



Violence Against Women Reauthorization Act 2013 FASTForms Description

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Sharing Forms

This "FastForms CD" has been purchased by your organization for use within your organization. Sharing forms with others outside your organization is prohibited. Except for HUD's Notices and Forms, documents on this CD, are the intellectual property of RBD and general distribution, publishing on web sites and publishing in training and resource materials, for use outside your organization, is strictly prohibited.

Thank you for your consideration.

Modifying the VAWA Policy and Associated Forms

PLEASE NOTE: These sample documents have been created in Microsoft Word or Microsoft Excel.

The VAWA policies include references to HUD guidance. We used HH 4350.3 R1, C4, HUD's Monthly Activity Transmission (MAT) Guide, HUD's RHIP ListServ and various memos and Notices to create this document.

The policy and supporting forms included on the CD should be carefully reviewed and edited before they are "finalized" and implemented in your own policies and procedures.

While the forms can be edited, you cannot save changes to the VAWA FASTForms CD. You should create a VAWA directory on your hard drive and save any changes to forms there.

Be sure to use the SAVE AS option, remove notes from RBD and remove the word "sample" from the name of the final version of the form.

The original, unedited version will remain on the VAWA FASTForms CD.



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HUD Model Policies and Forms

VAWA 2013 requires HUD to prepare the notice of occupancy rights to be distributed to applicants and tenants; to prepare the certification form that serves as a means of documenting the incident or incidents of domestic violence, dating violence, sexual assault, and stalking; and to prepare a model emergency transfer plan that guides the entities and individuals administering the rental assistance provided by HUD in developing their own plans. In addition, costs to covered housing providers will be minimized because HUD will translate the notice of occupancy rights and certification form into the most popularly spoken languages in the United States, and HUD has prepared a model transfer request form that housing providers and tenants requesting emergency transfer may use.

On December 15, 2016, HUD posted Microsoft Word files for the four model forms included in the Violence Against Women Act (VAWA) Final Rule published in the Federal Register on November 16, 2016.

These forms are available on HUDClips. These forms are also available on the Office of Multifamily Housing's web page under the *Asset Management Quick Links* at https://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh.

HUD VAWA NOTICE OCCUPANCY RIGHTS

New – December 18, 2016

Link to HUDClips version: VAWA Appendix A: Notice of Occupancy Rights Under the Violence Against Women Act, form HUD-5380

Copy of form part of VAWA FASTForms: HUD 5380 Appendix A VAWA Notice

Edited version part of VAWA FASTForms: HUD 5380 Appendix A VAWA Notice Edited

Must be provided to existing residents, to any applicant who is rejected, to any family that moves in and with notice of termination of assistance or tenancy. This form must be customized. You will need to add your property information, program information, HUD field office information and information about local resources for victims of VAWA crimes.

HUD MODEL VAWA EMERGENCY TRANSFER PLAN

New – December 18, 2016

Link to HUDClips version: VAWA Appendix B: Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, form HUD-5381

Copy of form part of VAWA FASTForms: HUD 5381 Appendix B Model VET Plan

Edited version part of VAWA FASTForms: HUD 5381 Appendix B Model VET Plan Edited

This model emergency transfer plan may be used by housing providers to develop their own emergency transfer plans.

The edited version has been reformatted so that it is not double spaced to reduce the number of pages. This edited version of the form includes links to resources that you will need to help complete this form before distribution. The contact information for national resources, provided at the end of this edited version, may be used to investigate whether local resources are also available. If so, local resources should be added as well.

Also note: We have provided an alternative plan that was developed based on the information in this plan.



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HUD VAWA CERTIFICATION AS A VICTIM

New – December 18, 2016

Link to HUDClips version: VAWA Appendix C: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation, form HUD-5382

Copy of form part of VAWA FASTForms: HUD 5382 Appendix C VAWA Cert

Fillable version of HUD's form – please note, there is no password protection. HUD 5382 Appendix C VAWA Cert Fillable

The new certification form for documenting incidents of domestic violence, dating violence, sexual assault, and stalking that must be used by housing providers. OAs must replace any previous versions of this form, including HUD Form 91066 and begin using this form.

HUD MODEL VAWA EMERGENCY TRANSFER REQUEST

New – December 18, 2016

Link to HUDClips version: VAWA Appendix D: Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, form HUD-5383

Copy of form part of VAWA FASTForms: HUD 5382 Appendix D VET Request

This is a model emergency transfer request form that housing providers could provide to tenants requesting an emergency transfer under these regulations. Owner/agents have the option of creating their own version. We have included an alternative version as part of the VAWA FASTForms CD.

VAWA Policy

SAMPLE VAWA POLICY TEMPLATE

File Name: VAWA Policy

This sample policy incorporates information provided in the HUD Final Rule **Violence Against Women Reauthorization Act of 2013: Implementation in HUD Housing Programs**. The policy template provides you with options and should be edited based on what you want to include in your final policy. We strongly recommend review by an experienced fair housing attorney before implementation.

