

LOUISVILLE METRO HOUSING AUTHORITY

PROPOSED REVISIONS TO: ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP)

Section 6: Required Postings
Section 10: Tenant Selection and Assignment Plan
Section 11: Income, Exclusions, and Deduction from Income
Section 16: Unit Transfers
Section 17: Inspections
Section 20: Termination
**Section 23: Violence Against Women Act (VAWA) Protections Against Domestic Violence,
Dating Violence, Sexual Assault, or Stalking**
**Appendix F: Protections for Victims of Domestic Violence, Dating Violence, Sexual Assault,
or Stalking Policy**

**PUBLIC COMMENT WELCOME FROM
June 1 – July 2, 2018**

Proposed revisions are denoted in red

SUMMARY

6. REQUIRED POSTINGS

Add “Notice to Applicants/Participants Regarding Their Rights under the Violence Against Women Act (VAWA)” to required postings.

10. TENANT SELECTION AND ASSIGNMENT PLAN

Add language about domestic violence to Category 1 preference (Section 10.1 C)
Add The Weathers Building (Park Duvalle) and St. Catherine Court to Mixed Population;
delete from Elderly Only Housing.

11. INCOME, EXCLUSIONS, AND DEDUCTIONS FROM INCOME

Add kinship/fictive care as an exemption to income (Section 11.2 B)

16. UNIT TRANSFERS

Add VAWA protection under Category A: Emergency Transfers (Section 16.2)

17. INSPECTIONS

Add Lead-Based Paint Requirements and Responsibilities (Section 17.10) regarding clearance activities; risk assessment; hazard reduction; data collection; and record keeping.

20. TERMINATION

Delete section about VAWA (Section 20.3) to create a new section 23.0

23. VIOLENCE AGAINST WOMEN ACT (VAWA) PROTECTIONS AGAINST DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

Add new section detailing protections; verifications; emergency transfers; and confidentiality.

APPENDIX F: PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING POLICY

Add forms for use regarding VAWA

[...]

6. REQUIRED POSTINGS

In each of its offices, the LMHA will post, in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, the following information:

- A. Statement of Policies and Procedures governing Admission and Continued Occupancy (ACOP)
- B. Notice of the status of the waiting list (opened or closed)
- C. A listing of all developments by name, address, number of units, units designed with special accommodations, address of all project offices, office hours, telephone numbers, TDD/TRS numbers, and Resident Facilities and operation hours
- D. Income Limits for Admission
- E. Excess Utility Charges
- F. Utility Allowance Schedule
- G. Current Schedule of Routine Maintenance Charges
- H. Dwelling Lease
- I. Grievance Procedure
- J. Fair Housing Poster
- K. Equal Opportunity in Employment Poster
- L. Any current LMHA Notices
- M. Notice of Occupancy Rights under the Violence Against Women Act.
- N. Any additional schedules of charges, including the agency's Pet Fee Schedule

[...]

10. TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The LMHA will select families based on the following preferences within each bedroom size (0-bedroom, 1-bedroom, 2-bedroom, etc.). These preferences are based on local

housing needs and priorities:

- A. ***Former Clarksdale residents who were relocated by the LMHA as a result of the Housing Authority's HOPE VI Revitalization of the site receive a one-time preference for all rental units built through the Liberty Green Revitalization effort. (Category 1 preference)***

These families should apply through the Liberty Green site-based waiting list for units at Liberty Green, and through the agency's central waiting list for all other units built through the Revitalization effort;

- B. ***Former Sheppard Square residents who were relocated by the LMHA as a result of the Housing Authority's HOPE VI Revitalization of the site receive a one-time preference for all rental units built through the Sheppard Square Revitalization effort. (Category 1 preference)***

These families should apply through the Sheppard Square site-based waiting list for units at Sheppard Square, and through the agency's central waiting list for all other units built through the Revitalization effort;

