



Violence Against Women Act (VAWA)

What Applicants, Tenants, Owners and Landlords Need to Know

Applicable to Public Housing and Section 8 Housing Choice Voucher Programs
Effective January 5, 2005

VAWA Protection for Public Housing and Section 8 Housing Choice Voucher Assistance Applicants

A Public Housing Agency (PHA), owner or landlord may not deny admission to an applicant (male or female) who has been a victim of domestic violence, dating violence, or stalking, if the applicant otherwise qualifies for assistance or admission.

To qualify for public housing or housing choice voucher assistance, all applicants, including victims of domestic violence, dating violence, or stalking, must, at a minimum:

- meet the local/PHA's definition of "family"
- be income eligible
- have at least one family member who is a U.S. citizen or has eligible immigration status;
- pass criminal background screening;
- have no outstanding debt to the PHA; and
- meet all other local PHA screening criteria.

VAWA Protection for Public Housing Tenants and Housing Choice Voucher Program Participants

Reporting incidents of domestic violence, dating violence, or stalking to law enforcement, victim's rights advocates, and the PHA, may help preserve your housing rights. The PHA may not deny, remove, or terminate assistance, to a victim of domestic violence, dating violence or stalking based solely on such an incident or threat.

The PHA, an owner or landlord, may deny, remove, or terminate assistance to an individual perpetrator of such action and continue to allow the victim or other household members remain in the dwelling unit or receive housing assistance. This does not limit the authority of the PHA, owner, or landlord, to terminate your assistance for other criminal activity or good cause.

A Section 8 Housing Choice Voucher Participant who is a victim of domestic violence, dating violence or stalking may request and be granted portability due to the incident or threat, if they are otherwise compliant with all program obligations and the perpetrator has moved out of the dwelling unit.

In processing a request by a victim of continued assistance or for portability, the PHA may request that you certify that you are a victim of domestic violence, dating violence, or stalking, and that the actual or threatened abuse meets the requirements set forth in the VAWA. Such certification must include the name or the perpetrator. If you do not provide the requested certification within 14 business days, your assistance may be terminated.

Confidentiality

Any information provided pursuant to the VAWA shall neither be entered into any shared database nor provided to any related entity, except to the extent that disclosure is requested or consented to by the individual in writing; required for use in an eviction proceeding of an abuser, stalker, or perpetrator of domestic violence; or is otherwise required by applicable law.

State and Local Laws

Some states have passed laws effecting applicants; tenants, owners and landlords that are more stringent than requirements of the VAWA. Many states have related laws pending. You may want to check with your state and/or city for the most current state and local laws protecting victims of domestic violence, dating violence or stalking.