

TABLE OF CONTENTS

Personal Data System

Definitions	8-37r- 1
General nature and purpose of personal data systems	8-37r- 2
Categories of personal data	8-37r- 3
Maintenance of personal data	8-37r- 4
Permitted use of personal data	8-37r- 5
Disclosure of personal data	8-37r- 6
Contesting or amending personal data	8-37r- 7
Disclosure under the freedom of information act.	8-37r- 8
Standard forms.	8-37r- 9

Personal Data System

Sec. 8-37r-1. Definitions

The following definitions apply to Sections 8-37r-1 through 8-37r-9 of the Regulations of Connecticut State Agencies

(a) “Category of Personal Data” means the classifications of personal information set forth in the Personal Data Act, Section 4-190 (9) of the General Statutes.

(b) “Commissioner” means the Commissioner of Housing.

(c) “Department” means the Department of Housing.

(d) “Developer” means (1) a nonprofit corporation; (2) any business corporation incorporated pursuant to chapter 599; (3) any partnership, limited partnership, joint venture, trust or association; (4) a housing authority; or (5) a municipal developer.

(e) “Direct Assistance Program” is any program established, conducted, funded or administered by the Department in which the beneficiary is a “program applicant” as defined by these regulations.

(f) “Other Data” means any information which, because of name, identifying number, mark or description can be readily associated with a particular person.

(g) “Program Applicant” means a family or person approved or seeking approval by the Commissioner as qualified to own, rent, construct, rehabilitate, manage, maintain or otherwise improve housing under a mortgage, loan or grant made or insured under an agreement with the Department of Housing.

(h) Terms defined in Section 4-190 of the General Statutes shall apply to these regulations.

(Effective December 5, 1989)

Sec. 8-37r-2. General nature and purpose of personal data systems

The Department of Housing shall maintain the following personal data systems:

(a) **Personnel Records**

(1) Personnel records are any records containing personal data relating to an employee of the Department.

(2) All personnel records are maintained by the Department of Housing at 1179 Main Street, Hartford, Connecticut.

(3) Personnel records may be maintained in automated or conventional files.

(4) Personnel records are maintained for the purposes of providing payroll history, promotion information, disciplinary, and related personnel information concerning Department employees.

(5) Personnel records are the responsibility of the Deputy Commissioner of Administration, whose business address is 1179 Main Street, Hartford, Connecticut, 06103-1089.

(6) Routine personal information in personnel files may be provided by the employee, the employee’s current and past supervisors, previous employers, the Comptroller’s Office, the Department of Administrative Services, Division of Personnel and Labor Relations, and State insurance carriers.

(7) Personnel records shall be collected, maintained and used pursuant to Connecticut General Statutes Section 5-193, et seq.

(b) **Payroll and Retirement System Participant Records**

(1) Payroll and retirement system participant records are any records containing personal data relating to a current or former Department employee’s participation in the State payroll and retirement system.

(2) The Department shall maintain the records of participants in the payroll and retirement system at its offices at 1179 Main Street in Hartford, Connecticut.

(3) Participant records may be maintained in automated or conventional files.

(4) The Department maintains payroll and retirement participants records for the purpose of determining pay and eligibility for and the amount of benefit payments due to participants and beneficiaries.

(5) Payroll and retirement system participant records are the responsibility of the Deputy Commissioner of Administration whose business address is 1179 Main Street, Hartford, Connecticut 06103.

(6) Routine sources of information in participant records are generally the participant, current and previous employers of the participant, and the Department.

(7) Personal data in payroll and retirement system participant records are collected, maintained and used under authority of Chapter 66 of the Connecticut General Statutes, Section 5-152 through 5-192x, inclusive.

(c) Program Applicant Records

(1) Program applicant records are any records containing personal data relating to any person or family maintained for the purpose of determining eligibility for any direct assistance program administered by the Department of Housing.