- C. ***An involuntarily displaced individual or family or an individual or family displaced as a result of domestic violence. (Category 1 preference)***

To qualify for this preference, an individual or family must meet at least one of the following criteria:

1. An individual or family displaced by government action;
2. An individual or family that includes a member who is unable to use critical elements of their current rental unit due to a mobility impairment and where the owner is neither legally obligated nor willing to make adaptive modifications;
3. An individual or family that is facing an eviction action due to reasons beyond their control or cause;
4. An individual or family that has been forced to vacate their home due to a fire that was beyond their control or cause;
5. An individual or family whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized by a unit of local, state, or federal government; or
6. ***Victims of domestic violence where the most recent incident of abuse occurred no more than thirty calendar days before the date the applicant begins the full***

application process;

[...]

Buildings Designed for the Elderly (55+) and Disabled (Mixed Population Developments): Avenue Plaza, William E. Seay Plaza, Dosker Manor, Lourdes Hall, **The Weathers Building (Park Duvalle), and St. Catherine Court** have been designed to meet the needs of the elderly (55+) and disabled. Preference will be given to elderly and disabled families. If there are no elderly or disabled families on the list, preference will then be given to near-elderly families. All such families will be selected from the waiting list using the preferences as outlined above. No person under the age of 18 is eligible to reside in these developments.

Elderly-Only (62+) Housing: ~~The Weathers Building (Park Duvalle) are open only to families whose head of household, co-head, or spouse is at least 62 years of age. No person under the age of 55 is eligible to reside at St. Catherine Court.~~ In filling vacancies in these developments, first priority will be given to elderly families. If there are no elderly families on the list, next priority will be given to those age 55 or over. Using these priorities, families will be selected from the waiting list using the preferences as outlined above.

[...]

11. INCOME, EXCLUSIONS, AND DEDUCTIONS FROM INCOME

[...]

11.2 ANNUAL INCOME

Annual income does not include the following amounts specified in the federal regulations currently found in 24 CFR 5.609:

- A. Income from employment of children (including foster children) under the age of 18 years;
- B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone) or payments made under **kinship/fictive care** or similar guardianship care programs for children leaving the juvenile court system;

[...]

16. UNIT TRANSFERS

[...]

16.2 CATEGORIES OF TRANSFERS

Category A: Emergency Transfers. These transfers are necessary when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, **tenants covered under VAWA**, a hate crime, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.

[...]

17. INSPECTIONS

[...]

17.10 LEAD-BASED PAINT REQUIREMENTS AND RESPONSIBILITIES¹

The LMHA may be required to conduct special risk assessment and hazard reduction inspections in the event that a child has verified evidence of increases blood lead levels. LMHA will be responsible for clearance activities. All clearance activities will be performed by persons who have EPA or state-approved training and are licensed or certified to perform clearance examinations. LMHA will pay for the costs of clearance examinations.

Clearance Activities

LMHA must obtain an executed copy of the Lead-Based Paint Owner's Certification for the HQS violation for paint stabilization to be considered closed.

Requirements for Children with Environmental Intervention Blood Lead Level

Elevated blood levels in children under 6 years of age occurs when there are at least 5 micrograms of lead per deciliter of blood. Should LMHA receive information regarding an environmental intervention blood lead level child under age six from the family or other sources not associated with the medical health community, the Housing Authority will immediately verify the information with a public health department or other medical health care provider.

¹ PIH 2017-13 (HA), "Guidance on HUD's Lead Safe Housing Rule Pertaining to Elevated Blood Lead Levels for the Public Housing, Housing Choice Voucher, and Project Based Voucher System"

If either the public health department or private medical health agency provides verification that the child has an environmental intervention blood lead level, LMHA will notify the HUD field office representative within 5 business days via email. LMHA will proceed to complete a risk assessment of the unit, common areas and exterior surfaces as appropriate. This requirement does not apply if the public health department has already conducted an evaluation between the date the child's blood was last sampled and the receipt of notification of the child's condition.

