

§ 5.617 Reexamination and verification.

(a) *Responsibility for initial determination and reexamination.* The PHA or owner, as applicable, must conduct a reexamination of family income and composition at least annually. The “effective date” of an examination or reexamination refers to:

(1) In the case of an examination for admission, the effective date of the lease; and

(2) In the case of a reexamination of an existing participant, the effective date of the redetermined housing assistance payment with respect to the Rental Voucher program and the effective date of the redetermined total tenant payment in all other cases.

(b) *Verification.* (1) As a condition of admission to, or continued occupancy of, any assisted unit, the PHA or owner, as applicable, shall require the family head and other such family members as it designates to execute a HUD-approved release and consent form (including any release and consent as required under 24 CFR part 760) authorizing any depository or private source of income, or any Federal, State or local agency, to furnish or release to the PHA or owner, as applicable, and to HUD such information as the HA or owner, as applicable, and HUD determines to be necessary.

(2) The PHA or owner shall also require the family to submit directly documentation determined to be necessary. Information or documentation shall be considered necessary if it is required for purposes of determining or auditing a family’s eligibility to receive housing assistance, for determining the family’s annual income, adjusted income or total tenant payment.

(3) The use or disclosure of information obtained from a family or from another source pursuant to this release and consent shall be limited to purposes directly connected with administration of this subpart or applying for assistance.

(Approved by the Office of Management and Budget under control numbers 2502-0204 and 2577-0083.)

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PART 7—EQUAL EMPLOYMENT OPPORTUNITY; POLICY AND PROCEDURES**Subpart A—Equal Employment Opportunity Without Regard to Race, Color, Religion, Sex, National Origin, Age, or Disability**

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Subpart B [Reserved]

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Subpart A—Equal Employment Opportunity Without Regard to Race, Color, Religion, Sex, National Origin, Age, or Disability

GENERAL PROVISIONS

§ 7.1 Policy.

In conformity with the policy expressed in Executive Order 11478 (34 FR

§ 7.2

12985, 3 CFR, 1966–1970 Comp., p. 803) and with implementing regulations of the Equal Employment Opportunity Commission, codified under 29 CFR part 1614, it is the policy and the intent of the Department of Housing and Urban Development to provide equality of opportunity in employment in the Department for all persons; to prohibit discrimination because of race, color, religion, sex, national origin, age or disability in all aspects of its personnel policies, program, practices, and operations and in all its working conditions and relationships with employees and applicants for employment; and to promote the full realization of equal opportunity in employment through continuing programs of affirmative employment at every management level within the Department.

§ 7.2 Definitions.

For purposes of this subpart A—
AE means Affirmative Employment.

EEO means Equal Employment Opportunity.

Organizational unit means the jurisdictional area of the Office of the Secretary, the Assistant to the Deputy Secretary for Field Management, each Assistant Secretary, the General Counsel, the Inspector General, the President of the Government National Mortgage Association, the Chief Financial Officer, the Director of Lead-Based Paint Abatement and Poisoning Prevention, and the Office of Federal Housing Enterprise Oversight.

Person with a disability means the same as handicap under EEOC's regulations at 29 CFR part 1614.

§ 7.3 Designations.

(a) *Director of Equal Employment Opportunity.* The Director of the Office of Departmental Equal Employment Opportunity is designated the Director of EEO, except that with respect to complaints naming the Director and/or Deputy Director of Departmental EEO as the alleged discriminating official(s) and complaints arising in the Office of Departmental EEO, the Chief of Staff shall be Director of EEO.

(b) *Deputy Director of Equal Employment Opportunity.* The Deputy Director of the Office of Departmental Equal Employment Opportunity is designated

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as the Deputy Director of Equal Employment Opportunity and acts for the Director of EEO.

(c) *Equal Employment Opportunity Officers.* The Director of Equal Employment Opportunity shall designate appropriate HUD officials to be Equal Employment Opportunity Officers for their respective organizational units.

§ 7.4 Affirmative employment programs.

The Office of the Secretary, the Assistant to the Deputy Secretary for Field Management, each Assistant Secretary, the General Counsel, the Inspector General, the President of the Government National Mortgage Association, the Chief Financial Officer, the Director of Lead-Based Paint Abatement and Poisoning Prevention, and the Director, Office of Federal Housing Enterprise Oversight shall establish, maintain and carry out a plan of affirmative employment to promote equal opportunity in every aspect of employment policy and practice. Each plan shall identify instances of underrepresentation of minorities, women and persons with disabilities, recognize situations or barriers that impede equality of opportunity, and include objectives and action items targeted to eliminate any employment, training, advancement, and retention issues which adversely affect minorities, women and persons with disabilities. Each plan must be consistent with 29 CFR part 1614 and the governing Management Directive issued by the Equal Employment Opportunity Commission, and is subject to approval by the Director of Equal Employment Opportunity and shall be developed within the framework of Departmentwide guidelines published by the Director of EEO.

RESPONSIBILITIES

§ 7.10 Responsibilities of the Director and Deputy Director of EEO.

The Director and Deputy Director of EEO are assigned the functions of:

(a) Advising the Secretary with respect to the preparation of plans, procedures, regulations, reports, and other matters pertaining to the Government's equal employment opportunity