VAWA INTERVIEW WORKSHEET

File Name: VAWA Interview Worksheet

Owner/agents may use this form to ensure consistent practices when owner/agents are attempting to assist applicants or residents who are exercising their right to protections provided under VAWA 2013. People seeking VAWA protections should understand that they are not required to respond to these questions, but doing so helps the manager understand the level of help that is necessary for the person seeking protections to live in peaceful and quiet enjoyment of their home. **Once completed, this form is maintained in the applicant/resident's VAWA file and is kept secure and separate from the applicant/resident file.**

VAWA CERTIFICATION VAWA VICTIM

File Name: VAWA Certification VAWA Victim Non HUD Form

Updated 9/28/2016 As of publication of this CD, HUD has not released a VAWA Notice or VAWA certification for use on a PRAC property. HUD Form 91066 is currently authorized for the Section 8 program and has not been updated to comply with the new requirements set forth in the VAWA Reauthorization of 2013. We expect HUD to release a new VAWA certification soon. This sample form may be used **until HUD releases an updated VAWA Certification** and authorizes its use. RBD makes no warranty to the usability, compliance or legality of this document.



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SAMPLE VAWA ACCOMMODATION APPROVAL

File Name: VAWA Notice Req Approval

This document can be used to notify an applicant or resident that a requested VAWA accommodation has been approved.

SAMPLE VAWA ACCOMMODATION REQUEST FOR ADDITIONAL INFORMATION

File Name: VAWA Notice Request Addl Info

This document can be used to request a meeting with an applicant or resident who has requested a VAWA accommodation.

SAMPLE VAWA ACCOMMODATION DENIAL

File Name: VAWA Notice Req Denial

This document can be used to notify an applicant or resident that a requested a reasonable accommodation or modification has been denied.

VAWA – Certification Notices and Forms

VAWA NOTICE REQUIREMENT TO MEET

File Name: VAWA Notice Requ to Meet

When VAWA protections have been invoked, this Notice is sent to remaining household members when the accused perpetrator is currently listed on the 50059 and the lease. This notice is provided after the accused perpetrator moves out of the unit. The notice is sent to the family members who remain in the unit to advise them that they must report for an interim certification/eligibility interview. Failure to participate in the meeting will result in termination of assistance or tenancy as appropriate.

SAMPLE INTERIM CERTIFICATION QUESTIONNAIRE

File Name: Questionnaire IR

This document can be used to gather information necessary to complete the interim certification.

SAMPLE FAMILY SUMMARY

File Name: Family Summary

Do Not Use for PAC, PRAC, 221(d)(3) programs or for Section 202 projects with units not receiving assistance under the Rent Supplement or Section 8 programs.

The Family Summary must be completed when household composition changes. HUD does provide a Sample Family Summary in HUD Handbook 4350.3 Exhibit 3-4. This form has been designed to conform to that sample. We have opted to remove inquiries about gender since the release of the new Final Rule published as *Equal Access to Housing in HUD Programs – Regardless of Sexual Orientation or Gender Identity*. We have also removed the inquiry re: relationship to HOH since this information is gathered on the application.

SAMPLE OWNER SUMMARY

File Name: Owner Summary

Do Not Use for PAC, PRAC, 221(d)(3) programs or for Section 202 projects with units not receiving assistance under the Rent Supplement or Section 8 programs.

HUD does provide a Sample Owner Summary in HUD Handbook 4350.3. This form has been designed to conform to that sample. We have opted to remove inquiries about gender since the release of the new Final Rule published as *Equal Access to Housing in HUD Programs – Regardless of*



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Sexual Orientation or Gender Identity. We have also removed the inquiry re: relationship to HOH since this information is gathered on the application.

NOTICE OF ELIGIBILITY AND REQUIREMENT SIGN 50059

File Name: VAWA Notice Sign 50059

This Notice is provided to residents who remain in the unit. It advises them that they are still eligible for the program and that all household members must sign the required 50059 (AR or IR as appropriate).

NOTICE TERMINATION OF ASSISTANCE NO RESPONSE TO NOTICE OF REQUIREMENT TO SIGN 50059

File Name: VAWA Notice Termination No Response Signatures

This Notice of Termination is provided when all adult household members do not sign HUD Form 50059 in the required timeframe.

VAWA NOTICE TERMINATION OF ASSISTANCE OR PRORATION OF ASSISTANCE NONCITIZEN

File Name: VAWA Notice Term or Prorate Assistance Noncitizen

Do Not Use for PAC, PRAC, 221(d)(3) programs or for Section 202 projects with units not receiving assistance under the Rent Supplement or Section 8 programs. (See HH 4350.3 R1, Paragraphs 3-12, 3-32 and 3-16 for additional information)

This form can be used when the accused perpetrator, who was the qualifying household member, moves out of the unit and one or more of the remaining family members is no longer eligible for assistance because he/she has not established citizenship eligibility. This is the first notice to the remaining household members and allows them to choose to appeal to the Department of Homeland Security.