If LMHA receives a report of an environmental intervention blood lead level child from any source other than the public health department, the Housing Authority will notify the public health department within five working days.

Risk Assessment

Within 15 calendar days of the notification to LMHA by a public health department or medical health care provider, the Housing Authority will complete a risk assessment of the dwelling or “index” unit, including common areas servicing the dwelling unit, if the child lived in the unit at the time the child's blood was sampled. If the public health department has already conducted an evaluation between the date the child's blood was last sample and the receipt of notification of the child's condition, the risk assessment by LMHA is not required.

LMHA will only utilize persons trained and certified by an EPA or state-approved agency to perform risk assessments. The risk assessment will identify the appropriate method of correction if correction is required.

The risk assessment will involve an on-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards. The investigation will include dust and soil sampling, visual evaluation, and may include paint inspections (tests for lead in paint). The assessor will issue a report to the housing authority explaining the results of the investigation, as well as option and requirements for reducing lead-based paint hazards.

LMHA must notify the building residents of the results of the risk assessment within 15 calendar days of receipt of the risk assessment. In a multiunit building, LMHA must conduct a risk assessment in the index unit, common areas, and any other assisted units in the property with a child under the age of 6. Risk assessment of areas other than the index unit must be conducted within 30 calendar days of receiving results for a property with twenty other covered units or fewer and within 60 calendar days for a property with more than twenty other covered units.

If the unit along with other units in a multiunit building are scheduled for redevelopment or demolition and the tenants are relocated within 15 calendar days, a full risk assessment is not needed.

Hazard Reduction

LMHA must complete reduction of identified lead-based paint hazards as identified in the risk assessment within 30 calendar days. Hazard reduction activities may include paint stabilization, abatement, interim controls, or dust and soil contamination control. The appropriate method of correction will be identified in the risk assessment. Hazard reduction will be considered complete by LMHA when a clearance examination has been completed and the report indicates that all identified hazards have been treated and clearance has been achieved, or when the public health department certifies that the hazard reduction is complete. LMHA must notify the local HUD field office of the results of the clearance examination within 10 business days of passing.

LMHA must notify all building residents of any hazard reduction activities within 15 calendar days of completion of activities. Like paint stabilization compliance, when LMHA receives the certification, this will signal compliance with lead hazard reduction activities.

Failure to complete hazard reduction activities (including clearance) within 30 calendar days of notification constitutes a violation of HQS. If the unit is vacant, the unit may not be reoccupied by another assisted family, regardless of the ages of children in the family, until compliance with the lead-based paint requirement is completed.

LMHA Data Collection and Record Keeping

Quarterly, LMHA will attempt to obtain from the public health department having jurisdiction in the same area as the Housing Authority, the names and addresses of children under age six with an identified environmental intervention blood lead level. LMHA will match information received from the health department with information about program families. If a match occurs, the Housing Authority will follow all procedures for notifying residents and conducting risk assessments as stated above.

Quarterly, LMHA will report a list of addresses of units occupied by children under age six, receiving assistance to the public health department, unless the health department indicates in writing that such a report is not necessary.

LMHA is responsible for issuing and maintaining in the file the notifications appropriate methods to correct lead hazards, and of the deadline for completing the corrections. LMHA is responsible for ensuring compliance with regulations.

[...]

20. TERMINATION

[...]

