

## RAPID RE-HOUSING

Rapid Re-Housing is used to help individuals or families living in shelters, publicly-funded motels, or places not meant for human habitation, to move as quickly as possible into permanent housing and achieve stability in that housing.

### Rapid Re-Housing Activities

1. **Medium-Term Rental Assistance**, which is tenant-based and available for 4-24 months.
2. **Housing Navigation Services** to provide logistical and housing support to households preparing to move into permanent housing. *See **Case Management Service Definitions** in Section 1 for more information.*
3. **Housing Retention Services** to provide ongoing, individualized support and coordination for households once stabilized in permanent housing. *See **Case Management Service Definitions** in Section 1 for more information.*

### In This Section

- Rapid Re-Housing Standards
- Fair Market Rent & Rent Reasonableness
- Habitability Standards for Permanent Housing
- Lead-Based Paint Requirements for Rapid Re-Housing
- VAWA Protections for Participants Receiving Rapid Re-Housing Assistance

### Related Appendices

- Appendix J: HOP Client File Checklist – Rapid Re-Housing (*optional tool*)
- Appendix K: Rent Reasonableness and Fair Market Rent Certification (*optional form*)
- Appendix L: AHS Housing Inspection (HQS+) Request to VSHA form
- Appendix M: HOP VAWA Checklist for Rapid Re-Housing Rental Assistance (*optional tool*)
- Appendix N: VAWA Lease Addendum
- Appendix O: Emergency Transfer Plan (*sample plan*)
- Appendix P: Emergency Transfer Request Form
- Appendix Q: HUD VAWA Self Certification Form
- Appendix R: Professional Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking
- Appendix S: VAWA Notice of Rights
- Appendix T: VAWA Property Owner Rights

## RAPID RE-HOUSING STANDARDS

In addition to the **General HOP Requirements** listed in Section 1, all HOP-funded Rapid Re-Housing projects must also meet the following standards.

Written standards may be developed in partnership with the local Continuum of Care. Written standards must be applied consistently within the project and must conform to the Coordinated Entry policies and procedures established by the respective Continuum of Care.

Grantees/subrecipients may modify their level of assistance below the maximums provided in this document based on availability of HOP funds, or ability to leverage other state, federal or private assistance funding for clients.

No grantee/subrecipient may, with respect to individuals or families occupying housing owned by the grantee/subrecipient or parent organization, determine eligibility, carryout assessment activities, or administer rental assistance.

**A. Intake & Prioritization:** Providers must have written standards addressing how they will determine and prioritize which eligible families and individuals will receive rapid re-housing assistance.

- Project participant eligibility is limited to families and individuals who meet the criteria under paragraph (1) of the HUD Definitions of Homelessness
  - Eligibility is documented following the requirements outlined in the **General Recordkeeping Requirements** in Section 1.
- Rapid Rehousing services and assistance must be prioritized according to the Coordinated Entry policies and procedures of the Vermont Coalition to End Homelessness or Chittenden County Homeless Alliance (respective to geography).
- Household income information at the time of assistance must be documented and maintained.

**B. Length of Rental Assistance:** Providers must have written standards addressing how they will determine how long a particular project participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time.

- While the ability to sustain housing is a HOP goal and performance measure, it will not be interpreted as a threshold requirement. Prioritization and determination of assistance should be based on household need at the time of initial intake and screening.
- Rental assistance will be tenant-based and provided on a medium-term basis for no less than four months and up to twenty-four months.
- Eligibility and types/amounts of assistance must be re-evaluated not less than once annually. Each re-evaluation must establish and document:

