

HPD's Continuum of Care-Shelter Plus Care Participant Program Information

What is Continuum of Care (CoC) – Project-Based Rental Assistance with Supportive Services (aka Shelter Plus Care)?

The Continuum of Care program is a federally funded rental assistance program that assists homeless families or individuals by providing housing and/or services needed to help them move into housing, with the goal of long-term stability.

CoC project-based rental assistance and supportive services, often referred to as Shelter Plus Care (SPC), is a federally funded affordable housing program that through long term contracts with owners of private apartments provides monthly rental assistance payments for apartments occupied by eligible households. Assisted households pay approximately 30% of their adjusted incomes towards rent.

There are 3 participants in the program: the tenant(s), the owner, and HPD.

What are the eligibility requirements for CoC/SPC subsidy?

- Must meet the definition of a family as defined by CoC rules
- Must meet the HUD definition of homeless or chronically homeless
- Must be within income limits
- Head of Household (HOH) must have a disability. Supportive services are offered at the development but participation is not mandatory.
- Must provide all requested information to HPD
- At least one household member must be a legal resident or citizen

How does HPD determine the eligible unit size?

The size of unit that a household is eligible to occupy is determined by HPD's subsidy standard. The eligible unit size refers to the number of bedrooms HPD has determined are needed to house your family. Based on HPD's subsidy standard, a bedroom is approved for every two people in the household. Single-member households may reside in a one-bedroom, studio or Single Room Occupancy (SRO) unit.

- Determining the number of people in your family
 - o If you are pregnant at the time of your application please make sure to indicate this as this will be an additional member in your family.
 - o Foster children and live in aides need to be added to the household composition and must be supported by proper documentation.
- Federal regulations allows a maximum of 2 people per living space



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What is an Overhoused Family?

Overhoused family = a family residing in a unit that has more bedrooms than the appropriate number based on your HPD determined eligible unit size (two household members per bedroom).

If your family is overhoused with SPC subsidy, one of two things will happen:

- o If an appropriately-sized SPC unit is available and offered to you, you must move to that unit.
- o If an appropriately-sized SPC unit is not available, you may remain in your current apartment until one is offered to you.

What is an Overcrowded Family?

Overcrowded family = a family that has more household members than the maximum number of people that HUD allows to live in the unit.

Two people per bedroom or living/sleeping room is the maximum. Living and sleeping rooms in an apartment includes both the bedrooms and living room. More than one person in an SRO unit is considered overcrowded. If you are overcrowded, HPD cannot provide rental subsidy.

How does HPD determine your income?

HPD will determine your income, based on HUD's policies for how to calculate income. The determination will include sources of income that are countable and any allowable deductions from your income.

HPD first calculates your gross income which includes:

- Income from all sources, for all family members, such as:
 - o Wages (before taxes)
 - o Social Security (SS) or Social Security Insurance (SSI)
 - o Public Assistance
 - o Pensions
 - o Unemployment benefits
 - o Self-employment
 - o Child support



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- Income from assets. This includes (but is not limited to):
 - o Bank accounts
 - o Investment accounts
 - o Equity in real estate property
 - o Retirement savings accounts
 - o Company retirement or pension accounts
 - o Lump sum payment
 - o Personal property held as investment

Some income sources do not count towards your gross income (they are considered “excluded” from your income). Examples of excluded income include earned income of minors and payments for care of foster children. You need to report all income for your household, and HPD will determine if any of this income is excluded.

Making a false statement, omitting information, or concealing information in order to obtain assistance or to reduce the amount of rent you pay are all considered **fraud**.

Your assistance may be denied or terminated if you or a family member has willfully and intentionally committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program. You may also face arrest and criminal prosecution.

