

# Protecting Personally Identifiable Information

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HUD Office of Housing Counseling



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# Webinar Logistics

## Audio is being recorded.

- The playback number along with the PowerPoint & a transcript will be available on the [HUD Exchange](#).
- The webinar will be posted in 7-10 days.

Handouts were sent out prior to webinar. They are also available in **Handouts** section of the Control Panel.

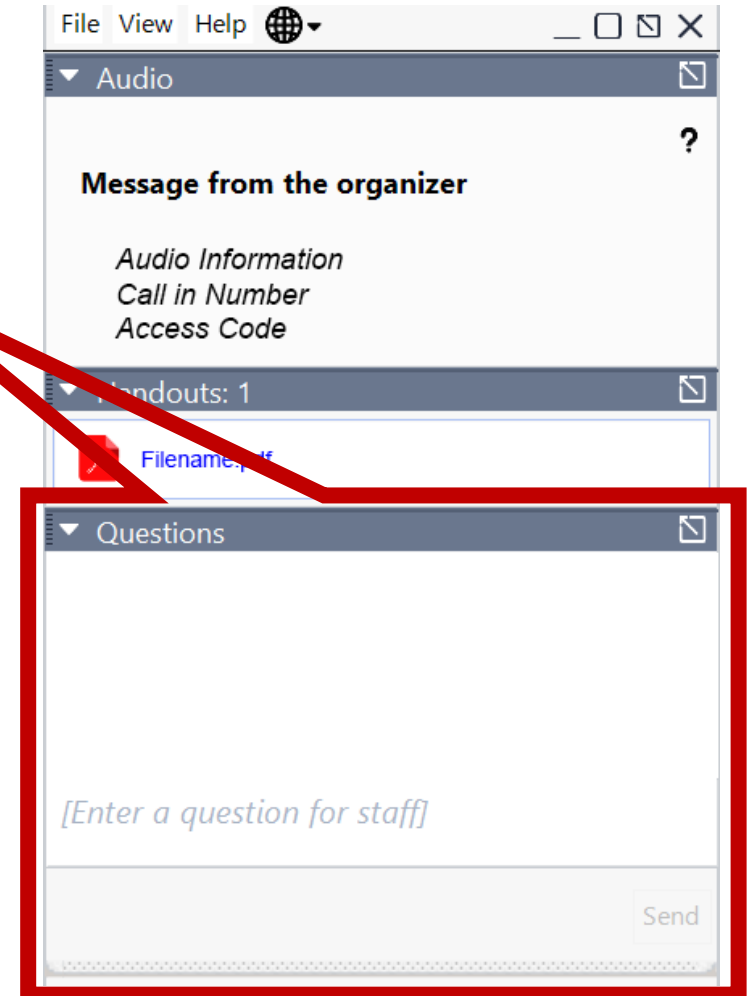
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# Ways to Ask Questions

Please submit your text questions and comments using the **Questions Panel**. We will answer some of them during the webinar.

You can also send questions to:  
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# Training Archives

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# Housing Counseling Training Digest

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## Housing Counseling Weekly Training Digest

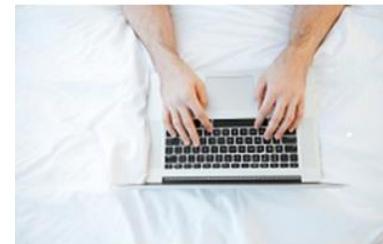
The Housing Counseling Training Digest is updated weekly to reflect trainings hosted by:

- HUD Office of Housing Counseling (OHC)
- OHC funded training partners
- Other partners that host trainings of interest to housing counselors

Please email [housing.counseling@hud.gov](mailto:housing.counseling@hud.gov) to notify HUD about upcoming training and events for housing counselors.

**Content current as of November 16, 2020**

[Subscribe to the Housing Counseling Mailing List](#) to receive training updates in your inbox.



