



## **Violence Against Women Act Addendum to FY 2020 PHA Plan**

The City of Chandler Housing and Redevelopment Division (COCHRD) has adopted a policy to implement applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2013 (Pub. L. 109-162) (VAWA). Goals, objectives, and policies enable the COCHRD to serve the needs of victims of domestic violence, dating violence, sexual assault, and stalking, as defined in VAWA, are stated below. This addendum reflects policy changes consistent with the Federal Register titled, The Violence Against Women Reauthorization Act of 2013 (FR-5720-F-03).

COCHRD is a division of the City of Chandler. COCHRD is located within the city limits of the City of Chandler in Arizona. All services provided by the City of Chandler Police Department (Chandler PD) are available to all residents of the City of Chandler Public Housing communities and Section 8 Housing Choice Voucher-assisted families residing within the City of Chandler, just as they are to all City of Chandler residents.

### **A. Activities, services, or programs provided by COCHRD, directly or in partnership with other service providers, to victims of domestic violence, dating violence, sexual assault or stalking.**

The Chandler Police Department Victim Services Unit provides assistance to victims and witnesses of crime in the City of Chandler. Victim Services provides services to enhance the victim centered support for crime victims and survivors, aiding in their recovery and assisting them through the criminal justice system process.

The Victim Services Unit supports victims of threatened or actual crime during the investigative and judicial processes. Chandler Police Department Victim Services Program cannot provide legal advice.

#### **Services Provided by Chandler PD to:**

- Victims of sexual assault
- Victims of family and relationship violence
- Victims of violent crime
- Victims of stalking
- Surviving families of homicide victims
- Victims of non-family assaults/violence
- Families of youth that are missing or have run away
- Surviving families of suicide

#### **Types of Services Provided by Chandler PD:**

- Education on victim's rights
- Education about the criminal justice process
- Liaison services with patrol officers and detectives

- Liaison services with Property & Evidence
- Support during the criminal investigation
- Assistance with Orders of Protection
- Assistance with Injunctions Against Harassment
- Assistance with police reports
- Assistance with Crime Victim Compensation claims
- Information and referral to community resource
- 9-1-1 Phone Loan Program
- Transportation, as appropriate
- Assistance with emergency needs

**B. Activities, services, or programs provided or offered that helps victims of domestic violence, dating violence, sexual assault, or stalking to obtain or maintain housing.**

COCHRD has revised its Section 8 Housing Choice Voucher Administrative Plan and its Conventional Public Housing Admissions and Continued Occupancy Policy to comply with and support the Violence Against Women Act (VAWA) by establishing policies to support victims of domestic violence, dating violence, sexual assault, or stalking from being denied assistance evicted or terminated from housing assistance programs on the basis that the applicant or tenant is or has been a victim of a VAWA crime (FR-5720-F-03, pg. 80728).

COCHRD includes HUD's Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation form, form HUD 5382, and the Notice of Occupancy Rights, and a notice advising families of their protections upon being admitted to a rental assistance program, if denied assistance, and in all negative action letters.

An applicant who has been a victim of domestic violence, dating violence, sexual assault, or stalking shall not be denied admission into the program if they are otherwise qualified.

COCHRD will not terminate a tenant's assistance who is the victim of domestic violence, dating violence, sexual assault, or stalking based on activity associated with the act of domestic violence, dating violence, sexual assault, or stalking as long as the victim tenant provides the required documentation that validates the victim's claim within 14 business days of receipt of the written request by COCHRD. An extension may be granted if COCHRD determines that an extension is warranted.

Actual and imminent threats of abuse will not be construed as serious or repeated violations of the lease or other "good cause" for termination of the assistance, tenancy or occupancy rights of a victim.

Criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any affiliated individual, guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights of the tenant; or if an immediate member of the tenant's family, or an affiliated individual is the victim or threatened victim of that abuse.

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.

A "tenant", or "lawful occupant", does not include affiliated individuals who are neither tenants nor lawful occupants. Affiliated individuals are not themselves afforded protections or remedies under VAWA 2013 or HUD's VAWA regulations. However, a tenant may be entitled to VAWA protections because an affiliated individual of that tenant is or was a victim of a VAWA crime. However, an affiliated individual cannot seek remedies from the housing provider.

The public housing lease includes residents' VAWA rights and responsibilities.

Section 8 HCV landlords/owners/managers are notified of their rights and responsibilities under VAWA.

Section 8 HCV participants and Public Housing residents are notified of their rights and responsibilities under VAWA.

Definitions of domestic violence, dating violence, sexual assault, and stalking have been included in the Section 8 Housing Choice Voucher Administrative Plan and the Conventional Public Housing Admissions and Continued Occupancy Policy.

At the tenant's request, COCHRD will contact Chandler PD, to assist the victim with determination of the best action and for referral to community services.

