

Overview of HUD's Office on Gender-Based Violence & the Violence Against Woman Act (VAWA)

Office on Gender-Based Violence
Office of the Secretary

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Learning Objectives

Participants will obtain:

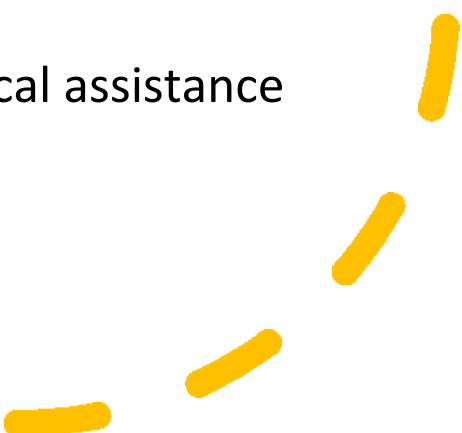
- An overview of HUD's Office on Gender-Based Violence
- A brief history of housing rights for gender-based violence survivors and VAWA;
- HUD's recent Violence Against Women Act (VAWA) implementation efforts; and
- A better understanding of HUD's Offices and VAWA resources

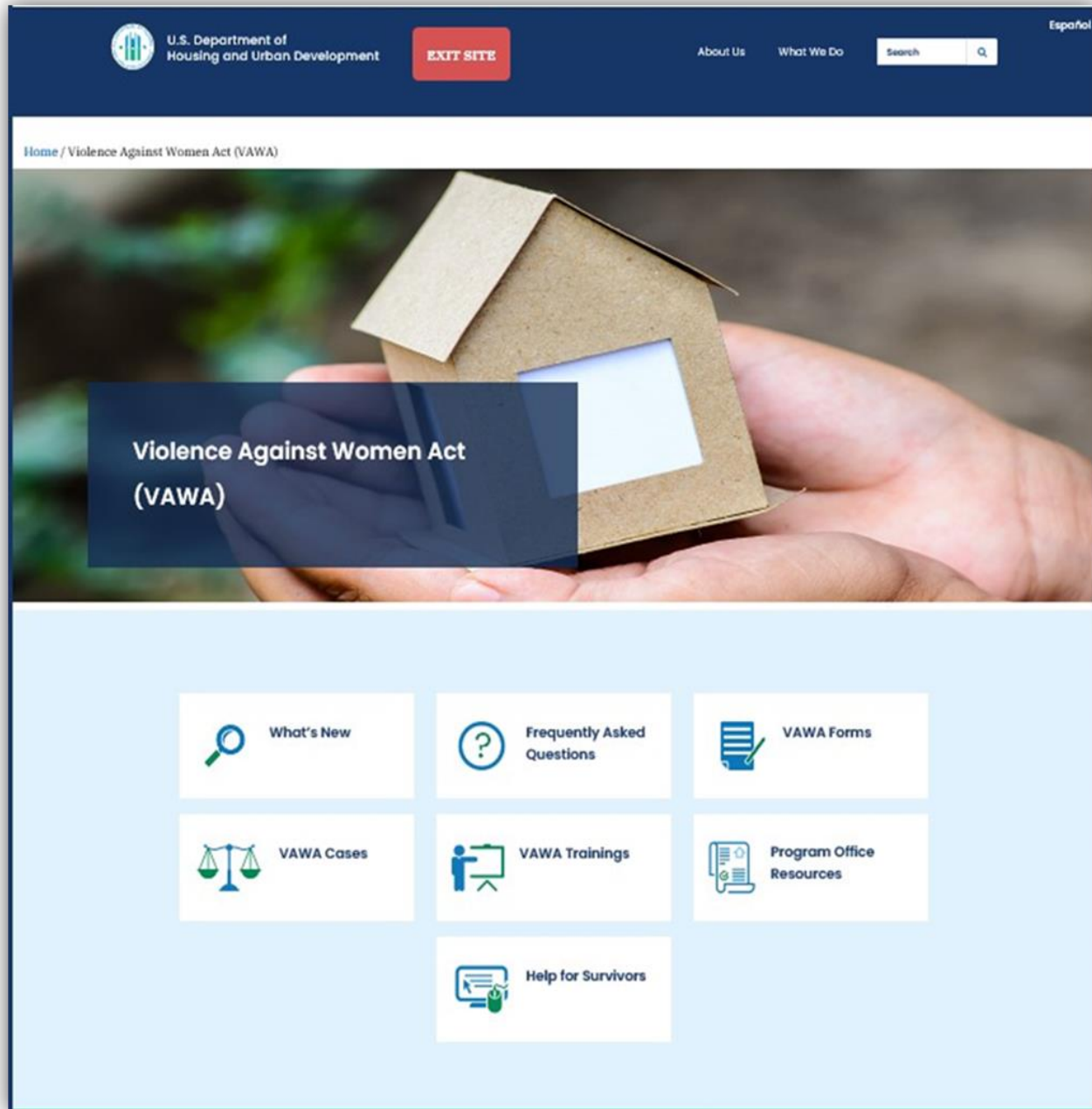
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HUD's **Office on Gender-Based Violence (OGBV)** develops, coordinates, and implements policies and programs to address the safe housing and economic stability needs of survivors of gender-based violence.