### Upcoming Training Calendar

View upcoming trainings for Housing Counseling and other HUD funded programs.



### Webinar Archive

View past webinars hosted by the Office of Housing Counseling and access related materials.



### Online Training

Access self-paced online training modules, such as Introduction to Housing Counseling.

# National Homeownership Month 2023



# Agenda

- What is Personally Identifiable Information (PII)?
- The Privacy Act
- Privacy Requirements of the Housing Counseling Program
- Agency Privacy Policy – Disclosures
- Tips for Protecting Sensitive PII
- HUD Privacy Policy and Guidance
- Resources and Training



# The Privacy Act

The Privacy Act was Enacted in 1974 ([5 U.S.C. 552a](#))

- Establishes controls on personal information collected, maintained, and used by executive agencies.
- Establishes a code of fair information practices that govern the collection, maintenance, use, and dissemination of information about individuals that is maintained in a system of records by Federal agencies.

# The Privacy Act

Requires Federal Agencies to:

- Inform individuals of the purpose, use and sharing of personal information
- Grant access to individuals on whom records are maintained
- Develop System of Record Notices (SORNs)
- Conduct Privacy Reviews
- Ensure key personnel are trained

# The Privacy Act

- The Privacy Act requires that federal agencies maintain only such information about individuals that is relevant and necessary to accomplish its purpose. The Privacy Act also requires that the information be maintained in systems of records, electronic and paper, that have the appropriate administrative, technical, and physical safeguards to protect the information.
- This responsibility extends to contracts, third parties, Housing Counseling Agencies/Public Housing Authorities (HCA/PHA) who are required to maintain such systems of records by HUD.

# What is Personally Identifiable Information (PII)?

## Stand Alone Identifiers

- Name, Address, Email, Phone#
- Social Security Number
- Driver's license or State ID#
- Passport Number
- Alien Registration Number
- Financial Account Number
- Biometric Identifiers

## If Paired With Another Identifier

- Citizenship or Immigration Status
- Medical Information
- Ethnic or Religious Affiliation
- Sexual Orientation
- Account Passwords
- Last 4 Digits of SSN#
- Date of Birth
- Criminal History

# Privacy Requirements of the Housing Counseling Program

Outlined in Housing Counseling Handbook [7610.1](#) and [24CFR214](#)

- HUD participating HCAs must maintain the confidentiality and privacy of client information. HCAs must keep all client information, including credit reports, confidential and secure.
- All staff who interact with clients and collect personal information must be trained on privacy issues and procedures
- HUD and the approved agencies must safeguard data with client information
- Loss of data must be reported to HUD immediately

# The Information Life Cycle

The Information Life Cycle defines how to handle data from inception to disposition. Protecting PII is important during each stage of the information life cycle.

- Data Collection
- Data Storage
- Data Usage
- Data Sharing
- Disposition

# Recordkeeping and Reporting

- The agency must have an established system of recordkeeping so that client files, electronic and paper, can be kept confidential, reviewed and annual activity data for the agency can be verified, reported, and analyzed.
- Participating agencies must ensure the confidentiality of each client's personal and financial information, both electronic and paper, including credit reports, whether the information is received from the client or from another source.
- Failure to maintain the confidentiality of, or improper use of, credit reports may subject the agency to penalties under the Fair Credit Reporting Act ([14 U.S.C. 1681 et seq](#)).
- Hard copies of client files must be kept in locked filing cabinets and electronic client files must be kept secure and be accessible only by authorized employees.

# Client Intake

- A housing counselor or administrative staff person who is trained in requirements of the [Privacy Act](#) may obtain basic information to determine if the agency can assist a potential client, schedule an appointment with a housing counselor or refer the potential client to other resources. This client intake process is not housing counseling and should not be reported to HUD under housing counseling activities.
- The Privacy Requirements of collecting PII still applies during the intake process.