- Deductions. HPD makes deductions for the following:
 - o Seniors and Persons with Disabilities: disabled or elderly (62+) head of household, or spouse with unreimbursed medical or pharmacy expenses
 - o Disability Assistance Expense: unreimbursed expenses for a disabled family member(s) which allows any adult in the household to be employed
 - o Medical Expense: Unreimbursed medical expenses that exceed 3% of the household income for any member of the family.
 - o Minor Children: any minor 17 or younger
 - o Childcare Expense: minors 12 or younger; expenses that allow the head of household to be employed and/or further education



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HPD subtracts the amount of your allowable deductions from the amount of your gross income to determine your adjusted income. Your adjusted income is used to calculate your total tenant payment (rent share plus any tenant paid utilities).

$$\begin{array}{r} \text{Your gross income (before taxes)} \\ - \text{Your allowable deductions} \\ \hline = \text{Your adjusted income} \end{array}$$

How does HPD determine your share of the rent?

The tenant share is the greatest of the below numbers minus an allowance for any utility costs:

- 30% of your monthly adjusted income
- 10% of your monthly gross income
- Welfare rent (if applicable)

What is the family's role in the program?

The assisted household signs a lease with the owner, must comply with the program's family obligations, and comply with the lease requirements and supportive service agreement (if any).

What are the family obligations?

- Supply all information requested by HPD.
 - All information must be true and complete, including when responding to Requests for Additional Information (called A.I. Notices).
- Sign required consent forms.
- Allow HPD to inspect the apartment.
- Allow management access to make required repairs in your apartment.
- Correct any damage that your family causes to the apartment.
- Notify HPD if your family will be absent from the apartment for 90 days or more.
- You must reside in the apartment and the subsidized apartment must be your only residence.
- You must not sublet the apartment.



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- Notify HPD if you have been given court papers by management or an eviction notice
- You must comply with all of the terms and conditions of the lease between you and the landlord, including paying your rent on a timely basis.
- Report any changes in your household composition to HPD immediately:
 - o You must not allow any person to move into your household unless you have obtained prior approval from HPD or they have moved in because of marriage, domestic partnership, birth, adoption, or court-awarded custody, in which case, you must report the change to HPD within 30 days.
- The members of the family must not commit fraud, bribery, or any other corrupt or criminal act in connection with the program.
- The members of the family may not engage in drug-related criminal activity or violent criminal activity.

Your obligations to the owner are described in detail on your lease and your supportive service agreement.

What happens if you don't meet the family obligations?

If you do not meet your family obligations HPD may terminate your participation in the program. HPD will notify you in writing if you are terminated from participation. This notification will include instructions on how to appeal HPD's decision.

If you have committed fraud or committed a crime, you may be referred to federal and local law enforcement for prosecution.

When will your rental assistance end?

HPD **must** terminate assistance if:

- Any family member fails to sign and submit consent forms for obtaining information that HUD requires.
- No member of your family is either a U.S. citizen or eligible immigrant. Your assistance will not be terminated while verification of immigration status is pending.
- Your family vacates the assisted unit.



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- If the eligible head of household dies or vacates the unit, the remaining household members have until end of lease to reside in the apartment with subsidy. At the end of the lease, the CoC/SPC rental assistance will end.

HPD may terminate assistance if:

- Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.
- Any family member is currently engaging in illegal drug use.
- Any family member commits drug-related criminal activity or violent criminal activity.
- There is reasonable cause to believe that a family member's alcohol or illegal drug use threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Anyone in your family has engaged in or threatened abusive or violent behavior toward HPD personnel.
- Anyone in your family has misrepresented income, household members, or other reported information.
- Your family has violated one of the family obligations.
- Your family has failed to provide requested information or failed to attend a mandatory conference.
- Your family has failed to reimburse a public housing authority for amounts paid to an owner under a CoC contract due to the family's failure to report information.

Fraud and Program Integrity

Fraud and program abuse are single acts or a pattern of actions that are intended to deceive or mislead. Making a false statement, omitting information, or concealing information in order to obtain assistance or to reduce the amount of rent you pay are all considered fraud and program abuse.

Your assistance may be denied or terminated if you or a family member has willfully and intentionally committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program. You may also face arrest and criminal prosecution.

If you know of anyone who provided false information on a housing assistance application or recertification, or if anyone tells you to provide false information, report that person to:



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- HPD's Program Integrity and Compliance Unit at: **917-286-4300**, extension **8032**
- The New York City Department of Investigation at: **212-825-5900**
- HUD Office of Inspector General Hotline at: **1-800-347-3735 Or**
- Call **311**

What are the owner's obligations?

