

ECONOMIC IMPROVEMENT COUNCIL, INC.

SECTION 8



**HOUSING CHOICE VOUCHER
FAMILY INFORMATION**

&

HANDBOOK

Your Guide to Successful Assistance

P. O. Box 549, Edenton, N.C. 27932

Phone 252-482-4459

FAX 252-482-2326

www.eiccaa.org

Equal Opportunity Employer Equal Opportunity Housing

Revised 2020



INTRODUCTION

Welcome! The information you receive today has been prepared for you as a guide to participation in this Section 8 Rental Assistance Housing Choice Voucher program. It is designed to provide you with accurate information about how our program works. Please take time to read this carefully, and keep it in a place where you can refer to it often should you have questions regarding your assistance.

The Economic Improvement Council, Inc. operates this H.U.D. Section 8 Rental program from two offices. The main administrative office is located at 712 Virginia Road, Edenton, N.C. phone 252-482-4458. This office is the central hub where your file is maintained, payments are made, etc. We also have a satellite office located at 104 West Ehringhaus St. Elizabeth City, N.C. phone 252-335-5493. As a public service agency, we are committed to providing excellent service and accurate information to inform you of the program rules, and advise you of how these rules affect you.

The rules and regulations for this program are determined by the United States Department of Housing and Urban Development. The purpose of this program is to provide rental assistance to low income families in homes that are decent, safe, and sanitary. Families admitted to the Section 8 Rental program must meet income guidelines as published by the Dept. of HUD. The home must also meet Housing Quality Standards guidelines and be rent reasonable to be considered eligible assisted housing.

If you live in, applied for, or plan to use your assistance in Chowan, Dare, Gates, Hyde, Tyrrell or Washington County your Occupancy Specialist and Inspector are located in the **EDENTON** (252-482-4458) The name of your Occupancy Specialist will also be given to you today. This office is located at 712 Virginia Road, Edenton NC 27932. Hours for this office are Monday-Friday 8:30 am to 5:00 pm.

If you live in, applied for, or plan to use your assistance in Perquimans, Pasquotank, Camden, or Currituck County your Occupancy Specialist, and Inspector are located in the **ELIZABETH CITY** (252-335-5493). The name of your Occupancy Specialist will also be given to you today. This office is located at 104 West Ehringhaus Street, Elizabeth City NC 27909. Hours for this office are Monday - Thursday 8:30 am to 5:00 pm ; closed to the public on Friday.

You may reach me, Teresa L. Forward, Housing Director at 252-482-4458 ext. 111, or Teresa.Forward@eicca.org. Our Executive Director is Dr. Landon B. Mason 252-482-4458 ext.137 or Dr.Landon.Mason@eicca.org

ATTACHMENTS

You will find the following information in this booklet or in your family packet given to you at this tenant briefing:

- **Housing Voucher**
- **Subsidy Estimate**
- **Request for Tenancy Approval Packet**
- **Tenancy Lease Addendum**
- **Housing Discrimination / Fair Housing Information**
- **Dangers of Lead Paint, & Disclosure form**
- **A Good Place to Live Booklet**
- **HUD 1141 Applying for HUD Housing Assistance**
- **HUD 52675 Debts Owed to PHA**
- **HUD 92006 Supplement to Application**
- **RHIP-What You Should Know About EIV**
- **Violence Against Womens Act, VAWA**
- **Safe Housing**

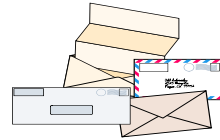
CONTACTING YOU

It is very important that you make certain we have your correct mailing address and telephone numbers. When necessary, we will contact you by first class mail or telephone in advance, of any appointments. E-mails may also be sent in addition to the written appointment and the telephone appointment. You must make certain you keep all appointments made either at our offices or in your home. Due to the large area we cover, current fuel prices, and program efficiency we do not make repeat home / office appointments.

Failure to keep appointments will result in termination of program benefits.

NOTICE OF BENEFITS (NFC)

Any time there is a change in your subsidy benefits from this office, a notice will be mailed to both you and the landlord. We refer to this as your Notice of Family Contribution. You may need these letters for the Department of Social Services or other programs. Keep all letters and documents mailed to you from our office. A fee of \$1.00 per page will be charged for additional copies of letters already provided to you. A fee of \$1.50 for the first page and \$1.00 per page thereafter will be charged to fax or mail copies. A processing time of 24-48 hours can be expected for duplicate copies. We do not pull copies of your social security cards or birth certificates from your file.



PUT IT IN WRITING!

When you have **ANY** information you need to tell us such as change in income, (both up & down) change in household members, mailing address change, repair problems, complaints, etc., we require that you **put it in writing** and send it to us at:

**Economic Improvement Council, Inc
P.O. Box 549
Edenton, N.C. 27932**

FAX 252-482-2326 Edenton or 252-335-4631 Elizabeth City

You may also e-mail your information to Teresa.Forward@eicinc.org



REQUESTS FOR ACCOMMODATIONS

Persons with disabilities may request a reasonable accommodation in order to fully utilize this housing program and related services. We will make all reasonable efforts to be flexible in assisting you. We may require that you verify your need to ensure your request is valid. This includes services such as TDD or TDY device access, voucher size, home visits, and use of an advocate or interpreter. A form is included in this handbook to notify us of your request if your situation changes. You may submit your request for a reasonable accommodation orally and in writing at any time.