~~20.3—PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING~~

~~Protections Provided Under the Violence Against Women Act~~

~~The LMHA will provide notice to Public Housing Applicant and Participant Families of the following protections available to them under the Violence Against Women and Department of Justice Reauthorization Act of 2005, as amended (see Appendix F for a copy of this notice). Such notice will also describe the limitations of these protections, and will be provided together with Form HUD-5382, *Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking* (see Appendix F). Notice will be provided at the time an Applicant or Participant is admitted to or denied residency in a dwelling unit and with any notification of eviction or termination of assistance.~~

~~These protections are equally available to both men and women and are available regardless of perceived or actual Gender Identity or Sexual Orientation.~~

~~Protections Available to Applicant Families~~

~~Admission to the Public Housing Program shall not be denied on the basis that the Applicant is or has been a victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, if the Applicant otherwise qualifies for assistance or admission.~~

~~Protections Available to Participant Families~~

~~An incident or incidents of actual or threatened Domestic Violence, Dating Violence, Sexual Assault, or Stalking will not be construed as a serious or repeated Lease violation by the victim or threatened victim of the Domestic Violence, Dating Violence, Sexual Assault, or Stalking, or as good cause to terminate the tenancy of, occupancy rights of, or assistance to the victim;~~

~~Criminal activity directly related to Domestic Violence, Dating Violence, Sexual Assault, or Stalking, engaged in by a Household Member or any Guest or Other Person Under the Tenant's Control, shall not be cause for termination of tenancy of, occupancy rights of, or assistance to the victim, if the Tenant or an Affiliated Individual of the Tenant is the victim;~~

~~The LMHA may bifurcate a lease, or remove a Household Member from a Lease without regard to whether the Household Member is a signatory to the Lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any Tenant or lawful occupant who engages in criminal activity directly relating to Domestic Violence, Dating~~

~~Violence, Sexual Assault, or Stalking against an Affiliated Individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is a Tenant or lawful occupant;~~

~~The LMHA will honor court orders addressing rights of access to or control of the property, including civil protection orders issued to protect the victim and to address the distribution of property among Household Members in a case where a Family breaks up; and~~

~~Any protections provided by law that give greater protection to the victim are not superseded by these provisions.~~

~~Limitations of Available Protections~~

~~Nothing in this Section limits the ability of the LMHA to evict a Tenant or terminate assistance for a Lease violation unrelated to Domestic Violence, Dating Violence, Sexual Assault, or Stalking, provided the LMHA does not subject such a Tenant to a more demanding standard than other Tenants in making the determination whether to evict, or to terminate assistance or occupancy rights; and~~

~~Nothing in this Section may be construed to limit the authority of the LMHA or an Owner to evict or terminate assistance to any Tenant or lawful occupant if the Housing Authority or Owner can demonstrate an Actual and Imminent Threat to other Tenants or to those employed at or providing service to the HCV Program assisted property. In this context, words, gestures, actions, or other indicators will be considered an Actual and Imminent Threat if they meet the standards provided in the Glossary definition of this term.~~

~~Any eviction or termination of assistance as a result of an Actual and Imminent Threat will be utilized by the LMHA or Owner only when there are no other actions that could be taken to reduce or eliminate the Threat, including, but not limited to, transferring the victim to a different unit, barring the perpetrator from the property, contacting law enforcement to increase police presence or develop other plans to keep the property safe, or seeking other legal remedies to prevent the perpetrator from acting on a threat. Restrictions predicated on public safety cannot be based on stereotypes, but must be tailored to particularized concerns about individual Participants.~~

~~Documenting the Occurrence of Domestic Violence, Dating Violence, Sexual Assault, or Stalking~~

~~Request for Documentation~~

~~The law allows, but does not require, the LMHA to request documentation that an incident or incidents of actual or threatened Domestic Violence, Dating Violence, Sexual Assault, or Stalking claimed by a Tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. The Housing Authority~~

~~shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by the LMHA. The request for documentation must be in writing.~~

~~If requested, documentation must be provided to the LMHA within 14 Business Days after the date that the individual received the request for documentation.~~

Forms of Documentation

~~Documentation of a claimed incident or incidents of actual or threatened Domestic Violence, Dating Violence, Sexual Assault, or Stalking may be accomplished in one of the following ways:~~

