

3. Provide a police report, court record (such as a protective or restraining order), or administrative record.

You can pick any of these choices. Unless the perpetrator also produces similar proof, the housing provider cannot make you choose any particular kind of proof or more than one type. The housing provider must give you at least 14 business days (weekends and holidays do not count) to provide proof of the violence.

8. What happens if the abuser also submits a certification claiming that they are a victim?

If the provider receives proof from the perpetrator claiming that they are the victim, then the provider may require you to submit additional proof.

9. Can a provider share the information I provide about the abuse with others?

No, except in limited cases. The provider cannot give the information you provide about the abuse to others. The information may be shared only if you agree in writing, if it is needed to evict the abuser, or if the disclosure is required by law.

10. Does this mean that a survivor of domestic violence, dating violence, sexual assault, or stalking cannot be evicted at all?

No. You can still be evicted for serious or repeated lease violations that aren't related to the abuse. The housing provider must hold you to the same standard as other tenants. The housing provider may be able to evict if there is a real and

immediate threat to other tenants if you are not evicted. **If you receive any type of eviction notice, call a legal aid office immediately.**

11. Is the housing provider required to tell me about VAWA's housing protections?

Yes. VAWA requires each housing authority or landlord to provide a notice of VAWA's housing protections ([Form HUD-5380](#)) to all applicants and tenants. The notice must be given along with the VAWA self-certification form ([Form HUD-5382](#)) mentioned in Question 7 at the time an applicant is denied housing or assistance, at the time an applicant is admitted to housing, and when a tenant is notified of eviction or termination. This notice must be in multiple languages.

12. How does VAWA affect other state or local laws that might protect me?

VAWA is a federal law. However, it does not impact state or local laws that provide more housing protections for survivors.

13. Who can help me?

Contact an attorney, domestic violence, sexual assault, legal aid, or fair housing agency to see if VAWA can help you.



Know Your Rights!

Domestic and Sexual Violence and Federally Assisted Housing

Are you victim of domestic violence, dating violence, sexual assault, or stalking?

Do you live in federally assisted housing?

A law called the Violence Against Women Act (VAWA) may help you.

UPDATED AS OF AUG. 2022

The Rights of Domestic and Sexual Violence Survivors in Federally Assisted Housing

1. What is VAWA?

The Violence Against Women Act (VAWA) is a law that protects survivors and individuals threatened with domestic violence, dating violence, sexual assault, and stalking from being discriminated against by certain housing providers because of the violence committed against them.

2. Am I covered by VAWA's housing protections?

VAWA protects survivors and individuals with threatened with domestic violence, dating violence, sexual assault, and stalking. You don't have to be married to or living with the perpetrator to be protected by VAWA. VAWA applies regardless of sex, gender identity, or sexual orientation.

VAWA applies if you are applying for or are a tenant in any of these programs:

- Public housing;
- Section 8 Housing Choice Voucher program;
- Section 8 project-based housing;
- Section 202 housing for the elderly, including the direct loan program;
- Section 811 housing for the disabled;
- Section 236 multifamily rental housing;
- Section 221(d)(3) Below Market Interest Rate;
- HOME;
- Housing Opportunities for Persons with AIDS (HOPWA);
- National Housing Trust Fund;
- McKinney-Vento Act homeless programs

- including the Continuum of Care and Emergency Solutions Grants programs;
- Rural Development multifamily housing, including Section 515 Rural Rental Housing, Sections 514 and 516 Farm Labor Housing, Section 533 Housing Preservation Grants, RD Vouchers, and Section 538 multifamily rental housing;
- Veterans Housing Programs, including Transitional Housing Assistance for Homeless Veterans, Grant programs for homeless veterans with special needs, Supportive Services for Veteran Families (SSVF), Veterans Affairs Supportive Housing (VASH); and
- Low-Income Housing Tax Credit (LIHTC) housing.

VAWA does NOT cover private housing that does not receive federal assistance.

4. How does VAWA protect me?

- You can't be denied admission or federal rental assistance just because you are a survivor or are threatened to violence.
- You can't be evicted or lose your federal rental assistance just because you are a survivor or threatened with violence.
- You can't be denied admission or rental assistance, evicted, or lose your subsidy for reasons related to the abuse, such as bad credit, rental, or criminal history.
- You can't be retaliated against for asserting your VAWA rights.

5. What if I need to get the abuser out of the home?

If someone living in your home uses violence against you, the housing provider may evict the abuser, and let you and other household members stay. If you are not listed as head of household or your name is not on the rental assistance, then you generally have 90 days or

the end of the lease (whichever is sooner) to establish eligibility for the subsidy or another subsidy, or to find new housing.

6. What if I need to move to escape the abuse?

If you have a Section 8 voucher, you can move for reasons related to the abuse and keep your voucher — even if your lease has not ended.

Housing providers must have emergency transfer plans that allow transfers to other safe and available federally assisted housing. You can request a transfer if you reasonably believe you are about to be hurt by violence, or if you were sexually assaulted on the property up to 90 days before the request. If your landlord does not have an emergency transfer plan, contact your local legal aid office or domestic and sexual violence agency.

7. How do I prove that I can use VAWA's protections?

The housing provider may ask for documentation showing that you are a victim of domestic violence, dating violence, sexual assault, or stalking. The housing provider must make this request in writing. There are three ways to show that you are a survivor:

1. Complete a self-certification form (Form HUD-5382). The form asks for: your name; name of your abuser (if known and safe to provide); abuser's relationship to you; the date, time and place of the violence; and a description of the violence. To get the form, call the housing authority or a legal aid office.
2. Provide a letter signed by a victim service provider (such as a domestic or sexual violence counselor), attorney, or a medical or mental health professional who has helped you with the violence. You must also sign this letter.