OUR JOB AS YOUR HOUSING AGENCY

The Section 8 program operates as a 3-way partnership with the family, the owner/landlord, and us. In order for the program to work, we must do the following:

- •Approve the rental residence, owner, and lease
- •Make housing assistance payment to the owner in a timely manner
- •Make sure both the family and rental unit continue to qualify for assistance
- •Ensure that families and owners comply with the program rules



YOUR JOB AS A PARTICIPATING FAMILY

As a program participant, your job is to do the following:

- Give complete and accurate information about all household members and income
- Cooperate with us in keeping all appointments
- Take good care of your rental home, both inside and out (yard)
- Abide by *all the terms* of the lease with the owner
- Abide by all of the Family Obligations as outlined on your Voucher
- Follow the policies outlined in this FAMILY HANDBOOK
- Never participate in any criminal or drug activity (on or off the assisted premises)

Make certain you contact us in writing within ten (10) days if you have any change in income, family members, or uncorrected repair problems with your home. Interim changes will be made in the amount of assistance based on information reported and verified. Thoroughly read the Housing Voucher Family Obligations and this handbook. Should you have any questions please make sure to ask. Emailing our office can be done at any time night, day or weekend. We will respond on the next business day we are open or available.

THE OWNER'S JOB

The owner/landlord of your rental unit also has obligations for the program to work successfully. The owner must:

- Screen families who apply to determine if they are good renters, without
- Discriminating against any family in accordance with fair housing laws.
- Maintain the housing unit by making necessary repairs in a timely manner.
- Bill the tenant for damages or repairs beyond normal wear and tear as they occur.
- Comply with the terms of the Housing Assistance Contract with our agency.
- Enforce the lease and collect the rent due from the family.

The Owner of the rental unit *may not* be the parent, step parent, grandparent, grand child, sister or brother of any member of the participating family unless the HA has determined that approving rental of the unit would provide reasonable accommodation for a family member who is a person with disabilities. For this special accommodation, you must contact our Housing Director.

It is the policy of this agency to provide the prospective landlord the family's current address and the name and address of the current landlord if requested. We may also inform the prospective landlord of the tenant's history if asked.

THE HOUSING VOUCHER

The Housing Voucher you received will entitle you look for a rental home, (house, mobile home, apartment) that will meet our Housing Quality Standards, and *is Rent Reasonable*. *The owner must be* willing to participate in this program. This Voucher is good for a maximum period of one hundred and twenty (120) days. The timing clock stops when your request for tenancy approval packet is submitted to our office. Extensions may be given in the event of natural disasters, pandemics, etc. EIC also reserves the right to make the voucher for a shorter period of time. If you are unable to find a home and submit the RFTA packet within the 120 day period, your voucher will expire. You would then need to reapply when we are accepting applications.

During the term of the voucher, you may be required to have all family income re-verified if you do not find a home within the initial 60 days of your voucher term. This is necessary to insure you have selected a home within an affordable amount for your family.

VOUCHER CERTIFICATE SIZE / SUBSIDY STANDARD

The subsidy standard or "number of bedrooms" you are eligible for is determined by the number of persons in your household. The **subsidy policy** of EIC, Inc. is 2 persons per bedroom, (adults/adults; children/children.) This does not mean you are required to sleep this way, it just determines the level of subsidy you will receive. You may select a home of any size providing overcrowding will not occur. If you select a home that is too large, you may be considered "over housed". Utility costs should be considered when selecting a home larger than your family needs.

Exceptions may also be given to adults and children if there are health reasons that require a person to be in a bedroom alone or need space for medical equipment. Exceptions may also be available for approved full time medical live-in attendants. These needs must be verified by a physician, therapist, or social worker. This is a type of Reasonable Accommodation. Contact our office for forms to obtain a waiver to this policy.

COMPUTATION OF YOUR SUBSIDY PAYMENT AND AFFORDABILITY

The formula for determining the amount of your rental subsidy will be calculated as follows:
Maximum subsidy is the **lower of** payment standard minus the Total Tenant Payment or Gross Rent minus Total Tenant Payment. **TTP** is the **highest** of either 30% of your monthly-adjusted income, 10% of monthly income, or the PHA minimum rent \$50.00. In most cases, the 30% of the adjusted monthly income is used. Regulations do not permit a family to pay more than **40% of monthly income for rent and estimated utilities. Leasing a unit where the family share would exceed 40% of the monthly income is not considered affordable. Gross Rent** refers to the Contract Rent amount **plus HUD estimated** utility costs.

We have calculated estimates of these amounts for you. You can find them with the information provided at the tenant briefing. A letter is attached to your housing voucher giving you the *estimated maximum* amount of subsidy, along with your estimated contract rent target. More exact information can be given when you select a residence and determine what utility services will be paid by you and what will be included in your rent. If your income goes up or down during the time of your housing search, these estimates will also change.

SELECTION OF A RENTAL UNIT & ELIGIBLE HOUSING

Families are free to choose the home they want to live in, provided it meets program Housing Quality Standards, is rent is reasonable, and the owner will participate in the program. You may select to live in a houses, apartment, duplex units, or mobile homes. For purposes of this program, we refer to all types of rental units as "home". The home must be inspected and meet the HUD Housing Quality Standards initially and re-inspected yearly. A summary of housing quality standards is included in your Request for Tenancy Approval Packet. Consider the size of the home, condition, cost of any tenant paid utilities, proximity to schools, stores, etc. If the home has a yard, you must consider yard maintenance unless it is included in the rent and will be maintained by the owner. Trash services should also be considered. Many of our counties are rural areas that do not have local pickup services when you select a home outside of the city limits. Are you willing and do you have a way to have the trash removed from your home 1-2 times weekly? Allowing trash to build up invites infestations and is a violation of your obligations.

