362 Green Street
Cambridge, MA 02139
www.cambridge-housing.org
T: 617-864-3020 | TDD 800 545 1833 x112

NOTICE OF OCCUPANCY RIGHTS UNDER THE VIOLENCE AGAINST WOMEN ACT

I. To all Tenants and Applicants

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation. Victims also cannot be discriminated against on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age.

The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that CHA 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. VAWA protections may be raised at any time. You do not need to know the type or name of the program you are participating in or applying to in order to seek VAWA protections.

II. When should I receive this form?

CHA must provide a copy of this Notice of Occupancy Rights Under The Violence Against Women Act (Form HUD-5380) and the Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (Form HUD-5382) when you are admitted as a tenant, when you receive an eviction or termination notice and prior to termination of tenancy, or when you are denied as an applicant. CHA may, but is not required, to provide these forms at additional times.

III. What do the words in this notice mean?

- ***VAWA violence/abuse*** means one or more incidents of domestic violence, dating violence, sexual assault, or stalking.
- ***Victim*** means any victim of *VAWA violence/abuse*.
- ***Affiliated person*** means the tenant's spouse, parent, sibling, or child; or any individual, tenant, or lawful occupant living in the tenant's household; or anyone for whom the tenant acts as parent/guardian.
- ***Covered housing program***[1] includes the following HUD programs:
  - Public Housing
  - Tenant-based vouchers (TBV, also known as Housing Choice Vouchers or HCV) and Project-based Vouchers (PBV) Section 8 programs
  - Section 8 Project-Based Rental Assistance (PBRA)
  - Section 8 Moderate Rehabilitation Single Room Occupancy
  - Section 202 Supportive Housing for the Elderly
  - Section 811 Supportive Housing for Persons with Disabilities
  - Section 221(d)(3)/(d)(5) Multifamily Rental Housing
  - Section 236 Multifamily Rental Housing
  - Housing Opportunities for Persons With AIDS (HOPWA) program

[1] For information about non-HUD covered housing programs under VAWA, see Interagency Statement on the Violence Against Women Act's Housing Provisions at https://www.hud.gov/sites/dfiles/PA/documents/InteragencyVAWAHousingStmnt092024.pdf.

- HOME Investment Partnerships (HOME) program
- The Housing Trust Fund
- Emergency Solutions Grants (ESG) program
- Continuum of Care program
- Rural Housing Stability Assistance program

- ***Covered housing provider*** means the individual or entity under a covered housing program that is responsible for providing or overseeing the VAWA protection in a specific situation. The covered housing provider may be a public housing agency, project sponsor, housing owner, mortgagor, housing manager, State or local government, public agency, or a nonprofit or for-profit organization as the lessor.

IV. Protections for Applicants

If you otherwise qualify for assistance from CHA, you cannot be denied admission or denied housing, housing assistance, or homeless assistance covered by VAWA just because of problems you (or a household member) had as a direct result of being or having been a victim of domestic violence, dating violence, sexual assault, or stalking. For example, if you have a poor rental or credit history or a criminal record, and that history or record is the direct result of you being a victim of VAWA abuse/violence, that history or record cannot be used as a reason to deny you housing or homeless assistance covered by VAWA.

V. Protections for Tenants

If you are receiving assistance from CHA, you may not be denied assistance, terminated from participation, or be evicted from your rental housing just because you (or a household member) are or were a victim of domestic violence, dating violence, sexual assault, or stalking. For example, if you are a victim of VAWA abuse/violence that directly results in repeated noise complaints and damage to the property, neither the noise complaints nor property damage can be used as a reason for evicting you from housing covered by VAWA.

You also cannot be evicted or removed from housing, housing assistance, or homeless assistance covered by VAWA because of someone else's criminal actions that are directly related to VAWA abuse/violence against you, a household member, or another affiliated person.