~~1. HUD-Approved Certification Form (Form HUD-5382)~~

~~Documentation may consist of a HUD-approved certification form (Form HUD-5382) indicating that the individual is a victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse. Such certification must include the name of the perpetrator only if the name of the perpetrator is safe to provide and is known to the victim, and may be based solely on the personal signed attestation of the victim. A copy of Form HUD-5382 can be found in Appendix F;~~

~~2. Police or Court Record~~

~~Documentation may consist of a federal, state, tribal, territorial, or local police report or court record;~~

~~3. Administrative Agency Record~~

~~Documentation may consist of a record of an administrative agency; or~~

~~4. Other Documentation~~

~~Other documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical or mental health professional, from whom the victim has sought assistance in addressing Domestic Violence, Dating Violence, Sexual Assault, or Stalking, or the effects of abuse, in which the professional attests under penalty of perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking has signed or attested to the documentation.~~

Confidentiality

~~Any documentation provided, including the fact that the individual is a victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, will be kept confidential by the LMHA. The LMHA will not:~~

- ~~1. Enter the information contained in the documentation into any shared database;~~
- ~~2. Allow employees of the LMHA or those within their employ (e.g., contractors) to have access to such information unless explicitly authorized by the Housing Authority for reasons that specifically call for these employees or those within their employ to have access to this information;~~
- ~~3. Disclose this information to any other entity or individual, except to the extent that disclosure is:
 - ~~A. Requested or consented to by the individual submitting the documentation in writing;~~
 - ~~B. Required for use in an eviction proceeding; or~~
 - ~~C. Otherwise required by applicable law.~~~~

~~Failure to Provide Documentation~~

~~Failure to provide documentation in accordance with the LMHA written request will result in loss of protection under the Violence Against Women Act and under this policy against any proposed adverse action. The submission of false information may be the basis for the termination of assistance or for eviction.~~

~~Managing Conflicting Documentation~~

~~In cases where the LMHA receives conflicting certification documents from two or more Household Members, each claiming to be a victim and naming one or more of the other petitioning Household Members as the perpetrator, the Housing Authority or Owner may determine which is the true victim by requiring third party documentation as described in accordance with any HUD guidance as to how such determinations will be made.~~

[...]

23. VIOLENCE AGAINST WOMEN ACT (VAWA) PROTECTIONS AGAINST DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

23.1 PROTECTIONS

The LMHA will provide notice to Public Housing Applicant and Participant Families of the following protections available to them under the Violence Against Women and Department of Justice Reauthorization Act of 2005, HUD-5380, as amended (see Appendix F for a copy of this notice). Such notice will also describe the limitations of these protections, and will be provided together with Form HUD-5382, *Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking* (see Appendix F). Notice will be provided at the time an Applicant or Participant is admitted to or denied residency in a dwelling unit and with any notification of eviction or termination of assistance.

These protections are equally available to both men and women and are available regardless of perceived or actual Gender Identity or Sexual Orientation.

Under the Violence Against Women Act (VAWA), public housing residents have the following specific protections, which will be observed by the LMHA:

A. Protections Available to Applicant Families

Admission to the Public Housing Program shall not be denied on the basis that the Applicant is or has been a victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, if the Applicant otherwise qualifies for assistance or admission.

B. Protections Available to Participant Families

1. An incident or incidents of actual or threatened Domestic Violence, Dating Violence, Sexual Assault, or Stalking will not be construed as a serious or repeated Lease violation by the victim or threatened victim of the Domestic Violence, Dating Violence, Sexual Assault, or Stalking, or as good cause to terminate the tenancy of, occupancy rights of, or assistance to the victim;
2. Criminal activity directly related to Domestic Violence, Dating Violence, Sexual Assault, or Stalking, engaged in by a Household Member or any Guest or Other Person Under the Tenant's Control, shall not be cause for termination of tenancy of, occupancy rights of, or assistance to the victim, if the Tenant or an Affiliated Individual of the Tenant is the victim;
3. The LMHA may bifurcate a lease, or remove a Household Member from a Lease without regard to whether the Household Member is a signatory to the Lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any Tenant or lawful occupant who engages in criminal activity directly relating to Domestic