Families with members who may have impairments or need special medical services should consider all factors in their selection. You or your medical professional can determine what is acceptable and will meet your specific needs.

Housing must also be in compliance with current LEAD PAINT HAZARD REGULATIONS for targeted housing. If you have children age 6 and under, and the home was built prior to 1978 closely review the pamphlet Dangers of Lead Paint Booklet & Good Place to Live. If the home shows evidence of deteriorated paint (chipping, peeling, flaking paint, inside or outside the home including outbuildings, we may not be able to approve the home unless the owner obtains a certification the home is lead free.

EXPANDING YOUR HOUSING OPPORTUNITIES

Deconcentration Policy

When seeking a rental home, we encourage renting outside of poverty and crime areas. Doing this may provide better schools for your family and often less exposure to crime, drug traffic, etc. The internet can provide an abundance of information regarding the county you have selected to live in. Availability of local resources such as public transportation, school districts, libraries, museums, crime statistics, places of employment, and other choices you may wish to consider can often be found on the internet. Most counties also maintain county information on utility suppliers, employment statistics, etc. Refer to the maps of your county on the internet and those provided by this office.

The internet also has an abundance of information available through city and county websites. Census tract data can be pulled up from the following link:www.ffiec.gov/geocode. Here you can see such information as ethnicity mix, % of minorities, median income for the area, etc. Local County, Town or City websites also contain valuable information on schools, medical facilities and local resources.

REFERRALS TO LOCAL COMMUNITY RESOURCES

Our program does not supply any type of emergency aid or services for families in other times of need. Local churches, community organizations, Department of Social Services, and the NC 211.org system offers a variety of organizations that may offer assistance with things like, food, clothing, medication, transportation services, etc. EIC, Inc. offers additional programs such as Head Start, Early Head Start, Weatherization, & Community Services Block Grant. They may have supportive services you need. Call 252-482-4458 to inquire about other services.

AVAILABLE RENTAL UNITS

A listing of landlords and possible available homes have been provided as part of the tenant briefing. These homes have not been "pre-approved", only listed. If you are disabled and need accessible units, please let us know. Each home must be inspected upon selection by you as a tenant. There are no "pre-approved" owners or homes. However, owners that have participated with our program in the past are usually familiar with our program and often have their homes "rent ready". At present we have only a small number of listings or landlords with handicapped accessible rentals. In addition, we suggest you expand your search to include areas outside of high crime or poverty.

You may wish to check the following:

- Local Newspapers, Local Community Bulletin Boards, Online Rental websites,
- Local Realtors and their websites
- Apartment Complex Offices
- Ride thru desirable neighborhoods and look for "For Rent" signs
- Let friends and family know you are seeking a home to rent, etc.
-

HOME SELECTION- YOUR CHOICE

Remember the selection of your home involves many factors. You will be signing a 12 month lease, so you want to insure you choose wisely. We encourage you to check the home you are considering by viewing it at night and on weekends. Is the home well lighted? Are there groups congregating near your residence? If you have children, is there heavy traffic? Do they have a good place to play safely outdoors? Are you able to maintain a lawn, cut the grass, and remove leaves and sticks? Is there a trash pick- up service? If not will you be able to remove your trash several times weekly to the local disposal sites?

FAIR MARKET RENTS, PAYMENT STANDARDS, & UTILITY ALLOWANCES

This agency covers a 10 county area. Each of these areas has a different FAIR MARKET RENT (FMR). The FAIR MARKET RENTS are rents published by HUD Annually by bedroom size for individual areas. The FMR is intended to represent rents for modest, decent, affordable housing and includes estimated costs of utilities with conservative useage. The PAYMENT STANDARD is a percentage of the FMR. Your payment standard is based on your family size, and county. The payment standard applied to each family will be either the lesser of the unit size or your voucher size.

The UTILITY ALLOWANCES are estimated rates/costs based on local surveys from utility providers. The rate used is based on the lower of the actual number of bedrooms in the home or your housing voucher size. We

have used the average conservative utilities costs for your county & bedroom size in computing your estimate today. These utility allowance charts are available to you here in our office.

APPROVAL OF TENANCY OUR PAYMENT/YOUR PAYMENT

To determine a more exact subsidy payment, we will need to know the contract rent price and all utilities paid by the tenant and those provided by the owner and included in the rent. This will be done when we receive your **Request for Tenancy Approval** packet back from the owner of the home you have selected. This packet was reviewed with you today and is an essential element in your successful leasing of a home. After it is received, all the data for this home and your factors will be computed. An updated subsidy estimate will be given to you and your landlord in the appointment letter for inspection.. It is important to remember, **this is only an estimate- if your income or family size has changed, or the actual utilities for the home are different than what is indicated on the RFTA, the payment will change.**

RENT REASONABLENESS

The home you select must be "rent reasonable". The inspector will conduct an inspection and compare the proposed property to other unassisted properties to insure the rent is in line with homes of similar age, size, location, quality, and type. Amenities included with the rent will also be part of this evaluation. Use your own judgement- if you were paying full rent from your pocket, does this price seem fair?

INITIAL RENT PAYMENT

It is also important to remember payment will not begin until your home has passed inspection and a contract is executed by our agency. Contracts and subsidy payments to your landlord begin on the **first day of the month after the home passes inspection. The first check or payment to your landlord usually is received within 30 days. See example below:**

House passes inspection Sept. 15th- Contract and assistance will begin October 1st. Your landlord may require you to pay the rent until our check is received if you have taken occupancy. Thereafter, they will usually receive payment by the 5th day of each month. We do not pay security deposits, or retroactive subsidy payments.

