

5-Year PHA Plan (for All PHAs)	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 02/29/2016
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

Applicability. Form HUD-50075-5Y is to be completed once every 5 PHA fiscal years by all PHAs.

A.	PHA Information.					
A.1	PHA Name: <u>Everett Housing Authority</u>				PHA Cod <u>MA027</u>	
PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>10/01/2019</u> PHA Plan Submission Type: <input checked="" type="checkbox"/> 5-Year Plan Submission <input type="checkbox"/> Revised 5-Year Plan Submission						
<p>Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information on the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official websites. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p>						
<p>The Everett Housing Authority (EHA) has available for its FY 2020-2024 Five Year Plan all elements for review and inspection by the public at its Administrative office located at 393 Ferry Street, Everett MA 02149. Proposed Five Year Plan is also posted on EHA's official website (everetthousingauthority.org) for review and inspection. EHA Resident Advisory Board Members have been provided with a draft and adopted PHA Plan.</p>						
<input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)						
Participating PHAs		PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	
					PH	HCV
Lead PHA:						

B.	5-Year Plan. Required for all PHAs completing this form.					
B.1	<p>Mission. State the PHA's mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA's jurisdiction for the next five years.</p> <p>EHA's Mission is to provide quality housing opportunities to improve the lives of citizens in Everett, who are in need and to provide affordable housing that is in good repair; to be good stewards of the public funds and trust; and to serve all customers with dignity and respect.</p>					
B.2	<p>Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years</p> <p>To increase the availability of decent, safe and affordable housing by providing voucher mobility counseling, conducting outreach to potential landlords and adjusting the payment standard as necessary;</p> <p>To promote self-sufficiency of all families and individuals;</p> <p>To ensure equal opportunity and affirmatively further fair housing;</p> <p>To create positive public awareness and expand the level of family, owner and community support in accomplishing the EHA's mission;</p> <p>To attain and maintain a high level standards and professionalism in day to day management of all program components;</p> <p>To administer an efficient, and continue to be a high performing agency through continuous improvement of EHA's employees and their development;</p> <p>To provide decent, safe and sanitary housing for extremely low and very low income families while maintaining rent payments at an affordable level;</p> <p>To ensure that all units meet HQS and families pay fair and reasonable rents;</p> <p>To promote Fair Housing and the opportunity for extremely and very low income families of all ethnic backgrounds;</p> <p>To promote Fair Housing and the opportunity for individuals with disabilities.</p> <p>To conduct outreach to landlords, through newspaper ads, mailings to property management companies on an as needed basis; landlord informational packets and one on one briefing available to all potential landlords upon request;</p> <p>To increase customer satisfaction with improved access to information by making available more forms and information on our website;</p> <p>To maintain high program utilization The Housing Authority has maintained high voucher lease up rates typically above 98.5%</p>					
B.3	<p>Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <p>See Attachment A</p>					
B.4	<p>Violence Against Women Act (VAWA) Goals. Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.</p> <p>See Attachment B</p>					
B.5	<p>Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.</p> <p>N/A</p>					

B.6	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) provide comments to the 5-Year PHA Plan?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
B.7	<p>Certification by State or Local Officials.</p> <p><u>Form HUD 50077-SL</u>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>

Instructions for Preparation of Form HUD-50075-5Y 5-Year PHA Plan for All PHAs

A. PHA Information 24 CFR §903.23(4)(e)

A.1 Include the full **PHA Name**, **PHA Code**, **PHA Fiscal Year Beginning** (MM/YYYY), **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the hearing and proposed PHA Plan.

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table.

B. 5-Year Plan.

B.1 Mission. State the PHA's mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA's jurisdiction for the next five years. (24 CFR §903.6(a)(1))

B.2 Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years. (24 CFR §903.6(b)(1)) For Qualified PHAs only, if at any time a PHA proposes to take units offline for modernization, then that action requires a significant amendment to the PHA's 5-Year Plan.

B.3 Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5- Year Plan. (24 CFR §903.6(b)(2))

B.4 Violence Against Women Act (VAWA) Goals. Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking. (24 CFR §903.6(a)(3))

B.5 Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.

B.6 Resident Advisory Board (RAB) comments.

