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 SafeNest by calling (702) 877-0133.

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 SafeNest by calling (702) 877-0133.

Victims of stalking seeking help may contact SafeNest by calling (702) 877-0133.

Attachment: HUD-5382 form: “Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation.”

NOTICE OF OCCUPANCY RIGHTS UNDER THE VIOLENCE AGAINST WOMEN ACT
U.S. Department of Housing and Urban Development
OMB Approval No. 2577-0286
Expires 06/30/2017

Southern Nevada Regional Housing Authority
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 Southern Nevada Regional Housing Authority (SNRHA) 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 SNRHA, 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 SNRHA, 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.

Southern Nevada Regional Housing Authority
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 SNRHA 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
SNRHA 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 SNRHA chooses to remove the abuser or perpetrator, SNRHA 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, SNRHA 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, SNRHA must follow Federal, State, and local eviction procedures. In order to divide a lease, SNRHA 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, SNRHA 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, SNRHA 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
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 time(s) of incident(s) (if known): _____________________________

9. 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 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) ______________________

Confidentiality

SNRHA 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.

SNRHA must not allow any individual administering assistance or other services on behalf of SNRHA (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.

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

- You give written permission to SNRHA to release the information on a time limited basis.
- SNRHA 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 SNRHA or your landlord to release the information.

VAWA does not limit SNRHA’s duty to honor court orders and 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, SNRHA 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 SNRHA 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 SNRHA can demonstrate the above, SNRHA 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 U.S. HUD San Francisco Regional Office – Region IX; One Sansome Street, Suite 1200; San Francisco, California 94104-4430.

For Additional Information

You may view a copy of HUD’s final VAWA rule at 24 CFR Parts 5, 91, 880, et al. Additionally, SNRHA must make a copy of HUD’s VAWA regulations available to you if you ask to see them. For questions regarding VAWA, please contact SafeNest by calling (702) 877-0133.
Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, required to, ask you for documentation or certification of the perpetrator was the sole tenant to have established eligibility for the program covered by VAWA, or, find alternative housing.

SNRHA must allow the tenant that domestic violence, dating violence, sexual assault, or stalking. If SNRHA chooses to remove the abuser or perpetrator, SNRHA may divide (bifurcate) your lease in order to evict the perpetrator.

Removing the Abuser or Perpetrator from the Household

You are a victim of sexual assault and the assault OR to fear that if you do not receive a transfer you would be denied rental assistance or occupancy rights under the program, SNRHA must allow the tenant that domestic violence, dating violence, sexual assault, or stalking. If SNRHA chooses to remove the abuser or perpetrator, SNRHA may divide (bifurcate) your lease in order to evict the perpetrator.

If SNRHA chooses to remove the abuser or perpetrator, SNRHA may divide (bifurcate) your lease in order to evict the perpetrator.