



Violence Against Women Act Notice to Tenants and Applicants in Public Housing, Housing Choice Voucher, and Project-Based Voucher programs

In January 2006, Congress passed the Violence Against Women Act. This Act provides certain rights to victims of domestic violence. This is a preliminary notice to tenants and owners about the changes.

Please be aware that the new requirements do not provide any special assistance or preference for victims of domestic violence.

Overview

The sections of the Violence Against Women Act that pertain to Housing Authority programs require that victims of domestic violence, dating violence, or stalking not be denied admission or terminated for criminal activity on the basis of such violence.

Definitions

The following terms are defined in the Violence Against Women Act.

DOMESTIC VIOLENCE: The term `domestic violence' includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

DATING VIOLENCE: The term `dating violence' means violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship, (ii) The type of relationship, (iii) The frequency of interaction between the persons involved in the relationship.

STALKING: The term `stalking' means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

Provisions that Apply to Applicants and Participants of Public Housing, Housing Choice Voucher Program, and Project Based Voucher Program

1. You may not be denied assistance or denied admission to the program because you are or have been a victim of domestic violence, dating violence, or stalking, assuming you are otherwise qualified for admission.
2. Incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered a serious lease violation and will not be considered good cause for terminating the assistance, tenancy, or occupancy rights of the victim.
3. Criminal activity directly related to domestic violence, dating violence, or stalking by a member of the tenant's household or any guest or other person under the tenant's control will not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family was the victim of that violence.
4. Families who wish to move to another jurisdiction "portable" in the Housing Choice Voucher program may not be prohibited from doing so on the basis of lease violations, if the victim vacated the unit due to the threat or actual harm from domestic violence, dating violence, or stalking. The family must still meet all the other requirements of portability.