

BIENNIAL AGENCY REPORT

INSTRUCTIONS

The Identifying Information Law requires City agencies to submit comprehensive biennial agency reports related to their collection, retention, and disclosure of identifying information and their privacy protection practices.

To complete the 2024 biennial agency report:

- Review Form 2s ([APO Designation of Collection and Disclosures as “Routine”](#)) made since the 2022 compliance cycle;
- Review Form 5s ([Agency Privacy Officer Approval of Collections and Disclosures on a “Non-Routine” Basis](#)) made since the 2022 compliance cycle;
- Use Forms 2 & 5 to complete [Worksheet 1](#) for all new and existing **collections** between 2022-2024;
- Use Forms 2 & 5 to complete [Worksheet 2](#) for all new and existing **disclosures** between 2022-2024.
- Complete the Biennial Agency Workbook;
- Submit the biennial agency report by **July 31, 2024**.

Submit the biennial agency report to:

- Mayor at MOReports@cityhall.nyc.gov
- City Council Speaker at reports@council.nyc.gov
- Chief Privacy Officer and the Citywide Privacy Protection Committee at ojp@oti.nyc.gov
- Department of Records and Information Services (DORIS) online submission portal at <https://a860-gpp.nyc.gov>

THIS REPORT IS PUBLIC. PREPARERS SHOULD CONSULT AGENCY COUNSEL OR THE CHIEF PRIVACY OFFICER TO ENSURE THE RESPONSES ARE PROVIDED ACCORDING TO APPLICABLE LAW AND CITY POLICY.

VERSION CONTROL

Version	Description of Change	Approver	Date
4.0	New design for ease of use and technological enhancements, and miscellaneous clarifying revisions.	Michael Fitzpatrick Chief Privacy Officer, City of New York	April 2024
3.0	Updated completion date; miscellaneous clarifying revisions.	Aaron Friedman Principal Senior Counsel Office of Information Privacy	April 2022
2.0	Updated completion date; miscellaneous clarifying revisions.	Laura Negrón Chief Privacy Officer, City of New York	April 2020
1.0	First Version	Laura Negrón Chief Privacy Officer, City of New York	April 2018

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**BIENNIAL AGENCY REPORT
(Due on or before July 31, 2024)**

1. Agency: Department of Housing Preservation and Development
Department of Housing Preservation and Development
2. APO Contact Details
 - a. Name: Meryl Block Weissman
 - b. Title: Associate Commissioner, Strategic Operations and Analytics | Agency Privacy Officer
 - c. Email: BLOCKM@hpd.nyc.gov
 - d. Telephone: 212-863-6746

COLLECTIONS

3. How many collections does the agency have to describe?
23
4. **COLLECTIONS.** Upload worksheet 1.



- Proceed to the next page -

5. For all **collections**, select the types of identifying information collected (check all that apply). See [Citywide Privacy Protection Policies and Protocols § 3.1](#).

<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)* <input checked="" type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <input type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs <input type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences* <input type="checkbox"/> Height <input type="checkbox"/> Weight	<u>Government Program Information</u> <input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input checked="" type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input checked="" type="checkbox"/> Motor vehicle information
<u>Contact Information</u> <input checked="" type="checkbox"/> Current and/or previous home address <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<u>Law Enforcement Information</u> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input checked="" type="checkbox"/> Date and/or time of release from custody of ACS, DOCS, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<u>Demographic Information</u> <input checked="" type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input type="checkbox"/> Gender identity <input checked="" type="checkbox"/> Languages spoken <input checked="" type="checkbox"/> Marital or partnership status <input checked="" type="checkbox"/> Nationality <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Religion <input checked="" type="checkbox"/> Sexual orientation	<u>Technology-Related Information</u> <input checked="" type="checkbox"/> Device identifier including media access control (MAC) address or Internet mobile equipment identity (IMEI)* <input checked="" type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input type="checkbox"/> Internet protocol (IP) address* <input checked="" type="checkbox"/> Social media account information
<u>Status information</u> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input checked="" type="checkbox"/> Status as a victim of domestic violence or sexual assault <input checked="" type="checkbox"/> Status as crime victim or witness	
<u>Other Types of Identifying Information</u> (list below): 	
<p>*Type of identifying information designated by the CPO (see CPO Policies & Protocols, §3.1.1).</p>	

DISCLOSURES

6. How many disclosures does the agency have to describe?

24

7. **DISCLOSURES.** Upload worksheet 2.