- (a) Did the public or RAB provide comments?
- (b) If yes, submit comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.17(a), 24 CFR §903.19)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year PHA Plan. The 5-Year PHA Plan provides the PHA's mission, goals and objectives for serving the needs of low-income, very low-income, and extremely low-income families and the progress made in meeting the goals and objectives described in the previous 5-Year Plan.

Public reporting burden for this information collection is estimated to average .76 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

ATTACHMENT A



EVERETT HOUSING AUTHORITY

393 FERRY STREET, EVERETT, MASSACHUSETTS 02149
PHONE (617) 387-6389 FAX (617)389-4936
TDD (800) 545-1833 Ext. 111

Board of Commissioners

Dominic Puleo,

Chairman

John Barrett
Phillip Colameta
Robert Norton
Vincent Ragucci, Jr.

Stephen Kergo
Executive Director

Five Year Plan Progress Report on Goals and Objectives B3

Everett Housing Authority has increased the number of vouchers on the street and has consistently enabled more applicants the opportunity to participate in our Section 8 program. Over the past five years, EHA has issued approximately one hundred and seventy four vouchers (174) out of the 174 issued, 110 were new admissions and 64 expired.

Everett Housing Authority offers the FSS Program to its clients to promote self-sufficiency of the families participating in the Section 8 Program. EHA had three (3) graduates from the program in the previous five years. EHA plans on seeking new enrollees for the FSS program.

Everett Housing Authority updates/reevaluates annually its LAP to better assist families of all ethnic backgrounds. EHA has collected and reviewed data for analysis from U.S. Census Bureau "Languages Spoken at Home", American FactFinder of Languages Spoken at Home, Everett Demographics and Population Statistics, Everett Public Schools Languages Spoken at Home Statistics and In-house computer system tracking of languages spoken at home. EHA has addressed its 4-Factor Analysis annually and continues to review our services to ensure that all LEP individuals are fully served.

Everett Housing Authority has continually kept our staff updated on the latest rules and regulations concerning the Housing Choice Voucher Section 8 Program. All employees and staff are able to respond intelligently to any questions or concerns our participants, applicants or landlords may have.

Everett Housing Authority has increased its Payment Standards to 100% of the FMR's in an attempt to increase participant lease up.

Everett Housing Authority continually maintains High Performer status in our Housing Choice Voucher Program.

Everett Housing Authority offers to its landlords to attend education nights offered through Metropolitan Boston Housing Partnership, Chelsea Housing Authority and the Medford Housing Authority concerning Fair Housing.

Everett Housing has worked with supportive services such as ABCD, Mystic Valley Elder Services, Eliot Community Human Services and other qualified non-profit providers to assist participants, applicant families, elderly and disabled individuals in being and continue to remain housed.



Equal Housing Opportunity

ATTACHMENT B



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Robert Carreiro
Executive Director

Amendment to Section 8 Administrative Plan Violence Against Women Act (VAWA) Policy

The Violence Against Women Act Policy adopted on March 25, 2008 is herein amended as follows
Per Reauthorization Act of 2013 (VAWA 2013):

AMENDMENT REGARDING THE PROVISIONS OF VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF (VAWA) 2013

I Purpose

The purpose of this policy is to implement the applicable provisions of the Violence Against Women Reauthorization Act of 2013 (Pub. L. 113-4, 127 Stat. 54) (VAWA 2013). VAWA 2013 reauthorized and amended the Violence Women Act of 1994, as previously amended, (title IV, sec. 40001-40703 of Pub. L. 103-322, 42 U.S.C. 13925 et seq.).

II Other EHA Policies and Procedures

To the extent any provisions of this policy shall contradict any previously adopted policy or procedure of the EHA, the provisions of this Policy shall prevail.

III Changes to Existing EHA VAWA Policy

A. Expanding Housing Protections to Victims of Sexual Assault

1. Expansion

VAWA 2013 expands housing protections to victims of sexual assault. All housing protection previously provided and described in EHA policies for "victims of domestic violence, dating violence, or stalking," shall now be expanded to include, "victims of domestic violence, dating violence sexual assault or stalking."

2. Definition

Sexual Assault is defined as any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.



