

RESIDENT FILES

Resident files are to be organized and maintained as set forth below. It is important that files be consistent from one property to another so that the Property Supervisor, Owner, Occupancy Supervisor, Auditor, etc. can readily check the file contents for program and Management compliance requirements. Resident files must be maintained in a “locked” file cabinet most especially after business hours, weekends and holidays.

Access:

These files are accessible to authorized personnel **only**; for example: HUD, USDA-RD, Housing Credit, Government Auditors, Owners, Property Manager, Assistant Manager, Office Manager, Leasing Agent, Property Supervisor or Occupancy Supervisor.

Confidentiality:

All information in the resident files is **PERSONAL AND PRIVATE**. This information is strictly **confidential and not to be given out to anyone**.

Residents are allowed to have photocopies of most of their file folder contents. They are **not** allowed to have copies of police/credit reports. If there is a problem, the resident will have to contact the Screening Agency that has been hired for your property. They are also **not** allowed to have copies of correspondence from other residents regarding them or Housing Questionnaires that have been completed by prior landlords or other housing providers. We would have to have a signed release from the person(s) involved in order to release this information to the resident.

If questions arise concerning the resident’s file information or if it appears there is good reason for the information to be given out you must contact your Regional Property Supervisor for approval.

“CURRENT” RESIDENT FILE INSTRUCTIONS

The “current” resident file is a legal sized 6-part folder with applicable dividers. These “current” files will be recycled as move-outs and move-ins occur. (NOTE: The File “color” is currently light green. However, color variations may occur as long as they are consistent throughout the property.)

Storage:

Files for current residents should be placed in numerical order and kept in a **locked** metal file cabinet.

Labeling:

The resident file must be labeled with a **white**, clearly **typed** label that contains the following information:

Unit #	%*	BR Size
HC BIN #*		Property Name

*NOTE: Only applies to Housing Credit properties-include the BIN # and unit set aside %: 40, 50, 60 or market.

Re-Use:

The “current” file folders will be re-used as residents’ move-in and out – please do not use them for “move-out” history. For example, if the resident in unit #212 moves out, all of his/her information would be removed from the file and placed in storage as directed in the “move-out” section below. Then the information for the new resident in unit #212 would be placed in the now empty existing file folder with the original dividers.

File Folder Contents:

Each 6-part file folder contains preprinted tabbed dividers with written instructions on each divider as a reference when filing and updating resident information. Each program type contains different dividers. The type of dividers and placement within the folder are shown below.

Each resident file folder, **all program types**, contains the following dividers/labels:

All Program Types					
Part 1	Part 2	Part 3	Part 4	Part 5	Part 6
	Proof of Identity	Notices	Unit Inspection Reports	Amendment(s)	Application
				Rental Agreement	Police
					Credit
					Landlord

Each resident file folder, depending on program type, contains the following dividers in addition to those listed above:

HUD Only		USDA-RD Only	Housing Credit Only	Market Only
Part 1	Part 2	Part 1	Part 1	Nothing Additional
Interim		Current Cert/Move-In	Current Cert/Move-In	
Interim	214 Review	Certification		
Interim		Certification		
Current Annual/Move-In		Certification		

*Unless otherwise indicated ALL paperwork will be filed **under** the appropriate divider tab.*

Permanent Information:

The following items are **always** kept in the “current” resident file. NEVER REMOVE FROM FILE unless the resident moves out.

Original Resident Application – This also includes the new application(s) for additional adult(s) added to an existing household.

Police Reports* for all adult household members or emancipated minors.

Credit Reports* for all adult household members or emancipated minors.

Landlord Screenings* for all adult household members or emancipated minors.

Proof of Identity* for every member of the household. Includes: Driver’s License or Photo I.D. for all adult household members or emancipated minors, Social Security Card or verification of no SSN issued for ALL family members, birth certificates or other record of birth.