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8. For all **disclosures**, select the types of identifying information disclosed (check all that apply).
See [Citywide Privacy Protection Policies and Protocols § 3.1](#).

<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)* <input checked="" type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <input type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs <input type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences* <input type="checkbox"/> Height <input type="checkbox"/> Weight	<u>Government Program Information</u> <input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input checked="" type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input checked="" type="checkbox"/> Motor vehicle information
<u>Contact Information</u> <input checked="" type="checkbox"/> Current and/or previous home address <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<u>Law Enforcement Information</u> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input checked="" type="checkbox"/> Date and/or time of release from custody of ACS, DOCS, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<u>Demographic Information</u> <input checked="" type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input type="checkbox"/> Gender identity <input checked="" type="checkbox"/> Languages spoken <input checked="" type="checkbox"/> Marital or partnership status <input checked="" type="checkbox"/> Nationality <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Religion <input checked="" type="checkbox"/> Sexual orientation	<u>Technology-Related Information</u> <input checked="" type="checkbox"/> Device identifier including media access control (MAC) address or Internet mobile equipment identity (IMEI)* <input checked="" type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input type="checkbox"/> Internet protocol (IP) address* <input checked="" type="checkbox"/> Social media account information
<u>Status information</u> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input checked="" type="checkbox"/> Status as a victim of domestic violence or sexual assault <input checked="" type="checkbox"/> Status as crime victim or witness	
<u>Other Types of Identifying Information</u> (list below): Disability status and/or medical condition; paystub and/or income affidavits; financial information such as bar	
*Type of identifying information designated by the CPO (see CPO Policies & Protocols, §3.1.1).	

9. Separate from the Citywide Privacy Protection Policies and Protocols, what are the agency's policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties? Please **summarize or upload a copy of the policy**. See *N.Y.C. Admin. Code § 23-1205(a)(1)(c)(1)*.
10. Which divisions of employees within the agency make disclosures of identifying information following the approval of the privacy officer? See *§ N.Y.C Admin. Code § 23-1205(a)(1)(c)(4)*.
11. Which categories of employees within the agency make disclosures of identifying information following the approval of the privacy officer? See *§ N.Y.C Admin. Code § 23-1205(a)(1)(c)(4)*.
12. Do any of the agency's policies address **access** to identifying information by employees, contractors, and subcontractors? See *§ N.Y.C. Admin Code § 23-1205(a)(4)*.
- Yes – **GO TO QUESTION 13**
- No – **GO TO QUESTION 16**
13. Do these policies state that **access** to identifying information must be necessary for the employees, contractors, and subcontractors to perform their duties? See *N.Y.C. Admin Code § 23-1205(a)(4)*.
- Yes – **GO TO QUESTION 14**
- No – **GO TO QUESTION 16**
14. Are these policies implemented so that **access** is limited to the greatest extent possible, but also furthers the purpose or mission of the agency?
- Yes – **GO TO QUESTION 15**
- No – **GO TO QUESTION 16**

15. Describe how **access** is limited to the greatest extent possible while furthering the purpose or mission of the agency.

