



HUD OHC Program Guidance for Housing Counselors

Clarification on Client File Requirements in a Remote Counseling Environment Published February 10, 2021

The Office of Housing Counseling (OHC) has received inquiries from housing counseling agencies regarding file management and recordkeeping in a remote environment. OHC seeks to highlight flexibility regarding client signature collection, disclosures, credit reports, and other financial analysis documents while conducting remote counseling or delivering remote group education. The following guidance addresses HUD requirements. Housing counselors should consult their agency leadership, Intermediary, State Housing Finance Authority (SHFA), or others to clarify additional internal policy and processes for client file management and recordkeeping.

Q1. What are the requirements for counselors working from home in response to COVID-19?

A1. Services provided remotely must be performed in a manner that ensures the confidentiality of each client's personal and financial information, both electronic and paper, including credit reports. The confidentiality of this information must be ensured regardless of whether it is received from the client or from another source (see 24 CFR 214.315 (g)). For more information, refer to the FAQ, [What guidance does HUD offer housing counseling agencies regarding client confidentiality and credit reports?](#) and guidance on [Protecting Personally Identifiable Information](#) provided by HUD's Office of the Chief Information Officer.

Q2. How should housing counselors document the delivery of disclosure forms and action plans to the client if they are unable to get the client's signature?

A2. Housing counselors can make a notation in the client's file that the information was provided by the counselor and agreed to verbally by the client. The agency can also mail documents to the clients to be signed and returned.

Q3. Our agency is now conducting group education and individual counseling in a virtual environment. What participant information am I required to collect? Must we collect signatures from each household?

A3. [Housing Counseling Handbook 7610.1 REV-5 Chapter 3, Paragraphs 3-1\(C\) and 3-2\(A\)\(3\)](#) allows agencies to provide services in alternative formats, such as virtual environments. Agencies must collect all required client and education file elements as listed in Chapter 5, Paragraphs 5-7 and 5-8. While a signature is not required from every household, agencies are reminded of the disclosure requirement in Section 6-1(H): "For clients receiving counseling via another format... the agency must verbally or electronically provide a disclosure that meets the requirements in this paragraph. Disclosure statements must be retained in the counseling or group education file. A note indicating the date of verbal disclosure, or documentation of electronic disclosure, must be retained in the files of all those counseled." Additionally, with regards to the collection of demographic data, please refer to the FAQ, [If a housing counseling agency teaches a class to a large group of people, must the agency collect demographic data for all of the participants?](#)



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- Q4. I am working with a client impacted by the COVID-19 pandemic. Should we still collect their financial documents, including credit report?**
- A4.** The requirements of financial analysis are located in [Housing Counseling Handbook 7610.1 REV-5 Chapter 3, Paragraph 3-5, Item D](#). Based on the client's unique financial situation, the housing counselor should determine what types of documents are necessary to support a completed financial analysis.

For a full list of COVID-19 guidance, visit the [COVID-19 Emergency Information for Housing Counselors](#) page on the HUD Exchange.