



SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY

May 31, 2018

- Housing Protections under VAWA:

- Applies to all Tenants, Participants and Applicants:
 - provides protections for victims of domestic violence, dating violence, sexual assault, or stalking; regardless of sex, gender identity, or sexual orientation.
- All tenants, participants and applicants are provided with:
 - Notice explaining their rights under VAWA.
 - HUD 5380, Notice of Occupancy Rights Under The Violence Against Women Act
 - HUD 5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation
 - HUD-approved certification form.

SNRHA VAWA Housing Protections

- Housing Protections under VAWA: (cont.)
 - Confidentiality
 - SNRHA will keep confidential any information that the applicant and/or tenant and/or participant submits in requesting housing, or an emergency transfer, unless the applicant, tenant and participant gives SNRHA written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program.

SNRHA VAWA Housing Protections

- Housing Protections under VAWA: (cont.)
 - Protections for Applicants:
 - Applicants that qualify for assistance under SNRHA:
 - cannot be denied admission or denied assistance because they have been a victim of domestic violence, dating violence, sexual assault, or stalking. Additional Notification
 - VAWA expanded notification requirements to include the obligation for SNRHA to provide applicants who are denied assistance with a HUD-5380 and HUD-5382 at the time the applicant is denied

SNRHA VAWA Housing Protections

- Housing Protections under VAWA: (cont.)
 - Protections for Tenants and Participants:
 - Assisted families under SNRHA:
 - may not be denied assistance, terminated from participation, or be evicted because they are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.
 - Also, a tenant, participant or an affiliated individual of tenant or participant 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 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

SNRHA VAWA Housing Protections

- Housing Protections under VAWA: (cont.)
 - Protections for Tenants and Participants:
 - Removing the Abuser or Perpetrator from the Household:
 - SNRHA may divide (bifurcate) a 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.

SNRHA VAWA Housing Protections

■ Housing Protections under VAWA: (cont.)

■ Protections for Tenants and Participants:

■ Moving to Another Unit

- Upon participant or resident 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:
 - You are a victim of domestic violence, dating violence, sexual assault, or stalking
 - You expressly request the emergency transfer.
 - You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.
 - 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.

SNRHA VAWA Housing Protections

- Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated:
 - Eviction or 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 resident or participant.
 - SNRHA cannot hold tenants and participants 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.
 - if SNRHA can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:
 - Would occur within an immediate time frame, and
 - 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.

SNRHA VAWA Housing Protections

■ SNRHA Waitlist

■ Public Housing (PH) Program

- All waitlists are currently closed
- Current waitlist **15,777**
 - Senior Designated Sites: 2,469
 - Family Sites: 13,308
- Average Offers and Leased: 35 per month
- Weekly offers to certified eligible applicants to maintain a qualified pool of applicants in anticipation of vacant units.
- It will takes us 37+ years to address current waitlist

■ Housing Choice Voucher (HCV) Program

- All waitlists are currently closed
- Current waitlist: **13,943**
 - HCV [includes special programs]: 2,062
 - HCV Project Based Voucher Properties: 11,881
- Current Average Vouchers Issuance [No New Voucher]
 - Only for VASH/NED/FUP through attrition: 35 per month
- It will takes us 33+ years to address our current waitlist

SNRHA Housing Waitlist

■ **PERMANENT BAN**

- Sex Offenders Subject to Lifetime Registration
- Convicted of the manufacture or production of methamphetamines on any federally assisted property

■ **TEN-YEAR PROHIBITION**

- Murder or attempted murder
- Rape (not resulting in offender being a registered as a sex offender)
- Child Molestation (not resulting in offender being registered as a sex offender)
- Kidnapping, attempted kidnapping
- Sexual assault, attempted sexual assault
- Child molestation
- Child pornography

SNRHA
Applicants, Tenants,
Participants with
Criminal History

■ FIVE-YEAR PROHIBITION

- Persons convicted of Drug-Related criminal activity,
 - defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sale, distribute or use the drug (24CFR 5.100), including:
 - Trafficking in controlled substances; and
 - Sale of controlled substances
- Driving under the influence causing personal injury
- Voluntary manslaughter
- Involuntary manslaughter
- Robbery
- Attempted robbery with a deadly weapon
- Mayhem or attempted mayhem
- Convicted of Arson

SNRHA
Applicants, Tenants,
Participants with
Criminal History

■ FIVE -YEAR PROHIBITION (cont.)

- Battery with substantial bodily harm (with a deadly weapon)
- Robbery or attempted robbery with the use of deadly weapon
- Trafficking of controlled substance
- Sale of controlled substance
- Felony Hit and Run
- DUI 3rd Offense
- Under the influence of control substance
- Grand Larceny
- Arson, attempted arson
- Illegal Mfg. of Controlled Substance
- Assault with a deadly weapon
- Possession of an unregistered firearm / Prohibited Person in Possession of a Firearm (2nd offense or more)
- Possession of controlled substance with intent to sell

SNRHA
Applicants, Tenants,
Participants with
Criminal History

■ THREE-YEAR PROHIBITION

- Assault or Battery
- Coercion
- Prostitution (third and further offenses)
- Domestic Violence (third and further offense)
- Abuse and neglect of children (2nd offense)
- Open and gross lewdness (2nd offense) - if a registered sex offender, the three year bar does not apply. Registered Sex offenders are forever barred.
- Abuse and exploitation of older persons
- Harassment and stalking (2nd offense)
- Discharging a firearm out of a motor vehicle
- Home Invasion
- Burglary

SNRHA
**Applicants, Tenants,
Participants with
Criminal History**

■ TWO-YEAR PROHIBITION

- Possession of controlled substance
- Any other criminal activity which, if repeated after admission, may threaten the health, safety, or right to peaceful enjoyment of the premises of other residents, neighbors, or persons living in the immediate vicinity.
- Other criminal activity which, if repeated after admission, may threaten the health or safety of the property's owner, property management staff, SNRHA staff, or other individuals working in the immediate vicinity

SNRHA
Applicants, Tenants,
Participants with
Criminal History

■ **ONE-YEAR PROHIBITION**

- Gross Misdemeanor Convictions
 - Open or gross lewdness (1st offense)
 - Aiming firearm at a human being
 - Discharging a weapon where a person might be endangered
 - Discharging a firearm in or upon a public street
 - Carrying a concealed weapon
 - Prohibited Person in Possession of a Firearm -1st Offense
 - Conspiracy to commit a crime

SNRHA
**Applicants, Tenants,
Participants with
Criminal History**

■ **ONE-YEAR PROHIBITION (cont.)**

■ Misdemeanor Convictions

- Prostitution (first and second offense)
- Battery Domestic violence (first and second offense)
- Disorderly house Possession of drugs not to be introduced into interstate commerce
- Abuse and neglect of children (first offense, if no physical injury resulted to child)
- Harassment/stalking
- Trespassing
- DUI – 1st or 2nd offense
- Violation of a protective order
- Resist a police officer
- Release from incarceration with or with out Probation and Parole

SNRHA
**Applicants, Tenants,
Participants with
Criminal History**