

RBD FASTCLASS – VAWA FORMS DISTRIBUTION REQUIREMENTS

For Customers of Ross Business Development, Inc.



Ross Business Development, Inc.

RBD FASTClass – VAWA Forms Distribution Requirements

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“The material contained in this document is not comprehensive of the continually emerging issues surrounding policies in The Multifamily Housing industry. In addition, the handbook guidance is derived from The HUD Handbook 4350.3 Rev 1 Change 4 released in August 2013 and various notices and documents provided by the Department of Housing and the Department of Justice.

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Owners and management should seek competent legal advice in developing and carrying out occupancy and fair housing policies and procedures.

While we have been diligent in our efforts to provide comprehensive and accurate regulatory training, Ross Business Development shall not be responsible for errors or inaccuracies.”

This class was recorded 8/2022.

INTRODUCTION

When reviewing customers applicant/tenant files and reviewing site processes, we find that owner/agents distribute VAWA forms more than required under HUD rules.

This FASTClass was created to provide our customers with a summary of the VAWA Forms distribution requirements.

We also provide a FASTFacts document which is available on our Resources Page.

<https://www.rbdnow.com/resources/noticeforms>.

This class and the RBD FASTFact document were created using guidance available in HSG Notice 2017-05 [Violence Against Women Act \(VAWA\) Reauthorization Act of 2013 – Additional Guidance for Multifamily Owners and Management Agents](#).

Please note that this Notice was issued after the release of HH 4350.3 and replaces guidance provided in that Handbook.

Also note that HUD released two YouTube videos on the HUD channel.

1. [MF VAWA Rule for Owners and Agents](#); and
2. [MF VAWA Rules For Field Office & PBCAs](#)

In HSG Notice 2020-10 [HUD HSG Notice 2020-10 Electronic Signature, Transmission and Storage - Guidance for Multifamily Assisted Housing Industry Partners](#), HUD discusses the rules for electronic distribution of HUD forms.

These videos are referenced in this FASTClass.

VAWA FORMS

There are five identified VAWA forms. These are:

1. HUD Form 5380 – The Notice of VAWA protections
2. HUD Form 5381 – Sample VAWA Emergency Transfer Plan
3. HUD Form 5382 – Certification as a Victim of a VAWA Crime
4. HUD Form 5383 – VAWA Emergency Transfer Request
5. HUD Form 91067 – VAWA Addendum

Note: HUD Form 91066 (VAWA Certification) is now obsolete and should no longer be used.

The VAWA Forms can be found on the HUDClips web site at

https://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/forms/hud5a.

These forms are available in multiple languages.

With the release of [HUD HSG Notice 2020-10 Electronic Signature, Transmission and Storage - Guidance for Multifamily Assisted Housing Industry Partners](#), owner/agents have the option to provide:

- ❖ Paper copies of the forms
- ❖ Electronic copies of the forms (with applicant/resident consent); or
- ❖ Links to pages where the applicant or resident may obtain the appropriate form.

If you are providing the forms electronically, be sure to implement a method to show that the forms were distributed as required.

Let's see what you already know.

RBD FASTClass – VAWA Forms Distribution Requirements

Class Exercise 1 VAWA Forms Distribution

1. Under HUD Rules, which VAWA forms are provided with each application? (Check all that apply)

- HUD Form 5380 – The Notice of VAWA protections
- HUD Form 5381 – Sample VAWA Emergency Transfer Plan
- HUD Form 5382 – Certification as a Victim of a VAWA Crime
- HUD Form 5383 – VAWA Emergency Transfer Request
- HUD Form 91067 – VAWA Addendum
- None of the Above

2. Under HUD Rules, which VAWA forms are provided as part of Move-in? (Check all that apply)

- HUD Form 5380 – The Notice of VAWA protections
- HUD Form 5381 – Sample VAWA Emergency Transfer Plan
- HUD Form 5382 – Certification as a Victim of a VAWA Crime
- HUD Form 5383 – VAWA Emergency Transfer Request
- HUD Form 91067 – VAWA Addendum
- None of the Above

3. Under HUD Rules, which VAWA forms are provided when completing each Annual Recertification? (Check all that apply)

- HUD Form 5380 – The Notice of VAWA protections
- HUD Form 5381 – Sample VAWA Emergency Transfer Plan
- HUD Form 5382 – Certification as a Victim of a VAWA Crime
- HUD Form 5383 – VAWA Emergency Transfer Request
- HUD Form 91067 – VAWA Addendum
- None of the Above

Notes or Thoughts:

HUD’S VAWA FORMS – DISTRIBUTION REQUIREMENTS

HUD Multifamily Housing rules require the VAWA Forms to be provided as follows:

- ❖ **HUD Form 5380 – The Notice Of VAWA Protections.** Distributed with HUD Form 5382
 - To existing resident who lived on the property on December 16, 2016
 - To rejected applicants
 - To new residents at move-in
 - To existing residents with any notice of termination/eviction
 - This form is NOT provided at each AR
- ❖ **HUD Form 5382 – Certification as a Victim of a VAWA Crime.** Distributed with HUD Form 5380
 - To existing resident who lived on the property on December 16, 2016 – *Should have been provided during the AR interviews conducted between December 16, 2016 and December 15, 2017*
 - To rejected applicants
 - To new residents at move-in
 - To existing residents with any notice of termination/eviction
 - This form is NOT provided at each AR
- ❖ **HUD Form 5381 – Sample VAWA Emergency Transfer Plan** – This form should NOT to be provided to residents or applicants. HUD Form 5381 does not include all the required topics. Owner/agents may use this form as a tool when creating their own VAWA Emergency Transfer Plan

Note: Refer to [HUD’s VAWA Training for Owner/agents](#) available on YouTube. Go to minute 58 and 1:06.30 to listen to guidance provided by HUD HQ)

- ❖ **HUD Form 5383 – VAWA Emergency Transfer Request**
 - Upon request
- ❖ **HUD Form 91067 – VAWA Addendum**
 - Currently, required with the execution of any new lease for Section 8 programs
 - Until the 91067 is updated and approved, use is optional for other programs
 - LIHTC state agencies may require use of this addendum – for LIHTC programs, this rule varies state to state

Note: Refer to [HUD’s VAWA Training for Owner/agents](#) available on YouTube. Go to minute 23.12 to listen to guidance provided by HUD HQ.

For additional training explaining the requirements surrounding the Violence Against Women Act, visit our OnDemand Training page at <https://www.rbdnow.com/ondemand-training>.

[Fair Housing for Federally Funded Properties & The Violence Against Women Act.](#)

[You may also be interested in the eTransmission, eSignature and eStorage training.](#)

To purchase

VAWA Policies

VAWA Notices &

VAWA Checklists

Visit our RBD FASTForms Page <https://www.rbdnow.com/fast-forms>.

SUMMARY

This RBD FASTClass provides basic information about HUD's VAWA Forms Distribution Requirements for HUD's Multifamily Housing programs.

Owner/agents will be reviewed for compliance with these requirements during the Management & Occupancy Review.

RBD FASTClass – VAWA Forms Distribution Requirements

APPENDIX A: CLASS EXERCISE

Class Exercise 1 VAWA Forms Distribution

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- None of the Above

Notes or Thoughts:

Please refer to HSG Notice 2017-05 [Violence Against Women Act \(VAWA\) Reauthorization Act of 2013 – Additional Guidance for Multifamily Owners and Management Agents](#).

if you have questions about these responses.