Original Rental Agreement – include all relevant attachments including the Move-In Inspection Report and PHA Section 8 Contract, if relevant. For properties with expiring Section 8 contracts (HUD) a copy of the contract expiration letter should be filed here at move-in and during subsequent notifications. Also, a *new* (Rental Agreement) would be added when a spouse or adult co-tenant is added to the household and/or for a unit transfer. The *new* lease would be filed on top of the original Rental Agreement.

Amendment(s) or addendums that permanently revises the original Rental Agreement

Original Move-In Certification – For HUD, USDA-RD and Housing Credit properties this will include the original certification, verifications of income, assets and allowances (if any). Store this information on “top” of the “Application” tab at the next annual recertification. For HUD and USDA-RD this original move-in will follow the resident at unit transfer. For Housing Credit properties this will only apply to “Same Building” transfers. Be sure to place a “light purple colored “ cover sheet on top of the original labeled as follows:

Original Qualifying Move-In

Unit # _____
MOVE-IN Date _____
Resident Name _____

**DO NOT REMOVE
 Or
 DESTROY**

Unit Transfer: Date: _____ **New Unit #:** _____

214 Review* (HUD properties only) – This pertains to citizenship and alien status of the family.

*These items must also be completed any time an additional adult is added to an existing household. All new information is filed on top of the previous information and the information becomes a permanent part of the file. **DO NOT REMOVE FROM FILE.**

Annually Updated Information:

The following items are updated annually in the “current” resident file. The old information is removed annually and placed in the 3-year History File.

ALL Properties

Notices – At the time of annual recertification (anniversary date for market properties) move the following items from the prior year into the 3-year History File: Intent to Enter Unit, Lease Violations, property gross rent change notices, City or County Section 8 notices regarding renewal of resident contracts and the related City or County unit inspection, and/or all other resident correspondence. Example: 6/1/06 annual recertification or market lease renewal, remove all 6/1/05 – 5/31/06 notices and place them in the History File.

HUD

Current Annual and Interims – When the next annual recertification is completed remove prior annual and any interims since the annual was completed. (Interims should be filed with the most current date on top.) **Store this paperwork in the 3-year History File as stated below.**

Information to file in the “History File” would include the 50059 and ALL pertinent income and allowance verifications. For the annual certification, the Recertification Reminder Notice, Appointment Notice, and lease amendment showing the resident’s rent change would also be filed here.

USDA-RD

Current Annual and Unscheduled Certifications – When the next annual is completed remove prior annual and place it in the 3-year History File; or if you have a 12-month certification history, remove the oldest certification and place it in the 3-year History File. I.e. certifications were completed in January 1998, March 1998, July 1998 and February 1999. Remove the January 1998 certification and place it in the History File.

Paperwork included would be the 3560-8 (formerly the 1944-8), ALL pertinent income and allowance verifications, the 90-Day Recertification Notice, Appointment Notice and the lease amendment showing the resident’s rent change.

Housing Credit

Annual Recertification – When the next annual recertification is completed remove the prior certification and place in the 3-year History File. The difference with Housing Credit properties is that resident information must be kept in storage for **15 - 40 years** depending on the Regulatory Agreement written for your property. See the permanent storage section below.

Market

Lease renewals - Additions to the household, etc. will be kept in the “current” resident file for as long as the resident(s) live at the property. “Notices” will be purged and placed in the “history” file at the lease annual renewal time.

Only Exception: Unit Inspection Reports

ALL Properties

Unit Inspection Reports – All Unit Inspection Reports less than three years old should be kept in the “current” resident file. At the time of annual recertification (anniversary date for market properties) move any Unit Inspection Reports over 3 years old to UNIT MAINTENANCE FILE to be part of the unit’s permanent maintenance history. The “UNIT MAINTENANCE FILE” is usually the file that work orders are kept in. Every unit should have a file to track maintenance over the years.

“HISTORY” RESIDENT FILE INSTRUCTIONS

The “3-Year History” resident file is a legal sized manila folder with a two-hole punch at the top and affixed metal holders and is used for current residents only.

