



Housing Matters!

VAWA 2013

Updates

EDITION



National Council of
State Housing Agencies

Presented by



VAWA Updates

NCSHA Housing Connect 2018

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Manual & online

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What we will
learn today...

- Is the HTF covered by VAWA?
- What is a reasonable time for a non-qualified victim to move out after lease bifurcation?
- Can we require 3rd-party verification?
- What if both tenants claim to be victims?
- What are you waiting for?

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Fair Housing



50%

60%

75%

85%

WHAT PERCENTAGE OF
VICTIMS ARE WOMEN?



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Fair Housing



50%

60%

75%

85%

WHAT PERCENTAGE OF
VICTIMS ARE WOMEN?

1 in 4 lifetime

Immigrants more likely

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Fair Housing



OFFICE OF FAIR HOUSING
AND EQUAL OPPORTUNITY

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-2000

February 9, 2011

MEMORANDUM FOR: FHEO Office Directors
FHEO Regional Directors

FROM: *Scott Pratt*
Scott Pratt, Deputy Assistant Secretary for Enforcement and
Programs

SUBJECT: Assessing Claims of Housing Discrimination against Victims of
Domestic Violence under the Fair Housing Act (FHA) and the
Violence Against Women Act (VAWA)

**‘VAWA violations =
FH violations’**

- Gender
 - Race
 - National origin
- 10 EXAMPLE CASES**

member, guest, or other person under the victim's "control." Victims are often evicted after repeated calls to the police for domestic violence incidents because of allegations of disturbance to

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RD

- AN 4814
- Encourage Changes to ***Management Plan***
- Use HUD's forms
- Victims eligible for Letter of Priority Entitlement (LOPE)
- Existing RD survivorship rules cover bifurcation.

Tax credits

Not required to violate §42 to comply with VAWA

§42 not altered by VAWA

“Federal Agency that carries out housing...”

1. Victim’s cert

2. HUD’s emergency transfer plan

3. Definition of “reasonable time”

Does anyone object to HUD’s suggested 90 days?

BUT end of taxable year, whichever is earlier

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Tax credits

- MOU IRS/DOJ/HUD
 - Fair Housing a substantial concern!
 - Loss of credits!

Checklist of Suggested Steps:

Adopt HUD rule if HUD, HOME HTF or RD

If not, NCSHA BP...

- Victims = special needs in QAP
- Violence not good cause for eviction
- Inform owners
- Provide Notice, Transfer Plan
- Lease addendum (?)
- VAWA in LURA?
- Monitor for compliance



Checklist of Suggested Steps:

Adopt HUD rule if HUD, HOME HTF or RD
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- Provide Notice (HUD), Transfer Plan (HUD)
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VAWA 6 FAQs:

Once claiming victim status, are the 14 days business or calendar days?

Business

Exclude weekends and holidays

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VAWA 6 FAQs:



Are owners required to give a preference to victims seeking to move from other properties?

No

But encouraged to

VAWA 6 FAQs:

VAWA gives several ways to verify victim status and need for transfer.

Who decides how to best document a victim's status?

The victim
The victim

**3rd-party only required if conflicts
exist**

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VAWA 6 FAQs:

If a conflicting documentation is provided, how long does the resident have to provide 3rd-party documentation?

30 Days



VAWA 6 FAQs:

Is that 30 business or calendar days?

Calendar days

“A full rent cycle”

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VAWA 6 FAQs:

If both tenants claim to be victims and neither can produce documentation, may we assist each in separate units?

Yes



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www.costellocompliance.com or LinkedIn

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VAWA

Scott Michael Dunn

Chief Executive Officer
Costello Compliance



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Thank You!

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