VI. Removing the Abuser or Perpetrator from the Household or Lease

Depending on your specific situation, your CHA may be able to divide the lease to evict just the perpetrator. This is called "lease bifurcation."

If a lease bifurcation ends up removing the perpetrator, and they were the only member of the household who qualified for the housing or assistance, CHA must provide you and other remaining household members an opportunity to establish eligibility or to find other housing. If you cannot or don't want to establish eligibility, then CHA must give you a reasonable time to move or establish eligibility for another covered housing program. This amount of time varies, depending on the covered housing program involved.

VII. Moving to Another Unit

362 Green Street
Cambridge, MA 02139
www.cambridge-housing.org
T: 617-864-3020 | TDD 800 545 1833 x112

Victims of VAWA violence/abuse have the right to request an emergency transfer from their current unit to another unit for safety reasons related to the VAWA violence/abuse. Upon your request, CHA may permit you to move to another unit or receive a voucher, subject to the availability of other units, and still keep your assistance. In order to approve a request, CHA 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, CHA 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. An emergency transfer cannot be guaranteed, but you can request an emergency transfer when:

1. You (or a household member) are a victim of VAWA violence/abuse;. 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; AND.
3. EITHER
   a. You reasonably believe there is a threat of imminent harm from further violence, including trauma, if you (or a household member) remain in the current unit. This means you have a reason to fear that if you do not receive a transfer you, will suffer violence in the very near future; OR
   b. If you (or a household member) are a victim of sexual assault and either (i) you reasonably believe that there is a threat of imminent harm from further violence, including trauma, if you (or a household member) were to stay in the unit, or (ii) the sexual assault occurred on the premises and you request an emergency transfer within 90 days (including holidays and weekend days) of when that assault occurred. You can request an emergency transfer even if you are not lease compliant, for example if you owe rent. If you request an emergency transfer, your request, the information you provided to make the request, and your new unit's location must be kept strictly confidential.

CHA's emergency transfer plan provides further information on emergency transfers. CHA must make a copy of its emergency transfer plan available to you if you ask to see it. To request an emergency transfer, or to read CHA's VAWA Emergency Transfer Plan, please contact your management office directly or Rashida Golden-Jolly at (617) 405-5513.

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

CHA can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of VAWA violence/abuse. CHA must make its request in writing, and CHA must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to respond.

It is your choice which of the following documents to submit if CHA asks you to provide documentation that you are or have been a victim of VAWA violence/abuse:

362 Green Street
Cambridge, MA 02139
www.cambridge-housing.org
T: 617-864-3020 | TDD 800 545 1833 x112

1. A self-certification form (for example, Form-HUD 5382), which the CHA must give you along with this notice. Either you can fill out the form or someone else can complete it for you;
2. A police, court, or administrative agency record (such as a protective order) that shows you (or a household member) were a victim of VAWA violence/abuse; OR .
3. A statement from a victim/survivor service provider, attorney, mental health professional or medical professional who has helped you address incidents of VAWA violence/abuse. The professional must state "under penalty of perjury" that he/she/they believe that the incidents of VAWA violence/abuse are real and covered by VAWA. Both you and the professional must sign the statement..
4. Any other statement or evidence that CHA has agreed to accept.

It is your choice which documentation to provide, and CHA must accept any one of the above as documentation. CHA is prohibited from seeking additional documentation of victim status or requiring more than one of these types of documentation, **unless** CHA receives conflicting information about the VAWA violence/abuse. If CHA requires you to provide additional documentation, you will have an additional 30 calendar days to do so.

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

IX. Confidentiality

If you share information with CHA about why you need VAWA protections, CHA must keep it strictly confidential. This information should be securely and separately kept from your other tenant files. No one who works for CHA will have access to this information, unless there is a reason that specifically calls for them to access this information, CHA explicitly authorizes their access for that reason, and that authorization is consistent with applicable law. However, CHA may disclose the information provided if:

- You give written permission to CHA to release the information on a time limited basis;
- CHA 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 CHA to release the information.