- 1) that the participant does not have an annual income that exceeds 30% of median family income; and
  - 2) the participant lacks sufficient resources and support networks necessary to retain housing without HOP assistance
- C. *Participant Contribution:*** Providers must have written standards addressing how they will determine what percentage, or amount, of rent and utilities costs each project participant must pay, if any, while receiving rapid re-housing assistance.
- Grantees/subrecipients are strongly encouraged to require participants to contribute a minimum of 30% of their household income towards housing costs.
- D. *Housing Stabilization & Relocation Services:*** Providers must have written standards addressing how they will determine the type, amount, and duration of housing stabilization and/or relocation services to provide a project participant. Standards must include the limits, if any, on the rapid rehousing assistance that each project participant may receive, such as:
- the maximum dollar amount of assistance that can be received;
  - the maximum number of months the assistance can be received for; or
  - the maximum number of times the program participant may receive assistance.
- E. *Coordination:*** Providers must have a written standard that describes how the project coordinates access to mainstream benefits and resources (such as housing, health, social services, employment, education, and youth programs) to ensure participants are assisted, as needed, with obtaining appropriate supportive services, including other Federal, State, local, and private assistance.
- A policy, procedure, or tool that ensures participants are screened for their needs and then receive appropriate referrals to other providers is acceptable.
- F. *Housing Retention Services:*** Housing Retention Services are provided that meet the following requirements<sup>1</sup>:
- Require the project participant to meet with a case manager not less than once per month to assist in ensuring long-term housing stability
  - Include the development of a plan to assist the participant in retaining permanent housing after HOP assistance ends, taking into account the participant's current and expected household budget, additional sources of assistance, and affordability of area housing.

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<sup>1</sup> Projects are exempt from this case management requirement if prohibited under the federal Violence Against Women Act (VAWA) or Family Violence Prevention and Services Act from making shelter or housing conditional on the participant's acceptance of services.

**G. *Rental Assistance:*** Rapid Re-Housing rental assistance must meet the following requirements:

- A written lease must be in place, and the applicant’s name must be on the lease, before rental assistance payments are made.
- Rental assistance cannot be provided if rent exceeds the Fair Market Rent established by HUD or does not meet the standard for rent reasonableness (24 CFR 982.507).
- All payments must be third-party vendor payments; payments may not be made to relatives who are landlords.
- Payments are to be made on behalf of renters only; homeowners are not eligible for HOP assistance.
- No rental assistance may be provided to a household for a purpose and time period supported by another public source.
- The grantee/subrecipient will enter into a rental assistance agreement with the landlord. Landlords must agree to copy the provider on any eviction notice or complaint used to commence eviction; the provider must make timely payments to the owner according to the participant lease agreement.
- All rental assistance is tenant-based; the participant selects their own housing unit and may move to another unit or building and continue assistance so long as other requirements and eligibility are met.
- The unit must have an AHS Housing Inspection conducted by the Vermont State Housing Authority<sup>2</sup>
- If constructed prior to 1978, the unit must meet HUD’s lead paint requirements.

**H. *Termination:*** Providers must have written policies and procedures addressing the process to terminate Rapid Re-Housing assistance that includes, at a minimum:

- Written notice to the program participant containing a clear statement of the reasons for termination
- A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision
- Prompt written notice of the final decision to the program participant

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<sup>2</sup> This inspection meets HUD’s required habitability standards.

## Fair Market Rent & Rent Reasonableness (rev 8.9.22)

Rapid Re-Housing projects must meet the applicable requirements for Fair Market Rent and HUD's Rent Reasonableness Standard. To determine which requirements are applicable for a particular Rapid Re-Housing project, the grantee/subrecipient should consult their current HOP Grant Agreement.

**If HUD ESG funding is used for Rental Assistance:** The unit's rent may not exceed the **Fair Market Rent** (FMR) established by HUD and must meet HUD's **Rent Reasonableness** standard (24 CFR 982.507). If the rent does not meet both of these standards, eligible participants may still receive services (e.g., housing search & placement, case management, landlord-tenant mediation, etc.).

**If non-HUD ESG funding is used for Rental Assistance:** The unit's rent may exceed the **Fair Market Rent** (FMR) limit established by HUD, but the rent must meet HUD's **Rent Reasonableness** standard (24 CFR 982.507). If the rent does not meet the **Rent Reasonableness** standard, eligible participants may still receive services (e.g., housing search & placement, case management, landlord-tenant mediation, etc.).

### **Fair Market Rent (FMR) Verification Calculation**

Grantees/subrecipients must ensure that rent for units assisted under HOP with HUD ESG funding do not exceed current HUD-published FMRs for the particular geographic region. Documentation, including the Fair Market Rent data for the participant's unit size and geographic area must be included in the case file. **Appendix K** may be used to document FMR compliance.

### **How to determine if the rent meet HUD's Standard:**

**Step 1:** Find out what utilities, if any, are not included in the rent.

**Step 2:** Look at the Utility Allowance Schedule. It gives an estimated cost for each utility not included in the rent (i.e. the ones the tenant is required to pay).