RENT RECEIPTS & LATE FEES

Always obtain and **keep your rent receipts**, money orders, or copies of your check for any funds you pay to the owner. Make certain you keep them where they may be found later, if needed. Never give your landlord or the agent for the landlord, any cash money without getting a receipt. Through the use of technology, many persons with "smart phones" can take a picture of their receipt and e-mail it to themselves for future reference.

The owner has a right to charge you a late fee in accordance with your lease. Under North Carolina law the late fee is 5% of the tenant portion of rent or \$15.00 whichever is highest. If you negotiate a different "due date" than indicated in the lease, we suggest it be in writing and attached to your lease as a modification.

LEASE

HUD regulations require a lease between the owner and the tenant. The lease must be consistent with State law. The provisions of the lease must include all the provisions of the tenancy addendum required by HUD. If it does not, the HUD tenancy addendum will be attached to the lease to conform it to HUD regulations and the term of the HAP contract. We also enclose a sample lease in the RFTA packet for your use if desired. A copy of the lease must be sent to our office. Keep a copy of your lease. Remember you are responsible for reviewing and abiding by the terms of the lease. Keep in mind if any modifications are made, it should be in writing and attached to the lease. Modifications are things like the pet clause or the due date of your tenant portion of rent. The owner may allow your lease to renew month to month after the first year. If they require a new lease yearly, send us a copy.

INCLEMENT WEATHER & STORM PREPAREDNESS

The Section 8 Housing Program **will cancel all office appointments, inspections**, tenant briefings, etc. in the event of *severe* or *expected severe inclement weather* (snow, ice, hurricane, flooding, etc.) If school is

closed in the county where you live due to severe weather, your appointment will be rescheduled. Call 252-482-4458 ext. 111 if you are unsure. Local TV stations may also carry closings. When inclement weather or serious weather is forecast, heed warnings to evacuate, move to shelters, etc. NCREADY.org offers suggestions on how to prepare. If you evacuate your home and find damage when you return, contact your landlord immediately and this agency. If you should apply for FEMA assistance make sure inform them you are a Section 8 participant.

ANNUAL RECERTIFICATIONS

You and your family must also be recertified annually for continued participation in this program. You will receive one (1) office appointment. You must attend the appointment and bring all the information requested at the time of the appointment. You will be asked for updates on your income and family composition. Be prepared to provide your income information such as wages, child support, regular donations, retirement, disability, etc. at the time of the appointment. Financial aid information may also be required for full time college students. Persons who requested a reasonable accommodation may expect to provide proof of this need annually. If you fail to attend your annual recertification appointment your assistance will end or terminate.

INSPECTION REQUIREMENTS & HUD HOUSING QUALITY STANDARDS

HUD requires our program to inspect your home at least once every 365 days (yearly). We normally schedule your inspection about every 11 months. You will receive one (1) appointment letter for inspection at the last given mailing address. Exact appointment times cannot be given due to the large geographical area we cover. Your home must pass inspection for assistance to continue.

You, your landlord, or other adult must be present at the time of inspection. We are not permitted to enter the home if an adult is not present. All utilities must be operable and the home must have a stove, refrigerator, and a working permanent heating system capable of heating the entire home. If the system requires fuel, such as oil or gas, the system must be operable at the time of inspection. **Review the "Summary of Housing Quality Standards", the booklet "A Good Place to Live", and the housekeeping checklist** prior to the inspection and selection of your rental home. *If you fail to be present for the inspection appointment, your assistance will end or terminate. If your home needs repairs, the owner will be given around 30 days to make most repairs. If repairs are not made, the assistance will end. If the owner determines the repairs are due to excess wear and tear by the family, you may be billed by the owner for the cost of the repairs.*

You must have working smoke detectors and a carbon monoxide detector if your home uses fuel to heat or cook. A carbon monoxide detector is also required if you have an attached garage.

REPORTING REPAIRS AFTER ASSISTANCE HAS BEGUN

If you have items that need to be repaired you should notify the owner both **verbally and in writing**. Allow an adequate amount of time for the owner to make the repairs. If owner does not respond to your request, contact our Housing Inspector or Appointment Secretary. An inspection will be scheduled. If deficiencies are identified, the owner will be given up to 30 days to make most repairs. Life threatening problems must be corrected within 24 hours. Never hold back reporting problems with the home to our office. The owner is signing an agreement with this agency to maintain your home at HUD's standards.

HOUSEKEEPING

You must maintain your home in a clean and decent condition both inside and out. A housekeeping checklist has been given to you and is contained in this packet. Maintain your home regularly based on the list. Failure to maintain your home and yard in a clean and decent condition may result in termination of your assistance. We should see no trash, piled up bags, boxes, debris, junk cars, etc.

UTILITY SERVICES

Regulations require your utility services (electric, water, & heating systems) remain active at all times. Should your utility service be suspended for non-payment, a maximum of ten (10) days will be allowed for services to be restored. If services are not restored within this period, assistance will be terminated. If your home has been without services for a period of 30 days. Your assistance will be terminated.

If your home has a fuel burning heat system, you must purchase heating fuel. Portable electric heaters do not substitute for a heating system in a home. They are only approvable as a temporary supplement. Never burn or use any type of unvented gas or kerosene heater in the home. You must have a carbon monoxide detector if your home uses fuel to heat or cook. A carbon monoxide detector is also required if you have an attached garage.