(2) All program applicant records are maintained by the Department of Housing at 1179 Main Street, Hartford, Connecticut.

(3) Program applicant records may be maintained in either automated or conventional files. However, all records shall be organized so as to promote facility of access.

(4) Program applicant records shall be maintained for the purpose of determining initial or continuing eligibility for or compliance with direct assistance programs established, conducted, funded or administered by the Department of Housing.

(5) The Deputy Commissioner of Operations is responsible for each direct assistance program established, conducted, funded or administered by the Department of Housing and the program applicant records are maintained by him. His business address is 1179 Main Street, Hartford, Connecticut 06103-1089.

(6) Routine personal information in the program applicant records for a particular program may be provided by the program applicant, his employer, the Internal Revenue Service, credit reporting agencies, the Department of Income Maintenance, or other governmental agencies.

(7) Program applicant personal data shall be collected and maintained pursuant to the specific section of the General Statutes creating the program.

(d) Developer Records

(1) Developer records are any data maintained for the purpose of determining initial or continuing eligibility of a developer for participation in any plan or program of construction, rehabilitation, ownership, or operation of housing, except for situations involving program applicants as defined by these regulations.

(2) Developer records are maintained by the Department of Housing at 1179 Main Street, Hartford, Connecticut.

(3) Developer records are maintained in either automated or conventional files. However all records shall be organized so as to promote facility of access.

(4) Developer records shall be maintained for the purpose of determining a developer's initial or continuing eligibility for, or compliance with, any program approved by the Commissioner.

(5) The Deputy Commissioner of Operations is in charge of a program with developer participation and shall be responsible for the developer records maintained by him. His business address is 1179 Main Street, Hartford, Connecticut, 06103-1089.

(6) Routine personal information in the developer records for a particular program may be provided by the developer, the Internal Revenue Service, credit reporting agencies or other governmental agencies.

(7) Developer personal data shall be collected and maintained pursuant to the specific section of the General Statutes creating the program.

(Effective December 5, 1989)

Sec. 8-37r-3. Categories of personal data

(a) Personnel Records

(1) The following categories of personal data may be maintained in personnel records:

- (A) educational records;
- (B) employment or business history;
- (C) other references
- (D) name, address and phone number of a person to notify in the event of an emergency.

(2) The following categories of other data may be maintained in personnel records:

- (A) address(es);
- (B) former name(s);

(3) Personnel records are maintained on past and current employees of the Department and on applicants for employment with the Department.

(b) Payroll and Retirement System Participant Records

(1) The following categories of personal data may be maintained in payroll and retirement system participant records:

- (A) educational records;
- (B) employment records;
- (C) salary records;
- (D) contributions records;
- (E) income tax withholding information;
- (F) bank account identification;
- (G) marital status;

(2) The following categories of other data may be maintained in payroll and retirement system participant records:

- (A) address(es);
- (B) retirement system membership number;

(3) Payroll and retirement system participant records are maintained on current and former Department employees.

(c) Program Applicant Records

(1) The following categories of personal data may be maintained in program applicant records:

- (A) educational records;
- (B) employment or business history;
- (C) federal income tax returns;
- (D) credit information;
- (E) bankruptcy information;
- (F) other income and financial records;
- (G) marital status;
- (H) other references.

(2) The following categories of other data may be maintained in program applicant records:

- (A) address(es);
- (B) family size;
- (C) social or ethnic background.

(3) Program applicant records are maintained on any person or family who has applied to, or who is participating in any direct assistance program administered by the Department.

(d) **Developer Records**

(1) The following categories of personal data may be maintained in developer records:

- (A) employment or business history;
- (B) financial statements and tax returns;
- (C) credit reports;
- (D) miscellaneous financial information, i.e. financial resources, bank accounts, liabilities, etc;
- (E) social security or federal identification numbers.