For rentals of single-family homes, use VSHA's current **Section 8 Single-Family Utilities Worksheet** found under **Additional Resources** here: <https://www.vsha.org/vsha-programs/rental-assistance-program/>

For rentals in multi-family homes, use VSHA’s current **Section 8 Multi-Family Utilities Worksheet** found under **Additional Resources** here: <https://www.vsha.org/vsha-programs/rental-assistance-program/>

**Step 3:** Add those not-included utility amounts to the rent the landlord is charging.

**Step 4:** Compare that total to the current HUD **FMR Payment Standard** for the town where the rental unit is located. <https://www.huduser.gov/portal/datasets/fmr.html>

If the total is **not more** than the Payment Standard, then that apartment is eligible for rental assistance, if it meets Housing Quality Standards and the rent is determined to be reasonable.

**Example - FMR Verification Calculation** (not current VT numbers)

FMR Payment Standard =	<b>\$ 632</b>
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<b>A P A R T M E N T</b>	<b>Actual Rent</b>	= \$ 500	List Utilities <b>Not</b> Included in Rent Here
	<b>Utilities</b> (get from utilities allowance worksheet)	= \$ 72	Oil heat
		= \$ 14	Electric hot water
		= \$ 4	Electric cooking
		= \$ 18	Electric lights
	<b>TOTAL</b>	<b>\$ 608</b>	(this apartment is eligible since the total is less than the \$632 Payment Standard)

HUD Fair Market Rents for VT may be found here:

<https://www.huduser.gov/portal/datasets/fmr.html>

HUD Utility Allowances for VT may be found here: <https://www.vsha.org/vsha-programs/rental-assistance-program/>

(Scroll down to Additional Resources, find the bullet for Section 8 Single-Family Utilities Worksheet or Section 8 Multi-Family Utilities Worksheet and click on "Go here")

### **Rent Reasonableness**

HUD's rent reasonableness standard is designed to ensure that rents being paid are reasonable in relation to rents being charged for comparable unassisted units in the same market.

Grantees/subrecipients must ensure that rent for units assisted under HOP with or without HUD ESG funding do not exceed rent reasonableness. Grantees/subrecipients are responsible for determining rent reasonableness by considering the location, quality, size, type and age of the unit, as well as any amenities, maintenance and utilities to be provided by the owner.

Establishment of rent reasonableness must be documented in case files. Record the unit's rent and description. **Appendix K** may be used to document rent reasonableness compliance.

Acceptable methods of determination and documentation include but are not limited to:

- A printout of three comparable units' rents with evidence that units share the same features (location, size, quality, etc.).
- Written verification by the property owner or management company, affirming that rent for a unit is comparable to current rents charged for similar unassisted units managed by the same owner.
- Annual study of rent levels in the community – using sources such as:
  - Public aggregate data through the Public Housing Authority or Chamber of Commerce; or
  - Real estate advertisements and contacts – newspaper/internet ads; bulletin boards; property management companies; etc.

## Habitability Standards for Permanent Housing<sup>3</sup>

Housing Opportunity Grant Program (HOP)  
Vermont Office of Economic Opportunity (OEO)  
Revised 6/2023

**Any time HOP Rapid Re-Housing financial assistance is used to help a project participant move into new housing**, habitability standards (24 CFR § 576.403(c)) apply and an Agency of Human Services Housing Quality Standards Plus (HQS+) inspection by the VSHA, or an inspection by the grantee/subrecipient using the HOP Minimum Habitability Standards for Permanent Housing is required. Housing must be inspected and found to meet the required standards before any financial assistance is provided.

**HOP Habitability Standards (24 CFR § 576.403(c)):** Unlike the HQS+ inspections (see below), a certified inspector is not required when the grantee/subrecipient inspects the unit using the HOP Minimum Habitability Standards for Permanent Housing (see below). However, the visual assessment for deteriorated paint on buildings constructed prior to 1978 must be done by a HUD certified Visual Assessment inspector.