16. **Summarize or upload** the agency's current policies for handling **proposals for disclosures to other** City agencies, local public authorities, or local public benefit corporations, and third parties. *See N.Y.C Admin Code § 23-1205(a)(1)(c)(2).*

17. **Summarize or upload** the agency's current policies regarding the classification of **disclosures** as necessitated by the existence of **exigent circumstances or as routine**. *See N.Y.C Admin Code § 23-1205(a)(1)(c)(3).*



18. Since 2022, has the agency **considered or implemented**, where applicable, policies that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the purpose or mission of the agency? *See N.Y.C Admin Code § 23-1205(a)(3).*

Yes – **GO TO QUESTION 19**

No – **GO TO QUESTION 20**

19. Summarize the policies that the agency has **considered or implemented** regarding data minimization for the collection, retention, and disclosure of identifying information. *See N.Y.C Admin Code § 23-1205(a)(4).*

20. Summarize the agency's use of agreements for any use or disclosure of identifying information. *See N.Y.C Admin Code § 23-1205 (a)(1)(d).*
21. Since 2022, describe the impact of the Identifying Information Law and any other local, state, or federal laws upon your agency's practices in relation to the collection, retention, and disclosure of identifying information (i.e., if such practices would differ in the absence of these laws). The impact can be positive or negative. *See N.Y.C Admin Code § 23-1205(a)(2).*
22. Describe how the current privacy policies and protocols issued by the Chief Privacy Officer, or the guidance issued by the Citywide Privacy Protection Committee affected your agency's practices in relation to the collection, retention, and disclosure of identifying information. The effects can be positive or negative. *See N.Y.C Admin Code § 23-1205(a)(2).*

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APPROVAL SIGNATURE FOR AGENCY REPORT

PREPARER OF AGENCY REPORT

Name: Meryl Block Weissman

Title: Associate Commissioner, Strategic Operations and Analytics | Agency Privacy

Email: BLOCKM@hpd.nyc.gov

Phone: 212-863-6746

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Name: Adolfo Carrion, Jr.

Title: Commissioner

Email: CARRIONA@hpd.nyc.gov

Phone: 212-863-6100

Signature: 

Date: 07/31/2024

Describe the following types of collections. *Note, you may have multiple collections of the same type.*

COLLECTIONS				
	Type of Collection	Describe the Specific Activity	Classification	Describe the agency purpose or mission served by this Collection.
1	Housing	Application Assistance	Pre-approved as routine	Supports eligible households in completing applications and, when needed, assists in acquiring required documentation (i.e., self-certifications, birth certificate, social security card, etc.) including the referral forms and consent for the release of information
2	Compliance	Asset Management	Pre-approved as routine	Monitors the performance and compliance of HPD financed affordable housing properties, including affordability and housing conditions for tenants and compliance for homeowners and landlords, to ensure that they remain financially and physically stable over the long-term
3	Audit	Audit	Pre-approved as routine	Ensures that the disclosure obligations of City, State and Federal oversight authorities, lawfully authorized to collect such information from a City agency, are met during the course of audit activities
4	None of the above	City Owned Property Management	Pre-approved as routine	Manages City-owned property and the associated residential and commercial tenants

	<i>Type of Collection</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Collection.</i>
5	Compliance	Compliance	Pre-approved as routine	Conducts compliance activities for its various housing programs to ensure that City, State, and Federal funding and program requirements are met, ensure that external partners such as developers, property managers, or contractors are meeting their obligations to the Agency, and ensure that other City regulations or agreements and obligations are met
6	Client or Customer Service	Constituent Services	Pre-approved as routine	Works to address the public's concerns and questions and, in the process, receives and collects information either directly from the public or from elected officials and agencies
7	Technology	Email, Outlook and Teams	Pre-approved as routine	Ensures security of employees' use of email, Outlook calendar functions broadly for correspondence and meeting scheduling and Teams meeting and chat communications
8	Housing	Housing Assistance Application	Pre-approved as routine	Administers a range of programs to subsidize, qualify or apply for affordable housing rental assistance
9	Compliance	Housing Maintenance Code Enforcement	Pre-approved as routine	Identifies buildings in distress, assesses and develops appropriate strategies to address those properties, and works closely with responsible owners to develop a plan to improve conditions and return buildings to firm financial footing and physical health, using enforcement tools to ensure compliance with legal and regulatory obligations