(2) The following categories of other data may be maintained in developer records:

- (A) names;
 - (B) addresses;
- (Effective December 5, 1989)

Sec. 8-37r-4. Maintenance of personal data

(a) Personal data will not be maintained unless relevant and necessary to accomplish the lawful purposes of the Department. Where the Department finds irrelevant or unnecessary public records in its possession, the Department shall dispose of the records in accordance with its records retention schedule, or, if the records are not disposable under the records retention schedule, request permission from the Public Records Administrator to dispose of the records under Connecticut General Statutes Section 11-8a.

(b) The Department shall collect and maintain all records completely and accurately.

(c) Insofar as it is consistent with the needs and mission of the Department, and where it is practical, personal data shall be collected directly from the person to whom the record pertains.

(d) Department employees involved in the operations of the Department's personal data systems shall be informed of the provisions of (i) the Personal Data Act, (ii) the Department's regulations adopted pursuant to § 4-196, (iii) the Freedom of Information Act and (iv) any other state or federal statute or regulations concerning maintenance or disclosure or personal data kept by the Department.

(e) All employees of the Department shall take reasonable precautions to protect personal data in their custody from the danger of fire, theft, flood, natural disaster, and other physical threats.

(f) The Department shall incorporate by reference the provisions of the Personal Data Act and regulations promulgated thereunder in all contracts, agreements, or licenses for the operation of a personal data system, or for research, evaluation, and reporting of personal data for the Department or on its behalf.

(g) The Department shall have an independent obligation to ensure that personal data requested from any other state agency is properly maintained.

(h) Only employees of the Department with a specific need to review personal data records for lawful purposes of the Department shall be permitted to do so.

(i) The Department of Housing shall keep a written up-to-date list of all individuals entitled to access to each of the Department's personal data systems.

(j) The Department shall ensure against unnecessary duplication of personal data records. In the event it is necessary to send personal data records through interdepartmental mail, such records shall be sent in envelopes or boxes sealed and marked "confidential."

(k) The Department shall ensure that all records in conventional files are kept under lock and key and, to the greatest extent possible, are kept in controlled access areas.

(l) To the extent practical, automated equipment and records shall be located in a limited access area.

(m) To the extent practical, the Department shall permit visitors or non-operations personnel to enter the limited access area only for a necessary, specific, and authorized purpose. Any person entering this area must sign a visitor's log.

(n) To the extent practical, the Department shall ensure that regular access to automated equipment is limited to operations personnel.

(o) The Department shall implement appropriate access control measures to prevent disclosure of personal data on automated systems to unauthorized individuals.

(Effective December 5, 1989)

Sec. 8-37r-5. Permitted use of personal data

(a) Personnel Records

(1) Employees of the Department who are assigned personnel and payroll responsibilities use the personal data contained in the Department's personnel records in processing promotions, re-classifications, transfers to other agencies, retirement, and other personnel actions. Supervisors use the personal data when promotions, career counseling, or disciplinary actions for such employees are contemplated, and for other employment-related purposes.

(2) The Department retains personnel records according to schedules published by the Public Records Administrator, Connecticut State Library.

(b) Retirement System Participant Records

(1) All employees of the Department use retirement system participant records for the purpose of making an accurate determination of the retirement benefit to which such participants may be eligible, or the amount payable to such participant upon application for a refund of his retirement contributions.

(2) Retirement system participant records are used for the preparation of retirement applications and longevity payrolls.

(3) Retirement system participant records are retained in accordance with guidelines published by the Public Records Administrator, Connecticut State Library.

(c) Program Applicant and Developer Records

(1) Program applicant and developer records are used in the evaluation and qualifications and compliance monitoring of program applicants and developers in programs established, conducted, funded, or administered by the Department of Housing.

(2) The Department retains program applicant and developers records according to guidelines published by the Public Records Administrator, Connecticut State Library.