B. Expanding Protections Relating to the Prohibition of Terminating Assistance to Affiliated Individuals

1. Expansion

VAWA 2013 provides that criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an *affiliated individual* of the tenant is the victim or threatened victim of the domestic violence, dating violence, sexual assault, or stalking.

To the extent that prior VAWA policy relating to the prohibition of terminating assistance because of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking uses the term "immediate family member" it shall be replaced with the term with "affiliated individual."

2. Definition

Affiliated Individual – means, with respect to an individual

- i. The spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or
- ii. Any individual, tenant, or lawful occupant living in the household of that individual

C. Expansion of the Protections Regarding Lease Bifurcation

1. Expansion

Pre-VAWA 2013 requirements provided that notwithstanding the restrictions placed on admission, occupancy, and termination of occupancy or assistance, or any Federal, State, or local law to the contrary, a HA, owner, or manager of assisted housing any bifurcate a lease for housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing who engages in criminal acts of physical violence against family members or others without evicting, removing, terminating the assistance to, or otherwise penalizing a victim of such violence, who is a tenant or lawful occupant.

VAWA 2013 continues to allow for lease bifurcation, but changes the language regarding the violent acts. Specifically, "criminal acts of physical violence against family members or others" is now changed to "criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual."

Thus where applicable in existing EHA policies in this area the language "criminal acts of physical violence against family members or others" shall be replaced with; "criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual."



2. Opportunity for Remaining Tenant

VAWA 2013 mandates that if such bifurcation occurs, and the removed tenant or lawful occupant was the sole tenant eligible to receive assistance under a covered housing program, the HA, owner, or manager shall provide any remaining tenant the opportunity to establish eligibility for the covered housing program. If the remaining tenant cannot establish eligibility, the HA, owner, or manager is required to provide the tenant a reasonable time to find new housing or establish eligibility under another covered housing program.

VAWA 2013 provides that the appropriate agency, in this case HUD, with respect to HUD covered programs, is to determine what constitutes a reasonable time. HUD will provide through rulemaking or guidance, as may be applicable, what constitutes a reasonable time for remaining tenant to find new housing or establish eligibility under another HUD covered housing program. The HA will adopt such HUD policies as they are published.

D. Expansion of Forms of Documentation that a Victim May Provide

1. Expansion

As provided within VAWA 2013, forms of documentation a victim may provide are expanded to include a record of an administrative agency, and documentation from a mental health professional.

2. Name on 50066 only if Safe to Provide

The EHA will require the victim to provide the name of the perpetrator on the HUD-50066 only if the name of the perpetrator is safe to provide and is known to the victim.

E. Expansion of the Notification Requirements

EHA will provide VAWA the notice when a person is denied assistance, when a person is admitted, and when a tenant is notified of eviction or termination of housing benefits, and will require that the notice be provided together with form HUD-50066.

IV Additional HUD Guidance

The EHA will amend policies and procedures as required by HUD when HUD provides additional guidance on VAWA 2013. Specifically HUD has indicated that additional guidance will be provided with regard to certain lease bifurcation issues, provisions of Sample Notice





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Wayne Matewsky

Stephen Kergo
Interim Executive Director

Section 8 Administrative Plan Violence Against Women and Department of Justice Reauthorization Act of 2005

The Everett Housing Authority (EHA) Violence Against Women Act Policy follows:

No applicant for the Section 8 program who is or has been a victim of domestic violence, dating violence, or stalking shall be denied admission into a program if they are otherwise qualified.

An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence, and shall not be good cause for terminating the assistance, tenancy, or occupancy rights of the victim of such violence.

The EHA may terminate the assistance to remove a lawful occupant or tenant who engages in criminal or threatened acts of violence or stalking of family members or others without terminating the assistance to or evicting victimized, lawful occupants.

The EHA shall honor court orders regarding the rights and access or control of the property, and other court orders issued to protect the victim and address the distribution of possession of property among household members where the family "breaks up".

This policy in no way limits the EHA ability to terminate program participation for other good cause not related to the incident or incidents of domestic violence, dating violence or stalking other than the victim may not be subject to a "more demanding standard" than non-victims.

There is no prohibition of the EHA terminating program participation if it "can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that participant's (victim's) program participation is not terminated."

Any protections provided by law, which give greater protection to the victim, are not superseded by this policy.