Violence, Dating Violence, Sexual Assault, or Stalking against an Affiliated Individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is a Tenant or lawful occupant;

4. A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as providing in HUD's regulations at 24 CFR part 5, subpart L, is eligible for an emergency transfer, if the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer. Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in the section;
5. The LMHA will honor court orders addressing rights of access to or control of the property, including civil protection orders issued to protect the victim and to address the distribution of property among Household Members in a case where a Family breaks up; and
6. Any protections provided by law that give greater protection to the victim are not superseded by these provisions.

C. Limitations of Available Protections

1. The LMHA may evict a Tenant or terminate assistance for a Lease violation unrelated to Domestic Violence, Dating Violence, Sexual Assault, or Stalking, provided the LMHA does not subject such a Tenant to a more demanding standard than other Tenants in making the determination whether to evict, or to terminate assistance or occupancy rights; and
2. There is no prohibition on the LMHA evicting if it "can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant's (victim's) tenancy is not terminated." An actual and imminent threat consists of a physical danger that is real, would occur within an immediate timeframe, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: the duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.

23.2 VERIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

The LMHA shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by the Housing Authority.

A. Requirement for Verification.

The law allows the LMHA to verify that an incident or incidents of actual or threatened Domestic Violence, Dating Violence, Sexual Assault, or Stalking claimed by a Tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Verification requests from LMHA must be in writing, and LMHA must give individuals at least 14 business days from the day the individual receives the request to provide the documentation. The Housing Authority shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by the LMHA.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking may be accomplished in one of the following ways:

1. **HUD-Approved Certification Form (Form HUD-5382).** Documentation may consist of a HUD-approved certification form (Form HUD-5382) indicating that the individual is a victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse. Such certification must include the name of the perpetrator only if the name of the perpetrator is safe to provide and is known to the victim, and may be based solely on the personal signed attestation of the victim. A copy of Form HUD-5382 can be found in Appendix F;
2. **Police or Court Record.** Documentation may consist of a federal, state, tribal, territorial, or local police report or court record;
3. **Administrative Agency Record.** Documentation may consist of a record of an administrative agency; or
4. **Other Documentation.** Other documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical or mental health professional, from whom the victim has sought assistance in addressing Domestic Violence, Dating Violence, Sexual Assault, or Stalking, or the effects of abuse, in which the professional attests under penalty of perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking has signed or attested to the documentation.

B. Requirement for Verification.

An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking, and who is requested by LMHA to provide verification must provide such verification within 14 business days after the receipt of the written request for verification. Failure to provide verification in proper form within such time will result in loss of protection under the Violence Against Women Act and under this policy against any proposed adverse action. The submission of false information may be the basis for the termination of assistance or for eviction.

C. Managing Conflicting Documentation.

In cases where the LMHA receives conflicting certification documents from two or more members of a household, each claiming to be a victim and naming one or more of the other petitioning Household Members as the perpetrator, the Housing Authority may determine which is the true victim by requiring third-party documentation as described in accordance with any HUD guidance as to how such determinations will be made. The LMHA shall honor any court orders addressing rights of access or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property among the household.

23.3 EMERGENCY TRANSFERS

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L, is eligible for an emergency transfer, if the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer. Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

LMHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. LMHA will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. LMHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for the unit.

If LMHA has no safe and available units for which a tenant who needs an emergency is eligible, LMHA will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, LMHA will also assist

tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

The tenant shall notify LMHA's management office by submitting an emergency transfer request form provided by public housing staff or a written request that includes either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under LMHA's program; OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

23.4 CONFIDENTIALITY

All information provided under VAWA including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, shall be retained in confidence and shall not be entered into any shared database or provided to any related entity except to the extent that the disclosure is:

- A. Requested or consented to by the individual submitting the documentation in writing;
- B. Required for use in an eviction proceeding; or
- C. Otherwise required by applicable law.