A HOP Minimum Habitability Standards for Permanent Housing inspection template is included in this section (see next page). Use of this form is not required but encouraged, although **units must meet the standards listed on the form**. Each grantee/subrecipient should implement and consistently follow its own written procedure on how to evaluate and determine housing habitability standards have been met. **Documentation must be kept in case files.**

**AHS Housing Quality Standards Plus (HQS+) Inspection by Vermont State Housing Authority (VSHA):** The AHS Housing Inspection is more stringent than the HOP Minimum Habitability Standards for Permanent Housing. The AHS Housing Inspection includes the Housing Quality Standards (HQS) used by Vermont State Housing Authority (and other PHAs) as well as more specific fire standards required by HOP.

AHS Housing Inspections are completed at no charge to the grantee/subrecipient if completed for a HOP-assisted unit.

To request an AHS Housing Inspection, you must use the request form (Appendix L) and follow the instructions.

**Using Different Housing Inspection Standards:** A grantee/subrecipient may also choose to rely on a different housing inspection standard, such as a city housing code. However, whichever inspection is used, it must determine whether all aspects of the HOP Minimum Habitability Standards for Permanent Housing have been met for the particular unit assisted with HOP funds; simply conducting a city housing code inspection, a sampling of units in a particular

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<sup>3</sup> Source: U.S. Department of Housing and Urban Development, Emergency Solutions Grant Interim Regulations, 24 CFR § 576.403(c) Shelter and housing standards



development, or another type of housing quality assessment is insufficient. A completed checklist (or equivalent documentation) should be placed in the participant's file.

**If HOP funds are used to provide services only** (without financial assistance) a habitability inspection is not required. However, it is strongly encouraged that all grantees/subrecipients work with participants to ensure that they live in housing that is safe and healthy.

<p style="text-align: center;"><b>HOP - Minimum Habitability Standards for Permanent Housing</b> <b>(24 CFR part 576.403(c))</b></p>	<p style="text-align: center;"><b>Meets Standard Yes/No</b></p>
<p>1. <i>Structure and materials</i>: The structures must be structurally sound to protect residents from the elements and not pose any threat to the health and safety of the residents. <b>(this standard also applies to the building's exterior, common areas, and basement)</b></p>	
<p>2. <i>Space and security</i>: Each resident must be provided adequate space and security for themselves and their belongings. Each resident must be provided an acceptable place to sleep.</p>	
<p>3. <i>Interior air quality</i>: Each room or space must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.</p>	
<p>4. <i>Water Supply</i>: The water supply must be free from contamination.</p>	
<p>5. <i>Sanitary Facilities</i>: Residents must have access to sufficient sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.</p>	
<p>6. <i>Thermal environment</i>: The housing must have any necessary heating/cooling facilities in proper operating condition.</p>	
<p>7. <i>Illumination and electricity</i>: The structure must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the structure.</p>	
<p>8. <i>Food preparation and refuse disposal</i>: All food preparation areas must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.</p>	
<p>9. <i>Sanitary condition</i>: The housing must be maintained in a sanitary condition.</p>	
<p>10. <i>Fire safety</i>: All three conditions below must be met to meet this standard.</p> <p>(i) There must be a second means of exiting the building in the event of fire or other emergency.</p> <p>(ii) Each unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors must be located, to the extent practicable, in a hallway adjacent to a bedroom. If the unit is occupied by hearing impaired persons, smoke detectors must have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person.</p> <p>(iii) The public areas of all housing must be equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, community rooms, day care centers, hallways, stairwells, and other common areas.</p>	

<b>Additional HUD Habitability Requirements</b>	
<p>If applicable, has the exterior and interior of the building passed a visual assessment for deteriorated paint inspection performed by a HUD certified inspector? Enter “exempt” if the assessment is not required per HUD Lead Paint Standards</p> <p>(See HOP Lead-Based Paint Requirements for more information.)</p>	

Source: U.S. Department of Housing and Urban Development, Emergency Solutions Grant Interim Regulations, 24 CFR § 576.403 Shelter and housing standards

**CERTIFICATION STATEMENT**

I certify that I have evaluated the property located at the address below to the best of my ability and find the following:

- Property meets all of the above standards.
- Property does not meet all of the above standards.

Final determination by program staff based on habitability evaluation:

- Property is approved.
- Property is not approved.

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## LEAD-BASED PAINT REQUIREMENTS FOR RAPID RE-HOUSING

Rapid Re-Housing financial assistance may not be provided for housing units that are new to the occupant unless they comply with HUD's lead paint standards, if applicable.

