

Public Housing Notice 2006-12

TO: All Local Housing Authority Executive Directors  
All Non-Profit Housing Agencies administering Massachusetts Rental Voucher Program

FROM: Carole E. Collins, Director, Bureau of Housing Management

SUBJECT: Wage Match for State Housing Program Tenants

DATE: November 09, 2006

On June 29, 2004 we issued Public Housing Notice 2004-05, which announced the availability of a web based system for conducting Wage Match for state housing program tenants, including tenants in conventional housing, MRVP and AHVP, to local housing authorities (LHAs). All Massachusetts housing authorities and non-profit agencies that administer state-funded housing programs must participate in this Wage Match program. The pertinent law and regulations can be found at M.G.L. c. 62E, M.G.L. c. 66A 760 CMR 6.00 and 801 CMR 3.00.

The wage match system information is exchanged via the statewide network. LHAs will transmit data via the internet Wage Match System, which is accessed through the housing authority DHCD Housing Applications web page. We will then transmit the data to the Department of Revenue (DOR). DOR will then match the data against its wage reporting files, provide information to DHCD, and in turn DHCD will forward the information to the LHA. We anticipate that responses will be received back at an LHA within five days. LHAs will review the data to determine whether income reported by tenants for determining rent is correct.

We are required, on a periodic basis, to provide information about the wage match system. Further, we must ensure that LHA's and Non-Profits are informed of the confidentiality requirements and penalties for non-compliance.

#### For Whom is Wage Match Conducted and Notification Process

LHAs shall conduct wage match for every adult member (aged 18 and over) of the tenant household residing in state housing programs. Tenants must be informed about the wage match program and must authorize the use of their Social Security numbers for the program. Although, tenants are required by the lease to provide their social security number, and to authorize use of their social security number by the housing authority for verification of income and assets through DOR's tax system, wage reporting, and bank match systems or similar means of verification, there is no requirement that applicants or tenants have a social security number to be eligible or housed. Please send the attached letter and authorization form to all households. The letter explains the program and asks adult tenants to furnish their Social Security numbers. You must personalize this letter before sending it. The letter should be placed on housing authority letterhead. Also, the name of the authority, the due date, and the return address must be added to the authorization form. You must retain these authorization forms.

#### Confidentiality and Controls

Because LHAs, through this system, have access to personal data as defined by M.G.L. c.66A, LHAs must ensure confidentiality of information requested and received through the wage match system. As such, LHAs are subject to and must comply with all applicable laws and regulations relating to confidentiality and privacy, including but not limited to M.G.L. c. 62E, M.G. L. c. 66A, and 760 CMR 4.00 and 801 CMR 3.00. The Executive Director is responsible for ensuring that the employee(s) understand the serious nature of any misuse of the system or the information obtained. LHAs agree to take reasonable steps to ensure that information requested or received is not improperly used or accessed, and is secure. Each LHA shall adopt its own set of guidelines for handling wage match information, which shall include, at a minimum, the following:

- (1) a list of employees who will be authorized to request and receive information provided through the Wage Match system
- (2) a statement concerning assurance as to protection of privacy and confidentiality including but not limited to access to computer, printed materials, and storing of information
- (3) set forth that the use of wage match information is to verify income and assets of households in the LHA's state housing programs
- (4) statements that the LHA will notify DHCD immediately both orally and in writing if any personal data is improperly used or accessed. The LHA will cooperate with DHCD to enjoin or prevent misuse of, regain possession of, and otherwise protect the data.

#### Procedures for Handling Cases of Income Discrepancy

The information obtained from DOR is to be compared with income information reported by tenants for rent determination to see if there are any significant discrepancies. Significant in this case is defined as a difference between a household's income, based on information from DOR that reported by the tenant or voucher holder, of ten percent or more. Cases of discrepancy will be identified in the manner described below.

##### A. Identifying Cases of Income Discrepancy

The LHA or Non-Profit will compare income and asset information reported for members of a tenant household with information provided by DOR. The LHA will use its best judgment to identify cases where there is a discrepancy of ten percent or greater. This ten percent figure triggers a rent redetermination under 760 CMR 6.00 and 760 CMR 49.00.

When the LHA or Non-Profit believes a tenant probably has income that exceeds this ten percent threshold, the LHA or Non-Profit will ask the tenant to explain the difference at meetings with housing authority or non-profit staff.

##### B. Meetings/Hearing Process

The LHA or Non-Profit shall provide the tenant with an opportunity to explain the discrepancy.

1. The tenant will be requested in writing to attend a meeting at the housing agency. The letter must state the purpose of the meeting and contain the information from DOR that will be discussed. The letter will ask the tenant to call the housing agency to arrange for a mutually agreeable time.
2. If the tenant does not contact the LHA or Non-Profit, the housing agency will make a reasonable effort to set up the meeting. If no meeting has been arranged with the tenant after three weeks from the date of the notification letter, the housing agency will proceed to Step 5.
3. At the meeting, the housing agency director or his or her designee will discuss the information obtained from DOR concerning the tenant's income and how it might affect the tenant's rent or voucher amount, or might be grounds for the tenant's eviction or termination.

The tenant will be given three weeks from the date of this meeting to provide income information, documentation, or other evidence that shows why DOR information is incorrect. The LHA or Non-Profit will evaluate all information provided by the tenant.

4. The LHA or Non-Profit will then send a letter notifying the tenant of the action it will take, if any. If adverse action will be taken (i.e., increased rent, termination, or eviction), the housing agency will ask the tenant to attend an additional meeting. The letter will state clearly how the tenant is to schedule this meeting and the deadline for doing so. This meeting should be held within three weeks of the date of the letter. Any adverse action the LHA or Non-Profit plans to take shall commence following this meeting, if one is held, or at the end of the three-week period, if the tenant does not schedule or attend a meeting.

5. Tenants who feel aggrieved because of adverse action taken by an LHA or Non-Profit are entitled to a grievance hearing according to procedures outlined in 760 CMR 6.08 for state housing tenants and 760 CMR 49.10 for voucher holders (which refers to the process outlined in 760 CMR 6.08).

Reporting Adverse Actions to DHCD

LHAs and Non-Profits must report to DHCD any adverse actions they take for each tenant, such as evictions or termination proceedings, rent increases, or rent repayment arrangements. These cases should be reported on the attached form. It is not necessary to report cases that are investigated but are cleared.

Executive Director/Board Approval

Your signature below will indicate that you have read and thoroughly understand the contents of this notice. Please have the Executive Director, as well as the Chairman of your Board of Commissioners sign on the appropriate lines below, after Board approval, and forward a copy to your Housing Management Specialist. For more information about the wage match system, please call Bruce Siegel of the Bureau of Housing Management at (617) 573-1235.

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Executive Director

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Chairman, Board of Commissioners