# Client Management System

- All participating agencies are required to use a Client Management System (CMS) that interfaces with HUD's databases for the collection and reporting of agency and client-level data
- A participating housing counseling agency must use a CMS that can ensure the confidentiality of all client level and agency profile information. Housing counseling agencies must use a CMS which has taken all the standard and required security protections, including assurances that this data will not be shared with any entities other than HUD and the housing counseling agency, unless explicitly instructed to do so by the client themselves.

# Agency Privacy Policy

- It is recommended that agencies disclose their privacy policy
- A privacy policy disclosure is a legal document that states how an HCA collects, manages, and discloses both public and personal client data. On the form, HCA typically list the entities to whom they disclose client information.
- Information on Privacy Policies and sample forms are in the [Capacity Building Toolkit on OHC's webpage](#).

# Tips for Managing Access to Sensitive PII

- Only share or discuss sensitive PII with those who have a need to know for work purposes.
- Do not distribute or release sensitive PII to others until the release is authorized.
- Before discussing sensitive PII on the telephone, confirm that you are speaking to the right person and inform him/her that the discussion will include sensitive PII. Do not leave messages containing sensitive PII on voicemail.
- Avoid discussing sensitive PII if there are unauthorized persons in the adjacent cubicles, rooms, or hallways who may overhear your conversations.
- Hold meetings in secure spaces (no unauthorized access or eavesdropping possible) if sensitive PII will be discussed.
- Treat notes and minutes from such meetings as confidential unless you can verify that they do not contain sensitive PII. Record date, time, place, subject, chairperson, and attendees at any meeting involving sensitive PII.

# Protecting Files Containing Sensitive PII

- Clearly label all files containing sensitive PII. Examples: For Official Use Only, or For [Name of Individual] Use only.
- Lock up all hard copy files in secured file cabinets.
- Protect all media (e.g., thumb drives) and do not leave unattended. This should be maintained either in secured file cabinets or in computers that have been secured.
- Keep accurate records of where PII is stored, used and maintained.
- Periodically audit all sensitive PII holdings to make sure that all such information can be located.
- Secure digital copies of files. Protections include encryption, enhanced authentication mechanisms such as two-factor authentication and limiting the number of people with access .
- Store only on workstations located in areas that have restricted physical access.

# Protecting Files Containing Sensitive PII

- Do not remove records with sensitive PII from facilities where HUD information is authorized to be stored, or access remotely (i.e., from locations other than such physical facilities), unless approval is first obtained from a supervisor.
- Do not use interoffice or translucent envelopes to mail sensitive PII. Use sealable opaque solid envelopes. Mark the envelope to the person's attention
- When using the U.S. postal service to deliver information with sensitive PII, double wrap the document (use two envelopes, one inside the other) and mark only the inside envelope as confidential with the statement "To Be Opened by Addressee Only".
- If PII needs to be sent by courier, mark "signature required" when sending documents, in order to create a paper trail in the event items are misplaced or lost.

# Protecting Electronic Transmissions of Sensitive PII

- Redact Sensitive PII from documents that the recipient of the transmission does not need.
- When faxing sensitive PII, use the date stamp function, confirm the fax number, verify that the intended recipient is available, and confirm that he/she has received the fax. Ensure that none of the transmission is stored in memory on the fax machine, and that all paper waste is disposed of properly (shredded). If possible, use a fax machine that uses a secure transmission line.
- Do not place PII on shared drives, multi-access calendars, the Intranet, or the Internet.
- Do not let PII documents sit on a printer where unauthorized employees or contractors can have access to the information
- When sending sensitive PII via email or via an unsecured information system make sure the information and any attachments are encrypted.
- Beware of Phishing!

# Records Management, Retention and Disposition

- Follow all applicable records management laws, regulations, and policies.
- Do not maintain records longer than required. (See [HUD Housing Counseling Handbook, 7610.1 Chapter 5, Paragraph 5-4](#))
- Destroy records after retention requirements are met.
- Dispose of sensitive PII appropriately permanently erase electronic records. Shred hard copy records.