	<i>Type of Collection</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Collection.</i>
10	Housing	Housing Opportunity & Program Services	Pre-approved as routine	Administers the housing lottery and homeless placement programs and crafts policy and procedures to ensure that these programs offer equal opportunity to all applicants and affirmatively further fair housing. Ensures that HPD-financed and -assisted affordable housing is made available to New Yorkers through fair, transparent and accessible programming through an open lottery process on NYC Housing Connect and fills other units thorough direct placement processes of household in the City's shelter system
11	None of the above	Housing Policy	Pre-approved as routine	Provides guidance and develops policy, executes data collection and statistical analyses, and discloses information in support of HPD's programming and policy agenda
12	Housing	Housing Production	Pre-approved as routine	Manages predevelopment, financing, construction, and loan conversion functions to create or preserve affordable housing in New York City

	<i>Type of Collection</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Collection.</i>
13	Legal Matters or Proceeding	Legal Affairs	Pre-approved as routine	Represents/defends the Agency in actions, special proceedings and other legal proceedings and/or assisting the New York City Law Department in representing/defending the Agency in matters before courts, other agencies (hederal, state, or local), and/or administrative bodies (federal, state, or local); review Agency actions/practices in particular matters and systemically in connection with the development/implementation of Agency policies and procedures; responds to subpoenas and other information/document demands from administrative/adjudicating bodies,; and in connection with generally advising and supporting Agency staff in administering Agency polices, programs, and activities
14	None of the above	Loan Processing	Pre-approved as routine	Processes and manages the mortgage payments of affordable housing applicants
15	None of the above	Loan Servicing	Pre-approved as routine	Accepts and reviews loan applications in connection with grant and loan programs to subsidize affordable homeownership for first-time homebuyers and makes and services such loans
16	Human Resources and other Personnel Matters	Personnel	Pre-approved as routine	Manages activities to recruit, hire and manage personnel and personnel-related functions
17	Procurement	Procurement and Contracting	Pre-approved as routine	Processes agency procurement activity

	<i>Type of Collection</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Collection.</i>
18	Response to a Request or Demand	Shelter Management	Pre-approved as routine	Administers a Shelter system for households displaced from their homes as a result of fires and City-issued vacate orders, whereby households are given emergency shelter and rehousing assistance
19	Response to a Request or Demand	Storm Recovery	Pre-approved as routine	Provides assistance to tenants, residents and building owners impacted storms or natural disasters/emergencies using Federal, City, State and other funding
20	Strategic Initiatives	Strategic Preservation	Pre-approved as routine	Assesses community needs, and develops and implements preservation strategies, include collecting and analyzing data on housing and market conditions, both for tenants and owners/landlords/developers
21	Technology	System Setup and Maintenance	Pre-approved as routine	Collects data to create and maintain user accounts for key Citywide data systems
22	None of the above	Tax Incentive Administration	Pre-approved as routine	Screens, reviews ad processes applications for property tax benefits and incentives provided by the City of New York. The Agency approves and tracks these applications and coordinates with the NYC Department of Finance to administer the tax benefits
23	Client or Customer Service	Tenant Subsidies and Section 8 Administration	Pre-approved as routine	Administers tenant or project based rental assistance programs including Section 8, Shelter Plus Care, Moderate Rehabilitation and other
24	Choose an item.		Choose an item.	

Please add additional rows, if needed

Describe the following types of disclosures. *Note, you may have multiple disclosures of the same type.*

DISCLOSURES				
	<i>Type of Disclosure</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Disclosure.</i>
1	Housing	Application Assistance	Pre-approved as routine	Supports eligible households in completing applications and, when needed, assists in acquiring required documentation (i.e., self-certifications, birth certificate, social security card, etc.) including the referral forms and consent for the release of information
2	Compliance	Asset Management	Pre-approved as routine	Monitors the performance and compliance of HPD financed affordable housing properties, including affordability and housing conditions for tenants and compliance for homeowners and landlords, to ensure that they remain financially and physically stable over the long-term
3	Audit	Audit	Pre-approved as routine	Ensures that the disclosure obligations of City, State and Federal oversight authorities, lawfully authorized to collect such information from a City agency, are met during the course of audit activities
4	None of the above	City Owned Property Management	Pre-approved as routine	Manages City-owned property and the associated residential and commercial tenants

