

## VIOLENCE AGAINST WOMEN ACT

## 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)

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.

VAWA protects survivors in public housing, Section 8 (Project-based or choice), 202, 811, 236, 221 (d) (3), HOME, HOPWA, Housing Trust Fund, McKinney-Vento Act Homeless Programs, Rural Development Multifamily, Low-Income Housing Tax Credit, Veterans Housing, and more! Call us to ask if you qualify!

## 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.

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.

# SAFE



# SOUND

## Federal and State Housing Protections for Survivors of Domestic Violence, Sexual Violence, and Stalking in Kentucky

WWW.ARDFKY.ORG

1-866-277-5733



AppalReD  
Legal Aid

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# KENTUCKY LAW

## PROTECTS

*Kentucky Law (KRS 383.300) protects survivors of domestic violence, dating violence, sexual assault, or stalking who have protective orders AND entered into or renewed a lease on or after June 29, 2017.*

### EMERGENCY PROTECTIONS: FIRST STEPS

These protections begin when you have an Emergency Protective Order, Temporary Interpersonal Protective Order, or Pretrial Release No Contact Order.

- **You can't be evicted or denied a lease** or rental agreement because of your status as a "protected tenant," someone who sought a protective order or who has a minor child with a protective order.
- **You can change your locks.** Inform your landlord (in writing is best). The lock can be rekeyed or replaced with one as good or better quality at your expense. If the landlord asks, you must give them a key. The landlord can refuse to provide the new key to the other party, even if they are on the lease or rental agreement.

### AFTER COURT: A MORE PERMANENT PROTECTION

You can end your lease/rental agreement if you obtained a Domestic Violence Order or Interpersonal Protective Order.

- Provide written notice with a date 30 days away. Include a copy of your Order.
- You are responsible for pro-rated rent.

You should NOT:

- Be on the hook for other rent or fees
- Receive a negative reference
- Have your credit harmed.

If you entered a new rental agreement and now have an Order, you can end the agreement 14 days before you begin living there and face no penalties or damages.

If you had the Order and now wish to move, you must show why you are no longer safe in the rental.

## AppalReD can help.



## WHAT IF?

### My landlord filed for eviction against me because of domestic violence.

You will need a protective order and a notice to vacate related to acts that violated your protective order or led you to get a protective order.

The notice may reference noise, "drama," disturbances, or the police being called.

We can chat with the landlord. We will help you tell your story to a judge.

### My lease says I can't call the police.

You can. That's illegal. Let us help.

### I'm not on the lease.

You are still protected.

### There is damage to the rental as a result of the violence.

The other party is liable for damages. If a lawsuit is filed against you to collect, we can help with that, too.

### My abuser filed a protective order against me. It's complicated.

Call us. We're used to complicated. Our services are always free.

### I didn't report the violence to the police.

We believe you. We believe you if it happened 6 months ago or 6 days ago. We believe you if you have a criminal record, use substances, or have a "perfect" life. We believe you regardless of race, ethnicity, gender, sex or sexual orientation.

Let us help.  
Please.