

**NOTICE TO FEDERAL PUBLIC HOUSING & HOUSING CHOICE VOUCHER PROGRAM LANDLORDS/OWNERS/MANGERS
RESIDENTS and APPLICANTS REGARDING VIOLENCE AGAINST WOMEN ACT**

The Congress of the United States passed the Violence Against Women (VAWA) and Department of Justice Reauthorization Act of 2005, and President Bush signed the law in January 2006. This law affects the resident selection, lease provisions that deal with termination and eviction, the termination of assistance or eviction provisions in the HAP contract, the Tenancy Addendum, and the housing authority’s relationship with the residents. HUD says the law is effective immediately although it has not issued a revised HAP Contract incorporating these terms. Therefore, the legal relationships between the GHA, Owners, Applicants and Residents, are changed as set out below. Applicants and Residents may utilize the attached “certification form” which was created by HUD. The GHA does not give legal advice to owners, applicants, or residents (program participants). Consult your attorney with questions.

Selection of participants and tenants: The fact that an applicant for program assistance or a lease applicant is or has been the victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial or program assistance, or denial of admission to the program if they are otherwise qualified.

Lease terms; An incident or incidents of actual or threatened domestic violence, dating violence, or stalking may not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the assistance, tenancy or occupancy rights of the victim of such violence.

Termination of Assistance/Eviction:

Criminal activity directly relating to domestic violence, dating violence, or stalking engaged in by a member of the tenant’s household or any guest or other person under the tenant’s control shall not be the cause for termination of tenancy occupancy rights if the tenant or an immediate member of the tenant’s family is the victim or threatened victim of that domestic violence, dating violence, or stalking.

The GHA may terminate assistance and/or the landlord/owner/manager may bifurcate the lease to terminate assistance to remove a lawful occupant or tenant who engages in criminal acts of violence to family members or others without terminating the assistance/evicting of victimized lawful occupants.

The GHA and or landlord/manager/owner may honor court orders regarding rights of access or control of the property.

Nothing limits the GHA or landlord/manager/owner from terminating assistance or evicting for other good cause unrelated to the incident or incidents of domestic violence, provided that the victim is not subject to a “more demanding standard” than nonvictims.

Nothing prohibits the termination of assistance or eviction if the GHA or owner/manager/landlord can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant’s assistance is not terminated or if that tenant is not evicted.

Any other federal state or local laws that provide greater protection to victims of domestic violence dating violence, or stalking are not superseded by these provisions.

The PHA and/or owner/landlord/managers may require certification of the individual or his or her status as a victim of domestic violence, dating violence or stalking in order to qualify for the protections implemented in the statute. Such certifications must be maintained confidentially. The landlord/owner/manager is not required to demand a certification from the resident, however.

If the Housing Authority terminates assistance, a resident who claims that the termination is brought because of criminal activity directly relating to domestic violence, dating violence or stalking, must provide a written certification to the GHA that they are a victim of domestic violence, dating violence, or stalking, and that the incident or incidents which are the subject of the termination of assistance are bona fide incidents of actual or threatened abuse. This written certification must be provided within 14 business days after the GHA requests the certification in writing. For GHA purposes, the date of the request shall be the date of the termination of assistance letter. If the landlord/owner/manager requires a certification, they shall inform the resident of the date the response must be returned, which shall not be less than 14 business days from the day the certification is requested by the landlord/owner/manger. The landlord/owner/manager shall state in its correspondence with the tenant when the time for providing the certification begins to run. The certification requirement may be complied with by completing the certification form; a copy of which is provided the household and the owner/manager/landlord with this Notice. Information provided in the certification form shall be retained in confidence, shall not be entered into a shared data base, and shall not be provided to a related entity unless the tenant consents in writing, the information is required for use in eviction proceedings, or its use is otherwise required by law.

Copies of form HUD-50066 “Certification of Domestic Violence, Dating Violence or Stalking” are available at the GHA Administrative Office at 259 Washington Street, Gloucester and the GHA website www.ghama.com

CERTIFICATION

I hereby certify that I have been provided with a copy of the required VAWA notification and certification form.

Signature

Date