

Homelessness Prevention for DV Survivors

Domestic Violence Housing First
Washington State Coalition Against Domestic
Violence

3/29/12

DV HOUSING FIRST: Philosophy


- It seeks to eliminate housing as a reason for survivors to stay in an abusive relationship.
- It does this through survivor-driven advocacy and a flexible approach to services and financial assistance.
- This give domestic violence survivors the freedom to choose how best to rebuild their lives.

HOW DID THE PROJECT EVOLVE?

- In 2009, The Bill & Melinda Gates Foundation invested in four domestic violence programs in Washington State to pilot Housing First approaches for survivors.
- Very flexible—creativity encouraged
- WSCADV was funded to provide technical assistance and systems advocacy.

Survivor-Driven Advocacy= Creative Solutions

- After one year, 40.7% *of Cohort 1 (the original four agencies) participants entered the program with permanent housing and were able to stay in that housing.
- Several participants were even able to move from their original permanent housing with the abusive partner directly to another permanent housing option.


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- Many participants were able to stay in their original housing without the abusive partner.
 - Many other participants were already in another permanent housing option, but needed assistance to stay there.

LIGHT TOUCH

- We also found that participants coming in to the program already in permanent housing often needed less financial assistance and fewer services.

COHORT 2

- The project findings were so intriguing, the Foundation invested in a second cohort of nine domestic violence programs.
- The nine programs selected serve high barriers domestic violence survivors: three tribal programs, two programs serving migrant farmworkers, one program serving primarily immigrants and refugees, and all programs serving extremely low-income survivors.

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- Same survivor-driven flexibility in services and in financial assistance encouraged
 - More in-depth evaluation
 - During first quarter of Cohort 2 program, 38% of program participants had permanent housing on program entry.

WHAT ARE THE STRATEGIES?

- Survivor Driven and Centered
- Prioritize Safety (work with a DV advocate)
- Keep options open—may need to temporarily utilize emergency shelter/hotel voucher resources
- Talk to all survivors entering program services about housing stability
- Take risks AND be realistic

FUNDING SOURCES?

- Private Foundation and Donor Dollars
- Public funding (including ESG) presents challenges due to definitions and documentation.
 - Status as domestic violence victim adequate criteria for being at risk of homelessness
 - For the purposes of documentation, allow self-certification--waiting for an eviction notice jeopardizes safety, stability for children, and future possibilities for stable housing.

COORDINATED ENTRY AND PREVENTION

- Partner with DV program for prevention referral and safety planning support.
- Protect survivor's personally identifying information.
- Train coordinated entry staff on domestic violence dynamics so that survivor self-certification can be further documented by the intake worker.
- Prioritize DV survivors. Lengthy waiting lists for resources may result in homelessness and/or the need for emergency DV shelter.

QUESTIONS?

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Homelessness Prevention for Survivors of Domestic Violence

By Peg HacsKaylo
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DASH Mission

- DASH is an innovator in providing access to safe housing and services for survivors of domestic and sexual violence and their families as they rebuild their lives on their own terms.



DASH Programs

- **The Empowerment Project** is a 2-year transitional to permanent scattered site housing program for survivors of domestic violence with a focus on safe stable housing and financial independence. Apartments are leased by landlords directly to participants with a subsidy paid for by DASH. At the end of the program, residents assume paying the rent and remain in their units.



DASH Programs

- **The Housing Resource Center (HRC)** is the hub of DASH's efforts to prevent homelessness among domestic violence survivors. We assist survivors in completing housing applications, obtaining safety transfers, navigating the public housing system, and making connections to community services. Survivors can conduct permanent housing searches in our computer lab and work one-on-one with our Housing Advocates.



Preventing Homelessness through Landlord Relationships

- Provide a basic overview of how domestic violence impacts the tenant/landlord relationship
- Enhance understanding of how to maintain working relationships with Landlords
- Demonstrate how to encourage survivors to establish working relationships with their Landlords



Encourage Survivors to Advocate for Themselves While Establishing A Working Relationship with their Landlords

Equal Partnerships



Survivor

Landlord

Advocate



Ways Domestic Violence Impacts the Landlord/Survivor Relationship

- Stigma and Shame
- Fear of Discrimination
- Feeling Obligated to Delve into Personal Information
- Lack of Knowledge about Rights and Protections



Strategies for Productive Landlord/Survivor Relationships

- Keep all lines of communication open to quickly deal with any problems while protecting the confidentiality of the participants
- Encourage participants to be accountable and adhere to all of the terms and conditions of their lease and landlords to address any safety issues on the property



Strategies for Productive Landlord/Survivor Relationships

- Through advocacy and support during home visits, assist participants with establishing a budget where paying rent on time is a priority
- Offer training and technical assistance to landlords and their staff on local and federal housing protections for victims



Enhancing Landlord Partnerships

- Support Landlords to incorporate the SAFETY of their tenants into every aspect of their property management
- Educate Landlords on best practices for responding to DV on their property, understanding that their role is not the “social worker”



Enhancing Landlord Partnerships

- Offer DASH as a referral to Landlords or property managers who have tenants dealing with domestic violence
- Assist Landlords with making the application process and all other processes “survivor friendly”



Enhancing Survivors' Awareness of Safety

- Safety Planning
- Tips for Finding Safe Housing:
 - For Finding a Safe Neighborhood
 - For Your New Home
 - For Regaining Financial Independence
 - For Staying Connected to Support Systems



Preventing Homelessness through Legal Protections

- Understand the shelter/housing legal protections for victims in housing, including federal VAWA and Fair Housing laws, and local protections in the District of Columbia
- Understand tools and assistance to clients/program participants so they can utilize the protections afforded to them in housing



Violence Against Women Act (“VAWA”)

- VAWA protections for evictions and anti-discrimination only covers Public Housing and Section 8 (vouchers and project-based) for the discriminatory evictions and denials based on domestic violence, dating violence and stalking.
- It does NOT cover private housing or other federally subsidized housing. It does NOT cover victims of sexual assault in these provisions.



