

# VIOLENCE AGAINST WOMEN ACT CHART REQUIREMENTS



*This chart is not proposed to be all-inclusive, but intended to help in the understanding of some of the VAWA requirements. Refer also to HUD Notice H-1017-05 VAWA Reauthorization Act of 2013 in conjunction with the VAWA Final Rule, November 2016.*

Form / Other	Implementation Notes
<p><b>HUD 5380 - Notice of Occupancy Rights</b></p>	<p>Form provides information to households of their rights under VAWA. Must be customized as long as the language and information is the same.</p> <p><b>Provide at:</b> Move-In, with any rejection, and with notice of termination (tenancy/eviction or assistance).</p> <p><b>Note:</b> Owner/Agents (OA) are not required to have residents sign the form or acknowledge receipt, but are encouraged to do so.</p>
<p><b>HUD 5381 – Emergency Transfer Plan (ETP)</b></p>	<p>ETPs must be developed and implemented by June 14, 2017; the plans must establish recordkeeping and reporting requirements. Model form includes final rule language. The plan must include policies for assisting a resident seeking an emergency transfer from unit to unit, into the property, and out of the property. This plan is not required to be provided to residents or applicants unless they ask for it.</p>
<p><b>HUD 5382 – Certification of Domestic Violence, Dating Violence or Stalking Replaces HUD form 91066 which is now obsolete.</b></p>	<p>Form is to be completed by any household member who is seeking VAWA protection, and must be provided at the same time as the Notice of Occupancy Rights. Form must be used “as is”. Under most circumstances third party documentation requirements are unnecessary so long as victim self-certifies need for VAWA protections.</p> <p><b>Provide at:</b> Move-In, with any rejection, and with notice of termination (tenancy/eviction or assistance).</p> <p><b>Note:</b> Owner/Agents (OA) are not required to have residents sign the form or acknowledge receipt, but are encouraged to do so.</p>
<p><b>HUD 5383 – Emergency Transfer Request (ETR)</b></p>	<p>OA may require tenants to provide a written request, but may also accept other written or oral requests. If an ETR is required, this form may be used or one may be developed.</p>
<p><b>HUD 91067 – Lease Addendum</b></p>	<p>HUD will be updating the lease addendum form in the coming months. Until then, continue to include the existing form (expired 6/30/2017) as part of the lease package.</p> <p><b>Provide at:</b> Move-in (as part of original lease), whenever a new lease is provided to resident.</p>

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<p><b>Tenant Selection Plan</b></p>	<p>Include victims of sexual assault in the protections; Make it clear that VAWA Protections are available equally to all individuals regardless of sex, gender identity or sexual orientation; and Make it clear that protections are provided to affiliated persons which includes 1. A spouse, parent, brother, sister, or child of the victim, or a person to whom the victim stands in place of a parent or guardian; or 2. Any individual, resident/applicant, or lawful occupant living in the household of that individual.</p>
<p><b>House Rules</b></p>	<p>HUD Handbook 4350.3 Rev 1 Chg 4 Section 4-4 C 9 which states “the House Rules where applicable, must include policies and procedures covering the VAWA protections. Owner policies must support or assist victims of domestic violence, dating violence or stalking and protect victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing as a consequence of domestic violence, dating violence or stalking.”</p>