If damages to public housing property occur and is directly related to an act of domestic violence, dating violence, sexual assault, or stalking, COCHRD will not charge the victim resident with costs to repair if the tenant takes the steps necessary to protect against the perpetrator (police, court, counseling, etc.) and provides the required documentation that proves the claim of violence. If the victim takes the necessary steps and COCHRD waives any maintenance charges associated with damage due to domestic violence, dating violence, sexual assault, or stalking and the victim allows the perpetrator back into the unit, the tenant will be charged the full cost of the repair/replacement.

\*\* COCHRD will review and take into consideration all circumstances to remove a person from the household. If warranted, COCHRD will issue a 24 hour notice of removal/trespassing, if allowed by court action or upon law enforcement advice/guidance. COCHRD provides an exception to the prohibition against a family moving under portability in violation of the lease in the Section 8 program. Within public housing, COCHRD will consider allowing a family to move if it is to protect a member of the family, or an affiliated individual who is a victim under VAWA and the only basis for the denial is that the family is violating the lease agreement.

**C. Activities, services, or programs provided by COCHRD to prevent domestic violence, dating violence, sexual assault and stalking, or to enhance victim safety in assisted families.**

Briefing packet and lobby notice explaining VAWA and the protections available to victims who are either applicants or participants to housing assistance through COCHRD.

COCHRD will also consider transfer between units to offer additional safety for the victim.

Section 8 voucher portability for a victim will be considered a priority action in order to remove the family as soon as possible from an imminent threat of harm. In such instances, at the request of the tenant, COCHRD will work with the landlord/owner/manager for a mutual rescission, or bifurcation of the lease.

COCHRD works directly with Chandler PD to enforce policy on reported instances of domestic violence, dating violence, sexual assault, and stalking on the public housing rental community properties. If the required documentation that proves the claim of violence is timely submitted, COCHRD will review for termination of assistance for the abuser, and Chandler PD will review for the possibility of trespassing the abuser from the public housing property, along with all other protections offered to the residents of the City of Chandler, such as orders of protection, etc.

For the Section 8 HCV program, COCHRD works directly with the Chandler Police Department and landlords/owners/managers on reported instances of domestic violence, dating violence, sexual assault, and stalking. If the required documentation is completed and timely submitted, COCHRD will review for termination of assistance for the abuser without terminating assistance or otherwise penalizing the victim.

COCHRD does not have in-house counseling staff and does not provide activities, services, or programs directly. COCHRD works closely with Chandler PD. If the Police Department was not called at the time of the incident, COCHRD will offer the victim assistance by contacting Chandler PD who, together with the Chandler Family Advocacy Center, from the Chandler Victim Assistance Program.

Chandler Police Department is called to counsel victims of domestic violence, dating violence, sexual assault, or stalking to inform the victim of all services available.

All of these programs and policies form a network of services that provide or offer activities, services, or programs that help child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing, or to enhance victim safety in assisted families. \*\* If COCHRD bifurcates the lease and terminates the assistance of the perpetrator of the VAWA crime, or terminates the perpetrator's Section 8 assistance, and the remaining family members allow the tenant to move back into the unit, the remaining family members are in violation of the lease for unauthorized occupants.

If the victim of the VAWA crime allows the perpetrator onto the property, and if the presence of the perpetrator on the property will endanger others, or if COCHRD can demonstrate an actual and imminent threat to other tenants, or those employed at or providing services to the property, COCHRD will evict or terminate assistance of a victim of a VAWA crime (pg. 80731).

#### **Crisis/ Helpline**

- Shelter Hotline – 602-263-8900 or (800) 799-7739
- EMPACT/ Suicide Prevention Center Crisis Line – 480-784-1500
- Crisis Line – 602-222-9444 or (800) 631-1314
- Teen Lifeline – (800)248-8366
- Senior Helpline – 602-264-4357 or (888) 264-2258
- Veterans Crisis Line – 800-273-8255

#### **Online Resources for Victim's Rights**

- Arizona Attorney General's Office
- Arizona Voice for Crime Victims
- Department of Public Safety
- Maricopa County Attorney's Office
- Maricopa County Crime Victim Compensation Application (English/Spanish)
- Office for Victims of Crime
- U.S Immigration and Customs Enforcement (ICE) Victim Notification Program

#### **Online Community Resources**

##### ***Counseling/Peer Support:***

- A New Leaf – Helping Families...Changing Lives
- Catholic Charities Community Services
- Child Crisis Center
- Compassionate Friends – Supporting Families After a Child Dies
- Fresh Start Women's Foundation Resource
- Parents of Murdered Children
- Southern Arizona Center Against Sexual Assault
- Survivors of Suicide

##### ***Directories:***

- Child Care Resource and Referral

- Community Information & Referral
- Department of Economic Security (DES)
- Directory of Crime Victim Services

***Information for Survivors***

- Arizona Coalition to End Sexual and Domestic Violence
- Darkness To Light – Prevent Child Sexual Abuse
- End Stalking in America

***Legal Assistance:***

- Community Legal Services
- Family Lawyers Assistance Project (FLAP)
- Voice for Crime Victims