ALL Properties

Storage:

The 3-year History Files for **current** residents should be placed in numerical order behind the relevant current year resident files. However, due to limited office space, it may be necessary to place old History Files in a designated storage area.

When storing History Files in a separate area it is imperative that the box be properly labeled by unit number and year(s) for easy reference. Each storage year’s files will be stored in a box labeled “Storage Files for units ___ to _____ 20__ through 20__.

Labeling:

The “history” file must be labeled with a **white**, clearly **typed** label that contains the following information:

Unit # Last Name, First Name BR Size
 Move-In Date: MM/DD/YY Move-Out Date: MM/DD/YY

The front of the folder must be labeled or written on as follows: (You may want to consider having a stamp made.)

Property Name

HISTORY FILE

Unit #: _____
 Resident Name: _____
 Move-In Date: _____
 Move-Out Date: _____

Unit Transfer: Date: _____ New Unit #: _____

From “year” ____ to “year” ____ (3-years)

File 1 of _____

NOTE: History Files should be set up at move-in even if there isn’t any paperwork to be added. As residents move out or transfer to other units at the property, their information is removed from the “current” resident file and is placed in the History File.

The History File then becomes the “Moved-out or Unit Transfer” file. See below instructions for move-out files and unit transfer files.

File Folder Contents:

The “History File” will contain up to a three-year history for the household. The file should be set up as follows: **Left side:** Any notices and/or correspondence given to the residents. i.e. Inspection notices, 10-day notices, late rent notices, letters from the resident, etc. Resident ledger cards (if used) and paid government paybacks should also be stored on the left side. Individual years should be tabbed or flagged for easy reference. **Right side:** *Oldest* year certification on the *bottom*, the most *current* year certification on the *top*. Individual years should be tabbed or flagged for easy reference. This will make it easy to update your files annually. I.e. the “history” file contains 2003, 2004, 2005 resident information. When 2006 resident certification information needs to be added, start a “new” or second (2nd) History File for the household.

NOTE: Resident history must be kept for as long as the resident household lives at the property. Housing Credit properties will “never” destroy resident files at move-out. See below for additional information regarding Housing Credit properties.

Keep paperwork in the original “processing” order as set by Management Policy, this also includes resident “Notices”. The files should be kept neatly and in order by year – do not separate.

Housing Credit:

We are required to keep resident information for **15 - 40 years** depending on the Land Use Restrictive Agreement written for the property. We will accommodate this requirement by keeping one-year’s current information in the “current” resident file and three-year’s “prior” information in the History File to be kept in the office. Using the same procedures as described in the “History File” section above.

For example, if 2006 is our current year, the current “History File” will contain the information for 2005, 2004 and 2003. When paperwork is completed for 2006, a new History File should be compiled for the next three years: 2006, 2007 and 2008, and so on for as long as the resident resides in the property. Due to storage issues, it may be necessary to store the History Files in a separate area as noted above.

NO FILES ARE DESTROYED until specified by the Restrictive Use Agreement.

“MOVE-OUT” FILE INSTRUCTIONS

When a resident household moves out of the property we are required to store their file for “three (3) years after the resident has moved out” (Housing Credit move-out files must be stored for a longer period as mentioned above). These move-out files must also be kept confidential and accessed only by appropriate personnel. The “move-out” files will be maintained as follows:

1. Every office will have a file drawer that is dedicated to the *current* year’s move-out records. When a move-out occurs, all resident information would be removed from their “current” file and placed into their “history” file and stored in the current year’s move-out file in unit number order. Be sure to record the move-out date on the file label and on the front of the History File as mentioned above. A copy of the move-out disposition and move-out inspection report *must* be placed inside the file for future auditing purposes and reference.
2. At the end of the year (usually December 31st) these files should be removed from the file drawer, kept in numerical order and stored in a box labeled “Move-out Files for 20_____”. Other than for Housing Credit properties, these files may be purged or destroyed after 3 years – the oldest first. Paperwork should be destroyed in a confidential manner: shredded, burned, etc. For example: on December 31, 2006 all 2003 move outs may be destroyed. Housing Credit properties must keep ALL files UNTIL they are notified to destroy them.
3. At the end of each calendar year, the Property Manager or appropriate personnel will prepare a Move-Out Summary List (MO-9) for that year. After the name of each move-out, a “Remarks” section will be annotated with the reason for the move-out. I.e. evicted (list reason: nonpayment of rent, misconduct, etc.), bought a home, got married, whatever applies.

