

## **Violence Against Women Act (VAWA)**

May 01, 2007

Dear Section 8 Landlords:

The Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162), (VAWA), was signed into law January 05, 2006, and is now in force. The primary objective of VAWA is to reduce violence against women who are victims of abuse. This law is applicable to families participating in the HUD Section 8 Housing Choice Voucher program, and prohibits the eviction of victims of domestic violence if the violence is the sole reason for the eviction. Although the title of the law appears to make it applicable only to protect women, it actually protects children and male victims as well.

What this means to you as a landlord is that if you have a problem with a family who is in the Section 8 Program, and a problem arises because of domestic violence, including disturbing the neighbors or damages to the unit, you may need to "bifurcate" the lease and proceed with the eviction against only the abuser, not the remainder of the family. For the bifurcation to apply, the victim must certify that they are a victim, by completing a certification form which is available in our office and returning it within 14 business days. This form certifies that the person is a victim and states the name of the abuser. You are not required to demand official documentation or physical proof and may accept just the certification. In lieu of the certification, the victim may provide documentation by:

1. A Federal, State, tribal, territorial, or local police or court record; or
2. Documents signed by an employee, agent or volunteer of a victim service provider, an attorney or a medical professional, from whom the victim has sought assistance in addressing domestic violence. The professional must attest under penalty of perjury to their belief that the incidents in question are bona fide.

If the individual does not provide the certification and/or verification, you may proceed with the eviction against the whole family.

**PLEASE BE AWARE THAT THIS DOES NOT LIMIT AN EVICTION DUE TO ANY LEASE VIOLATION NOT BASED ON AN ACT OF VIOLENCE AGAINST A FAMILY MEMBER, OR AN EVICTION BECAUSE THE OCCUPANT CAN BE DEMONSTRATED TO POSE AN ACTUAL OR IMMINENT THREAT TO OTHER TENANTS OR THE PROPERTY'S EMPLOYEES.**

The Section 8 Housing Choice Voucher Contract has been revised to include these provisions, and you will be required to sign and return the new contract by <<Today Plus 2 Weeks>>. The contract has always required that the Housing Authority be provided with copies of eviction notices served on Section 8 families. We are also required to notify tenant families of their rights under this law.

If you have any questions, or would like more information in situations covered under VAWA, please contact the family's caseworker, <<PHA Contact>>, and/or your attorney.

As always, we sincerely appreciate your participation in the Section 8 Housing Choice Voucher Program. Without you, many deserving families would not be able to have affordable, safe, decent housing. If you have any questions regarding other program issues, please do not hesitate to call us.

Donna Walker  
Housing Operations Supervisor  
Fairfield Housing Authority