

# NOTIFICATION OF RIGHTS AND OBLIGATIONS VIOLENCE AGAINST WOMEN ACT



**To:** All LHA New Resident Move-Ins

**From:** LaGrange Housing Authority

In January 2006, President Bush signed a law known as the Violence Against Women Act (VAWA) and Department of Justice Reauthorization Act of 2005. Portions of this law create new protections for victims of domestic violence, dating violence and stalking who are residents in public housing or who are assisted with section 8 rental assistance.

The following is a brief summary of the principal provisions of the new law, which is known as "VAWA". Additional details are set forth in the brochure/Housing Authority VAWA Policy delivered with this notice.

## **You should know that:**

1. **Admissions:** The housing authority may not deny admission to a public housing development to any applicant on the basis that the applicant is or has been the victim of domestic violence, dating violence, or stalking (see attached brochure for definitions of these terms), if the applicant otherwise qualifies for assistance or admission
2. **Lease terms:**
  - **An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serious or repeated" violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of that violence.**
  - **Additionally, your tenancy will not be terminated as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of your household, a guest or another person under your control, and you or an immediate family member is the victim.**

**You should also know that there are some limitations to these protections:**

- **Your tenancy *may be* terminated if the housing authority can demonstrate "an actual and imminent threat" to other tenants or to persons employed at or providing services to the development.**
- **So long as the housing authority does not apply a more demanding standard to you than to other tenants, your tenancy *may be* terminated for lease violations that are not based on an incident or incidents of domestic violence, dating violence or stalking for which VAWA provides protections.**
- **If you claim protection under VAWA against termination of your tenancy, the housing authority may require you to deliver a certification concerning the incident or incidents that you believe raises the VAWA protections. If you do not deliver this certification within the time allowed, you will lose your legal protections under VAWA.**

3. **Certification:** There are three ways to certify if the housing authority requests you to do so. The law allows you to fill out a HUD-approved form, which can be provided to you by the housing authority, or you may provide a police report or court record, or you may have a professional person whom you consulted about the domestic violence, dating violence or stalking provide documentation as described more fully in the attached brochure. *You must deliver the certification in one of these three ways within 14 business days after your receipt of the housing authority's request for certification.*
4. **Confidentiality:** Information provided by you about an incident or incidents of domestic violence, dating violence or stalking involving you or a member of your household will be held by the housing authority in confidence and not shared without your consent, *except that this information may be disclosed in an eviction proceeding or otherwise as necessary to meet the requirements of law.*
5. **Removal of Perpetrator of Physical Violence:** VAWA contains a new provision of federal law that allows the housing authority to terminate the tenancy of, and evict, an individual Resident or other lawful occupant who engages in criminal acts of physical violence against family members. This action may be taken against the individual alone, without evicting, terminating the tenancy of, removing or otherwise penalizing other household members.

**For additional information, please consult the LaGrange Housing Authority for a copy of the VAWA Policy.**

I certify that I have received a copy of this Notification and the LaGrange Housing Authority VAWA Policy this date.

\_\_\_\_\_Initials

I certify that I have received a copy of the VAWA pamphlet.

\_\_\_\_\_Initials

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_