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**RBD FASTFACTS – VAWA
FORMS DISTRIBUTION
REQUIREMENTS -HUD
MULTIFAMILY**

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FASTFacts
VAWA Forms Distribution Requirements – HUD Multifamily

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Disclaimer

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 in December 2013 and subsequent notices and memos from HUD.

These materials were updated 1/2021.

The reader should understand that these materials are not designed for, nor should be relied upon, as a source of legal guidance or as a final authority with respect to any particular circumstance.

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

We have been diligent in our efforts to provide comprehensive and accurate regulatory instruction; Ross Business Development shall not be responsible for errors or inaccuracies.

VAWA FORMS & DISTRIBUTION REQUIREMENTS

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.

The current version of the VAWA forms available on HUDClips expires 6/30/2017. HUD has not posted new forms. We will send a HUDBlast when new forms are posted.

Mini Quiz 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 at 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 at 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

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HUD FORM 5380 THE VAWA NOTICE AND HUD FORM 5382 THE VAWA CERTIFICATION

HUD Form 5380 the VAWA Notice and HUD Form 5382 the VAWA Certification are required forms and when an owner/agent provides HUD Form 5380, the owner/agent should also provide HUD Form 5382.

HUD Form 5380 – VAWA Notice is to be modified to include specific information about

- The Housing Provider,
- Appropriate HUD offices and
- Resources for victims of VAWA crimes.



Owner/agents may reformat the form (*e.g., remove double spacing, change font*) but OMB information should be included on the forms.

Between December 16, 2016 and through December 15, 2017 owner/agents were required to provide both of these forms to existing residents at the next Annual Recertification/lease signing (*not every Annual Recertification, just the Annual Recertification that occurred after the form was released*). Owner/agents are not required to *note the file* to specify that the forms have been provided but are encouraged to do so.

Owner/agents are also required to provide both forms at MI. Owner/agents are not required to note the file to specify that the forms have been provided but are encouraged to do so.

Owner/agents are required to provide these two forms with:

- Notice of termination of assistance; and
- Notice of termination of tenancy/eviction

Owner/agents are not required to provide the forms to all applicants but must provide the forms with any Rejection Notice.

Owner/agents are encouraged to post a completed version of HUD Form 5380 VAWA Notice on community bulletin boards and on property web sites.

ELECTRONIC DISTRIBUTION OF HUD FORM 5380 AND HUD FORM 5382

Owner/agents may wish to provide required documents electronically. See [HUD HSG Notice 2020-10 Electronic Signature, Transmission and Storage - Guidance for Multifamily Assisted Housing Industry Partners](#).

Owner/agents may provide HUD 5380 and HUD 5382 on paper, electronically or may make these documents available in an electronic format. If an owner/agent chooses to provide documents electronically, the owner/agent should inform applicants/residents of their option to receive such documents in paper form.

If required notices, forms, and brochures are distributed electronically, HUD recommends that owner/agents request an electronic Acknowledgement of Receipt.

Where HUD does not specifically require an *Acknowledgement of Receipt*, owner/agents should nonetheless maintain records showing that they provided applicants/residents with the electronic file or the electronic address used to access the document.

HUD FORM 5381 MODEL VAWA EMERGENCY TRANSFER (VET) PLAN & HUD FORM 5383 VAWA EMERGENCY TRANSFER REQUEST

The current HUD Form 5381 Model VAWA Emergency Transfer (VET) Plan is used to assist you in developing your own VET Plan. **This form is not provided to residents or applicants.**

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Owner/agents should not use the form in lieu of developing and implementing their own plan. The form is to be used to assist owner/agents as they are developing their own VET Plan.

HUD specified that owner/agents were to develop and implement their VAWA Emergency Transfer Plan no later than June 14, 2017.

HUD Form 5383 provides applicants and residents with a form to request a VAWA Emergency Transfer. You are not required to provide this form, but you are required to accept it as a request for a VAWA Emergency Transfer.

HUD FORM 91067 THE VAWA ADDENDUM

HUD Form 91067 the VAWA Addendum is currently authorized for use on **Section 8 properties**.

Managers of properties with other contract types (e.g., 236, PRAC, BMIR) may attach the current VAWA Addendum but use of the current VAWA Addendum is not required for non-Section 8 programs at this time.

Section 8 property managers must include this form as an attachment to the lease. That means the VAWA Addendum must be attached to the lease and signed by all adult household members at Move-in. The VAWA Addendum must also be attached to any new lease executed when a family transfers from one unit to another unit.

Owner/agents are not required to issue the VAWA Addendum at each certification unless the owner/agent also requires execution of a new lease at each Annual Recertification

The VAWA Addendum can be found on the HUDClips web site at https://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/forms/hud9.

SUMMARY: HUD'S VAWA FORMS – DISTRIBUTION REQUIREMENTS

To summarize, HUD 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 5381 – Sample VAWA Emergency Transfer Plan** – This form is 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 (refer to [HUD's VAWA Training for Owner/agents available on YouTube](#). Go to minute 56 to listen to guidance provided by HUD HQ)
- **HUD Form 5382 – Certification as a Victim of a VAWA Crime**
 - 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 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 an approved, use is optional for other programs (refer to [HUD's VAWA Training for Owner/agents available on YouTube](#). Go to minute 24.30 to listen to guidance provided by HUD HQ)
 - LIHTC state agencies may require use of this addendum – for LIHTC programs, this rule varies state to state