



MEMORANDUM
HEALTH AND HUMAN SERVICES
HOUSING AUTHORITY
County of Placer

TO: Housing Authority Board of Commissioners **DATE:** September 12, 2023
FROM: Greg Geisler, Executive Director
BY: Nancy Baggett, Staff Services Manager
SUBJECT: National Credit Reporting Services Agreement

ACTION REQUESTED

Approve an agreement with National Credit Reporting Services for non-criminal justice administrative functions involving the handling of Criminal History Record Information (CHRI) in an amount not to exceed \$80,000 for a term of three years from date of execution and authorize the Executive Director of the Placer County Housing Authority to sign the agreement with Risk Management and County Counsel concurrence, and to sign subsequent amendments up to \$8,000, consistent with the agreement's subject matter and scope of work with Risk Management and County Counsel concurrence.

BACKGROUND

The Placer County Housing Authority (PCHA) provides rental assistance to over 700 low and very low-income Placer County residents who may also be elderly, homeless, veterans and/or disabled through its Housing Choice Voucher (HCV) program, the Family Unification Program (FUP), Mainstream Voucher program and the Veterans Affairs Supportive Housing (HUD-VASH). These programs have served the citizens of Placer County outside the city limits of Roseville, as the City of Roseville's residents are served by the City's Housing Authority.

As dictated by Federal Housing and Urban Development (HUD) regulations and the Placer County Housing Authority's Administrative Plan, voucher program applicants must meet certain eligibility criteria related to criminal activity set forth in 24 CFR 982.553. Housing Authorities are authorized to obtain criminal conviction records from law enforcement agencies to screen applications for admission to the HCV program. This authority assists the agency in complying with HUD requirements and PCHA policies to deny assistance to applicants who are engaged in or have engaged in certain criminal activities. Once admitted to the voucher program, the household must abide by the family obligations set forth in 24 CFR 982.551 to remain program participants.

HUD regulation 24 CFR 5.903 prohibits Public Housing Authorities (PHA) from accessing criminal conviction records obtained from a law enforcement agency, such as the National Crime Information Center (NCIC), police departments, and other law enforcement agencies that hold criminal conviction records for lease enforcement and eviction of HCV participants which is tenant-based assistance and excludes by omission the use of records to terminate assistance

for program participants. While PHA's have regulatory authority to use criminal conviction records for the purpose of applicant screening for admission, there is no corresponding authority to use these records to check for criminal and illegal drug activity by participants in tenant-based assistance programs, and therefore, PHA's may not use records for this purpose. The limitations, however, do not apply to criminal conviction information searches from non-federal sources. There is no prohibition that bars a PHA from using non-federal sources to conduct criminal background checks of participants.

Presently, PCHA only reviews criminal conviction records for the purpose of applicant screenings. To ensure the Housing Authority is complying with HUD regulations and PCHA policy related to termination of assistance for family obligation violations, we wish to contract with National Credit Reporting Services concerning the handling of criminal history record information. With over 30 years of experience, National Credit Reporting Services is a leader in the federally assisted housing industry and an active member of NAHRO (National Associate of Housing and Redevelopment Officials) and AHMA (Affordable Housing Management Association). National Credit Reporting Services understands the unique requirements of government agencies and has developed a background screening program to provide accurate, thorough, and timely background information.

FISCAL IMPACT

The total cost of the agreement will not exceed \$26,667 for FY 2023-24. The costs are included in the FY 2023-24 budget for CC14024 – Housing Authority. The remaining \$53,333 will be included in the budgets for FY 2024-25 and FY 2025-26. There is no additional impact to the General Fund.

ATTACHMENTS

None

On File Document – Agreement with National Credit Reporting Services