HUD's lead paint standards apply to all dwellings constructed prior to 1978 unless one of the conditions below has been met:

- The apartment will not be occupied by children under 6 years of age or pregnant women;
- X-ray or laboratory testing (conducted in accordance with HUD regulations) of all painted surfaces confirms that there is no lead-based paint at the interior of the dwelling or the exterior of the building;
- The building has been substantially renovated and all pre-1978 interior and exterior painted surfaces have been replaced or stripped of paint (this must be documented).

Unless the building is exempt as outlined above, grantees/subrecipients must:

1. Provide the occupant with HUD's **Lead Hazard Information Pamphlet** available here: <https://www.epa.gov/lead/protect-your-family-lead-your-home-english>
2. Provide the occupant with a Disclosure report that provides information concerning lead-based paint or lead-based paint hazards in the unit and the exterior of building. If known, the building owner must disclose information such as the location of the lead-based paint and/or lead-based paint hazards, and the condition of the painted surfaces. A sample disclosure form is available here: [https://www.epa.gov/sites/production/files/documents/lesr\\_eng.pdf](https://www.epa.gov/sites/production/files/documents/lesr_eng.pdf)
3. Arrange for a Visual Assessment of deteriorated paint by a HUD certified inspector. If the unit receives a HQS+ inspection by the VSHA it will also receive the Visual Assessment of Deteriorated Paint inspection.
4. Complete stabilization of deteriorated paint. This work must be done in compliance with HUD and Vermont's Lead Laws.
5. Arrange for a post stabilization clearance inspection by a HUD certified inspector, unless the stabilization work was de-minimus, as defined by HUD.

6. Incorporate ongoing lead-based paint maintenance practices. HOP funds cannot be used to repair or stabilize paint.

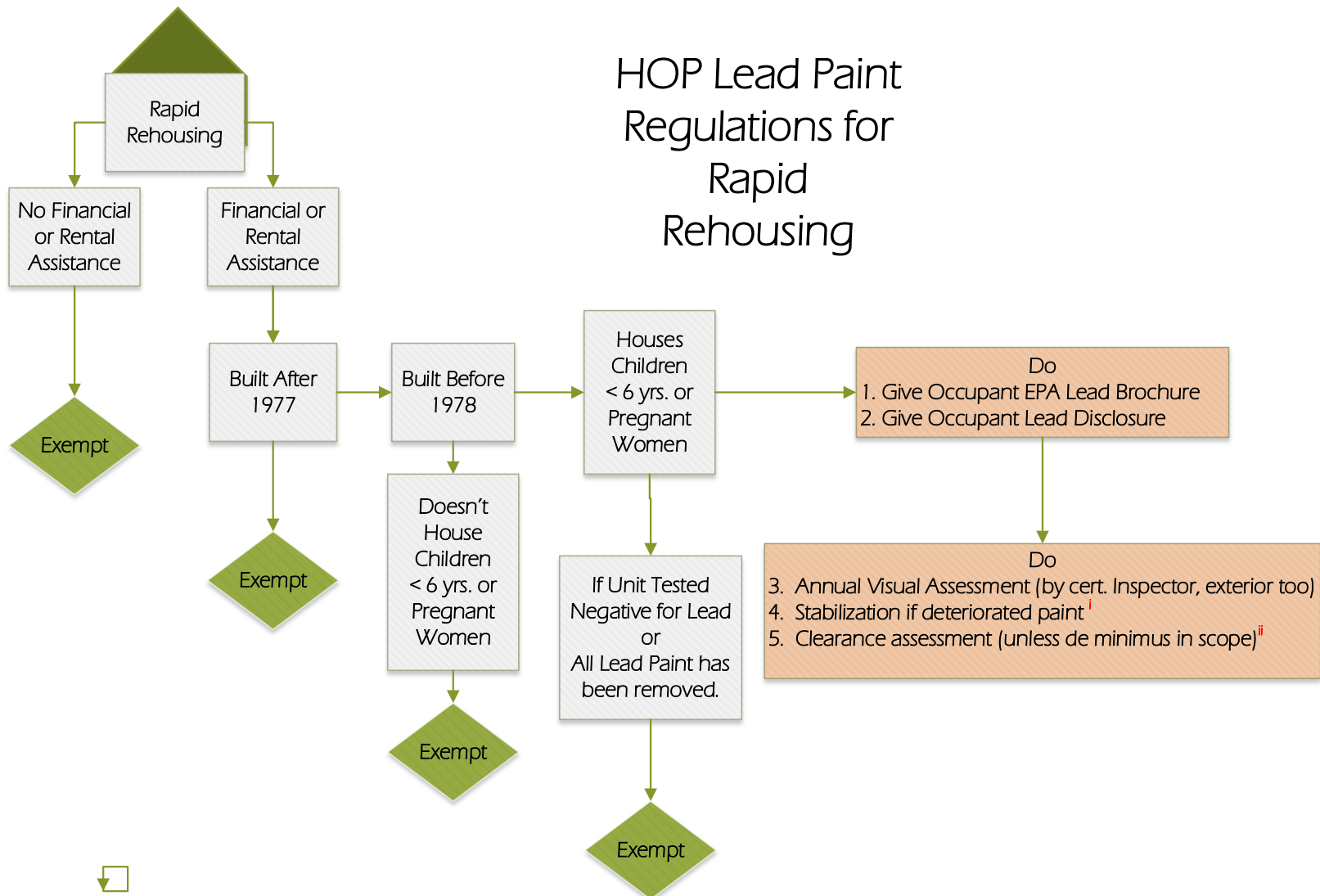
The presence of a non-exempt apartment in a building triggers the need for the exterior of the building to comply with these lead paint regulations.