The EHA shall require certification by the applicant or participant of their status on such form(s) as the EHA, HUD or DHCD shall prescribe or approve.

Adopted 3/25/2008





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Executive Director

EVERETT HOUSING AUTHORITY NOTICE TO HOUSING CHOICE VOUCHER APPLICANTS AND TENANTS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)

A federal law that went into effect in 2013 protects individuals who are victims of domestic violence, dating violence, sexual assault, or stalking. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your rights under VAWA.

Protections for Victims

If you are eligible for a Section 8 voucher, the housing authority cannot deny you rental assistance solely because you are a victim of domestic violence, dating violence, sexual assault, or stalking. If you are the victim of domestic violence, dating violence, sexual assault, or stalking, you cannot be terminated from the Section 8 program or evicted based on acts or threats of violence committed against you. Also, criminal acts directly related to the domestic violence, dating violence, sexual assault, or stalking that are caused by a member of your household or a guest can't be the reason for evicting you or terminating your rental assistance if you were the victim of the abuse.

Reasons You Can Be Evicted

You can be evicted and your rental assistance can be terminated if the housing authority or your landlord can show there is an actual and imminent (immediate) threat to other tenants or employees at the property if you remain in your housing. Also, you can be evicted and your rental assistance can be terminated for serious or repeated lease violations that are not related to the domestic violence, dating violence, sexual assault, or stalking committed against you. The housing authority and your landlord cannot hold you to a more demanding set of rules than it applies to tenants who are not victims.

Removing the Abuser from the Household

Your landlord may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the assisted unit. Also, the housing authority can terminate the abuser's Section 8 rental assistance while allowing you to continue to receive assistance. If the landlord or housing authority chooses to remove the abuser, it may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, your landlord must follow federal, state, and local eviction procedures.

Moving to Protect Your Safety

The housing authority may permit you to move and still keep your rental assistance, even if your current lease has not yet expired. The housing authority may require that you be current on your rent or other obligations in the housing choice voucher program. The housing authority may ask you to provide proof that you are moving because of incidences of abuse



Equal Housing Opportunity

Proving That You Are a Victim of Domestic Violence, Dating Violence, or Stalking

The housing authority and your landlord can ask you to prove or “certify” that you are a victim of domestic violence, dating violence, sexual assault, or stalking. The housing authority or your landlord must give you at least 14 business days (i.e., Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority and your landlord are free to extend the deadline. There are three ways you can prove that you are a victim:

- Complete the certification form given to you by the housing authority or your landlord. The form will ask for your name, the name of your abuser, the abuser’s relationship to you, the date, time, and location of the incident of violence, and a description of the violence. You are only required to provide the name of the abuser if it is safe to provide and you know their name.
- Provide a statement from a victim service provider, attorney, or medical professional who has helped you address incidents of domestic violence, dating violence, sexual assault, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing “under penalty of perjury.”
- Provide a police or court record, such as a protective order.

If you fail to provide one of these documents within the required time, the landlord may evict you, and the housing authority may terminate your rental assistance.

Confidentiality

The housing authority and your landlord must keep confidential any information you provide about the violence against you, unless:

- You give written permission to the housing authority or your landlord to release the information.
- Your landlord needs to use the information in an eviction proceeding, such as to evict your abuser.
- A law requires the housing authority or your landlord to release the information.

If release of the information would put your safety at risk, you should inform the housing authority and your landlord.

VAWA and Other Laws

VAWA does not limit the housing authority’s or your landlord’s duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

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.



For Additional Information

If you have any questions regarding VAWA, please contact Everett Housing Authority at (617) 387-6389.

For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

Definitions

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines domestic violence to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

VAWA defines dating violence as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship

- The type of relationship
 - The frequency of interaction between the persons involved in the relationship
- VAWA defines sexual assault as "any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent" (42 U.S.C. 13925(a)).

VAWA defines stalking as (A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person OR (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person AND (B) in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person, (ii) a member of the immediate family of that person, or (iii) the spouse or intimate partner of that person.



CERTIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

**U.S. Department of Housing and Urban Development
Office of Public and Indian Housing**

OMB Approval No. 2577-0249
Exp. (07/31/2017)

Purpose of Form: The Violence Against Women Reauthorization Act of 2013 ("VAWA") protects qualified tenants, participants, and applicants, and affiliated individuals, who are victims of domestic violence, dating violence, sexual assault, or stalking from being denied housing assistance, evicted, or terminated from housing assistance based on acts of such violence against them.

Use of Form: This is an optional form. A PHA, owner or manager presented with a claim for continued or initial tenancy or assistance based on status as a victim of domestic violence, dating violence, sexual assault, or stalking (herein referred to as "Victim") has the option to request that the victim document or provide written evidence to demonstrate that the violence occurred. The Victim has the option of either submitting this form or submitting third-party documentation, such as:

- (1) A record of a Federal, State, tribal, territorial, or local law enforcement agency (e.g. police), court, or administrative agency; or
- (2) Documentation signed by the Victim and signed by an employee, agent or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom the Victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, in which the professional attests under penalty of perjury (28 U.S.C. 1746) that he or she believes that the incident of domestic violence, dating violence, sexual assault, or stalking is grounds for protection under 24 Code of Federal Regulations (CFR) § 5.2005 or 24 CFR § 5.2009.

If this form is used by the Victim, the Victim must complete and submit it within 14 business days of receiving it from the PHA, owner or manager. This form must be returned to the person and address specified in the written request for the certification. If the Victim does not complete and return this form (or provide third-party verification) by the 14th business day or by an extension of the date provided by the PHA, manager or owner, the Victim cannot be assured s/he will receive VAWA protections.

If the Victim submits this form or third-party documentation as listed above, the PHA, owner or manager cannot require any additional evidence from the Victim.

Confidentiality: All information provided to a PHA, owner or manager concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking relating to the Victim (including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking) shall be kept confidential by the PHA, owner or manager, and such information shall not be entered into any shared database. Employees of the PHA, owner, or manager are not to have access to these details unless to afford or reject VAWA protections to the Victim; and may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) requested or consented to by the Victim in writing; (ii) required for use in an eviction proceeding; or (iii) otherwise required by applicable law.

TO BE COMPLETED BY THE VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING:

Date Written Request Received by Victim: _____

Name of Victim: _____

Names of Other Family Members Listed on the Lease: _____

Name of the Perpetrator*: _____

*Note: The Victim is required to provide the name of the perpetrator only if the name of the perpetrator is safe to provide, and is known to the victim.

Perpetrator's Relationship to Victim: _____

Date(s) the Incident(s) of Domestic Violence, Dating Violence, Sexual Assault, or Stalking Occurred: _____

Location of Incident(s): _____

Description of Incident(s) (This description may be used by the PHA, owner or manager for purposes of evicting the perpetrator. Please be as descriptive as possible.):

[INSERT TEXT LINES HERE]

I hereby certify that the information that I have provided is true and correct and I believe that, based on the information I have provided, that I am a victim of domestic violence, dating violence, sexual assault or stalking. I acknowledge that submission of false information is a basis for denial of admission, termination of assistance, or eviction.

Signature _____ Executed on (Date) _____

Public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. Information provided is to be used by PHAs and Section 8 owners or managers to request a tenant to certify that the individual is a victim of domestic violence, dating violence or stalking. The information is subject to the confidentiality requirements of the HUD Reform Legislation. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.



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Executive Director

NOTICE TO SECTION 8 PARTICIPANTS OF RIGHTS UNDER THE VIOLENCE AGAINST WOMEN ACT (VAWA)

The Violence Against Women Act (VAWA) provides protection for certain victims of domestic violence, dating violence, or stalking, as well as members of the victims' immediate families. The protections apply to Section 8 participants, and housing authorities must notify participants of their rights under VAWA.

Please note: these protections apply to men and children as well as women.