	<i>Type of Disclosure</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Disclosure.</i>
5	Compliance	Compliance	Pre-approved as routine	Conducts compliance activities for its various housing programs to ensure that City, State, and Federal funding and program requirements are met, ensure that external partners such as developers, property managers, or contractors are meeting their obligations to the Agency, and ensure that other City regulations or agreements and obligations are met
6	Client or Customer Service	Constituent Services	Pre-approved as routine	Works to address the public's concerns and questions and, in the process, receives and collects information either directly from the public or from elected officials and agencies
7	Technology	Email, Outlook and Teams	Pre-approved as routine	Ensures security of employees' use of email, Outlook calendar functions broadly for correspondence and meeting scheduling and Teams meeting and chat communications
8	Housing	Housing Assistance Application	Pre-approved as routine	Administers a range of programs to subsidize, qualify or apply for affordable housing rental assistance
9	Compliance	Housing Maintenance Code Enforcement	Pre-approved as routine	Identifies buildings in distress, assesses and develops appropriate strategies to address those properties, and works closely with responsible owners to develop a plan to improve conditions and return buildings to firm financial footing and physical health, using enforcement tools to ensure compliance with legal and regulatory obligations

	<i>Type of Disclosure</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Disclosure.</i>
10	Housing	Housing Opportunity & Program Services	Pre-approved as routine	Administers the housing lottery and homeless placement programs and crafts policy and procedures to ensure that these programs offer equal opportunity to all applicants and affirmatively further fair housing. Ensures that HPD-financed and -assisted affordable housing is made available to New Yorkers through fair, transparent and accessible programming through an open lottery process on NYC Housing Connect and fills other units thorough direct placement processes of household in the City's shelter system
11	None of the above	Housing Policy	Pre-approved as routine	Provides guidance and develops policy, executes data collection and statistical analyses, and discloses information in support of HPD's programming and policy agenda
12	Housing	Housing Production	Pre-approved as routine	Manages predevelopment, financing, construction, and loan conversion functions to create or preserve affordable housing in New York City

	<i>Type of Disclosure</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Disclosure.</i>
13	Legal Matters or Proceeding	Legal Affairs	Pre-approved as routine	Represents/defends the Agency in actions, special proceedings and other legal proceedings and/or assisting the New York City Law Department in representing/defending the Agency in matters before courts, other agencies (hederal, state, or local), and/or administrative bodies (federal, state, or local); review Agency actions/practices in particular matters and systemically in connection with the development/implementation of Agency policies and procedures; responds to subpoenas and other information/document demands from administrative/adjudicating bodies,; and in connection with generally advising and supporting Agency staff in administering Agency polices, programs, and activities
14	None of the above	Loan Processing	Pre-approved as routine	Processes and manages the mortgage payments of affordable housing applicants
15	None of the above	Loan Servicing	Pre-approved as routine	Accepts and reviews loan applications in connection with grant and loan programs to subsidize affordable homeownership for first-time homebuyers and makes and services such loans
16	Human Resources and other Personnel Matters	Personnel	Pre-approved as routine	Manages activities to recruit, hire and manage personnel and personnel-related functions
17	Procurement	Procurement and Contracting	Pre-approved as routine	Processes agency procurement activity

	<i>Type of Disclosure</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Disclosure.</i>
18	Response to a Request or Demand	Shelter Management	Pre-approved as routine	Administers a Shelter system for households displaced from their homes as a result of fires and City-issued vacate orders, whereby households are given emergency shelter and rehousing assistance
19	Response to a Request or Demand	Storm Recovery	Pre-approved as routine	Provides assistance to tenants, residents and building owners impacted storms or natural disasters/emergencies using Federal, City, State and other funding
20	Strategic Initiatives	Strategic Preservation	Pre-approved as routine	Assesses community needs, and develops and implements preservation strategies, include collecting and analyzing data on housing and market conditions, both for tenants and owners/landlords/developers
21	Technology	System Setup and Maintenance	Pre-approved as routine	Collects data to create and maintain user accounts for key Citywide data systems
22	None of the above	Tax Incentive Administration	Pre-approved as routine	Screens, reviews ad processes applications for property tax benefits and incentives provided by the City of New York. The Agency approves and tracks these applications and coordinates with the NYC Department of Finance to administer the tax benefits
23	Client or Customer Service	Tenant Subsidies and Section 8 Administration	Pre-approved as routine	Administers tenant or project based rental assistance programs including Section 8, Shelter Plus Care, Moderate Rehabilitation and other
24	None of the above	Housing Policy	Approved by the APO on a case-by-case basis	Provides guidance and develops policy, executes data collection and statistical analyses, and discloses information in support of HPD's programming and policy agenda: study the process of residents

