

VAWA Housing Plan Policy

Discussion

The Reauthorization of the Violence Against Women Act (VAWA) of 2013 extends the enhanced housing protections and options for victims of domestic violence, dating violence, sexual assault and stalking, regardless of sex, gender identity or sexual orientation to all housing programs under the Department of Housing and Urban Development (HUD). These protections must be applied consistently with all nondiscrimination and fair housing requirements.

In June 2017, the Improvement, Coordination, and Training Committee (ICT) met and discussed the new rule and proposed a policy to be adopted by the Continuum of Care Board of Directors. HUD has provided model templates and sample forms that may be customized and adopted for specific agency use. Sample forms attached.

Recommendation

The Improvement, Coordination, and Training Committee (ICT) recommends the Continuum of Care Board of Directors adopt the following policy:

TX-601 Policy on Housing Protections

As required by the Housing and Urban Development's (HUD) final rule, the TX-601 Continuum of Care requires all Continuum of Care (CoC) & Emergency Solutions Grant (ESG) funded programs to adopt and implement certain protections and develop emergency transfer plan protocols that are available to all victims of domestic violence, dating violence, sexual assault and stalking, regardless of sex, gender identity or sexual orientation. This requirement is in response to the Reauthorization of the Violence Against Women Act (VAWA) of 2013 which extends the enhanced housing protections and options to all HUD housing programs.

Core components of the rule which should be included in agency policy include:

- Extension of the core VAWA protections: Survivors are not denied assistance as an applicant, or be evicted or have assistance terminated as a tenant, because the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, and stalking.
- Emergency transfers: The implementation of an emergency transfer plan which allows for survivors to move to another safe and available unit if they fear for their life and safety.
- Protections against denials, terminations, and evictions that directly result from being a victim of domestic violence, dating violence, sexual assault, or stalking: The prohibition of any denial, termination, or eviction that is "a direct result of the fact that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy."
- Low-barrier certification process: The final rule makes it clear that under most circumstances, a survivor need only to self-certify in order to document the domestic violence, dating violence, sexual assault, or stalking, ensuring third party documentation does not cause a barrier in a survivor expressing their rights and receiving the protections needed to keep themselves safe.

Providers will be required to notify and explain housing rights and provide a list of local domestic violence service providers to clients at program intake. The CoC will verify that applicable programs have adopted and implemented this policy on an annual basis.