PETS

Your pets, in particular DOGS, MUST be caged, leashed, or secured during any of our home visits or inspections. Refer to your lease to determine if the owner will allow you to have pets. It is a good idea to obtain written permission stating the number of pets you may have and if the pets are inside or outside pets. Some owners may charge a "pet security deposit" that may or may not be refundable. If you are unsure, always ask the owner and refer to your lease. Local laws and ordinances apply. If your landlord initially says "no pets" but later you come to an agreement, you will need to get this amendment to your lease in writing.

OCCUPANCY OF THE HOME

Once your assistance has begun, you should occupy the home on a *full time basis*. If you are going to be away or gone temporarily (more than 14 days) we must be notified in writing. Only persons listed on your lease and application with this office are approved to occupy your home. Guests are permitted no more than 14 days per calendar year without written approval from this office. Guests or visitors who are at your home more than 50% of any night or day on a regular basis may be considered unauthorized occupants of your home.

HUD does permit you to be away from the home for medical stays up to 180 days. This is done on an approval basis. You must notify us as soon as you know you will not be able to return to your home in a 14 day period. Your Occupancy Specialist will review your case to determine if the 180 day medical stay could apply to you.

ADDING AND REMOVING HOUSEHOLD MEMBERS

Permission must be obtained from both your landlord and this office **before** allowing others to occupy your home with the exception of children added by birth or court appointment. Legal guardianship may be required for children under 18. Notify this office in writing when you wish to add someone to your household. An appointment letter will be sent to you and will include all the information needed to add household members. Do not allow persons to move in until you have obtained permission from this office.

When a person vacates your home and they will no longer be living with you report it to our office in writing within 10 days. If you are unsure if the absence will be temporary or permanent, contact your Occupancy Specialist in writing for an assessment of the situation.

INCOME REPORTS

Income as defined by this agency includes wages, unemployment benefits, retirement benefits, disability benefits, worker's compensation, regular cash contributions to the family, regular non-cash contributions for the support of the family, child support (direct & court ordered), income from odd jobs, income from self-employment, bartering for services in lieu of payment, etc.

At the time of recertification or at an interim income change. We will request you complete a form detailing all the bills paid by you or on your behalf on a regular basis. If your paid bills exceed your reported income by more than \$1,000.00 annually it will be counted as income from an undetermined source.

When changes in income occur (UP OR DOWN), report it to our office in writing within ten (10) days. When income increases, you will be given at least 30 days notice before the income change will take effect. When income decreases, the change will take place on the first day of the upcoming month verification of such decrease was submitted.

ZERO INCOME

Tenants declaring they have zero -0- income or a negative income after deductions, must report to our office until they begin receiving income on a monthly basis. We will need an explanation on how you pay your utility bills and other basic services needed for a family to maintain a home, including items not covered by food stamps such as diapers, soap, dish detergent, etc. If someone supplies these goods to you each month, a dollar value may be assigned since it is a regular contribution.

COLLECTION OF OVERPAYMENTS

When income increases and there is no written documentation to show the family has properly reported the increase, this may be considered *fraud*. When income is unreported, a retroactive change will be performed to redetermine the correct level of subsidy that should have been paid on your behalf. Any overpayments must be repaid to the housing agency as outlined in the HUD Debts Owed to the Public Housing Agencies and Terminations HUD 52675. The debt can be repaid in full or you may be allowed to make installment payments through execution of a repayment plan.

RECORD MATCHING & HUD UIV/EIV SYSTEM

HUD utilizes the Upfront Income Verification System and the Enterprise Income Verification System. A brochure has been provided with this handbook to give more information about this system. It is important to remember the occupants of your home should be the same as reported to the Department of Social Services, School records, State / Federal Tax Records, or records of any other state and federal entities. Your income should also be consistent with income reported to these agencies as well. Cross checks of your family and income reported occur. Records for all programs should be consistent. For example if your housing application contains 1 adult and 2 children, your food stamp case should also contain the same persons. If there are other persons listed or persons omitted, these are considered as possible fraud indicators. We may also compare the persons listed on Federal and State tax returns.

PROHIBITION AGAINST VIOLENT, CRIMINAL, DRUG, OR FELONY ACTIVITY

Participation in any violent criminal activity, drug activity, or felony criminal activity is prohibited by any member of the assisted household or guests at the assisted home while a participant in this HUD HCV program. Never let a person on probation who is not listed on your assistance case or lease use your address if they do not live with you. Violations will result in termination and denial of rental assistance **for a period of three (3) years**. Denial will include all household members. Sex offender violations result in lifetime denials. Our office may use a preponderance of evidence in cases involving criminal activity.

RELOCATING OR MOVING TO ANOTHER UNIT AFTER ASSISTANCE BEGINS

The contract and lease you are signing is for a 12 month period. Moving within the initial 12 month period is not permitted unless the unit falls below Housing Quality Standards and the owner does not make repairs. It is the policy of this Section 8 Rental Assistance program to permit 2 moves without cause while being assisted under this program. Moving without following the procedure as outlined by this agency will result in automatic termination and denial of assistance for a period of (3) three years.

*You must give our office and your landlord a 30 day written notice of your intent to vacate. All moves with continued assistance to another rental unit must be approved **before you move**.* In addition we require you be in "good standing" with your present landlord-(no outstanding rent balance, damage fees, etc.) Moving without notice is a program and contract violation and may result in denial of future assistance. Submit a written request to your Occupancy Specialist and wait for approval.