				moving into financed and assisted units to identify opportunities to improve process times.
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Please add additional rows, if needed



Data Privacy Misuse and Reporting Guidelines

July 2024

Introduction

New York City's Department of Housing Preservation and Development (HPD) is committed to protecting Personal Identifying Information (PII) and sensitive identifying information, from being shared with unauthorized recipients and third parties.

This Document:

- 1) Defines sensitive and Personal Identifying Information (PII) per the city's Chief Privacy Officer (CPO)
- 2) Provides guidance to evaluate improper handling of PII and related agency data.
- 3) Provides direction for handling and reporting data privacy use violations.

Reporting Requirements

This document has been created to facilitate agency compliance with the following laws:

- 1) Section 4.4.2 of the Identifying Information Law, which requires APOs to compile and report agency unauthorized disclosures and collections, and disclosures made under exigent circumstances, to the CPO; and
- 2) Section 23-1202 of the New York City Administrative code, which requires the CPO to submit a quarterly report of City agency disclosures to City Council.

In addition to the City's Identifying Information Law, there are additional laws that protect specific types of identifying information from disclosure. These include federal laws such as the Health Insurance Portability and Accountability Act (HIPAA) and Federal Privacy Act of 1974, and state laws such as the Social Services Law and the Mental Hygiene Law. Protecting identifying information is critical so that someone is not able to identify information about those who use HPD's services.

Personal Identifying Information (PII) and Sensitive identifying information

The term *Identifying Information* is used to describe any information collected by or on behalf of the City that can, on its own or with other information, identify or locate an individual. The following terms pertain to different levels of Identifying Information within the agency:

- **Personal Identifying Information (PII)** is any information (digital or in physical format) that may reveal, or lead to the unintentional release of, the identity of an individual. Some examples are names, addresses, email addresses, and phone numbers.
- **Sensitive Identifying Information** is highly confidential PII which, if lost, compromised, or disclosed, without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual. Some examples are a person’s Social Security number, bank account numbers, address of a domestic violence survivor, HIV/AIDS status, citizenship status, and mental health information, among others.

IMPORTANT: PII is the phrase commonly used throughout the agency to identify any type of information, personal or sensitive identifying information, that cannot be shared. The protocols for proper handling of identifying information in each of these categories is the same.

Disclosures or Collections in Violation of the Identifying Information Law

When PII and/or agency records containing PII is/are improperly handled by agency employees or its contractors, intentionally or unintentionally, it is in direct conflict with City privacy policies, agency best practices, and/or specific confidentiality agreements and is therefore identified as a violation or misuse. Regardless of the circumstances, all misuses must be reported to the APO at dataprivacy@hpd.nyc.gov.

Below are some common misuse examples:

<ul style="list-style-type: none"> • Revealing PII or sensitive identifying information in the subject line of an email. • Emailing an individual’s identifying information to more recipients than was intended or is required. • Emailing documents containing PII for one client that are intended for another client. • Disclosing information about individuals to unauthorized parties. • Sharing an individual’s identifying information to more recipients than intended via unguarded PC and other device screens, apps (e.g., Office 365, Outlook, Teams), printer trays or open files. • Recording and sharing video footage that includes PII via a messaging application, such as Teams or another messaging app on a city-provided phone; or a Teams app on personal cellphone that is authorized to use City-provided software. 	<ul style="list-style-type: none"> • Disclosing a vendor’s and vendor’s employee’s information on the agency public website. • Improperly using databases to access client information. • Uploading client identifying information to a shared online file storage service. • Placing client information in an online unsecured area, unprotected folder, or any other location that is not within the designated and protected locations identified by HPD. • Conducting unauthorized searches on databases. • Misplacing a city-owned laptop. • Misplacing or incorrectly storing client or vendor paper applications. • Improperly disposing of client information leading to its disclosure by an improper party.
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Disclosures Under Exigent Circumstances

