



Subsidized Housing Rights for Victims of Domestic Violence and Sexual Assault

Victims of Domestic Violence in Subsidized Housing Have Rights

There is a federal law called VAWA (Violence Against Women Act). VAWA helps if you or a household member are a victim of:

- gender-based violence,
- domestic violence,
- harassment, or
- criminal sexual conduct
- economic abuse – this is things like they steal money or SNAP benefits or get credit using your name



and apply for or live in:

- Public Housing
- Subsidized Housing
- Section 8 Voucher Programs
- USDA Rural Housing, or
- Low Income Housing Tax Credit (Section 42)

The law says that a housing program can't turn you down for housing, end your lease, or evict you because of your abuser's or attacker's actions against you or a household member. Housing programs had until June 14, 2017, to put an emergency transfer policy in place. This transfer policy is for victims of gender-based violence or sexual assault who need to move for safety if another unit is available.

You can even choose to give up your subsidized rental unit and move out for safety. You can end your lease on a date of your choice without giving up your rights to get your security deposit back.

Domestic violence can be violence against you or a household member, dating violence and stalking, or economic abuse. The housing agency or landlord can ask you to prove the domestic violence or sexual assault. They may end the lease for the abuser or attacker and keep renting just to you.

This law does not mean that the housing agency or landlord can't enforce other housing program rules or other terms of the lease. You can be evicted for something else that violates the rules or your lease.

How do I know if VAWA can help me?

Look at the box that fits your situation.

I am looking for housing	Yes	No
I applied for public housing, a subsidized apartment, USDA Rural Housing, Low Income Housing Tax Credit (Section 42) housing or have a Section 8 Voucher.		
My application was denied.		
Someone in my household has been a victim of domestic violence or sexual assault.		
My application was denied because of the abuser's or attacker's violence, harassment or criminal sexual conduct against me or a household member OR because of something that happened because of what the abuser/attacker did. (example: I can't pay rent because my abuser stole my money)		

If you can say "yes" to **all** the statements in this box, you may be protected by VAWA. Fill out the notice attached to this fact sheet. Give the notice to the housing authority, owner or landlord and tell them that you are protected by VAWA and what you want. Make sure you sign the letter and keep a copy for yourself.

I am already a tenant	Yes	No
I live in public housing, a subsidized apartment, USDA Rural Housing, Low Income Housing Tax Credit (Section 42) housing or I have a Section 8 Voucher.		
I got a bill for damage caused by the abuser or attacker.		
I got a notice of lease violation, a notice of termination or eviction papers.		
Someone in my household has been a victim of domestic violence or sexual assault.		
I am being billed, terminated, or evicted because of the abuser's or attacker's violence, harassment or criminal sexual conduct against me or a household member OR because of something that happened because of what the abuser/attacker did. (example: I can't pay rent because my abuser stole my money)		
I need to move to a different subsidized unit so the victim of domestic violence or sexual assault in my household can escape harm from the abuser or attacker.		
I need to "port" my Section 8 Voucher to a new location to protect the health or safety of the victim of domestic violence or sexual assault in my household.		
I need my housing subsidy provider or my landlord to take the abuser or attacker off my lease but let me and my family stay on the lease.		
My income has gone down because of domestic violence or sexual assault. I need my rent recalculated right away.		
I choose to give up my subsidized rental unit entirely to move for safety. I chose the date to move. I do not give up my rights to a refund of my security deposit.		

If you can say "yes" to **any** of the statements in this box, you may be protected by VAWA. Fill out the notice attached to this fact sheet. Give the notice to the housing authority, owner or landlord and tell them that you are protected by VAWA and what you want. Make sure you sign the letter and keep a copy for yourself.

If you are not safe

- because of domestic violence contact Day One Services
Call 1(866) 223-1111 or text (612) 399-9995
Or go to www.dayoneservices.org or www.MNcasa.org
- because of sexual assault call: 1 (800) 656-4673.

More Help

If you need more information, legal help to claim your rights under VAWA, or have been told that VAWA does not apply to you, call your local legal aid office at [1\(877\) 696-6529](tel:18776966529).

Or look for help from other programs at www.lawhelpmn.org/providers-and-clinics.

Fact Sheets are legal information NOT legal advice. See a lawyer for advice.

Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.

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VAWA Notice

TO: Housing Authority/Section 8 Program/Landlord

FROM: Name: _____

Address: _____

DATE: _____

I am, or my household member is, a victim of domestic violence, dating violence, stalking or sexual assault. The Violence Against Women Act (VAWA), 34 U.S.C.A. § 12491, applies to me.

I cannot:

- ☐ have my housing application denied for reasons related to the abuse or assault
- ☐ be evicted for not paying for damage caused by an abuser
- ☐ have my lease terminated for reasons related to the abuse or assault
- ☐ be evicted for reasons related to the abuse or assault
- ☐ be treated differently than others based on the abuse or assault

The reasons for your actions against me are the result of the domestic violence, dating violence, stalking, sexual assault, or economic abuse that has happened to me or my household member.

Please, apply my VAWA rights:

- ☐ when reviewing my application
- ☐ when reviewing an alleged lease violation
- ☐ and take the bill for damages caused by abuser or attacker off my account
- ☐ and take my abuser or attacker off my lease and make a new lease agreement with me
- ☐ when considering termination of my lease
- ☐ when considering evicting me
- ☐ and transfer me to another subsidized unit
- ☐ and give me new Section 8 Voucher papers to move
- ☐ and give me new Section 8 Voucher papers to port my Voucher out of your program to a new location
- ☐ and recalculate my rent right away because my income decreased due to domestic violence or sexual assault.
- ☐ to (other) _____

Please contact me for information that you need in order to provide me with my VAWA rights.

Please do not give out the information in this notice to anyone, especially my abuser, without my written permission.

(Signature)

(keep a copy of this notice for your own records)