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# PHA Record Retention and Disposition Policy

## Section 1.0 Introduction

The Princeton Housing Authority (“PHA”) has adopted this Record Retention and Disposition Policy, which incorporates all applicable Federal, State, and local laws and regulations. This Policy describes various types of records and the minimum length of time each record shall be maintained. Unless in litigation, records may be destroyed upon the expiration of the applicable retention period.

This Policy includes some records that are maintained in an electronic format. In the normal course of business, the PHA will take the necessary actions to ensure hardware and software maintenance, backup procedures, and security measures.

Record series listed in this Policy with a “Permanent” retention shall not be disposed of, and are to be preserved in perpetuity in a legally sanctioned format. The PHA should maintain them in the main office as long as they are needed on a regular basis for transacting business. Once active use ceases, the PHA may consider transferring the records to an archive.

All employees of the PHA shall properly maintain and dispose of files as described in this Policy. Any questions related to maintenance and disposition of any records should be directed to the Executive Director. All active files shall be kept at the main office of the PHA located at 179 Spruce Circle.

## Section 2.0 Definitions

The term “personally identifiable information” (“PII”) means information which can be used to distinguish or trace an individual’s identity alone or when combined with other personal information which is linked or linkable to a specific individual. Examples of PII include name, social security number, and biometric records. Examples of linked or linkable information include date of birth, place of birth, and mother’s maiden name.

The term “sensitive personally identifiable information” (“SPII”) means PII that, when lost, compromised, or disclosed could substantially harm an individual. Examples of SPII include social security or driver’s license numbers, medical records, and financial account numbers (bank, credit, or debit card numbers).

## Section 3.0 Safeguarding Personally Identifiable Information

### **1. Limit Collection of PII**

Do not collect or maintain PII without proper authorization. Collect only the PII that is needed for the purposes for which it is collected.

### **2. Manage Access to SPII**

- a. Only share or discuss SPII with those who have a need to know for work purposes.
- b. Do not distribute or release SPII to others until the release is authorized.
- c. Before discussing SPII on the telephone, confirm that you are speaking to the right person and inform him/her that the discussion will include SPII. Do not leave messages containing SPII on voicemail.
- d. Avoid discussing SPII if there are unauthorized persons in the adjacent cubicles, rooms, or hallways who may overhear your conversations.

- e. Hold meetings in a closed office if SPII will be discussed.
- f. Treat notes and minutes from such meetings as confidential unless you can verify that they do not contain SPII. Record date, time, place, subject, and attendees at any meeting involving SPII.

### **3. Protect Hard Copy and Electronic Files Containing SPII**

- a. Clearly label all files containing SPII. Examples of appropriate labels might include – For Official Use Only, or For [Name of Individual/Office] Use only.
- b. Lock up all hard copy files containing SPII in secured file cabinets. Do not leave SPII in an open area unattended.
- c. Protect all media (e.g., thumb drives, CDs, etc.) that contain SPII and do not leave unattended. This information should be maintained either in secured file cabinets or in computers that have been secured.
- d. Keep accurate records of where SPII is stored, used, and maintained.
- e. Periodically audit all SPII holdings to make sure that all such information can be readily located.
- f. Secure digital copies of files containing SPII. Protections include encryption, implementing enhanced authentication mechanisms such as two-factor authentication and limiting the number of people allowed access to the files.
- g. Store SPII only on workstations that can be secured, such as workstations located in areas that have restricted physical access.

### **4. Protecting Electronic Transmissions of SPII**

- a. When faxing SPII, 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.
- b. If a secure line is not available, contact the recipient office prior to faxing to inform them that information is coming. Then, contact the recipient office following transmission to ensure they received it. For each event, the best course of action is to limit access of SPII only to those individuals authorized to handle it, create a paper trail, and to verify information reached its destination.
- c. When sending SPII via email or via an unsecured information system, make sure the information and any attachments are encrypted.
- d. Do not place SPII on shared drives, multi-access calendars, the Intranet, or the Internet.
- e. Do not let SPII sit on a printer where unauthorized employees or contractors can have access to the information.

### **5. Protecting Hard Copy Files Containing SPII**

- a. Do not remove records with SPII 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.
- b. Do not use interoffice or translucent envelopes to mail SPII. Use sealable opaque solid envelopes. Mark the envelope to the person's attention
- c. When using the US Postal Service to deliver information with SPII, double-

wrap the record (use two envelopes – one inside the other) and mark only the inside envelope as confidential with the statement – To Be Opened by Addressee Only.

