

Required VAWA documents

VAWA document	Instructions
HUD 5380 Notice of Occupancy Rights under VAWA	Must be signed by every client household to acknowledge receipt and copy placed in client file
HUD 90067 Lease Addendum	Must be added to all leases signed in 2018 and later TRA: signed by client and landlord SRA/Leasing: signed by agency and landlord
HUD 90067 Sublease/ Occupancy Agreement Addendum	Must be added to all subleases signed in 2018 and later All projects: signed by agency and client
HUD 5382 Certification of Domestic Violence	Given to clients at move-in; only used if landlord requires certification of DV
HUD 5383 Emergency Transfer Request	Given to clients at move-in; only used if client requires emergency transfer

HUD VAWA Final Rule compliance FAQ

1. What is the purpose of the DV certification as opposed to the emergency transfer request.

The Emergency Transfer Request is specifically used to activate a transfer to a new CoC/ESG unit, if there is *immediate danger* of harm if the client stays in place.

The (optional) DV certification is for the client to provide proof/ details to their Housing Provider/ landlord that they are a DV survivor, and the VAWA Protections and Rights in 24 CFR 5 subpart L apply to them.

2. Do the DV certification form and the emergency transfer request get completed at the same time when an incident occurs and a transfer is requested?

The DV certification form is completed only if a Housing Provider or Landlord wants more details from a client who asserts that they are a DV survivor and subject to VAWA Protections.

It can be completed at program enrollment or anytime later when the DV status becomes relevant or is contested.

It is not tied to a specific new/current incident, but provides details (only if requested by the HP or landlord) about past incidents.

It is to be used in place of, say, court records, police incident reports, or DV services provider records.

This form prevents a landlord from ignoring VAWA protections when a client can't provide court records - all they need is this self-certification form to activate the VAWA protections.

The Emergency Transfer Request is only completed when the client needs to move to a new unit because there is *immediate danger* of harm if the client stays in place (or an assault has already occurred at the current unit).

3. I'm not clear on the 1st question on the DV Certification form - "Date the written request is received by victim" I'm not sure what the written request is.

That is a written request from the CoC Housing Provider or landlord for proof/ more details from a client that asserts that they are a DV survivor.

The DV certification form is the HUD approved method by which a client responds to that request, if they do not have, or do not want to provide, 3rd party documents like court records, police incident reports, or DV services provider records.

They have 14 days to respond (after which the HP or landlord can decide they are not actually a DV survivor and VAWA Protections don't apply to them).

4. The Emergency transfer request form states...."See your housing provider's emergency transfer plan for more information about the availability of emergency transfers" I wasn't aware that a written plan was/needs to be in place.

The Emergency Transfer Plan is a CoC-level document. It was included among the other VAWA docs discussed at the 12/20 Board meeting, and that Annette sent out on 12/21. It says that where there is *immediate danger* of harm if the client stays in place (or an assault has already occurred at the current unit) a client must be moved to a new unit as quickly as possible.

Where feasible, this is done to a new unit within the same CoC/ESG project. If not, they are given 1st priority in Coordinated Entry to take the next slot in a new project for which they are eligible.

5. What happens if a landlord refuses to sign the new lease addendum. (new lease or current lease)

We are only adding the addendum at lease renewal (or new lease), so if a landlord refuses the addendum, then there can be no new lease and the apartment can't be used for a CoC project. i.e. a new client would need to keep looking for a unit, and a current client would need to move.