- Screen, select, and enter into leases with tenants.
- Comply with fair housing and equal opportunity requirements.
- Comply with the Continuum of Care (CoC) contract and lease.
- Carry out normal owner functions: enforcing the lease, collecting tenant share of the rent, charging tenants for damage.
- Provide all services as listed in the family's supportive service agreement.
- Maintain the apartment.
- Must NOT charge any extra amounts to the family except for what is listed in the Rent Breakdown letter and reasonable charges to tenant for damages.
- Landlords may request a rent increase annually at lease expiration. Assisted tenants are not responsible for any increases in the rent until the rent increase is approved by HPD. Both the landlord and tenant will then receive a rent breakdown letter listing the new contract rent, family share, and HPD share.

What if you have a problem with your apartment?

Contact management directly to notify them first of the problem. If you are unable to resolve the problem, contact 311 to request a Housing Quality Standards (HQS) inspection of your apartment.

What do you need to do after you start receiving CoC/SPC assistance?

- You **may report any decrease** in your household income so that HPD can adjust your tenant share of the rent.
- HPD must **recertify** your household and income at least once annually.
- You must **respond** to the recertification mailing within 30 days.



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- You must **allow HPD access to inspect** your apartment when scheduled.

How can you move out of your CoC/SPC unit?

Your SPC assistance is tied to your unit. This subsidy cannot be used to move out of the apartment. In certain documented circumstances HPD may approve a transfer from one assisted unit to another within the same building. These transfers must be approved by HPD in advance.

If you are transferring to another unit under the same SPC contract, the unit must pass inspection and the transfer must be approved before you move.

If you want to move, but require an affordable apartment, you may apply for other affordable housing developments, including project-based developments in HPD's Moderate Rehabilitation (Mod Rehab) program. More information about available affordable housing in New York City can be found at NYC Housing Connect: www.nyc.gov/housingconnect

You must notify HPD immediately if you will be temporarily relocated from your unit for any reason (including rehabilitation of the unit).

Remaining Household Members:

CoC program rules require that at least one household member qualify for the supportive services offered at the development (called the qualifying member).

If the qualifying member leaves the household, due to death, incarceration or long-term institutionalization, the household members remaining in the assisted unit may be able to continue receiving rental assistance until the current lease expires. Once the lease expires, HPD must terminate your CoC/SPC assistance.

What if I don't agree with HPD's decisions about my eligibility or assistance?

You may **appeal** a decision made by HPD affecting your eligibility or the amount of your assistance, including if your assistance is denied or your subsidy is terminated. The instructions for filing an appeal will be sent with your denial or termination notice.

Housing Discrimination

HPD will not deny any family or individual the equal opportunity to apply for or receive assistance under the Program on the basis of age, race, color, sex, religion, creed, or national or ethnic origin.



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HPD will not deny you the equal opportunity to apply for or receive assistance based on your family or marital status, handicap or disability, sexual orientation or gender identity, prior arrest or conviction record or status as a victim of domestic violence.

If you have been a victim of housing discrimination, you may make a complaint to the NYC Human Rights Commission by calling 311. More information about filing a complaint is available at: <http://www1.nyc.gov/site/cchr/enforcement/complaint-process.page>.

Violence Against Women Act (VAWA):

The federal Violence Against Women Act (VAWA) protects survivors of domestic violence or dating violence (intimate partner violence); sexual assault; or stalking. These protections apply to all federal (HUD) programs, including CoC SPC, and apply to all members of the CoC SPC household composition.

A Notice of Occupancy Rights is enclosed with this package and provides more detailed information about your rights under VAWA. Forms that you can submit if you would like to request an accommodation under VAWA for your CoC/SPC rental assistance are available on HPD's website: <http://www1.nyc.gov/site/hpd/section-8/forms-and-resources.page> or in Client Services at 100 Gold Street. These forms explain some of the types of accommodations that HPD may be able to provide survivors with their rental assistance.

Survivors of domestic violence can also call the New York City Domestic Violence Hotline at 1-800-621-HOPE (1-800-621-4673), or visit a Family Justice Center in any of the five boroughs for support outside of your CoC/SPC assistance. The contact information for the Family Justice Center is located in the attached Notice of Occupancy Rights, or you may call 311 for more information.