OGBV is responsible for

- Setting policy on gender-based violence and housing issues.
 - Leading coordination efforts to implement VAWA across HUD and in collaboration with other agencies.
 - Overseeing HUD's VAWA training and technical assistance work.
- 



HUD's VAWA Clearinghouse

@ www.hud.gov/vawa

Includes:

- FAQs
- Trainings, forms, and legal authorities
- Referrals to direct services for survivors
- Filing complaints of VAWA violations

Trainings

Factsheets &
Other Resources

Foundational Series

- Dynamics of sexual assault, domestic violence, and human trafficking
- Cultural Responsiveness
- Trauma & Trauma-informed Practice
- Vicarious Trauma & Self Care
- Partnerships with Victim Service Providers

Housing Protections under
VAWA & Other Laws

- Overview of federal, state, and local housing protections for survivors
- History of VAWA and the housing movement for survivors
- Deeper dives into big VAWA issues

HUD's VAWA Training & Technical Assistance

Office Hours

On-Call TA

What is Gender-Based Violence?

- Domestic violence, dating violence, sexual assault, stalking, and human trafficking
- Gender inclusive
- Can include:
 - Physical violence
 - Sexual violence
 - Emotional abuse
 - Economic abuse
 - Coercion



The Relationship Between VAWA Violence/Abuse and Homelessness

Domestic violence is a leading cause of homelessness for women with children.

25% of homeless adults have experienced child sexual abuse.

80% of homeless women with children have experienced domestic violence

42% of homeless youth have experienced child sexual abuse.

1 in 5 runaway and homeless youth are a victim of human trafficking - inclusive of sex and labor trafficking.

Housing Protections under VAWA

- VAWA provides housing protections for survivors of **domestic violence, sexual assault, dating violence, and stalking** who are applying for or living in **federally assisted housing**.
- The law applies to a survivor regardless of sex, gender identity, sexual orientation, disability, or age and **MUST** be applied consistent with all non-discrimination and fair housing requirements.
- VAWA applies to federally assisted housing programs; it does not apply to market-rate rental housing (unless there is a voucher or other federal subsidy).



VAWA Covered Housing Programs

HUD Programs

- Public Housing
- Section 8 Vouchers
- Project-based Section 8
- Section 202 Supportive Housing for the Elderly
- Section 811 Supportive Housing for People with Disabilities
- 221d3/d5 Below Market Interest Rate (BMIR)
- 236 Multifamily rental housing
- HOME
- HOPWA (Housing Opportunities for People with AIDS/HIV)
- McKinney-Vento Homelessness Programs (includes Emergency Solutions Grant; Continuum of Care)
- Housing Trust Fund & Section 202 Direct Loan*

Treasury / IRS

- Low Income Housing Tax Credit (LIHTC)

USDA

- Rural Development (RD) Multifamily Programs
- RD Vouchers

Department of Justice

- OVW Transitional Housing Assistance Grants

Veteran Affairs

- The Grant and Per Diem (GPD) Program
- The Supportive Services for Veteran Families (SSVF) Program;
- HUD-Veterans Affairs Supporting Housing (HUD-VASH)

Housing Protections under VAWA (cont.)



Not be denied admission or assistance, threatened with eviction/assistance termination because of the violence committed against them or trauma they experienced;



Receive a notice of VAWA housing rights (Form HUD-5380) and VAWA Self-Certification Form (Form HUD-5382) when admitted, when denied admission or program assistance, and when receive an eviction/termination notice;



Request a perpetrator be removed from the lease or housing unit, where applicable;



Move with continued assistance (for participants with Housing Choice Vouchers or Tenant-based Rental Assistance);

Housing Protections under VAWA (cont.)



Stay in their current unit, even if there is (or has been) criminal activity that is directly related to the violence/trauma;



Request an emergency transfer to another unit in the same program or under another federally subsidized housing program;



Strict confidentiality of their information related to the violence and trauma they experienced, including their status as a victimized person.

Brief History of Survivor's Housing Rights

1960s–1970s

The history of housing protections for survivors grew out of several movements - labor, civil rights, and anti-war movements and is rooted in the women's rights movement.

Survivors led the movement, wanted to stop the “privatization” of abuse.

Advocated for legal and systemic public policy change – federal, state, and local protections.