VAWA Protections Against Eviction or Termination of Assistance

Under VAWA, victims of domestic violence, dating violence, or stalking are protected as follows:

- You cannot be denied housing or housing assistance only because you are a victim: If you are otherwise eligible for the housing or housing assistance, the housing authority or landlord cannot deny you only because you are or have been a victim of domestic violence, dating violence, or stalking
- You cannot be evicted or terminated for "good cause" or "lease violations" if you are the victim: You cannot be evicted based on an incident of actual or threatened domestic violence, dating violence, or stalking if you are the victim of the incident. Please see "actual and imminent threat", below, for an exception to this rule.
- You cannot be evicted or terminated for criminal activity if the criminal activity was directly related to the domestic violence, dating violence, or stalking: If the criminal activity was committed by a member of your household or any guest or other person under your control, and you (or an immediate family member) are the victim and the criminal activity was directly related to domestic violence, dating violence, or stalking, you cannot be evicted or terminated.
- Your lease or voucher can be changed to evict only the perpetrator(s): This action is known as "bifurcation" and allows the victimized tenants to remain in the unit while removing only the tenant who committed the act of domestic violence, dating violence, or stalking
- You can move to protect family members: AHA cannot terminate assistance if you move to protect the health/safety of a family member who is the victim of domestic violence, dating violence, or stalking and reasonably believed he/she was imminently threatened by further violence if he/she stayed in the unit.

Limits of VAWA Protection

The protections of VAWA do not protect you from denial or termination of assistance or from being evicted in all circumstances. Under VAWA, you may be terminated for the following reasons:



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- **Good Cause Unrelated to Domestic Violence, Dating Violence, or Stalking:** Tenants and/or applicants may be denied, terminated or evicted for other good cause unrelated to the incident or incidents of domestic violence, provided that the victim is not subject to a more demanding standard than non- victims
- **Actual and Imminent Threat:** The tenant may be terminated or evicted if the tenant is an actual and imminent threat to other tenants or those employed at or providing service to the property if the tenant is not evicted.

Documentation of Victim Status

If you claim protection under VAWA, Everett Housing Authority or the landlord may require you to provide documentation that you are a victim and that the incident or incidents are bona fide incidents of such actual or threatened abuse. If documentation is requested, the request must be made in writing. The housing authority or landlord must give you at least fourteen (14) calendar days to provide any combination of the following forms of documentation:

- Self-certification of the victim: Upon request, the housing authority or landlord will provide a form for you to complete; or



- Documentation from a professional: The documentation can be from an employee, agent, or volunteer of a victim service provider, and attorney, or a medical professional you consulted about the domestic violence, dating violence, or stalking; **or**
- Other records: You can also submit federal, state, tribal, territorial, or local police or court records (protective orders)

IMPORTANT: You must provide the documentation on or before the deadline specified on the request. If you fail to provide the documentation by the deadline, you may be denied, terminated or evicted.

Confidentiality of VAWA-Related Information

All information provided to a housing authority or landlord relative to a claim for VAWA protection must be kept confidential. The housing authority or landlord must not share your information with unauthorized individuals, unless you give written consent to do so or the information is required for use in an eviction proceeding or otherwise required by law.

For additional information

Please visit the U.S. Department of Justice website, <http://www.ovw.usdoj.gov/regulations.htm>.

The Department of Housing and Urban Development, <http://HUD.gov>



**AMENDMENT REGARDING THE PROVISIONS OF VIOLENCE
AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA 2013)**

I Purpose

The purpose of this policy is to implement the applicable provisions of the Violence Against Women Reauthorization Act of 2013 (Pub. L. 113-4, 127 Stat. 54) (VAWA 2013). VAWA 2013 reauthorized and amended the Violence Against Women Act of 1994, as previously amended, (title IV, sec. 40001-40703 of Pub. L. 103-322, 42 U.S.C. 13925 et seq.) .

II Other HA Policies and Procedures

To the extent any provision of this policy shall contradict any previously adopted policy or procedure of the HA, the provisions of this Policy shall prevail.

III Changes to Existing HA VAWA Policy

A. Expanding Housing Protections to Victims of Sexual Assault

1. Expansion:

VAWA 2013 expands housing protections to victims of sexual assault. All housing protection previously provided and described in HA policies for "victims of domestic violence, dating violence, or stalking," shall now be expanded to include, "victims of domestic violence, dating violence, sexual assault or stalking."

2. Definition

Sexual Assault is defined as any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

B. Expanding Protections Relating to the Prohibition of Terminating Assistance to Affiliated Individuals

1. Expansion

VAWA 2013 provides that criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an *affiliated individual* of the tenant is the victim or threatened victim of the domestic violence, dating violence, sexual assault, or

stalking (emphasis added).

