

**NEW YORK CITY HOUSING AUTHORITY**

**Victims of Domestic Violence Priority for Public Housing Applicants**

Housing Priority Code “N1” - Victims of Domestic Violence (VDV)

a. Victim of Domestic Violence

A Victim of Domestic Violence (VDV) is a person who has suffered serious or repeated abuse from a family member, current or former spouse or intimate partner, or person with whom the victim has a child in common, and the victim:

- Will continue to suffer if (s)he continues to live in the current residence
- or**
- Has left the residence due to the abuse and is not living in standard, permanent replacement housing.

b. Verification of Priority

In order to qualify for the N-1 priority as a VDV, an applicant must submit documentation to NYCHA demonstrating that (s)he is eligible for this priority. NYCHA’s documentation requirements vary based on the victim’s circumstances and the type of crime experienced, as outlined below.

Documentation submitted must demonstrate that the applicant was the victim of an incident in a domestic or family situation, or in connection with an intimate relationship.

The applicant must provide one (1) document each from category A, B, and C, unless:

1. The applicant was a victim of one of the crimes on the “Single Criminal Incident List” or suffered injury requiring treatment at a hospital. If so, the applicant must submit one (1) document each from category A and category C.
2. The applicant has been referred by the New York City Human Resources Administration (HRA). To qualify for the priority, HRA-referred applicants must have been residing for 45 continuous days at the time of referral in either (1) an HRA shelter, or (2) a VDV shelter operated by one of the state-regulated and state-licensed shelter providers accepting the city’s VDV referrals, working in conjunction with HRA (“Providers”). In addition, HRA must provide NYCHA with (1) a completed No Violence Again Program Screening Form (NoVA Screening Form) signed by an HRA social worker for each applicant screened and referred by HRA, or (2) a completed assessment form from the Provider, signed by a social worker and equivalent to the NoVA Screening Form, containing background information including, but not limited to, the perpetrator’s name, date of birth, and relationship to the victim, and the victim’s last address prior to entering VDV shelter.

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Please refer to the "Single Criminal Incident List" and the Documentation Requirements chart on the following pages.

## SINGLE CRIMINAL INCIDENT LIST

To verify priority status as a victim of domestic violence, an applicant who is a victim of a crime listed below should: (1) submit verifying documentation identifying the applicable N.Y. Penal Law Section, demonstrating that he/she was a victim of a crime listed below; (2) demonstrate that the crime occurred in a domestic or family situation, or in connection with an intimate relationship; and (3) submit an advocacy letter.

**NOTE:** For crimes committed outside New York State or under federal law, documentation must include a criminal law or penal law section of the crime so that the New York equivalent can be determined. Consult the Law Department's Public Information Unit for assistance in evaluating documentation of federal or out-of-state crimes.

CRIME(S)	N.Y. PENAL LAW SECTION(S) SHOWN ON DOCUMENTATION
Attempt to commit a crime - <b>applies only to those crimes indicated on this list by an asterisk (*)</b> .	110.00 <b>plus</b> Penal Law section of crime that was attempted. <u>Example:</u> Documentation of attempted murder in the 1 <sup>st</sup> degree would list N.Y. Penal Law Section 125.27 (murder) <b>and</b> Section 110.00 (attempt).
Vehicular assault: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	120.03 120.04*
Aggravated vehicular assault	120.04-a*
Assault: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	120.05* 120.10*
Aggravated assault on person under age 11	120.12
Gang assault: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	120.06* 120.07*
Menacing: 1 <sup>st</sup> degree	120.13
Reckless endangerment: 1 <sup>st</sup> degree	120.25*
Stalking: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	120.55 120.60*
Luring a child	120.70
Strangulation: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	121.12* 121.13*
Criminally negligent homicide	125.10
Vehicular manslaughter: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	125.12* 125.13*
Aggravated vehicular homicide	125.14*
Manslaughter: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	125.15* 125.20*

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Murder: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	125.25* 125.27*
Aggravated murder	125.26*
Rape: 1 <sup>st</sup> , 2 <sup>nd</sup> , or 3 <sup>rd</sup> degree	130.25 130.30* 130.35*
Criminal sexual act, 3 <sup>rd</sup> degree: <b>subsections (1) or (3) only</b>	130.40(1) 130.40(3)
Criminal sexual act: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	130.45* 130.50*
Persistent sexual abuse	130.53
Sexual abuse: 1 <sup>st</sup> degree	130.65*
Aggravated sexual abuse: 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , or 4 <sup>th</sup> degree	130.65-a 130.66* 130.67* 130.70*
Course of sexual conduct against a child: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	130.75* 130.80*
Female genital mutilation	130.85
Facilitating sex offense with controlled substance	130.90*
Sexually motivated felony	130.91*
Predatory sexual assault	130.95*
Predatory sexual assault against a child	130.96*
Unlawful imprisonment: 1 <sup>st</sup> degree	135.10
Kidnapping: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	135.20* 135.25*
Criminal trespass: 1 <sup>st</sup> degree	140.17*
Burglary: 1 <sup>st</sup> , 2 <sup>nd</sup> , or 3 <sup>rd</sup> degree	140.20* 140.25* 140.30*
Criminal mischief: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	145.10* 145.12*
Arson: 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , or 4 <sup>th</sup> degree	150.05 150.10* 150.15* 150.20*
Grand larceny: 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , or 4 <sup>th</sup> degree	155.30 155.35* 155.40* 155.42*
Robbery: 2 <sup>nd</sup> degree, <b>subsections (1) or (2) only</b>	160.10(1)* 160.10(2)*