Violence Against Women Act (“VAWA”)

- An individual’s status as a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of admission or denial of housing assistance.
- VAWA explicitly creates an exception to the federal “One-Strike Rule” which states that any drug-related and certain other criminal activity by any household member is grounds for eviction.



Violence Against Women Act (“VAWA”)

- VAWA 2005 prohibits evictions based on real or perceived domestic violence, dating violence or stalking - sexual assault is specifically not included in these provisions.
- Examples of prohibited causes of eviction under VAWA:
 - Assault by family member
 - Assault by significant other not living in the household
 - Damage to apartment during incident of domestic violence
 - Noise from domestic violence incident



Violence Against Women Act (“VAWA”)

- A survivor MAY be evicted for other violations of the lease, but they may not be held to a higher standard than other tenants (or this would be discrimination).
- A survivor MAY be evicted if the PHA/Landlord can show that having the victim remain would pose an “actual and imminent threat” to staff or other tenants (not just to victim).



Violence Against Women Act (“VAWA”)

Victims have the right to:

- Have the batterer removed from the lease to stay in the unit
- Have DCHA and Section 8 landlords honor a civil protection order, specifically if it addresses the batterer’s access to where the survivor lives
- Have the right to not lose housing if criminal activity related to the domestic violence occurs



Violence Against Women Act (“VAWA”)

Victims have the right to:

- Seek an emergency transfer
- Have locks changed for safety reasons
- Stay in the unit even if there is criminal activity that is directly related to the domestic violence



Violence Against Women Act (“VAWA”)

- Housing Authorities may (but are not required to) ask for a certification in writing of the violence or stalking. Requests must be made in writing and the victim has 14 business days to file the certification.
- Forms of certification include:
 - HUD-approved certification form,
 - police or court record, or
 - a qualified third party (domestic violence counselor, attorney or medical record)



Violence Against Women Act (“VAWA”)

- Certifications must be kept confidential by landlords and the Housing Authority unless they are required to disclose it by law.
- You may be asked to provide VAWA certifications or other letters in support of public housing. You should say the least amount possible and you should only do so at the request of your client. You should not disclose her status as a survivor without her consent.



Violence Against Women Act (“VAWA”)

- **Portability** – Family with a Section 8 voucher may move to another jurisdiction if family has complied with all other obligations of the program and is moving to protect health or safety of an individual who is or has been the victim of domestic violence, dating violence, or stalking even if moving otherwise would be lease violation



Federal Fair Housing Act

- Prohibits landlords or homeowners from discrimination on the basis of race, color, religion, sex, handicap, familial status, or national origin
- Applies to all dwellings except for:
 - Single-family homes where the owner does not own more than 3 of these homes
 - Owner-occupied dwellings containing four or fewer units



Federal Fair Housing Act

- Applies to shelters and transitional housing!
- Most states have comparable laws, though many protect more categories of people. Most states utilize federal interpretations of the law.



Federal Fair Housing Act

Application to Survivors of Domestic Violence

- Disparate Treatment theory - Policy or practice that intentionally treats women differently from men
- Disparate Impact theory - Policy or practice that is neutral on face but in fact falls more harshly on women than men
 - Use of statistical evidence
 - Generally do not need to show discriminatory intent or motive



State/Local Laws

- Landlord/Tenant law: Most aspects of this relationship are regulated by local or state laws - Evictions must be conducted in accordance with state/local law
- Other protections for survivors under state/local law, for example states may require:
 - Lock changes (usually paid for by tenant)
 - Installation of security system (usually paid for by tenant)
 - Breaking leases



State/Local Laws

District of Columbia Laws

The Human Rights Act of 1977 (“HRA”) and Rental Housing Act (“RHA”) were amended March 2007, providing extensive protections to victims in public and private housing

- This includes homeless shelters, domestic violence shelters, housing programs, privately owned apartments/houses, public housing, Section 8 Housing, Subsidized housing



State/Local Laws

District of Columbia Laws

Victims have the right to:

- Not be treated differently than other tenants or housing program participants
- Have the locks changed
- Have the batterer not given access to the unit regardless of whether the batterer lives there and is still on the lease



State/Local Laws

District of Columbia Laws

Victims have the right to:

- Be released from a lease free of penalty within 14 days of giving notice
- Not be evicted or threatened with eviction if s/he experiences domestic violence in her/his home
- Not be evicted or threatened with eviction if s/he contacts the police or emergency services during or after a domestic violence incident



DISTRICT ALLIANCE FOR SAFE HOUSING

THANK YOU!

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