- d. If SPII needs to be sent by courier, mark “signature required” when sending records, in order to create a paper trail in the event items are misplaced or lost.

## **6. Records Management, Retention and Disposition**

- a. Follow all applicable records management laws, regulations, and policies.
- b. Do not maintain records longer than required.
- c. Destroy records after retention requirements are met.
- d. Dispose of SPII appropriately – permanently erase electronic records. Shred hard copy records.

## **7. Incident Response**

A data breach occurs when SPII is viewed, leaked, or accessed by anyone who is not the individual or someone authorized to have access to this information as part of his/her official duties. Promptly report all suspect compromises of SPII related to HUD programs to HUD’s National Help Desk at 1-888-297-8689.

## **Section 4.0 Record Retention Requirements**

### **1. Corporate Governance Records**

- a. The PHA shall permanently retain all agendas, minutes, resolutions, and policies of the Board of Commissioners.
- b. The PHA shall permanently retain all organization charts.

### **2. Personnel Records**

- a. The PHA shall retain the below payroll records for each pay period for a period of at least five (5) years. [N.J.A.C. 12:16-2.4.](#)
  - i. Beginning and end dates
  - ii. Full name of each employee
  - iii. Day(s) of work
  - iv. Total paid to each employee
  - v. Total paid to all employees, and number of weeks worked
- b. The PHA shall retain the below individual worker records for a period of at least five (5) years. [N.J.A.C. 12:16-2.4.](#)
  - i. Full name
  - ii. Address
  - iii. Social Security Number
  - iv. Date of hire
  - v. Date of separation from employment and the reason for separation
  - vi. Total paid in each pay period
  - vii. Special payments
  - viii. Records to support all payments
- c. The PHA shall retain all Form I-9s for at least three (3) years after the date of hire or one (1) year after the date employment is terminated, whichever is later. [8 C.F.R. 274a.2\(b\)\(2\)\(i\)\(A\).](#)

- d. The PHA shall retain all records related to Family and Medical Leave Act (“FMLA”) leave for a period of at least three (3) years. [29 C.F.R. 825.500](#)
- e. The PHA shall retain all records related to hours worked by employees and earned sick leave (including accrual, use, and carryover) for a period of at least five (5) years. [N.J.A.C. 12:69-1.8\(a\)](#)
- f. The PHA shall retain the below personnel records for a period of at least two (2) years. [29 C.F.R. 1602.31](#)
  - i. Application materials from unsuccessful applicants
  - ii. Reasonable accommodation requests
  - iii. Records relating to hiring, promotion, demotion, transfer, layoff, termination, rate of pay, terms of compensation, or selection for training

### **3. Financial Records**

The Series #'s below and throughout this document are from the State of New Jersey, Municipal Housing and Development Records Retention and Disposition Schedule.

- a. The PHA shall retain all Federal grant agreements, financial records, and statistical records, and supporting documentation for a period of at least six (6) years. [Series 0003-0001, 0003-0002](#)
- b. The PHA shall retain all records related to all financial management and activities funded under the Operating Fund for a period of at least five (5) years after the fiscal year in which the funds were received. [24 C.F.R. 990.325](#)
- c. The PHA shall retain all records related to the activities for which the Capital Fund grant was received for at least five (5) years after HUD approves either the actual development or modernization cost certificate. [24 C.F.R. 905.326](#)
- d. The PHA shall retain all procurement records for at least three (3) years after final payment and all other matters pertaining to the contract are closed. [HUD Procurement Handbook 7460.8 REV 2](#).
- e. The PHA shall retain general financial records (including bank statements, check registers, budgets, and audits) for a period of at least six (6) years.

### **4. Building and Development Records**

- a. The PHA shall retain each property maintenance seniority list until superseded. [Series 0305-0000](#)
- b. The PHA shall retain all work orders, daily work reports, and damage reports for a period of at least six (6) years. [Series 0300-0000, 0361-0000, 0364-0000](#)
- c. The PHA shall retain all inspection records for a period of at least seven (7) years. [Series 0252-0000, 0404-0000](#)
- d. The PHA shall retain all utility bills and solid waste transportation records for a period of at least six (6) years. [Series 0302-0000, 0308-0000](#)
- e. The PHA shall retain all gas usage reports for a period of at least two (2) years. [Series 0307-0000](#)
- f. The PHA shall retain all quarterly reports and police reports for a period of at least three (3) years. [Series 0303-0000, 0306-0000](#)
- g. The PHA shall retain all records pertaining to sold and redeemed properties for a period of at least seven (7) years. [Series 0250-0000, 0251-0000](#)