Rental properties must also comply with Vermont's **Essential Maintenance Practices**. Any lead abatement work done in a unit must comply with **Vermont Regulations For Lead**

**Control:**

[http://healthvermont.gov/sites/default/files/documents/2016/11/ENV\\_AL\\_VRLCFINAL0912.pdf](http://healthvermont.gov/sites/default/files/documents/2016/11/ENV_AL_VRLCFINAL0912.pdf).

# HOP Lead Paint Regulations for Rapid Rehousing



<sup>i</sup>. Stabilization work must be done in compliance with HUD and VT Lead Paint Laws  
<sup>ii</sup>. Per 24 CFR 35.1350 (d).

## **Violence Against Women Act (VAWA) Protections for Participants Receiving Rapid Re-Housing Rental Assistance**

(rev 9.20.18)

1) The Violence Against Women Act extends the following protections to HOP participants applying for or receiving Rapid Re-Housing rental assistance to move into a **new** dwelling unit:

a. **Denial/Eviction:** Participants may not be denied services and are protected from evictions because of factors resulting from being a victim of a VAWA crime/incident.

Examples include:

- Damage to the apartment beyond normal wear and tear;
- Non-payment or poor credit (due to financial exploitation, loss of income due to crime victim status, etc.);
- Disturbing the quiet enjoyment of other tenants.

An eviction may occur if the grantee/subrecipient can demonstrate an actual and imminent threat to the other tenants or those employed at or providing services to the property. This may only happen when there are no other actions that could be taken to reduce or eliminate the threat, including, but limited to, transferring the victim to a different unit, barring the perpetrator from the property, contacting law enforcement, or seeking other legal remedies.

b. **Lease Termination/Transfer:** Participants have the right to terminate their lease and transfer to another safe unit with continued HOP rental assistance (“emergency transfer”) if they fear for their life and safety.

c. **Bifurcation:** If their landlord is willing to “bifurcate” their lease (remove the perpetrator from the lease) the participant may remain in the unit.

Bifurcation is at discretion of the of landlord. If the Landlord agrees, pursuant to HOP Lease Addendum, the rental agreement is terminated. The grantee/subrecipient may request a new rental agreement with remaining household members subject to the same terms and conditions and termination date as the prior rental agreement. HOP rental assistance shall continue with original termination date. If the Landlord rejects bifurcation, under Landlord-tenant law, the perpetrator still has occupancy rights and

liability under the lease. Tenant should be referred to service providers and Vermont Legal Aid. Grantee/subrecipient should offer the victim an emergency transfer.