PORTABILITY

Portability is a term used to describe a family's ability to move from one housing authority to another. The voucher program regulations mandate national portability. Families are limited to moves into areas where a housing authority or administering housing agency operate a tenant based voucher program. In accordance with 24CFR-982-353© the family must stay with the initial housing authority for the first 12 months only if the family was not residing in that housing authority's jurisdiction for a 12 month period when they applied for housing. Legal proof of the 12 month residency will be required. If you wish to exercise your portability

rights, you must first contact our office in writing. You will be required to provide other documents before final approval of your "port out" is granted. Contact our office for a listing of Section 8 programs across the USA. You may also find this information at www.hud.gov. You may also "google" HUD Section 8 in the state where you wish to move. This may give you an idea about rent prices, deposits, and availability of housing.

Proper budgeting is a key factor in successful portability. There are a number of factors we advise you to consider, such as moving cost, Security Deposits, Application Fees, and Connection Fees; Availability of daycare subsidy programs if you have small children; Finding new employment; Where you will stay if your current lease has ended and you have not secured new housing; etc. Most families that port generally need between \$1,500 to \$2,500 dollars.

LIMITED ENGLISH PROFICIENCY

Families with limited English proficiency may request documents in the language they read or speak. If available, they will be provided. If you need an interpreter, you may bring your own representative or we may be able to provide one.

DENIAL OR TERMINATION OF ASSISTANCE

Your assistance may be terminated for any violation of the family obligations as outlined under your housing voucher, agency policy, and/or serious violations of your lease. Assistance ends automatically if you move out of the unit without proper notice. Violations of the program may result in denial of future assistance for a period of three (3) years.

GRIEVANCES AND PROBLEM RESOLUTION

While participating in this program, should you experience any problems or have a grievance with our staff, or actions by our office, please contact our Housing Director at 252-482-4458 ext. 111 or in writing at PO Box 549, Edenton N.C. 27932. Our goal is to resolve the problem in accordance with HUD regulations.

INFORMAL MEETINGS/COUNSELING

Many times, an informal meeting or counseling session with you and our staff can resolve problems before moving to the informal hearing process. If you disagree with any action or inaction by our agency, you may submit a written request for an informal meeting within ten (10) days from the date of the notice or by the date indicated on correspondence received from our office. Submit your request to: EIC, HCV Program, P.O. Box 549, Edenton, NC; by fax at 252-482-2326; by e-mail at Teresa.Forward@eicca.org; by fax at 252-482-2326. Be prepared to bring information to the meeting relevant to your case.

INFORMAL HEARING POLICY

Informal hearings for participants are given when requested by tenant regarding determinations made by this agency in accordance with HUD regulations and our agency administrative plan. Hearings may be granted for:

- Determinations of Family's share of the rent
- Denial or Termination of the HAP Contract which are not for mandatory reasons
- Decision of unit size appropriate for family
- A PHA decision regarding your household
-

PROCEDURE FOR HEARING

The family must request an informal hearing **in writing** or by **e-mail** within ten (10) days from the date of the notice of determination of action. Request must be sent to this office at P.O. Box 549, Edenton, and N.C. 27932 Attn: Teresa L. Forward, Housing Director Email: Teresa.Forward@eicca.org. As the Section 8 administering agency will notify the tenant of the date, time, and place of the hearing. A hearing committee of 1 to 3 persons that are not a subordinate of person that made decision in question will hear the case. A lawyer or other representative may present tenant. Specific information regarding tenant rights, to evidence, other hearing information will be listed in notice of termination. You may request copies of any documents from your file. Give our office advance notice of your intent to review and copy your file. Copies can be made at a cost of \$1.00 each.

FAIR HOUSING

Fair housing is your right. If you have been denied your housing rights, you may have experienced unlawful discrimination. Contact our office for information and forms. You may also visit the HUD website at www.hud.gov/fairhousing. **HUD Booklets 903.1 "Are you a victim of discrimination?" are available in your briefing envelope or placed on the Briefing Materials table.**

VIOLENCE AGAINST WOMEN'S ACT (VAWA)

The Violence against Women Reauthorization Act of 2013 (VAWA) prohibits denial of assistance to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking. *24 CFR 5.2011*. VAWA does not take precedence over any provision of federal, state, or local law that provides greater protection to victims of domestic violence, dating violence, or stalking. If you are a victim of domestic violence contact our office for the latest HUD VAWA forms. You may also be referred to any local services that may assist you. Forms and VAWA policies may be updated as regulated. (see enclosed forms)

The Economic Improvement Council, Inc. has adopted an Emergency Transfer Plan to assist victims of domestic violence. Contact your Occupancy Specialist or the Housing Director (tforward@eicinc.org) for more information.

CURRITUCK COUNTY RESIDENTS

Currituck County falls within an area considered a metropolitan jurisdiction. Here you may expand your housing opportunities. Refer to the handout for Currituck County Residents that include maps of the area and information about jobs, schools and other services.

In review, these are the basic steps to begin receiving Section 8 Rental Assistance:

- Apply, and go on our waiting list. Applications are ordered by date and time, with a local preference.
- Come to the top of the list and be determined eligible.
- Attend Briefing, Receive Housing Choice Voucher.
- Find a decent, reasonably priced home within your affordability range that will meet the HUD Standards.
- Have the owner complete and submit the Request for Lease Approval Document Package.
- Home will be inspected and reviewed for Rent Reasonableness.
- Home Passes Inspection.
- HAP Contract and Lease are executed.
- Housing Assistance Payments Begin, (usually 1st day of month after the home passes inspection).
- Family and Owner abide by the terms of the contract, lease, and contract obligations.

NATURAL DISASTERS OR PANDEMICS

Questions ????

Call us at 252-482-4458 (Edenton) or 252-335-5493 (Elizabeth City).