This list will be typed in **chronological move-out date** order and placed with the relevant dated storage box. A copy of this Move-Out Summary List will be kept in a special file titled “Resident Move-Outs Summary Lists” and kept in the office file cabinet. This file will contain a page or pages for each year of move-outs. This readily accessible information is VERY valuable for applicant screening in future years. Therefore, this file will be a “permanent” file. **The Resident Move-Outs Summary File WILL NOT be purged or discarded EVER.**

EXAMPLE: When a Property Manager transfers to another property, the new Property Manager can use this tool to screen the prior evictee, troublesome resident, etc. who knows there is a new Property Manager and tries to apply. Even though the new Property Manager does not have any knowledge of this prior resident, he/she can quickly find out by checking the “Move-Out Summary List”. This situation has occurred several times in one or more of our properties.

“UNIT TRANSFER” FILE INSTRUCTIONS

For HUD, USDA-RD and Housing Credit: When a resident household moves from one unit at the property to another unit per company and/or government policy, the former unit “History File” will become their “Unit Transfer/Move-Out File”. Unit Transfer (move-out)” files will be stored with the “new” unit History File. We always want to keep the history of the resident “together” for as long as they live in the property.

For Market: When a resident household moves from one unit at the property into another unit please follow the instructions as for “Move-Outs” above.

Please call your Occupancy Supervisor for assistance with unit transfers if you have questions or concerns.

The “unit transfer” files will be maintained as follows:

HUD, USDA-RD and Housing Credit Properties:

1. When a resident household transfers to another unit, their original move-in certification and related paperwork, application, credit, police, landlord screening, 214 Review (HUD only), and household I/D must be moved to the new unit file. Remember that the “original move-in” will be placed on “top” of the “application” tab with the appropriate “cover sheet” (TC-MI) as illustrated above.
2. The certification that is in effect at the time of the unit transfer (whether an annual, interim or unscheduled) and related verifications for the “old” unit will be brought forward to the “new” unit file folder and placed under the appropriate certification tab. If there is an additional “future” certification pending on the old unit, it too will be brought forward to the new unit file.
3. The “original” move-in Rental Agreement (lease) will also be placed in the “new” unit folder and labeled as such “Original move-in lease”. The new unit transfer lease will be placed on top of this lease and all related addenda. As stated above, for as long as the resident lives in the property, we must keep all of their original qualifying paperwork together no matter how many times they may move around the property. This is to prove and maintain government compliance.
4. All other paperwork for the “old” unit will be placed in the “old” unit “History/Move-out File”: subsequent rental agreements (if any), lease addenda, prior certifications, notices, etc. This “History File” stored with the “new” unit and a NEW History File will be started for the new unit. See “History File” instructions above.

As stated above if a resident moves out of the property, their History File(s) must be kept for a period of 3-years before they can be destroyed.

Housing Credit properties may not destroy any resident files until notified by the Management Office. The Land Use Restrictive Agreement for these properties may have up to a 40-year file retention requirement.

Market Properties

For unit transfers at market properties, move the original application, police, credit, screening and I/D's forward to the "new" unit file. Place the original "old" unit lease, any renewals plus attachments and notices in their "History File" which will now become the "move-out" file for the old unit. Refer to "Move-Out Files Instructions" above for storage procedures. There are no governmental compliance requirements for Market.

Very Important:

A new Rental Agreement plus relevant addenda must be completed for every unit transfer.