1980s–1990s

Among the first organizations formed were networks of safe homes and shelters, including the first emergency rape crisis center (in Washington DC).

Advocacy and momentum for the groundbreaking Violence Against Women Act (VAWA).

Brief History of VAWA Housing Protections

1994

VAWA

Ground-breaking federal law that created protections, dedicated additional and new federal funding for programs that support survivors.

2005

VAWA Housing Title

Mandated, for the first time, housing protections in certain federal housing programs for survivors who were applicants or tenants. Provided statutory protections for survivors of domestic violence, dating violence, and stalking.

Brief History of VAWA Housing Protections (cont.)

2013

VAWA Housing Title

Extended housing protections to survivors of sexual assault.

Added “affiliated individual” definition to help determine if the individual was covered.

Additional federal housing programs included under VAWA (all of HUD rental assistance programs).

2022

VAWA Housing Title

Revised key definitions, including the definition of “domestic violence”.

Added the definitions of “economic abuse” and “technological abuse.”

Prohibited retaliation against persons who exercised their VAWA rights.

Provided survivors and others with an opportunity to file a HUD complaint, if they believed their VAWA rights had been violated.

VAWA 2022 Implementation Updates

HUD VAWA 2022 regulations have not been issued yet.

Updated VAWA Forms have not been published yet.
*Thirty-day notice was published in the Federal Register, deadline for public comment was August 15, 2024

HUD's Office of Fair Housing and Equal Opportunity (FHEO) issued a VAWA 2022 enforcement notice, in 2023, and published a webpage with general information about how someone can file a complaint.

HUD published VAWA 2022 interim guidance in the Federal Register, in 2023.

PIH sent a VAWA letter to PHAs re: VAWA 2022, in 2023.

Robust VAWA training and technical assistance are planned this year.

Homeless Definition – Category 4

Before VAWA 2022

Any individual or family who:

- (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
- (ii) Has no other residence; and
- (iii) Lacks the resources or support networks, *e.g.*, family, friends, and faith-based or other social networks, to obtain other permanent housing.

Homeless Definition – Category 4

Under VAWA 2022

(1) is experiencing trauma or a lack of safety related to, or fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual's or family's current housing situation, including where the health and safety of children are jeopardized;