New York City law also protects survivors from discrimination based on their status as a survivor of domestic violence. You may call 311 to make a complaint to the NYC Human Rights Commission if you have been a victim of discrimination.

Important things to Remember:

- Keep this package as a reference so that you know your rights and responsibilities as a program participant.



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- Be sure to read all letters, notices, or forms that you receive from HPD. Pay special attention if there is an appointment date or a deadline to return materials to HPD. If you do not completely understand something, contact us for assistance.
- Supply all information requested by HPD and respond to all HPD requests for information on a timely basis. All of the information you provide to HPD must be true and complete.
- Keep copies of all documents that you submit to HPD.



HEAD OF HOUSEHOLD NAME

Samuel Joseph Johnson Jr

SOCIAL SECURITY NUMBER (last 4 digits)

5900

LANGUAGE PREFERENCE FORM

Please check the box next to the language in which you would like HPD to provide you with free assistance, when available. Check the first box if you do not need language assistance. Failure to mark any box will be taken to mean that you do not need language assistance.

- I do not need translation or interpretation.
- Español/ Spanish:** Quiero documentos traducidos e interpretación oral en Español. En caso de no marcar una opción, se considerará que no requiere asistencia de idioma.
- Français/ French:** Je souhaite avoir les documents traduits et bénéficier de services d'interprétation en français. Si vous ne cochez pas cette case, cela signifie que vous n'avez pas besoin d'aide pour comprendre la langue anglaise.
- Kreyòl Ayisyen/ Haitian Creole:** Mwen ta renmen jwenn dokiman ki tradui ak sèvis entèpretasyon nan bouch nan lang Kreyòl Ayisyen. Si ou pa tcheke okenn kaz, yo pral konsidere sa tankou ou vle di ou pa bezwen èd pou lang.
- Русский/ Russian:** Отметьте этот пункт галочкой, если вам нужен устный и письменный перевод на русский язык. Если не сделать этого, мы будем считать, что услуги по переводу вам не нужны.
- Polski/ Polish:** Proszę o ustne tłumaczenie i dokumenty przetłumaczone na język polski. Niezaznaczenie żadnego okienka oznacza brak potrzeby wsparcia językowego.
- اردو/ Urdu:** مجھے ترجمہ شدہ دستاویزات اور زبانی ترجمانی اردو میں چاہیے۔ کسی باکس کو نشان زد کرنے میں ناکامی کو یوں مانا جائے گا کہ آپ کو لسانی اعانت درکار نہیں ہے۔
- বাংলা/ Bengali:** আমার ভাষান্তরিত নথিপত্র এবং মৌখিক ব্যাখ্যা বাংলায় দরকার। যদি কোনও বাস্তব টিক চিহ্ন না দেন তাহলে ধরে নেওয়া হবে যে আপনার ভাষা সহায়তার প্রয়োজন নেই।
- 廣東話/ Cantonese:** 我希望獲得廣東話版的翻譯文件和口譯服務。若沒有勾選任何方框，將視為您不需要語言協助。
- 普通话/ Mandarin:** 我想要普通话版本的翻译文件和口译服务。如未勾选任何方框，则视为您无需语言协助。
- 한국어/ Korean:** 본인은 한국어로 번역된 문서와 구두 해석을 원합니다. 빈 칸에 하나도 표시하지 않으면 언어 지원을 필요로 하지 않는다는 의미입니다.
- اللغة العربية/ Arabic:** أود الحصول على مستندات مترجمة وترجمة فورية إلى اللغة العربية. وسيعني عدم وضع علامة في أي مربع أنك لا تحتاج إلى مساعدة لغوية.
- Other:** _____ (please specify the language, in English). Failure to mark any box will be taken to mean that you do not need language assistance.



**New York City Department of Housing Preservation & Development (HPD),
Division of Tenant Resources,
Notice of Occupancy Rights under the Violence Against Women Act¹**

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, and/or stalking. VAWA protections are available equally to all individuals regardless of sex, gender identity, or sexual orientation.² The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees HPD compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form (HUD Form 5382) is attached to this notice. Fill out this form if you are or have been a victim of domestic violence, dating violence, sexual assault, and/or stalking, and you wish to use your rights under VAWA.