To the extent that prior VAWA policy relating to the prohibition of terminating assistance because of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking uses the term "immediate family member" it shall be replaced with the term with "affiliated individual."

2. Definition

Affiliated Individual – means, with respect to an individual,

- i. The spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or
- ii. Any individual, tenant, or lawful occupant living in the household of that individual.

C. Expansion of the Protections Regarding Lease Bifurcation

1. Expansion

Pre-VAWA 2013 requirements provided that notwithstanding the restrictions placed on admission, occupancy, and termination of occupancy or assistance, or any Federal, State, or local law to the contrary, a HA, owner, or manager of assisted housing may bifurcate a lease for housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing who engages in criminal acts of physical violence against family members or others without evicting, removing, terminating the assistance to, or otherwise penalizing a victim of such violence, who is a tenant or lawful occupant.

VAWA 2013 continues to allow for lease bifurcation, but changes the language regarding the violent acts. Specifically, "criminal acts of physical violence against family members or others" is now changed to "criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual."

Thus where applicable in existing HA policies in this area the language "criminal acts of physical violence against family members or others" shall be replaced with: "criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual."

2. Opportunity for Remaining Tenant

VAWA 2013 mandates that if such bifurcation occurs, and the removed tenant or lawful occupant was the sole tenant eligible to receive assistance under a covered housing program, the HA, owner, or manager shall provide any remaining tenant the opportunity to establish eligibility for the covered housing program. If the remaining tenant cannot establish eligibility, the HA, owner, or manager is required to provide the tenant a reasonable time to find new

housing or to establish eligibility under another covered housing program.

VAWA 2013 provides that the appropriate agency, in this case HUD, with respect to HUD covered programs, is to determine what constitutes a reasonable time. HUD will provide through rulemaking or guidance, as may be applicable, what constitutes a reasonable time for remaining tenants to find new housing or establish eligibility under another HUD covered housing programs. The HA will adopt such HUD policies as they are published.

D. Expansion of Forms of Documentation that a Victim May Provide

1. Expansion

As provided within VAWA 2013, forms of documentation a victim may provide are expanded to include a record of an administrative agency, and documentation from a mental health professional.

2. Name on 50066 only if Safe to Provide

The HA will require the victim to provide the name of the perpetrator on the HUD-50066 only if the name of the perpetrator is safe to provide and is known to the victim.

E. Expansion of the Notification Requirements

HAs will provide VAWA the notice when a person is denied assistance, when a person is admitted, and when a tenant is notified of eviction or termination of housing benefits, and will require that the notice be provided together with form HUD-50066.

F. Emergency Transfer Plan

The HA will continue to implement the transfer plan at the property/program as described in an agency's Admissions and Continued Occupancy Plan or Administrative Plan until HUD issues additional guidance in this area.

III. Additional HUD Guidance

The HA will amend policies and procedures as required by HUD when HUD provides additional guidance on VAWA 2013. Specifically HUD has indicated that additional guidance will be provided with regard to certain lease bifurcation issues, provision of Sample Notice and a Sample Emergency Transfer Plan.

ATTACHMENT C



EVERETT HOUSING AUTHORITY

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Board of Commissioners

Chairperson
Dominic Puleo

John Barrett
Philip Colameta
Robert Norton
Vincent Ragucci, Jr.

Stephen Kergo
Executive Director

Five Year Plan Significant Amendment and Modification B5

Substantial Deviation from the 5-Year Plan

The Everett Housing Authority may modify, amend or change any policy, rule, regulation or other aspect of its plan, as it deems necessary.

Significant Amendment or Modification to the Annual/Five Year Plan

- Changes to admission policies
- Changes in the waiting list preferences
- Changes in procedures for accepting new applications;

Each and every year the EHA will review its policies and procedures for compliance and will modify the next years plan.

Any significant amendment or modification will be dealt with in the following manner.

- The EHA will consult the Resident Advisory Board;
- The EHA will ensure the changes are consistent with the Consolidated Plan;
- The EHA will provide a public review period of any amendment /modifications;
- The EHA will only adopt the amendments or modifications after the Board of Commissioners meet in public to vote to adopt;
- The EHA will not implement the amendments or modification until HUD has reviewed and approved.



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