- 2) **Lease Addendum:** In all cases where a HOP participant is receiving rental assistance to move into a new unit, a HOP Lease Addendum (**Appendix N**) is required.
- 3) **Emergency Transfer Plan:** VAWA requires grantees/subrecipients to develop an Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking who are receiving rental assistance. A Sample Plan is provided in **Appendix O**. It outlines requirements pertaining to eligibility of emergency transfers, requests for documentation, confidentiality requirements, emergency transfer timing and availability, and supporting safety and security of tenants. Grantees/subrecipients must develop their own Plans that comply with the plan requirements of 24 CFR 5.2005.
  - a. **Requesting a Transfer:** To request an emergency transfer, the tenant shall notify the HOP grantee/subrecipient who is administering rental assistance for the tenant. While an oral request is acceptable to initiate the process, transfers cannot be approved without a written request from the tenant. The tenant's written request for an emergency transfer should include either:
    - A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted with HOP rental assistance; OR
    - A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer; OR
    - A completed Form HUD-5383: Emergency Transfer Request (**Appendix P**)
  - b. **Transfer Options:** If the transfer request is approved, the grantee/subrecipient may (tenant's choice):
    - Conduct intensive housing search case management while the tenant stays in existing unit; OR
    - Refer the tenant to a DV shelter or GA emergency housing & provide intensive housing search case management.
  - c. **Moving Costs:** Moving and storage costs associated with Emergency Transfers are eligible HOP financial assistance activities, and HOP grantees/subrecipients are encouraged to use these funds, as needed and according to the terms of the **HOP Financial Assistance Standards**, to support victims fleeing domestic or sexual violence.



- d. **Notice to Landlord:** When a transfer occurs, pursuant to HOP Lease Addendum, the rental agreement is terminated. If unit is vacant, rental assistance terminates. If any family members remain in the unit, the grantee/subrecipient determines if assistance continues. OEO recommends notifying landlords within 5 days.

- 4) **Documentation:** In most circumstances, a survivor will self-certify to document the domestic violence, dating violence, sexual assault, or stalking. This ensures that the lack of third-party documentation will not create a barrier in a survivor expressing their rights and receiving the protections needed to keep themselves safe.

If a tenant seeks VAWA protections the grantee/subrecipient may make a written request for documentation. The tenant has 14 business days to provide documentation. The deadline may be extended. The tenant may choose to submit one of the following forms of documentation:

- HUD-5382 VAWA Self-Certification Form (**Appendix Q**)
- Professional certification from a victim service provider, an attorney, a medical professional, or a mental health professional from whom tenant sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse (**Appendix R**).
- A record of a federal, state, tribal, territorial, or local law enforcement agency, court, or administrative agency. E.g.: Police report, Relief from Abuse Order.
- A statement or other evidence provided by the applicant/tenant.

If the grantee/subrecipient does not request documentation in writing, it is accepting tenant's assertion of eligibility for VAWA protections, and must provide them.

If the grantee/subrecipient receives conflicting certifications, it can request third-party documentation in writing. The tenant has 30 days to comply.

- 5) **Notification Requirements:** Each of the below documents outlines important requirements for HOP grantees/subrecipients to follow to ensure survivors are able to receive the full protections and rights supported by VAWA.

- a. **VAWA Notice of Rights (**Appendix S**)** must be provided to all applicants and recipients of HOP rental assistance.

When does the notice have to be provided?

- Application for HOP Rapid Re-Housing rental assistance is approved or denied.
- Program participant is notified of termination of rental assistance.
- Tenant receives a notice of termination of tenancy.

- Landlord must send notice of termination to grantee/subrecipient.  
Grantee/subrecipient sends tenant notice of rights.
  - Also recommended if a tenant contacts the program for help after an incident domestic violence, dating violence, SA, or stalking.
- b. **VAWA Property Owner Rights (*Appendix T*)** must be provided to all landlords entering into a rental agreement with a tenant receiving HOP Rapid Re-Housing rental assistance.
- c. **Lease Addendum:** In all cases where a HOP participant is receiving HOP Rapid Re-Housing rental assistance to move into a **new** unit, a HOP Lease Addendum (***Appendix N***) is required.
- 6) **Recordkeeping:** All records pertaining to a HOP participant’s exercise of their VAWA rights are prohibited from entry into the HMIS and must be kept in a separate case file (electronic or hard copy) than their normal HOP case file. All efforts should be made by the HOP grantee/subrecipient to protect the safety and confidentiality of victims of domestic violence, dating violence, sexual assault, or stalking, to prevent placing victims at risk. OEO will provide additional guidance, training and technical assistance to HOP grantees/subrecipient on VAWA housing protections.

# VAWA and HOP Rental Assistance