- h. The PHA shall retain all project files, urban renewal files, housing project files, and general planning project files for a period of ten (10) years after completion of construction. [Series 0001-0000, 0051-0000, 0151-0000, 0152-000, 0154-0000, 0403-0000](#)
- i. The PHA shall retain all approved affordable housing project files for a period of at least ten (10) years after the deed restriction ends. [Series 0307-0000](#)
- j. The PHA shall retain all denied/withdrawn affordable housing project files for a period of at least three (3) years. [Series 0307-0000](#)
- k. The PHA shall retain each affordable housing unit inventory for a period of at least three (3) years after the inventory has been superseded. [Series 0307-0000](#)
- l. The PHA shall permanently retain all owned property records, title foreclosure records, building plans, housing plans, blueprints, drawings, plans, maps, demolition records, and environmental assessment files. [Series 0120-0001, 0122-0000](#)

## **5. Program Participant Records**

- a. The PHA shall retain each Waiting List and related records for at least three (3) years after the Waiting List has been superseded.
- b. The PHA shall retain the below records during the term of each assisted lease, and for at least three (3) years thereafter. [24 C.F.R. 982.158\(e\)](#)
  - i. Executed Lease
  - ii. Housing Assistance Payments (“HAP”) Contract
  - iii. Assistance Application
- c. The PHA shall retain the below records for at least three (3) years. [24 C.F.R. 982.158\(f\)](#)
  - i. Records that provide income, racial, ethnic, gender, and disability status data on program applicants and participants
  - ii. An application from each ineligible family and notice that the applicant is not eligible
  - iii. HUD-required reports
  - iv. Unit inspection reports
  - v. Lead-based paint records
  - vi. Accounts and other records supporting budget and financial statements for the program
  - vii. Records to document the basis for the determination that rent to owner is a reasonable rent (initially and during the term of a HAP contract)
  - viii. Other records specified by HUD
- d. The PHA shall retain all records involving the delay, denial, reduction, or termination of assistance on the basis of an individual’s ineligible immigration status for at least five (5) years. [24 C.F.R. 5.514\(h\)](#)

- e. The PHA shall retain all criminal records and sex offender registration records until the purpose for which the record was requested has passed and the period for filing a challenge to the PHA action has passed. [24 C.F.R. 5.903\(g\)](#); [24 C.F.R. 5.905\(c\)](#)
- f. The PHA shall retain all records involving Violence Against Women Act (“VAWA”) emergency transfers for a period of at least three (3) years. [24 C.F.R. 5.2007\(e\)](#)
- g. The PHA shall retain all Forms HUD-50058 and supporting documentation for a period of at least three (3) years following the end of participation date. [24 C.F.R. 908.101](#)
- h. The PHA will retain all notices of rent increase for a period of at least seven (7) years. [Series 0406-0000](#)
- i. The PHA will retain all rental assistance certifications for a period of at least six (6) years. [Series 0405-0000](#)

## **6. Other Records**

- a. The PHA shall permanently retain economic development studies and surveys. [Series 0050-0000](#)
- b. The PHA shall permanently retain all condemnation hearing records. [Series 0400-0000](#)
- c. The PHA shall retain all relocation hearing records and other relocation files for a period of at least seven (7) years. [Series 0253-0000, 0401-0000](#)
- d. The PHA shall retain all vehicle usage records for a period of at least three (3) years following disposition of the vehicle. [Series 0360-0000](#)
- e. The PHA shall retain all records regarding Public Housing Assessment System (“PHAS”), including all supporting documents for any certifications and for asset management reviews, for at least three (3) years. [24 C.F.R. 902.79](#)
- f. The PHA shall maintain all other records in accordance with the State of New Jersey’s current Municipal Housing and Development Records Retention and Disposition Schedule.

## **Section 5.0 Amendments and Revisions**

This Policy may be amended or revised from time to time by the PHA’s Board of Commissioners.

**Employee Acknowledgement and Signature Form**

**This form is to be signed and returned to the Executive Director or designee.**

*I hereby acknowledge that I have received a copy of the PHA's Record Retention and Disposition Policy.*

*I have read, understand, and agree to comply with the terms of the Policy. I understand that a violation of this Policy may result in disciplinary action, up to and including termination of employment.*

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Signature of Employee

Date

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Printed Name