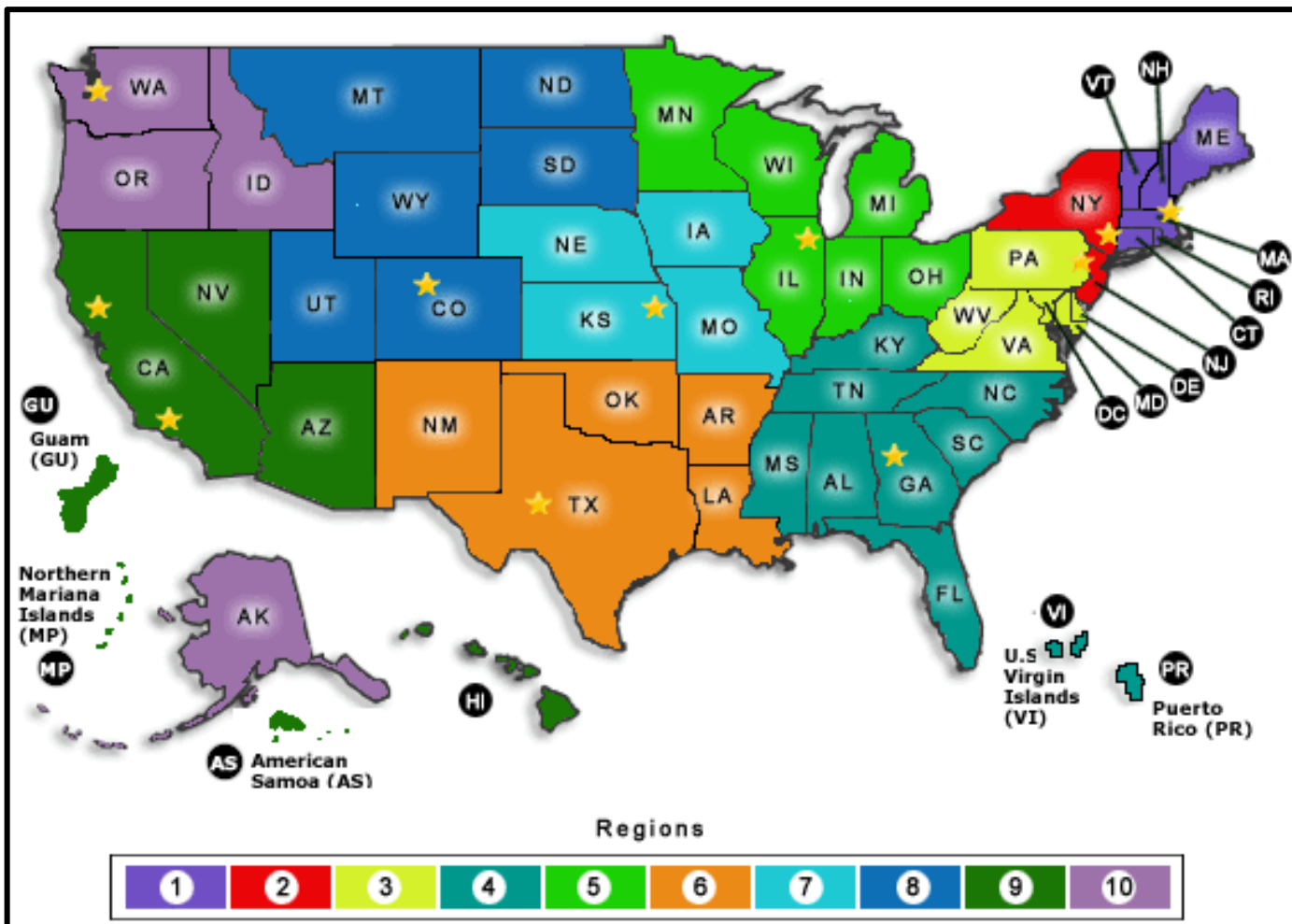
“(2) has no other safe residence; and

“(3) lacks the resources to obtain other safe permanent housing.”

HUD Regions & Covered Housing Programs

@ www.hud.local

@ www.hud.gov/states



STATE INFORMATION

Alabama	Illinois	Montana	Puerto Rico / Virgin Islands
Alaska	Indiana	Nebraska	Rhode Island
Arizona	Iowa	Nevada	South Carolina
Arkansas	Kansas	New Hampshire	South Dakota
California	Kentucky	New Jersey	Tennessee
Colorado	Louisiana	New Mexico	Texas
Connecticut	Maine	New York	Utah
Delaware	Maryland	North Carolina	Vermont
District of Columbia	Massachusetts	North Dakota	Virginia
Florida	Michigan	Ohio	Washington
Georgia	Minnesota	Oklahoma	West Virginia
Hawaii	Mississippi	Oregon	Wisconsin
Idaho	Missouri	Pennsylvania	Wyoming

HUD Offices & Covered Housing Programs (cont.)

Office of Public and Indian Housing (PIH)

- Office of Native American (ONAP)
- Office of Public Housing Programs
- Office of Housing Voucher Programs
- Office of Capital Improvements
- Office of Urban Revitalization
- Emergency Housing Vouchers
- Foster Youth to Independence

Office of Multifamily Housing

- Office of Asset Management & Portfolio Oversight
 - Project Based Rental Assistance (PBRA)
 - Section 202 Project Rental Assistance Contracts (202 PRAC)
 - Section 811 Project Rental Assistance Contracts (811 PRAC)
 - Section 811 Project Rental Assistance (811 PRA)
- Office of Production
- Office of Recapitalization

Note: Public housing agencies and subsidized providers can create local admission preferences.

HUD Offices & Covered Housing Programs (cont.)

Office of Community Planning & Development (CPD)

- Community Development Block Grant
- Home ARP
- Housing Trust Fund
- Emergency Solutions Grant
- Continuum of Care Homelessness Assistance Program
- Housing Opportunities for Persons with Aids
- Lead Hazard and Health Homes – Lead Hazard Control

HUD Regions & Program Offices

Office of Field Policy and Management (FPM)

- The regional and field offices communicate priorities and policies of the Secretary and develop community relationships that ensure the success of the Secretary's initiatives and special projects.
- FPM addresses program delivery issues and determines program impacts.

Office of Fair Housing and Equal Opportunity (FHEO)

- Eliminate housing discrimination, promote economic opportunity, and achieve diverse, inclusive communities.
- Implements and enforces laws and provides oversight to many HUD covered housing programs.
- Receive and process VAWA protections and discrimination complaints: www.hud.gov/fairhousing/fileacomplaint

Office on Housing Counseling (OHC)

- HUD approved Housing Counseling Agencies provide expert advice customized to the needs of the consumer to address housing barriers & help achieve their housing goals.
- HUD-certified housing counselors provide independent, unbiased assistance with homelessness to home ownership.
- Find a HUD participating Housing Counseling Agency: www.hud.gov/counseling

Questions



Resources



For program-specific guidance: HUD Exchange:
<https://www.hudexchange.info/>

For information on HUD history,
budget, programming: HUD Website: www.hud.gov

For information on VAWA and HUD's VAWA clearing
housing: www.hud.gov/vawa

Office on Gender-Based Violence: ogbv@hud.gov