Protections for Applicants

If you qualify for HPD rental assistance, you cannot be denied admission or assistance solely because you are or have been a victim of domestic violence, dating violence, sexual assault, and/or stalking.

Protections for Tenants

If you are receiving HPD rental assistance, you cannot be denied assistance or terminated from participation solely because you are or have been a victim of domestic violence, dating violence, sexual assault, and/or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, and/or stalking by a member of your household or any guest, you cannot be denied rental assistance or occupancy rights under any HPD rental assistance program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, and/or stalking.³

Removing the Abuser from the Household

HPD may terminate the rental assistance of the head of household (the abuser) who has engaged in criminal activity directly relating to domestic violence, dating violence, sexual assault, and/or stalking and transfer it to the victim. If the abuser is not the head of household, but another member of the household, HPD may remove that person from the household composition if they have left the unit. In any case, the abuser will not receive additional rental assistance after termination or removal.

If HPD terminates the rental assistance of the abuser, or removes them from the household composition, HPD will not take away the rights of eligible tenants in the unit or otherwise punish the remaining tenants. If the terminated abuser was the sole tenant to have established eligibility for assistance under the program, HPD will allow the tenant who is or has been a victim and other household members to remain subsidized for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or find alternative housing.

In removing the abuser from the household composition or terminating their assistance, HPD will follow policies in the HPD Administrative Plan. During this process, HPD may ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, and/or stalking.⁴ In cases of competing claims, HPD may ask you for additional third-party documentation.

¹Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

²Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

³Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

⁴See section in this document with the subtitle: *Documenting That You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking and/or Stalking.*



Moving to Another Unit

Upon your request, HPD may permit you to move to another unit and still keep your assistance. In order to approve a request, HPD may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, and/or stalking. If the request is for an emergency move, HPD may ask you to submit a written request or fill out a form where you certify that you meet the following criteria for an emergency move under VAWA:

(1) You are a victim of domestic violence, dating violence, sexual assault, and/or stalking. If HPD does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, and/or stalking, HPD may ask you for such documentation, as described in the documentation section below.

(2) You expressly request the emergency move. HPD may require that you submit a form, or may accept another written or oral request.

(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit. This means you have a reason to fear that if you do not receive a move voucher you would suffer violence in the very near future.

OR

You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a move. If you are a victim of sexual assault, then in addition to qualifying for an emergency move because you reasonably believe you are in imminent harm from further violence if you remain in your unit, you may also qualify for an emergency move if the sexual assault occurred on the premises of the property from which you are seeking to move, and that assault happened within the 90-calendar-day period before you expressly request the move.

Requests for emergency moves by victims of domestic violence, dating violence, sexual assault, and/or stalking, and the location of any move by such victims and their families will be kept confidential by HPD.

How the Type of Rental Assistance You Have Affects Moving to Another Unit

HPD may allow you to move to another unit and keep your assistance. However, there are differences depending on what type of rental assistance you receive. If you are not sure what type you have, please contact HPD to confirm. Below are the differences as it relates to moving:

- Tenants who have “**regular vouchers**” will be issued a move voucher after a request is approved.
- Tenants who have “**enhanced vouchers**” may relocate to an available unit within their development; otherwise they may change their voucher type to regular and be issued a move voucher.
- Tenants who have “**project based vouchers**” may relocate to an available unit within their development; otherwise they may be placed on a waitlist to receive a regular move voucher.
- Tenants who participate in a “**project based program**” do not have vouchers because the rental assistance is tied to the unit. Tenants should contact property management or HPD to see if there is an available unit within the same development. In addition, Shelter Plus Care tenants may be offered a vacant unit within the Continuum of Care portfolio.