(d) When an individual is asked to supply personal data to the Department of Housing, the Department shall disclose to that individual, upon request:

- (1) The name of the Department and division within the Department requesting the personal data;
 - (2) The legal authority under which the Department is empowered to collect and maintain the personal data;
 - (3) The individual's rights pertaining to such records under the Personal Data Act, and Department regulations;
 - (4) The known consequences arising from supplying or refusing to supply the requested personal data;
 - (5) The proposed use to be made of the requested personal data.
- (Effective December 5, 1989)

Sec. 8-37r-6. Disclosure of personal data

(a) Within four business days of receipt of a written request the Department shall mail or deliver to the requesting individual a written response in plain language, informing him/her as to whether or not the Department maintains personal data on that individual, the category and location of the personal data maintained on that individual and procedures available to review the records.

(b) Except where nondisclosure is required or specifically permitted by law, the Department shall disclose to any person upon written request all personal data concerning that individual which is maintained by the Department. The Department's procedures for disclosure shall be in accordance with Sections 1-15 through 1-21k of the General Statutes. If the personal data is maintained in coded form, the Department shall transcribe the data into a commonly understandable form before disclosure.

(c) The Department is responsible for verifying the identity of any person requesting access to his/her own personal data.

(d) The Department is responsible for ensuring that disclosure made pursuant to the Personal Data Act is conducted so as not to disclose any personal data concerning persons other than the person requesting the information.

(e) The Department may refuse to disclose to a person medical, psychiatric or psychological data on that person if the Department determines that such disclosure would be detrimental to that person.

(f) In any case where the Department refuses disclosure, it shall advise that person of his/her right to seek judicial relief pursuant to the Personal Data Act.

(g) If the Department refuses to disclose medical, psychiatric or psychological data to a person based on its determination that disclosure would be detrimental to that person and nondisclosure is not mandated by law, the Department shall, at the written request of such person, permit a qualified medical doctor to review the personal data contained in the person's record to determine if the personal data should be disclosed. If disclosure is recommended by the person's medical doctor, the Department shall disclose the personal data to such person; if nondisclosure is recommended by such person's medical doctor, the Department shall not disclose the personal data and shall inform such person of the judicial relief provided under the Personal Data Act.

(h) The Department shall maintain a complete log of each person, individual, agency or organization who has obtained access or to whom disclosure has been made of personal data under the Personal Data Act, together with the reason of each such disclosure or access. This log must be maintained for not less than five years from the date of such disclosure or access or for the life of the personal data record, whichever is longer.

(Effective December 5, 1989)

Sec. 8-37r-7. Contesting or amending personal data

(a) Any person who believes that the Department is maintaining inaccurate, incomplete or irrelevant personal data concerning him/her may file a written request with the official responsible for maintaining the records for correction of said personal data.

(b) Within 30 days of receipt of such request, the responsible official shall give written notice to that person that the Department will make the requested correction, or if the correction is not to be made as submitted, the official shall state the reason for denial of such request and notify the person of his/her right to add his/her own statement to his/her personal data records.

(c) Following such denial by the official responsible for maintaining the records, the person requesting such correction shall be permitted to add a statement to his or her personal data record setting forth what that person believes to be an accurate, complete and relevant version of the personal data in question. Such statements shall become a permanent part of the Department's personal data system and shall be disclosed to any individual, agency or organization to which the disputed personal data is disclosed.

(Effective December 5, 1989)

Sec. 8-37r-8. Disclosure under the freedom of information act

(a) Any person may obtain personal data from personal data systems of the Department of Housing except when prohibited by law.

(b) Disclosure of personal data from personal data systems of the Department shall be governed by Chapter 3 of the Connecticut General Statutes.

(Effective December 5, 1989)

Sec. 8-37r-9. Standard forms

(a) The Department may provide standard forms for any written inquiry or response required under these regulations.

(b) If the Department provides standard forms for any written inquiry or response required under these regulations, they shall be written in plain language and be approved by the Commissioner.

(Effective December 5, 1989)