VAWA NOTICE TERMINATION PRAC ELIGIBILITY REMAINING FAMILY MEMBERS

File Name: VAWA Notice Term Tenancy PRAC

Use only for the PRAC Program (See HH 4350.3 R1, Paragraph 3-16 for additional information)

Use this form when VAWA protections have been invoked and the accused perpetrator, who was the qualifying family member, no longer lives in the unit. This notice advises remaining family members that they are no longer qualified for the PRAC program. Based on VAWA rules, the resident is given 90 days to establish eligibility, find alternative housing or vacate the unit.

VAWA NOTICE TERMINATION 202/8 OR 202 PAC ELIGIBILITY REMAINING FAMILY MEMBERS

File Name: VAWA Notice Term Asst 202-8 PAC

Use only for the 202/8 or 202 PAC Program (See HH 4350.3 R1, Paragraph 3-16 for additional information)

Use this form when VAWA protections have been invoked and the accused perpetrator, who was the qualifying family member, no longer lives in the unit. This notice advises remaining family members that they are no longer qualified for assistance under the 202.8 or 202 PAC program. Based on VAWA rules, the resident is given 90 days to establish eligibility or the owner/agent must terminate assistance.

VAWA NOTICE TERMINATION S8 ELIGIBILITY REMAINING FAMILY MEMBERS STUDENT

File Name: VAWA Notice Term Asst S8 Student

Use only for the Section 8 Program (See HH 4350.3 R1, Paragraphs 3-13, 3-33 and 3-16 for additional information)

Use this form when VAWA protections have been invoked and the accused perpetrator, who was the qualifying family member, no longer lives in the unit. This notice advises remaining family members that they are no longer qualified for assistance based on the Section 8 Student Rule. Based on VAWA rules, the resident is given 90 days to establish eligibility or the owner/agent must terminate assistance.



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VAWA Emergency Transfer Documents

VAWA EMERGENCY TRANSFER PLAN TEMPLATE

Updated 12/18/2016:

File Name: VAWA Emergency Transfer Plan

Owner/agents must adopt an emergency transfer plan, no later than June 14, 2017 based on HUD's model emergency transfer plan. The covered housing provider must make its emergency transfer plan available upon request and, when feasible, must make its plan publicly available. We, at RBD, suggest that you post your Emergency Transfer Plan on the property bulletin board when appropriate. This Emergency Transfer Plan may be attached, as Addendum A, to the VAWA Policy. This Plan template was developed based on HUD's Model Plan and information available as of November 30, 2016.

Subsequent HUD Notices may drive changes to this template.

VAWA EMERGENCY TRANSFER REQUEST

Updated 12/18/2016:

File Name: VAWA Emergency Transfer Request

This is an alternative request to the one included as part of HUD's VAWA Final Rule. Owner/agents may use HUD's form or may create their own form.

VAWA EMERGENCY TRANSFER RECORD

File Name: VAWA Emergency Transfer Record

This master record may be used to complete a summary of how an emergency transfer request was handled. This document is generally a summary completed after all actions have been taken. For those management agents that have a large portfolio, you may want to consider keeping all closed VAWA files in a central location, separate from tenant/applicant files. **Once completed, this form is maintained in the applicant/resident's VAWA file and is kept secure and separate from the applicant/resident file.**

ANNUAL VAWA EMERGENCY TRANSFER REPORT

File Name: VAWA Annual VET Report

Owner/agents must keep a record of all emergency transfer requested under its Emergency Transfer Plan, and the outcomes of such requests, and retain these records for a period of three years, or for a period of time as specified in program regulations. Requests and outcomes of such requests must be reported to HUD annually.

Sample Language for the TSP or the House Rules

HUD Handbook 4350.3 R1, C4, Paragraph 4-4 states that VAWA Policies must be described in the property tenant selection plan and the property House Rules. When the instruction was published, this requirement applied to Section 8 programs only.

We recommend that OAs for other property types implement the same policy, but currently, the requirement has not been specified by HUD. OAs should watch for HUD announcements and be diligent in efforts to comply with new VAWA requirements.

The language contained in the following documents is a sample of how an owner/agent may document VAWA policies in the Plan or the House Rules. This is not suggested language, but rather, a sample.



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This language does not describe a complete VAWA policy but does describe the protections as indicated in the Handbook. OAs should edit the language before adding to the TSP or House Rules.

VAWA TSP LANGUAGE – VAWA POLICY

File Name: VAWA TSP Language Policy

VAWA TSP LANGUAGE – PREFERENCES

File Name: VAWA TSP Language Preferences

VAWA HOUSE RULES LANGUAGE – VAWA POLICY

File Name: VAWA House Rules Language Policy

VAWA TSP LANGUAGE – UNIT TRANSFER POLICY

File Name: VAWA Unit Transfer Language

SAMPLE NOTICE TSP UPDATE VAWA PROTECTIONS

File Name: VAWA Notice TSP Update VAWA Protections: Added 11/2016. Owner/agents should advise applicants (not residents) when the resident selection plan undergoes significant change. Owner/agents must advise applicants if the owner/agent or HUD adds preferences or when HUD changes eligibility requirements. This is a sample notice explaining new VAWA protections, any preference changes and changes in smoking rules. This notice also inquires as to the applicant's interest in remaining on the waiting list.