

Public Housing Occupancy Guidebook Chapter on Domestic Violence

In July 2003, the U.S. Department of Housing and Urban Development (HUD) issued a revised [Public Housing Occupancy Guidebook](#). The Guidebook includes a new chapter (Part 7, Chapter 19) on domestic violence. The chapter discusses the seriousness and pervasiveness of domestic violence and the need for affordable housing faced by victims of abuse. The chapter further describes the measures that HUD and Congress have taken to address this problem, and actions that HUD urges Public Housing Authorities (PHA) to take.

The new chapter was issued in response to concerns by domestic violence and low-income housing advocates that PHAs were denying admission, declining transfers, and evicting battered women as a result of the abuse they suffered. In the new chapter, HUD first describes a broad range of types of evidence of domestic violence that PHAs should consider in exercising their discretion. Next, HUD encourages PHAs to establish admissions preferences for victims of domestic violence, in order to assist those who otherwise might remain in an abusive situation or become homeless because of the need to flee the abuse. Further, in screening families for admission, HUD urges PHAs to ascertain whether domestic violence was a factor in poor rental and tenancy history or criminal activity and to use discretion and approve admission notwithstanding this prior history. With regard to continued occupancy, HUD cautions that victims of domestic violence are sometimes evicted for the acts of their abuser and strongly encourages PHAs to consider alternatives to eviction where circumstance may be beyond the control of the battered woman. HUD also encourages PHAs to design transfer policies that take into consideration the needs of domestic violence survivors. In addition, HUD urges PHAs to participate in ongoing dialogues with domestic violence service providers and advocates in order to develop coordinated solutions to respond to these problems. Finally, the chapter lists tools that PHAs may use to assist victims of domestic violence and describes examples of best practices of PHAs currently assisting victims of domestic violence.

For additional information about the new chapter or ways in which to use this guidance in advocacy, please contact Lenora Lapidus, 212-549-2668, llapidus@aclu.org or Emily Martin, 212-549-2614, emartin@aclu.org at the ACLU Women's Rights Project.

— Distributed by Joan Zorza, Esq., Editor,
Domestic Violence Report & Sexual Assault Report,
Washington, DC, 202-362-3715, joan@zorza.net, www.zorza.net