Form HUD-5380
(12/2017 Mailing)



Documentation

HPD can ask you to provide documentation to “certify” that you are or have been a victim of domestic violence, dating violence, sexual assault, and/or stalking. HPD will give you 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you were notified to provide the documentation. HPD may, but does not have to, extend the deadline for the submission of documentation upon your request. Any of the following items are acceptable to submit if HPD asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, and/or stalking:

- A complete HUD-approved certification form given to you by HPD with this notice, that documents an incident of domestic violence, dating violence, sexual assault, and/or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, and/or stalking, and a description of the incident. The certification form provides for including the name of the abuser if the name of the abuser is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, and/or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, “professional”) from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, and/or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, and/or stalking are grounds for protection.
- Any other statement or evidence that HPD has agreed to accept.

If you fail or refuse to provide any of these documents within the 14 business days, HPD does not have to provide you with the protections contained in this notice.

If HPD receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, and/or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser), HPD has the right to request that you provide third-party documentation within 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, HPD does not have to provide you with the protections contained in this notice.

Confidentiality

HPD will keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA. HPD will not allow any individual administering assistance or other services on behalf of HPD (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

HPD will not enter your information into any shared database or disclose your information to any other entity or individual. HPD, however, may disclose the information provided if:

- You give written permission to HPD to release the information on a time limited basis.
- HPD needs to use the information in a termination proceeding, such as to terminate your abuser from assistance under this program.
- A law requires HPD or the property owner to release the information, such as if they are subpoenaed by a court of law.

VAWA does not limit HPD’s duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

Form HUD-5380
(12/2017 Mailing)



Reasons a Tenant May Be Evicted or Assistance May Be Terminated

The property owner can evict you and HPD can terminate your assistance for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, and/or stalking committed against you. However, HPD cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, and/or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, and/or stalking. The protections described in this notice might not apply, and your assistance terminated, if HPD can demonstrate that not terminating your assistance would present a real physical danger that:

- Would occur within an immediate time frame, and
- Could result in death or serious bodily harm to other tenants or those who work on the property.

If HPD can demonstrate the above, HPD will only terminate your assistance if there are no other actions that could be taken to reduce or eliminate the threat.

Other Laws

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, and/or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, and/or stalking under other Federal laws, as well as under State and local laws.

Non-Compliance with the Requirements of This Notice

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with the NYC Commission on Human Rights or the local HUD office, located at 26 Federal Plaza.

For Additional Information

You may view a copy of HUD's VAWA Final Rule at <https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf>.

For questions regarding VAWA issues and your rental assistance, please **call HPD Client Services at 917-286-4300 or email DTR_VAWA@hpd.nyc.gov**. For help regarding an abusive relationship, you can call **NYC Domestic Violence Hotline at 1-800-621-4673**. Additional New York City resources for survivors of intimate partner violence include the **Family Justice Centers**, which provide a variety of information and services:

Bronx Family Justice Center	718-508-1220
Brooklyn Family Justice Center	718-250-5111
Queens Family Justice Center	718-575-4545
Manhattan Family Justice Center	212-602-2800
Staten Island Family Justice Center	718-697-4300

For tenants who are or have been victims of stalking seeking help may visit the **National Center for Victims of Crime's Stalking Resource Center** at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault, you may contact the **NYC Alliance Against Sexual Assault: 212-229-0345 or Rape Abuse and Incest National Network (RAINN) at 1-800-656-4673**.

Victims of any crime, including stalking, may contact their local police stations.

Attachment: Certification form HUD-5382



**CERTIFICATION OF
DOMESTIC VIOLENCE,
DATING VIOLENCE,
SEXUAL ASSAULT, OR STALKING,
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing
and Urban Development**

OMB Approval No. 2577-0286
Exp. 06/30/2017

Purpose of Form: The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

Use of This Optional Form: If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

Submission of Documentation: The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

Confidentiality: All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

Form HUD-5380
(12/2017 Mailing)



TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

1. Date the written request is received by victim: _____

2. Name of victim: _____

3. Your name (if different from victim's): _____

4. Name(s) of other family member(s) listed on the lease: _____

5. Residence of victim: _____

6. Name of the accused perpetrator (if known and can be safely disclosed): _____

7. Relationship of the accused perpetrator to the victim: _____

8. Date(s) and times(s) of incident(s) (if known): _____

10. Location of incident(s): _____

In your own words, briefly describe the incident(s): _____ _____ _____ _____
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This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature _____ Signed on (Date) _____

Public Reporting Burden: The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.