Send written reports to: EIC, Inc. P.O. Box 549 Edenton NC 27932

Fax 252-482-2326 or 252-335-4631

NC STATUTES REGARDING LATE FEES, EVICTIONS, & SECURITY DEPOSITS

(Refer to NC Statutes or your Legal Counsel for updates and most current regulations)

LATE FEES: If any rental payment is five days or more late, a landlord can assess a residential tenant a late fee which does not exceed fifteen dollars (\$15.00) or five per cent (5%) of the rental payment, whichever is greater. (HCV Clients Only) Read your lease carefully to determine the due date of your rent. (NCGS 42-46)

EVICTION:

- A residential landlord in North Carolina may not legally evict a tenant from the rented premises unless he/she first obtains an order or "writ of possession" from a court. A residential landlord **may not use "self-help"** such as locking tenants out or turning off utilities in lieu of a Summary Ejectment proceeding. If a landlord threatens you with eviction or if you receive court papers, you should seek legal assistance.
- Grounds for Eviction:
 - Non-payment of Rent
 - Breach of the Lease (i.e. illegal pets, noise, excessive damage or alteration to the premises, illegal activity etc.)
 - Holding over after the lease term has ended
 - Desertion of the premises
 - Eviction for criminal activity
- A tenant cannot be evicted for pursuing their rights under the lease or for complaining to the Landlord, the city or other government entities about needed repairs or hazards. This is **retaliatory eviction**. If this occurs, you should seek legal assistance.
- If the Landlord commits a material breach of duty as defined by the lease or North Carolina Law so that the breach renders the leased premises **uninhabitable** (i.e. no heat, water, etc.) this is known as **constructive eviction** and the tenant should seek legal advice for their remedies.

DEPOSITS: A residential landlord may collect a **security deposit** from a tenant to secure the payment of rent and bills and to pay for damages. How much of a security deposit a landlord can assess depends on the length of the tenancy. The deposit cannot exceed 2 weeks rent if a tenancy is week-to-week, one and one half month's rent if a tenancy is month to month and two months rent for terms greater than month to month (i.e. a year's lease). (N.C.G.S. 42-51)

- A Landlord can request a **security deposit to hold an apartment** for a tenant at the time the tenant fills in the rental application. Read the application carefully concerning the refundability of the deposit. If the tenant changes their mind about leasing the premises, (before the lease is signed) the deposit may not, in certain instances, be returned if the Landlord has not found a replacement tenant before your move-in date.
- Most **application fees**, which are not deposits, are nonrefundable.
- A nonrefundable **"redecorating fee"** or **"cleaning fee"**, in addition to a security deposit, is appearing more and more in leases. It is questionable as to the validity of these fees as they appear to be an attempt to circumvent Landlord Tenant Law. Ask questions about these fees and their refundability.
- A landlord who receives a security deposit from a residential tenant must deposit the money in a **trust account at a bank** or savings and loan located in North Carolina, or obtain a bond from a leasing insurance company to secure its repayment. (NCGS 42-50). The Landlord must notify the tenant in writing of the location of the deposit within 30 days of leasing the premises.
- A landlord has 30 to 60 **days** after the end of the lease term to either refund the full amount of the security deposit to the tenant or to give the tenant a written justification for the deductions. If the landlord does not have an address where a tenant's security deposit refund can be sent, he/she must hold the balance of the security deposit for at least six (6) months. (NCGS 42-52)
- Landlords in North Carolina are not required to place security deposits in an **interest bearing** account.
- A landlord may only apply security deposits to actual damages such as:
 1. Past due rent and late fees.
 2. Damages to the rental property.
 3. Nonfulfillment of Rental Period, i.e. the tenant leaves before the end of the rental term or without proper notice. A Landlord cannot keep the deposit as a penalty but only to offset actual damages.
 4. Costs which the landlord incurs in evicting a tenant or re-renting the property, i.e. costs of removal and storage of tenants property after a summary ejectment proceeding, court costs and advertising expenses.
 5. Unpaid bills (N.C.G.S.42-51)
- A landlord **should not** make deductions from the security deposit for **ordinary wear and tear**.
- If your landlord fails to **timely refund** your security deposit or if you feel that the deductions from the deposit were unwarranted or excessive, you should seek legal advice. Landlords can charge more for damages, cleaning and unpaid rent/bills than is covered by the security deposit you paid. In other words, you could still end up owing the landlord money even though the Landlord retained your full deposit.
- Landlords may also collect deposits for such things as **pets and keys**. Unless designated as non-refundable, all deposits should be refunded to the tenant at the conclusion of the lease less deductions made for actual damages. (Pet deposits are usually designated as nonrefundable).

ECONOMIC IMPROVEMENT COUNCIL, INC.

HOUSING CHOICE VOUCHER PROGRAM P.O. BOX 549, EDENTON, N.C. 27932

252-482-4458 phone * 252482-2326 fax

Equal Opportunity Employer Equal Opportunity Housing

VERIFICATION OF NEED REASONABLE ACCOMMODATION

Date: _____

RE: _____ (Client or Applicant)

Dear Social Worker or Health Care Provider:

The above-named person is a current participant or is applying for admission to assisted housing and has expressed a need for either a home with the special features, a live-in aide or another type of reasonable accommodation due to a disability or medical need . The applicant/participant has named you as a person who can verify the need. Review the information provided and verify the need for the accommodation requested by the family. Medical diagnosis should not be included in your explanation for the need requested. **The applicant's request and authorization to release this information is certified below.**

Applicant Signature _____ *Date:* _____

I, the above listed applicant or participant of the Housing Choice Voucher program, certify I have requested a reasonable accommodation for a disability or medical need for me or a minor household member. My requested need is indicated below. I authorize you to provide this information to EIC, Inc. for the purposes of determining the appropriate rental assistance subsidy for my household.