The LMHA shall provide its tenants notice of their rights under VAWA including their right to confidentiality and the limits thereof.

[...]

**APPENDIX F: PROTECTIONS FOR VICTIMS OF DOMESTIC
VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR
STALKING POLICY**

NOTICE OF OCCUPANCY RIGHTS UNDER
THE VIOLENCE AGAINST WOMEN ACT

U.S. Department of Housing and Urban
Development
OMB Approval No. 2577-0286
Expires until further notice

Louisville Metro Housing Authority²
Notice of Occupancy Rights under the Violence Against Women Act³

To all Tenants and Applicants

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.⁴ The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that **Louisville Metro Housing Authority (LMHA)** is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”

Protections for Applicants

If you otherwise qualify for assistance under **LMHA**, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Protections for Tenants

If you are receiving assistance under **LMHA**, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under **LMHA** solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking. Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

Removing the Abuser or Perpetrator from the Household

LMHA may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If **LMHA** chooses to remove the abuser or perpetrator, **LMHA** may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, **LMHA** must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing. In removing the abuser or perpetrator from the household, **LMHA** must follow Federal, State, and local eviction procedures. In order to divide a lease, **LMHA** may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

Moving to Another Unit

Upon your request, **LMHA** may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, **LMHA** may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

² The notice uses **LMHA** for housing provider but the housing provider should insert its name where **LMHA** is used. HUD’s program-specific regulations identify the individual or entity responsible for providing the notice of occupancy rights.

³ Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

⁴ Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

(1) You are a victim of domestic violence, dating violence, sexual assault, or stalking. If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.

(2) You expressly request the emergency transfer. Your housing provider may choose to require that you submit a form, or may accept another written or oral request.

(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit. This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

OR

You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.

If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

LMHA will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families. LMHA's emergency transfer plan provides further information on emergency transfers, and LMHA must make a copy of its emergency transfer plan available to you if you ask to see it.

Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking

LMHA can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from LMHA must be in writing, and LMHA must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. LMHA may, but does not have to, extend the deadline for the submission of documentation upon your request. You can provide one of the following to LMHA as documentation. It is your choice which of the following to submit if LMHA asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by LMHA with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, "professional") from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.
- Any other statement or evidence that LMHA has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, LMHA does not have to provide you with the protections contained in this notice. If LMHA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), LMHA has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, LMHA does not have to provide you with the protections contained in this notice.

Confidentiality

LMHA must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA. LMHA must not allow any individual administering assistance or other services on behalf of LMHA (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

LMHA must not enter your information into any shared database or disclose your information to any other entity or individual. **LMHA**, however, may disclose the information provided if:

- You give written permission to **LMHA** to release the information on a time limited basis.
- **LMHA** needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires **LMHA** or your landlord to release the information.

VAWA does not limit **LMHA**'s duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, **LMHA** cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking. The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if **LMHA** can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

- 1) Would occur within an immediate time frame, and
- 2) Could result in death or serious bodily harm to other tenants or those who work on the property.

If **LMHA** can demonstrate the above, **LMHA** should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

Other Laws

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

Non-Compliance with The Requirements of This Notice

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with **the local HUD field office at 601 West Broadway, Rm 110; Louisville, KY 40202 or (502) 582-5251.**

For Additional Information

- You may view a copy of HUD's final VAWA rule at <https://www.hud.gov/sites/documents/5720-F-03VAWAFINRULE.PDF>. Additionally, **LMHA** must make a copy of HUD's VAWA regulations available to you if you ask to see them.
- For questions regarding VAWA, please contact **Assistant Director of Leased Housing (Section 8) at 502-569-6955 or Regional Director (Public Housing) at 502-569-3400.**
- For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact **The Center for Women and Families toll-free crisis line at 1-844-BE-SAFE-1 (or 1-844-237-2331 x1). The crisis line is available 24 hours a day/365 days a year. The Center for Women and Families serves violence victims and are available regardless of perceived or actual gender identity or sexual orientation.**
- For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.
- For help regarding sexual assault, you may contact **The Center for Women and Families**
- Victims of stalking seeking help may contact **The Center for Women and Families.**

