

Renter Rights: Protection Under VAWA for Survivors of Domestic Violence

VAWA Protects

VAWA is a law that protects survivors of domestic violence, dating violence, sexual assault, or stalking from discrimination by certain federally funded housing providers. These protections apply even if you don't qualify for protection under Kentucky law (ie. do not have a protective order).

VAWA protects survivors in public housing, Section 8 (Project-based or choice), 202, 811, 236, 221 (d) (3), HOPWA, Housing Trust Fund, McKinney-Vento Act Homeless Programs, Rural Development Multifamily, Low-Income Housing Tax Credit, Veterans Housing, and more! If you are uncertain if you are protected, call the legal intake line at 1-866-277-5733.

Covered providers must provide a notice of protections (FORM HUD-5380) and a self-certification form (FORM HUD-5382) when you are denied housing or help, admitted to housing, or when notified of eviction or termination.

How do I use the protections?

A housing provider can request (in writing) documentation showing you are a victim of abuse. You must be given at least 14 days to get documentation. This may be one of the following:

- 1) A self-certification form (FORM HUD-5382)
- 2) A letter from a victim service provider who helped you with the violence
- 3) A police report, court record, or administrative record

You choose the proof to provide. The abuser may also try to provide documentation and your housing provider may request more. Whatever happens, AppalReD is there to help you with this process.

You Can't Be Denied Assistance Just Because You Are A Survivor

You can't be evicted, denied assistance, or lose your subsidy for reasons connected to the abuse. This can include:

- **Bad Credit:** As a result of financial abuse you were not allowed to earn or control money.
- **Rental History:** You had to break leases and move often for your safety.
- **Criminal History:** Sometimes, the abuser may claim you abused them or threatened harm if you did not do what they demanded.

More Rights

You can move (for reasons related to abuse) and a Section 8 Voucher can move with you, even if your lease term isn't over.

You can request an emergency transfer to other safe and available housing. This can be done if you are about to be harmed or if you were sexually assaulted on the property up to 90 days before the request.

If you aren't head of household or on the assistance, you generally have 90 days or until the lease ends (whichever is first) to prove eligibility or find new housing.

Your housing provider can't share information about your abuse. It can only be shared if you agree in writing, if needed to evict your abuser, or if disclosure is required by law.

Last updated on May 23, 2024.

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