There may be occasion when urgent action is needed due to exigent circumstances and regular approval protocols are not followed. Such instances are required to be reported to the APO. An example of an exigent circumstance would be:

An agency sharing urgent health related identifying information of an employee with another agency prior to having such disclosure first approved by the agency privacy officer.

NOTE: Any action taken under exigent circumstances must involve supervisory input and approval.

Reporting Protocols

As per CPO policy, each agency misuse must be reported whether the act was unintentional, intentional and/or under exigent circumstances. The employee or project supervisor should report the incident to its program Privacy Liaison, Assistant Commissioner (AC) or as otherwise may be determined by each division. If the matter is particularly sensitive, supervisors should use their discernment to determine who must be made aware of the incident. Incidents of a highly sensitive nature may be reported directly to the APO. All such reports are kept confidential within the agency and disclosed only as required by policy requirements or law.

Notifying the Data Privacy Team

Misuses, or possible misuses, should be reported as soon as they are discovered: dataprivacy@hpd.nyc.gov. When reporting the misuse, the Data Privacy team will need: a description, the parties involved, a list of the identifying information that was improperly handled, and the corrective action taken. The Data Privacy team will determine, in coordination with the APO and Legal as necessary, if a misuse has occurred.

Corrective Action

When a confirmed misuse has occurred, corrective action beyond the program area's supervisory direction may be needed to remedy the existing situation and/or prevent a similar occurrence from happening in the future. The Data Privacy Team will work with Legal to communicate misuses that might require elevated corrective actions.

Frequency of Reporting

Misuses should be reported as they occur along with any corrective actions that have been taken. Quarterly, the Data Privacy Team will issue a reminder to all Privacy Liaisons to either:

- 1) submit any reporting violations that have occurred in in their division during the past ninety (90) days;
- or
- 2) submit confirmation by email that no violations have occurred during the past ninety (90) days

Identifying Information List

<p><u>Personal Information</u> Name Social Security number (full or last 4 digits)* Taxpayer ID number (full or last 4 digits)*</p>	<p><u>Work-Related Information</u> Employer information Employment address</p>
<p><u>Biometric Information</u> Fingerprints Photographs Palm and handprints* Retina and iris patterns* Facial geometry* Gait or movement patterns* Voiceprints* DNA sequences*</p>	<p><u>Government Program Information</u> Any scheduled appointments with any employee, contractor, or subcontractor Any scheduled court appearances Eligibility for or receipt of public assistance or City services Income tax information Motor vehicle information</p>
<p><u>Contact Information</u> Current and/or previous home addresses Email address Phone number</p>	<p><u>Law Enforcement Information</u> Arrest record or criminal conviction Date and/or time of release from custody of ACS, DOC, or NYPD Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD</p>
<p><u>Demographic Information</u> Country of origin Date of birth* Gender identity Languages spoken Marital or partnership status Nationality Race Religion Sexual orientation</p>	<p><u>Technology-Related Information</u> Device identifier including media access control (MAC) address or Internet mobile equipment identity (IMEI)* GPS-based location obtained or derived from a device that can be used to track or locate an individual* Internet protocol (IP) address* Social media account information</p> <p><u>Other Types of Identifying Information</u> Disability status and/or medical information Paystub and/or income affidavits Financial info such as bank account information</p>

*Types of Identifying Information designated by the Chief Privacy Officer

Please contact the Data Privacy Team at dataprivacy@hpd.nyc.gov for additional questions or guidance on collecting, saving, or sharing PII.