Louisville Metro Housing Authority
Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

Emergency Transfers

Louisville Metro Housing Authority (LMHA) is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),⁵ **LMHA** allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.⁶ The ability of **LMHA** to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether **LMHA** has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that **LMHA** is in compliance with VAWA.

Eligibility for Emergency Transfers

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if: the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer. A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan. Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify **LMHA**'s management office and submit a written request (Form HUD-5383) for a transfer to **Section 8; 801 Vine St.; Louisville, KY 40204 OR Public Housing; 420 S 8th St.; Louisville, KY 40203.** **LMHA** will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer should include either:

⁵ Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

⁶ Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under LMHA's program;
OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

Confidentiality

LMHA will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives LMHA written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence against Women Act for All Tenants for more information about LMHA's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

Emergency Transfer Timing and Availability

LMHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. LMHA will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. LMHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If LMHA has no safe and available units for which a tenant who needs an emergency is eligible, LMHA will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, LMHA will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

Safety and Security of Tenants

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY). Tenants may also contact the Center for Women and Families 24 hours a day, 365 days a year through their toll-free crisis line at 1-844-BE-SAFE-1 (1-844-237-2331 x1).

Tenants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault or stalking, you may contact the Center for Women and Families 24 hours a day, 365 days a year through their toll-free crisis line at 1-844-BE-SAFE-1 (1-844-237-2331 x1)

**CERTIFICATION OF
DOMESTIC VIOLENCE,
DATING VIOLENCE,
SEXUAL ASSAULT, OR STALKING,
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing
and Urban Development**

OMB Approval No. 2577-0286
Expires until further notice

Purpose of Form: The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

Use of This Optional Form: If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

Submission of Documentation: The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

Confidentiality: All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE,
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Date the written request is received by victim: _____
2. Name of victim: _____
3. Your name (if different from victim's): _____
4. Name(s) of other family member(s) listed on the lease: _____

5. Residence of victim: _____
6. Name of the accused perpetrator (if known and can be safely disclosed): _____

7. Relationship of the accused perpetrator to the victim: _____
8. Date(s) and times(s) of incident(s) (if known): _____

10. Location of incident(s): _____

In your own words, briefly describe the incident(s): _____ _____ _____ _____
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This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature _____ Signed on (Date) _____

Public Reporting Burden: The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

**VIOLENCE, DATING VIOLENCE
OR STALKING**

**U.S. Department of Housing
and Urban Development**
Office of Housing

OMB Approval No. 2502-0204
Exp. 6/30/2017

LEASE ADDENDUM

**VIOLENCE AGAINST WOMEN AND JUSTICE DEPARTMENT REAUTHORIZATION
ACT OF 2005**

TENANT	LANDLORD	UNIT NO. & ADDRESS
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This lease addendum adds the following paragraphs to the Lease between the above referenced Tenant and Landlord.

Purpose of the Addendum

The lease for the above referenced unit is being amended to include the provisions of the Violence Against Women and Justice Department Reauthorization Act of 2005 (VAWA).

Conflicts with Other Provisions of the Lease

In case of any conflict between the provisions of this Addendum and other sections of the Lease, the provisions of this Addendum shall prevail.

Term of the Lease Addendum

The effective date of this Lease Addendum is _____. This Lease Addendum shall continue to be in effect until the Lease is terminated.

VAWA Protections

1. The Landlord may not consider incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse.
2. The Landlord may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse.
3. The Landlord may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that the

Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-5382, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

Tenant

Date

Landlord

Date