



## **RIHOUSING HOME Program Notice of Occupancy Rights under the Violence Against Women Act (VAWA)**

\_\_\_\_\_, (herein the Housing Provider)  
\_\_\_\_\_  
(Property Address)

This Notice explains your rights under the Violence Against Women Act (VAWA), which provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

### **Protections for Applicants for RIHOUSING HOME Assisted Housing**

- If you otherwise qualify for assistance under **the RIHOUSING HOME Program**, you cannot be denied occupancy on the basis that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

### **Protections for Tenants of RIHOUSING HOME Assisted Housing**

- **Protection Against Eviction.** If you are occupying a HOME assisted unit, you may not be evicted from your housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.
  - If you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be evicted solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking. Affiliated individuals include a spouse, parent, brother, sister, child, person for whom you are guardian, or any lawful occupant living in your household.
  - You can be evicted for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, the Housing Provider cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.
  - The protections described in this Notice might not apply, and you could be evicted, if the Housing Provider can demonstrate that not evicting you would present an imminent physical danger that could result in death or serious bodily harm to other tenants or those who work on the property.

- **Lease Bifurcation.** If a member of your household has committed domestic violence, dating violence, sexual assault or stalking, the Housing Provider may divide (bifurcate) your lease in order to evict the individual who has engaged in the criminal activity (the abuser or perpetrator).
  - If the Housing Provider chooses to remove the abuser or perpetrator, the Housing Provider must follow Federal, State, and local eviction procedures, and may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants.
  - In order to divide a lease, the Housing Provider may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.
  - If the evicted abuser or perpetrator was the sole eligible tenant, the Housing Provider will allow the tenant who is or has been a victim and other household members to remain in the unit, subject to the ongoing occupancy requirements of the HOME Program.
  
- **Internal Emergency Transfer.** Upon your written request, the Housing Provider may permit you to move to another unit within the assisted development, subject to the availability of other units.
  - In order to approve an internal emergency transfer request, the Housing Provider will ask you to complete the Emergency Transfer Request form or provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. However, you are not required to go through an application process.
  - Internal transfers shall have the same priority as any other emergency transfer.
  
- **External Emergency Transfer.** You may also request an external emergency transfer to another property, provided you submit a written Emergency Transfer Request form where you certify that you meet the criteria for an emergency transfer under VAWA --either:
  - You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer; **OR**
  - You are a victim of domestic violence, dating violence, sexual assault, or stalking, and you reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.

Your written request for emergency transfer will be processed as follows:

- Your housing provider must submit the external emergency transfer request to RIHousing for approval.
- RIHousing will coordinate with the housing provider and victim service providers under the RIHousing Emergency Transfer Plan to facilitate the transfer. You may request a copy of the RIHousing Emergency Transfer Plan.
- Transfer is subject to you meeting all of the requirements of the housing to which you are being relocated.

### Documentation

- The Housing Provider will ask you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such requests must be in writing, and you must be given at least 14 business days to provide the documentation. It is your choice which of the following documentation to submit if asked to provide documentation:
  - A complete Certification form (attached to this Notice);
  - A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident;
  - A signed statement by you and an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, “professional”) from whom you sought assistance; or
  - Any other statement or evidence that the Housing Provider has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, the Housing Provider does not have to provide you with the protections contained in this notice. If the Housing Provider receives conflicting evidence that an incident has occurred, the Housing Provider has the right to request that you provide third-party documentation within thirty (30) calendar days to resolve the conflict.

### Confidentiality

The Housing Provider, and any of its employees, contractors or agents, must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA. The Housing Provider must not enter your information into any shared database, provide access to or disclose your information to any other entity or individual, unless you give written permission, the Housing Provider needs to use the information in an eviction or termination proceeding, or a law requires the Housing Provider to release the information.

### For Additional Information or Assistance

- You may view a copy of HUD’s final VAWA rule at <https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf>, or you may request a copy from the Housing Provider or RIHousing.
- For questions regarding VAWA, or to report a housing provider’s violations of these, you may contact RIHousing at: [BToomey@rihousing.com](mailto:BToomey@rihousing.com).
- For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or 1-800-787-3224 (TTY).
- For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime’s Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

Acknowledge receipt of this Notice and attached Certification form by signing and dating below:

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Tenant/applicant

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Date