If you have any questions, please call me at 252-482-4458 ext. 111 or contact me by e-mail at tforward@eicinc.org.

Teresa L Forward

Teresa L. Forward
Housing Director

1. Name of family member with special housing need: _____

2. Nature of need(s):

- A separate bedroom Rent Home from Family Member
- Unit for Hearing-Vision Impaired One-level unit
- Extra Bedroom for medical equipment A _____ bedroom housing voucher
- Change of county or state to area where medical services are more accessible.
- Other: _____

3. Explanation of need: (Check one below)

- Health condition/disability Health/Mental/Social condition requires separate sleeping area

4. *Live In Aide or Medical Assistant - This form just indicates the need for a Live In Aide, other criteria must be met to qualify the live in aide

Explanation of services the live in aide or medical assistant will supply: _____

Number of hours needed daily: _____ Times per week: _____



X _____

Signature & Title of Medical Professional/Social Worker

Phone# _____

Name of Agency/Medical Facility

Return to: EIC, Inc. P.O.Box 549 Edenton NC 27932 or fax to: 252-482-2326 252-335-4631

**NOTICE OF OCCUPANCY RIGHTS UNDER THE VIOLENCE AGAINST WOMEN ACT, FORM
HUD-5380**

ECONOMIC IMPROVEMENT COUNCIL, INC.

Notice of Occupancy Rights under the Violence Against Women Act

To all Tenants and Applicants

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation. The U.S. Department of Housing and Urban Development (HUD) is the federal agency that oversees that the housing choice voucher program is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”

Protections for Applicants

If you otherwise qualify for assistance under the housing choice voucher program, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Protections for Tenants

If you are receiving assistance under the housing choice voucher program, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under the housing choice voucher program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

Removing the Abuser or Perpetrator from the Household

The PHA may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If the PHA chooses to remove the abuser or perpetrator, the PHA may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, the PHA must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, the PHA must follow federal, state, and local eviction procedures. In order to divide a lease, the PHA may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

Moving to Another Unit

Upon your request, the PHA may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, the PHA may ask you to provide documentation

that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

- 1. You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.
- 2. You expressly request the emergency transfer.** Your housing provider may choose to require that you submit a form, or may accept another written or oral request.
- 3. You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

OR

You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer. If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

The PHA will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

The PHA's emergency transfer plan provides further information on emergency transfers, and the PHA must make a copy of its emergency transfer plan available to you if you ask to see it.

Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking

The PHA can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from the PHA must be in writing, and the PHA must give you at least 14 business days (Saturdays, Sundays, and federal holidays do not count) from the day you receive the request to provide the documentation. The PHA may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to the PHA as documentation. It is your choice which of the following to submit if the PHA asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by the PHA with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, "professional") from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting

under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.

- Any other statement or evidence that the PHA has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, the PHA does not have to provide you with the protections contained in this notice.

If the PHA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), the PHA has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, the PHA does not have to provide you with the protections contained in this notice.

Confidentiality

The PHA must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

The PHA must not allow any individual administering assistance or other services on behalf of the PHA (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

The PHA must not enter your information into any shared database or disclose your information to any other entity or individual. The PHA, however, may disclose the information provided if:

- You give written permission to the PHA to release the information on a time limited basis.
- The PHA needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires the PHA or your landlord to release the information.

VAWA does not limit the PHA's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, the PHA cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if the PHA can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

1. Would occur within an immediate time frame, and
2. Could result in death or serious bodily harm to other tenants or those who work on the property.

If the PHA can demonstrate the above, the PHA should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

Other Laws

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for

victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

Non-Compliance with The Requirements of This Notice

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with:

Department of Housing and Urban Development

1500 Pincroft Road #401

Greensboro NC 27407 Phone 336-547-4000

For Additional Information

You may view a copy of HUD's final VAWA rule at: <https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf>.

Additionally, the PHA must make a copy of HUD's VAWA regulations available to you if you ask to see them. For questions regarding VAWA, please contact Housing Director, EIC, Inc. 252-482-4458 ext. 111. any local resources such as Albemarle Hopeline, Inc. 252-338-3011, Outerbanks Hopeline 252-473-3366. Help is also on the web at www.domesticshelters.org

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact:

Albemarle Hopeline 252-338-3011

Outer Banks Hopeline 252-473-3366

WWW.domesticshelters.org <<http://WWW.domesticshelters.org>>

For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault, you may contact your local law enforcement offices.

Victims of stalking seeking help may contact your local law enforcement offices.

Attachment: Certification form HUD-5382

EXHIBIT 16-2: CERTIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING AND ALTERNATE DOCUMENTATION, FORM HUD-5382

CERTIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING, AND ALTERNATE DOCUMENTATION

U.S. Department of Housing and Urban Development

OMB Approval No. 2577-0286
Exp. 06/30/2017

Purpose of Form: The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

Use of This Optional Form: If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

Submission of Documentation: The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

Confidentiality: All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

1. Date the written request is received by victim: _____
2. Name of victim: _____
3. Your name (if different from victim's): _____
4. Name(s) of other family member(s) listed on the lease: _____

5. Residence of victim: _____
6. Name of the accused perpetrator (if known and can be safely disclosed): _____

7. Relationship of the accused perpetrator to the victim: _____
8. Date(s) and times(s) of incident(s) (if known): _____

10. Location of incident(s): _____

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature _____ Signed on (Date) _____

Public Reporting Burden: The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