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Robbery: 1 <sup>st</sup> degree	160.15*
Intimidating a victim or witness: 1 <sup>st</sup> , 2 <sup>nd</sup> , or 3 <sup>rd</sup> degree	215.15 215.16* 215.17*
Criminal contempt: 1 <sup>st</sup> degree	215.51
Aggravated criminal contempt	215.52*
Incest: 1 <sup>st</sup> , 2 <sup>nd</sup> , or 3 <sup>rd</sup> degree	255.25 255.26* 255.27*
Endangering the welfare of an incompetent or physically disabled person: 1 <sup>st</sup> degree	260.25
Endangering the welfare of a vulnerable elderly person, incompetent person, or physically disabled person: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	260.32 260.34*
Use of a child in a sexual performance	263.05*
Promoting an obscene sexual performance by a child	263.10*
Promoting a sexual performance by a child	263.15*
Facilitating a sexual performance by a child with a controlled substance or alcohol	263.30*
Criminal possession of a weapon: 1 <sup>st</sup> , 2 <sup>nd</sup> , or 3 <sup>rd</sup> degree	265.02* 265.03* 265.04*
Criminal use of a firearm: 1 <sup>st</sup> or 2 <sup>nd</sup> degree	265.08* 265.09*

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**VICTIM OF DOMESTIC VIOLENCE PRIORITY – DOCUMENTATION REQUIREMENTS CHECKLIST**

- Documentation must demonstrate that the incident occurred in a domestic or family situation, or in connection with an intimate relationship; and
- Applicant must document at least one incident in the last 12 Months (Category A) and second incident within the last 24 months (Category B) by the same perpetrator if offense is not on Single Criminal Incident List or the victim has not suffered injury requiring treatment at a hospital.
- Advocacy letter (Category C) dated within 60 days from the date of the priority upgrade request. The advocacy letter must identify the perpetrator, relationship between the victim and the perpetrator, when and where the domestic violence occurred, details of the incident, and reasons priority status should be granted.

<b>Category of Victim</b>	<b>a. <u>Category A</u> <u>Documentation</u> (Incident within 12 months of the priority upgrade request)</b>	<b>b. Category B Documentation (Incident within 24 months of the priority upgrade request)</b>	<b>Category C Advocacy Letter (within 60 days of the priority upgrade request)</b>
<p><b>1</b></p> <p><b><u>Victim of Offense on Single Criminal Incident List</u></b></p>	<p>One document identifying NY Penal Law Section of offense on Single Criminal Incident list:</p> <p>Order of Protection (OOP): State Supreme Court [OOP may be current or expired]</p> <p>Order of Protection (OOP): Criminal Court [OOP may be current or expired]</p> <p>Police Report (61 Complaint Report)</p> <p>Police Domestic Incident Report (DIR)</p> <p>Letter or Complaint from District Attorney's/U.S. Attorney's Office Attorney's Office or New York Police Dep't</p>	<p>Not Needed</p>	<p>Advocacy letter issued by one of the entities below, must be dated within 60 days,:</p> <p>Social Services Provider</p> <p>Family Justice Center</p> <p>Hospital Domestic Violence Coordinator or Hospital Social Worker</p> <p>Mental Health Provider or Counselor</p> <p>Governmental Agency such as District Attorney's Office, Administration for Children's Services (ACS), Human Resources Administration (HRA), Department of Education (DOE), Department of Homeland Security (DHS)</p>

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<p><b>2</b></p>	<p><b><u>Victim of Offense NOT on Single Criminal Incident List</u></b></p>	<p>Order of Protection (OOP): Family court - <b>and</b> a copy of the Family Court Petition [OOP must be valid at time of priority upgrade]</p> <p>Order of Protection (OOP): Supreme Court [OOP must be valid at time of priority upgrade]</p> <p>Order of Protection (OOP): Criminal Court [OOP must be valid at time of priority upgrade]</p> <p>Police Report (61 Complaint Report)</p> <p>Police Domestic Incident Report (DIR)</p> <p>Letter or Complaint from District Attorney's/U.S. Attorney's Office or New York Police Dep't</p> <p>Letter from Parole Office, Dep't of Corrections, District Attorney's/U.S Attorney's office where applicant claims s/he has been threatened by abuser from prison</p>	<p>Documentation of a different incident involving same perpetrator:</p> <p>Order of Protection (OOP): Family court - <b>and</b> a copy of the Family Court Petition [OOP may be current or expired]</p> <p>Order of Protection (OOP): Supreme Court [OOP may be current or expired]</p> <p>Order of Protection (OOP): Criminal Court [OOP may be current or expired]</p> <p>Police Report (61 Complaint Report)</p> <p>Police Domestic Incident Report (DIR)</p> <p>Letter or complaint from District Attorney's/U.S. Attorney's Office or New York Police Dept</p> <p>Letter from Parole Office, Dep't of Corrections, District Attorney's/U.S</p>	<p>Advocacy letter described in Category 1C</p>
<p><b>3</b></p>	<p><b><u>Victim who Received Hospital Treatment for VDV Incident</u></b></p>	<p>Hospital Letter_(NYCHA Form 070.246)</p>	<p>Not Needed</p>	<p>Advocacy letter described in Category 1C</p>
<p><b>4</b></p>	<p><b>HRA-Referred Victims in HRA-Operated or Provider-Operated VDV Shelter</b></p>	<p>HRA NoVA Screening Form, or equivalent from Provider, completed and signed by social worker, for applicant residing in HRA or Provider VDV shelter for 45 continuous days at time of referral</p>	<p>Not Needed</p>	<p>Not Needed</p>