VAWA does not limit CHA'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.

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

VAWA does not prevent you from being evicted or losing assistance for a lease violation, program violation, or violation of other requirements that are not due to the VAWA violence/abuse committed against you or an affiliated person. You can be evicted or your assistance can be terminated for serious

362 Green Street
Cambridge, MA 02139
www.cambridge-housing.org
T: 617-864-3020 | TDD 800 545 1833 x112

or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, CHA cannot be stricter with you than with other tenants, just because you or an affiliated person experienced VAWA abuse/violence.

VAWA also will not prevent eviction, termination, or removal if other tenants or housing staff are shown to be in immediate, physical danger that could lead to serious bodily harm or death if you are not evicted or removed from assistance. However, CHA should only terminate assistance or evict a victim of VAWA abuse/violence if there are no other actions that could be taken to reduce or eliminate the threat. CHA must provide a copy of the Notice of Occupancy Rights Under The Violence Against Women Act (Form HUD-5380) and the Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (Form HUD-5382) when you receive an eviction or termination notice and prior to termination of tenancy.

XI. Can I request a Reasonable Accommodation?

If you have a disability, CHA must provide reasonable accommodations to rules, policies, practices, or services that may be necessary to allow you to equally benefit from VAWA protections (for example, giving you more time to submit documents or assistance with filling out forms). You may request a reasonable accommodation at any time, even for the first time during an eviction. If a provider is denying a specific reasonable accommodation because it is not reasonable, your CHA must first engage in the interactive process with you to identify possible alternative accommodations. To request a reasonable accommodation, please contact your management office directly or contact Rashida Golden-Jolly at (617) 405-5513 or rjolly@cambridge-housing.org.

XII. 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.

XIII. Non-Compliance with the Requirements of This Notice

If you believe that CHA has violated these rights, you may seek help by contacting or filing a complaint with:

U.S. Department of Housing & Urban Development (HUD)
Office of Fair Housing and Equal Opportunity
10 Causeway Street, Boston, MA 02222
Telephone: 800-827-5005 or 617-565-5308 | TDD: 617-565-5453

Massachusetts Commission Against Discrimination (MCAD)
One Ashburton Place, Room 601, Boston, MA 02108
Telephone: 617-727-3990 |TDY: 617-727-3990, ext. 588

The Cambridge Human Rights Commission (CHRC)

362 Green Street
Cambridge, MA 02139
www.cambridge-housing.org
T: 617-864-3020 | TDD 800 545 1833 x112

51 Inman Street, 2nd Floor, Cambridge, MA 02139
Telephone: 617-349-4396 | TTY: 617-492-0235

You can also find additional information on filing VAWA complaints at https://www.hud.gov/VAWA, and https://www.hud.gov/program_offices/fair_housing_equal_opp/VAWA. To file a VAWA complaint, visit https://www.hud.gov/fairhousing/fileacomplaint.

XIV. For Additional Information

For questions regarding VAWA, please contact Rashida Golden-Jolly at (617) 405-5513. You may view a copy of HUD's final VAWA rule at https://www.federalregister.gov/documents/2016/11/16/2016-25888/violence-against-women-reauthorization-act-of-2013-implementation-in-hud-housing-programs. Additionally, CHA must make a copy of HUD's VAWA regulations available to you if you ask to see them.

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 Transition House at 617-661-7203.

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.

