

COMMUNITY DEVELOPMENT AUTHORITY
OF THE CITY OF MADISON, WISCONSIN

Resolution No. 4226

Approving HUD required Violence
Against Women Reauthorization Act of
2013 (VAWA) changes

Presented: June 8, 2017
Referred to: _____
Reported Back: _____
Adopted: __ June 8, 2017 _____
Placed on File: _____
Moved By: _Daniel Guerra, Jr._____
Seconded by: _Sariah Daine_____
Yeas: __4_ **Nays:** __0__ **Absent:** __2__
Rules Suspended: _____

RESOLUTION

Whereas, The Violence Against Women Reauthorization Act of 2013 (VAWA) reauthorizes and amends the Violence Against Women Act of 1994;

Whereas, Regulations pertaining to VAWA protections and rights and responsibilities are already in place, in 24 CFR part 5, subpart L for HUD's Public Housing, Multifamily Housing, and Section 8 rental assistance programs;

Whereas, the CDA has been following VAWA regulations, including VAWA notification to persons admitted to a CDA housing program, when an applicant is denied admission into a CDA housing program, and when a program participant is threatened with eviction or termination of housing benefits;

Whereas, VAWA 2013 expands protections to include survivors of sexual assault and adds a new provision requiring the adoption of an emergency transfer plan for use by Public Housing Authorities (PHAs) participating in HUD covered programs; and

Whereas, the CDA must update its VAWA policies per HUD's recently published guidelines for VAWA 2013, and the CDA will continue to provide required VAWA notification;

NOW, THEREFORE, BE IT RESOLVED that the CDA Board of Commissioners adopts revised VAWA policies per HUD requirements.



**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-3000**

Key Housing Provisions in VAWA 2013

- VAWA 2013 maintains protections for public housing, Section 8 vouchers, and project based Section 8, and also expands the housing protections from VAWA 2005 to include the following programs which includes HUD's Homeless Assistance Programs:
 - HOME Investment Partnerships program
 - § 202 supportive housing for the elderly
 - Section 236 Rental Program
 - § 811 supportive housing for people with disabilities
 - Section 221(d)(3) Below Market Interest Rate (BMIR) Program
 - HOPWA housing program
 - HUD's McKinney-Vento homeless programs
 - Low-Income Housing Tax Credit properties
 - USDA Rural Housing properties

- VAWA 2013 continues to bar eviction and termination due to a tenant's status as a survivor, and requires landlords to maintain survivor-tenant confidentiality. It also continues to prohibit a tenant who is a survivor of domestic violence from being denied assistance, tenancy, or occupancy rights based solely on criminal activity related to an act of domestic violence committed against them.

- VAWA 2013 now specifically extends housing protections to survivors of sexual assault, and adds "intimate partner" to the list of eligible relationships in the domestic violence definition. Protections also now cover an "affiliated individual," which includes any person living with the survivor and related to him or her by blood or marriage including the survivor's spouse, parent, brother, sister, child, or any person to whom the survivor stands in loco parentis.

- It continues to allow a lease bifurcation so a tenant or lawful occupant who engages in criminal acts of physical violence against affiliated individuals or others may be evicted or removed without evicting or removing or otherwise penalizing a victim who is a tenant or lawful occupant. If victim cannot establish eligibility, the landlord must give a reasonable amount of time to find new housing or establish eligibility under another covered housing program.

- New housing protections in VAWA 2013 includes the requirement that each appropriate agency develop a notice of rights under VAWA for tenants and provide such notice at the time a person applies for housing, when a person is admitted as a tenant of a housing unit, and when a tenant is threatened with eviction or termination of housing benefits.

- VAWA 2013 requires each appropriate agency to adopt a model transfer plan for use by public housing agencies and owners or managers of housing. Tenants must request a transfer and reasonably believe that they are threatened with imminent harm from further violence if the tenant remains in the same unit.