



Lorain Metropolitan Housing Authority

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NOTICE TO SECTION 8 VOUCHER RECIPIENTS OF RIGHTS UNDER THE VIOLENCE AGAINST WOMEN ACT

Recipients of Section 8 benefits have certain rights under the Violence Against Women Act ("VAWA"), 42 U.S.C. 1437 *et seq.* These rights include the following:

1. Program assistance/admission will not be denied on the basis that an applicant is or has been a victim of domestic violence, dating violence, or stalking (as defined in the Act) if the applicant/participant/tenant (hereinafter "Tenant") otherwise qualifies for assistance/admission.
2. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation activity by a Tenant justifying termination of assistance, tenancy or occupancy to the victim or threatened victim and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence.
3. Criminal activity directly related to domestic violence, dating violence, or stalking, engaged in by a member of a Tenant's household or any guest or other person under the Tenant's control, shall not be the cause for termination of assistance, tenancy or occupancy for any Tenant or immediate member of a Tenant's family who is a victim of the domestic violence, dating violence, or stalking. However, LMHA and/or the owner/manager may terminate assistance, tenancy or occupancy to individuals who *engage in* criminal acts of physical violence against family members or others.
4. In addition, LMHA and/or the owner/manager may terminate assistance, tenancy or occupancy for any violation of the lease not premised on the act or acts of violence in question against the Tenant or a member of the tenant's household, but LMHA and/or the owner/manager may not subject a victim of such violence to a more demanding standard than other tenants. In addition, LMHA and/or the owner/manager may terminate assistance, tenancy, or occupancy for a person who is a victim of such violence if there is an actual and imminent threat to other tenants or those employed at or providing service to the property if that person's assistance, tenancy, or occupancy is not terminated.

5. A family may receive a voucher from a public housing agency and move to another jurisdiction under the tenant-based assistance program if the family has complied with all other obligations of the Section 8 program and has moved out of an assisted dwelling unit in order to protect the health or safety of an individual who is or has been the victim of domestic violence, dating violence, or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.

6. LMHA and the owner/manager must retain in confidence all information provided to LMHA, including the fact that an individual is a victim of domestic violence, dating violence, or stalking. Such confidential information shall not be entered into a shared database nor provided to a related entity, except to the extent that the disclosure is (1) requested or consented to by the individual in writing; (2) required for use in an eviction proceeding; (3) otherwise required by law.

Please be advised that LMHA and/or the owner/manager has the right to request certification from a Tenant that the person is a victim of domestic violence, dating violence or stalking and that the incident(s) in question is a bona fide incident of such actual or threatened abuse. The certification must include the name of the perpetrator. The Tenant must submit such certification within fourteen (14) days of the request to be eligible for these protections. If the Tenant fails to provide such certification, LMHA and/or the owner may terminate assistance, tenancy or occupancy for the Tenant or other lawful occupant for violations of the lease.

LMHA encourages all victims of domestic violence, dating violence, or stalking, to seek assistance from area service providers, whose contact information may be obtained from your program administrator.