Tenants may also wish to reach out to the following local organizations who offer assistance to victims of domestic violence, dating violence, sexual assault, or stalking:

Local Resources	Statewide Resources
Boston Area Rape Crisis Center (BARCC) • 24/7 Hotline: 800-841-8371 • Web Chat: https://barcc.org/contact/ ○ Hours: 9:00 am – 11:00 pm • Email: info@barcc.org • Address: 99 Bishop Allen Drive, Cambridge, MA 02139 **Cambridge Community Assistance Response & Engagement (CARE) Team** • Phone: 617-349-7200 • Email: info@cambridgesafety.org • Address: 689 Mass. Ave., Cambridge, MA 02139 **Transition House** • Phone: 857-777-6724 • Email: communityadvocate11@gmail.com	**Casa Myrna** • 24/7 SafeLink[2] Hotline: (877) 785-2020 • TTY: connect using Mass Relay at http://www.mass.gov/massrelay, or by dialing 711 in Massachusetts • Community Survivor Support Line: 617-521-0116 • Legal Help Line: 617-521-0146 • Email: support@casamyrna.org **Family and Community Resources, Inc.** • 24/7 Crisis Line: 508-583-6498 • Email: patricia.kelleher@fcr-ma.org • Website: http://www.fcr-ma.org • Address: 18 Newton Street, Brockton, MA 02301 **Jane Doe Inc.** • Phone: 617-248-0922 • Website: https://www.janedoe.org/find_help/

[2] SafeLink is a toll-free domestic violence Massachusetts hotline that provides callers 24/7 live response in English, Spanish, Portuguese, with access to translation in more than 130 languages

362 Green Street
Cambridge, MA 02139
www.cambridge-housing.org
T: 617-864-3020 | TDD 800 545 1833 x112

• Address: 136 Bishop Allen Dr, Cambridge, MA 02139	**Additional Resources can be found at:** https://www.mass.gov/info-details/list-of-domestic-violence-services-by-massachusetts-county

National Resources

National Domestic Violence Hotline
- Phone: 1-800-799-7233
- TTY: 1-800-787-3224

Rape, Abuse, and Incest National Network (RAINN)
- 24/7 Crisis Line: 1-800-656-HOPE
- Text: text 'HOPE' to 64673
- Online Hotline: https://ohl.rainn.org/online/
- Website: https://rainn.org/help-and-healing/hotline/

National Center for Victims of Crime's Stalking Resource Center
- 24/7 VictimConnect [3] Hotline: call or text 855-4-VICTIM (855-484-2846)
- Online Chat: https://victimconnect.org/get-help/victimconnect-chat/
  - *Hours:* Monday – Friday 9am - 5pm EST
- Website: https://victimsofcrime.org/getting-help/

XV. What if I require this information in a language other than English?

If you speak or read in a language other than English, CHA will provide completely free language assistance regarding your VAWA protections. To read this information in another language, please contact your management office or contact Sarah Cicchetti at scicchetti@cambridge-housing.org.

You can also read HUD's translated VAWA forms at:

https://www.hud.gov/program_offices/administration/hudclips/forms/hud5a#4.

Kreyòl ayisyen: Sa a se yon dokiman enpòtan. Tanpri kontakte CHA nan 617-864-3020 pou asistans gratis nan lang.
Español: Este es un documento importante. Comuníquese con CHA al 617-864-3020 para obtener asistencia lingüística gratuita.
Português: Este é um documento importante. Entre em contato com a CHA pelo telefone 617-864-3020 para obter assistência linguística gratuita.
አማርኛ: ይህ አስፈላጊ ሰነድ ነው. ለነጻ ቋንቋ እርዳታ እባክዎ CHAን በ 617-864-3020 ያግኙ።
简体中文：这是一份重要文件。请拨打 617-864-3020 联系 CHA 获取免费语言帮助。
繁體中文：這是一份重要文件。請致電 617-864-3020 聯絡 CHA 以獲取免費語言協助。
عربي: هذه وثيقة هامة. يرجى الاتصال بالغرفة CHA على الرقم 617-864-3020 للحصول على المساعدة اللغوية المجانية.
Tiếng Việt: Đây là một tài liệu quan trọng. Vui lòng liên hệ CHA theo số 617-864-3020 để được hỗ trợ ngôn ngữ miễn phí.

[3] VictimConnect is a referral helpline where ALL crime victims can learn about their rights and options confidentially and compassionately.