



PHA Programs and Policies Working to Prevent Homelessness Protecting Victims of Domestic Violence

Background

PHAs have the flexibility to implement programs and policies to provide protections to victims of domestic violence, dating violence, sexual assault, and stalking beyond those required by the Violence Against Women Reauthorization Act of 2013 to help ensure that victims of domestic violence do not become homeless as a result of being a victim of domestic violence.

PHAs should be aware that on July 6, 2013, HUD issued a notice in the Federal Register ([Docket No. FR-5720-N-01](#)) titled, [The Violence Against Women Reauthorization Act of 2013: Overview of Applicability to HUD Programs](#). The notice provides an overview of the applicability to HUD programs of the recently enacted Violence Against Women Reauthorization Act of 2013 (VAWA 2013). Many of the protections found in VAWA 2013 covering the Housing Choice Voucher and public housing programs may already be found in 24 CFR part 5, subpart L.

Admissions

HUD encourages PHAs to adopt admission preferences for victims of domestic violence. PHAs are reminded that being a victim of domestic violence, dating violence, sexual assault, or stalking, is not a basis for denial of assistance or admission to assisted housing if the applicant otherwise qualifies for assistance or admission (24 CFR 5.2005(b)).

Continued Occupancy

For families already receiving Housing Choice Voucher (HCV) or public housing rental assistance, PHAs must ensure that they are fulfilling the obligations of VAWA 2013. Incidents or threats of domestic violence, dating violence, sexual assault, or stalking cannot be construed as serious or repeated violations of the lease or as “good cause” for termination of the assistance, tenancy, or occupancy rights of the victim (24 CFR 5.2005(c)(1)). Additionally, PHAs are encouraged to work with community partners to recognize and respond to domestic violence situations for assisted families.

Approaches PHAs can implement to prevent homelessness by protecting victims of domestic violence:

- **Establish Collaborative Partnerships to Address Safety and Housing Needs** PHAs’ can form collaborative partnerships with domestic violence service providers to train PHA staff on understanding domestic violence and trauma, facilitate outreach and referrals, and link services to housing vouchers and developments.
- **Adapt Policies and Procedures** PHAs can establish policies, consistent with VAWA requirements, that allow victims to get and keep safe and affordable housing, and to transfer to a different unit or housing development if needed, while perpetrators of violence may be evicted or barred from a housing development, or required to participate in a domestic violence prevention program as a condition of continued tenancy.
- **Implement Preferences** PHAs can create [waiting list preferences](#) for victims of domestic violence. If the PHA also has a preference for persons experiencing homelessness, a point system can be used to prioritize applicants for housing assistance who qualify for more than one preference. Some PHAs take this approach to expedite housing assistance (through vouchers or access to public housing units) for persons who are experiencing homelessness as a result of domestic violence.

Where Can PHAs do this?

- All PHAs can establish preferences for their wait lists for public housing and/or vouchers for victims of domestic violence.
- All PHAs can establish policies, programs, and collaborative partnerships to help prevent homelessness by preventing evictions and facilitating access to safe and affordable housing for victims of domestic violence.
- While some aspects of the program established by the Alaska Housing Finance Corporation, including time limits for voucher assistance and the ability to combine PHA voucher funding with additional state funds, can only be implemented by Moving to Work (MTW) PHAs, there are other elements of the program and partnership that could be replicated by other PHAs that do not have MTW status.

Who Can PHAs Assist?

- Victims of domestic violence who live in public housing or assisted housing and are at risk of homelessness or who need to relocate **in order to ensure their safety**
- Victims of domestic violence who experience or are at risk of homelessness

Resources

The National Housing Law Project has published a comprehensive manual for advocates titled "[Maintaining Safe and Stable Housing for Domestic Violence Survivors: A Manual for Attorneys and Advocates.](#)"

The National Housing Law Project website also provides several archived [webinars](#) that can be used as training resources for PHA staff and housing advocates. The webinars cover topics including Relocation for Domestic and Sexual Violence Survivors and VAWA's Housing Protections.

HUD has provided [a summary](#) of the final rule implementing the housing protections in VAWA.

HUD's [Public Housing Occupancy Guidebook](#) offers a framework and tools that can be used by PHAs and their partners, including domestic violence providers, victims, and advocates working to prevent and end homelessness.

Examples

- The Stable Families Program is a partnership that includes the **Housing Authority of the City of Bridgeport** (Connecticut) and New Haven Home Recovery. The program helps families on the verge of crisis to stabilize their tenancies and avoid eviction. The program, which serves families in public housing as well as those receiving assistance through the voucher program, offers case management and supportive services, client outreach and advocacy, crisis intervention, emergency financial assistance, and help getting legal assistance and benefits, as well as other services. The program is designed to serve families that have suffered from domestic violence, as well as other risk factors such as involvement in the child welfare system, unmet mental health or substance use needs, and legal or health and safety issues. The Bridgeport Housing Authority also has an agreement with the New Haven Housing Authority to facilitate emergency transfers for victims who need to move in order to escape domestic violence while remaining in a stable, permanent housing environment. [Click here](#) for more information.

Examples (Continued)

- In November 2012 the **Alaska Housing Finance Corporation (AHFC)** entered into a Memorandum of Understanding with the Alaska Network on Domestic Violence and Sexual Assault (ANDVSA) and the State of Alaska Council on Domestic Violence and Sexual Assault (CDVSA) to establish the [Empowering Choice Housing Program \(ECHP\)](#). The program, which hopes to assist up to 250 families a year, provides time-limited housing assistance for victims of domestic violence and sexual assault who are referred by designated victim services programs. As a MTW PHA, AHFC has the flexibility to create this unique program and combine its resources from its Housing Choice Voucher program, public housing program, and State of Alaska capital funds. Program participants are also required to sign up for the wait lists for other types of housing assistance, which may become available by the end of the program's three-year limit. The decision to time limit the ECHP was based on the need to ensure program turnover, while also providing three solid years of assistance to participants. In the three Alaska communities AHFC serves that do not have a Housing Choice Voucher program, participants are given priority access to public housing without a time limit.
- The Chicago Housing Authority (CHA) has worked in partnership with HUD and other organizations to implement changes in CHA policies and procedures with the goal of improving safety for residents of public and assisted housing, while ensuring that residents can maintain their housing assistance if they need to move to escape abuse. CHA staff members have participated in training about domestic violence, and procedures have been implemented to protect the confidentiality and privacy of victims who request assistance to relocate to another public housing unit. The Safe Homes Act, which is a state law in Illinois, allows a domestic violence victim to end a lease early if needed to be safe from violence. For victims who are using Housing Choice Vouchers to lease private apartments, the CHA provides help for tenants to submit the documentation needed to terminate a lease and use the voucher to move to other housing
- The **Chicago Housing Authority (CHA)** also re-established a waiting list preference for public housing for victims of domestic violence. Victims' advocates, legal aid attorneys, and court staff regularly ask domestic violence victims if they are on the CHA wait list. If so, they help victims [submit a form](#) certifying that the applicant is a victim of domestic violence, and the CHA is often able to provide access to a public housing unit quickly, reducing the risk that victims will become homeless because they are fleeing domestic violence.