# Incident Response

- A data breach occurs when PII is viewed, leaked, or accessed by anyone who is not the individual or someone authorized to have access to this information as part of their official duties.
- Promptly report all suspected compromises of sensitive PII related to HUD programs to HUD's National Help Desk at 1-888-297-8689.
- Also contact your HUD POC to report the incident



# Privacy Policy and Guidance

- [Privacy Act Handbook](#)
- [HUD Protecting PII](#)
- Housing Counseling Handbook [7610.1](#)
- Housing Counseling Program Regulation [24CFR214](#)
- Privacy Act of 1974 ([5 U.S.C. 552a](#))
- [Capacity Building Guidance on Protecting Privacy Information](#)
- [Housing Counseling Program Guidance on HUD Exchange](#)
- [Federal Privacy Council](#)

# Upcoming Training

[June 15, 2023: Providing Counseling on Manufactured Housing Options](#): Modern, well-constructed, and energy efficient manufactured housing can offer your clients an affordable path to homeownership, especially in a climate of high home prices and scarce housing stock. Join HUD's Offices of Housing Counseling and Manufactured Housing Programs to learn the essentials of manufactured housing, the range of options for purchase within this housing type, and how financing may differ from conventional mortgages for site-built housing.

[June 22, 2023: Spot the Signs, Avoid the Latest Frauds and Scams](#): Helping your clients spot, avoid, and recover from frauds and scams can play a key role in assisting them to achieve their financial and housing goals. This webinar will educate counselors on high-tech frauds and scams, from text-based to those involving digital payment applications and cryptocurrency. Specific considerations for homeowners and military communities will be featured.

A graphic with a dark blue background and light blue text. The text reads "SAVE THE DATE" in large, bold, light blue letters. To the right is a white calendar icon with a grey header and two white rings. Below "SAVE" is the text "OHC'S VIRTUAL 2023 COMMUNITY CONFERENCE" in white. Below "THE" is the date "SEPTEMBER 12-14, 2023" in white. Below "DATE" is the word "DATE" in large, bold, light blue letters.

**SAVE** OHC'S VIRTUAL 2023 COMMUNITY CONFERENCE  
**THE**  
SEPTEMBER 12-14, 2023 **DATE**

[September 12-14, 2023: Housing Counseling 2023 Community Conference](#): Learn new techniques, best practices, and ways to promote housing counseling. This annual conference is open to all HUD participating housing counseling agencies. Save the date, registration will open soon for this free virtual conference.

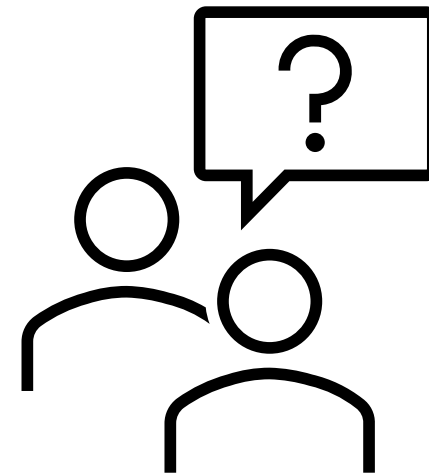
# Office of Housing Counseling Resources



## Find us at:

- [hudexchange.info/counseling](http://hudexchange.info/counseling)
- [OHC Gov Delivery](#) sign up for industry emails
- **Email HUD at:** [housing.counseling@hud.gov](mailto:housing.counseling@hud.gov)
- **Email the Presenter:** [robert.j.weber@hud.gov](mailto:robert.j.weber@hud.gov)

# Questions



# Before You Go

## Please give us feedback in the Question Box

- Was this webinar useful to you? To your clients?
- Will you share the information with your co-workers?
- Any other comments?



Thank You for Attending!

