



NEW YORK CITY HOUSING AUTHORITY

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Dear Resident:

Congress has passed a law known as the *Violence Against Women Act (VAWA)*, which makes certain changes to the public housing program and requires changes to your lease. The changes are outlined below, and your Lease Addendum is attached. Under the law, the Lease Addendum is effective immediately.

The following is a brief overview of VAWA:

VAWA protects public housing applicants, tenants, and household members who are victims of domestic violence, dating violence, or stalking, from being evicted or denied housing assistance based on acts of violence committed against them.

- NYCHA may not discriminate against a VAWA victim by denying admission to housing, just because he or she is a victim.
- NYCHA may deny admission to housing to a VAWA victim for reasons other than being a victim.
- NYCHA may not terminate a VAWA victim's tenancy or occupancy rights because he or she is a VAWA victim.
- NYCHA may split public housing tenancy rights to terminate the tenancy or occupancy rights of the abuser while protecting the victim and other household members from eviction.
- NYCHA may terminate a VAWA victim's public housing tenancy or occupancy rights for reasons other than being a victim.

OUTLINE OF VAWA'S PROVISIONS

Protections for Victims

- Admission to the public housing program may not be denied to an applicant because he or she is a victim of domestic violence, dating violence, or stalking, if he or she is otherwise qualified for assistance.
- An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered 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.
- Criminal activity directly relating to domestic violence, dating violence, or stalking by a member of a tenant's household or any guest or other person under the tenant's control, will not be cause for termination of the tenancy or occupancy rights, if the tenant or immediate family member of the tenant's family is a victim of the domestic violence, dating violence, or stalking.

Permissible Evictions

- NYCHA may evict, remove, or terminate assistance to any tenant or lawful occupant who engages in criminal acts of physical violence against family members or others.
- NYCHA has the authority to terminate the tenancy of any tenant, including the victim, if it can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property if that tenant's tenancy is not terminated.
- VAWA does not limit NYCHA's authority to evict a tenant for any violation of a lease not based on the act or acts of violence in question against the tenant or a member of the tenant's household. However, NYCHA may

not use a higher standard against a tenant who is or has been a victim of domestic violence, dating violence, or stalking when it makes eviction or termination decisions.

Option to Bifurcate Lease

- NYCHA may bifurcate (split) the lease to evict a tenant or lawful occupant who engages in criminal acts of physical violence against family members or others, while protecting the victim and other household members from eviction.
- If NYCHA chooses to bifurcate (split) the lease, it may not take away other tenants' or lawful occupants' rights to the apartment that they otherwise have, and NYCHA may not otherwise punish them.

Verification of Status as Victim

- NYCHA may ask a person to verify that he or she is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents in question are bona fide (real) incidents of such actual or threatened abuse. A person may verify that he or she is a victim in several ways:
 - (A) by completing and submitting a HUD-approved certification form, Form 50066, available at http://www.hudclips.org/sub_nonhud/cgi/pdfforms/50066.doc; OR
 - (B) by providing a police record or court record describing the incident(s) in question; OR
 - (C) by providing documentation by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence, or stalking, or the effects of the abuse. The professional must sign and confirm, under penalty of perjury, his or her belief that the incidents are real incidents of domestic violence, dating violence, or stalking. The victim must also sign and confirm the documentation under penalty of perjury.

NYCHA may not require more than one of the above forms of verification. The verification does not have to include physical proof of the abuse.

NYCHA may require that a person provide a completed HUD Form 50066, or one of the other forms of verification listed above, within 14 business days.

If a person does not give NYCHA the verification within 14 business days, or within any extension of this deadline, the person does not get any of the VAWA protections given to victims of domestic violence, dating violence, or stalking.

Confidentiality

NYCHA will keep the information a person gives NYCHA when he or she certifies that he or she is a victim, including the fact that a person is a victim of domestic violence, dating violence, or stalking, in confidence, and NYCHA may not enter this information into any shared database or provide it to a related entity, except to the extent:

- (A) a person asks for it to be revealed or agrees in writing that it may be revealed;
- (B) it is needed for use in an eviction or termination of tenancy proceeding; or
- (C) it may be revealed under another law.

VAWA and Other Laws

- VAWA does not limit NYCHA's authority, when notified, to honor court orders about rights of access to or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property among the household members in cases where a family breaks up.
- VAWA does not replace any federal, state, or local law providing more protection for victims of domestic violence, dating violence, or stalking.

Attached is a VAWA Lease Addendum. Please attach it to your Public Housing Lease.

A translation of this document is available at your management office in Russian and Chinese.

可到屋邨管处理索取该文件的中文翻译本

Перевод этого документа на русский язык доступен в вашем Оффисе менеджмента.