.G.L. c. 93I, §2](#).

In accordance with [M.G.L. c. 121B, §26\(n\)](#), one LHA may share personal data for the purpose of tenant selection with another LHA, DHCD or a nonprofit, but it must provide the applicant with a copy of the information that has been shared. DHCD is actively working on a document upload feature for CHAMP which will allow applicants to access their uploaded screening documents online. LHAs will receive further information about document upload and relevant data-sharing permissions when this feature is rolled out in the near future.

Regarding applicant data, note that CHAMP was designed under the state Executive Office of Technology Services and Security (EOTSS) standards for the protection of personal information and are best practices for technology which an LHA should consider adopting for its own computer services, if possible, whether accessed from home or the LHA office. See [best practice recommendations](#) from Executive Office of Technology Services & Security. Whether working from home or the LHA office, you should take precautions to secure your computer and never click on suspicious links, even when they are contained in emails from a sender who appears to be someone who you know.

You should also be aware that the Massachusetts Executive Office of Public Safety Department of Criminal Justice Information Services (DCJIS) has filed an emergency regulation concerning the in-person identification requirements for accessing Criminal Offender Record Information (CORI) during the COVID-19 emergency. Briefly, the emergency regulation allows LHAs to verify an applicant's identity by inspecting a photographic copy of the applicant's government issued identification document during a teleconference with the applicant. If the LHA cannot verify an applicant's identity by teleconference or through receipt of a notarized CORI acknowledgement form, the LHA may apply to the DCJIS to use an alternate means of identity verification. The emergency regulation is effective immediately and will terminate at the end of the COVID-19 emergency. [DJCIS EMERGENCY REGULATION](#)

If you have further questions in this regard, please consult your LHA Attorney and/or IT professional.
If you have questions about this PHN, please contact your assigned DHCD HMS.

¹ The records conservation board state-wide disposal schedule requires LHAs to retain documents for applicants 3 years from termination of the application and for tenants 6 years from the end of the tenancy