

**Building
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Paper**

Housing and Battered Women:

**Using Housing Vouchers to Assist
Battered Women Move from
Welfare to Work**

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About The New England Network on Domestic Violence and Poverty

The New England Network on Domestic Violence and Poverty is a new initiative of Building Comprehensive Solutions to Domestic Violence, a multi-year project of the National Resource Center on Domestic Violence. The Network will explore a variety of approaches to multi-disciplinary policy development and advocacy for battered women and their families, especially those who are living in poverty. Coordinated by Greater Hartford Legal Assistance, Inc., the Network will be a catalyst to develop comprehensive policy strategies to address domestic violence and poverty. Material and lessons learned from the Network will be shared with domestic violence coalitions and anti-poverty advocates around the country.

Using Housing Vouchers to Assist Battered Women Move from Welfare to Work

Overview

There are new government programs to assist and support families as they move off welfare and enter the workforce. The Department of Housing and Urban Development (HUD), recently announced one such program that could uniquely benefit battered women¹ in their efforts to move from welfare to work because it will provide mobility and financial housing assistance. The purpose of this paper is to provide domestic violence advocates with information and strategies to promote the use of this housing program as a resource to assist battered women move from welfare to work.

On January 28, 1999, HUD released a Notice of Funding Availability (NOFA), which is the equivalent of a request for proposals, for 50,000 new housing subsidies to be used when housing assistance is “critical” to a person’s ability to obtain or retain employment and leave welfare dependence. The 50,000 new housing subsidies will be in the form of welfare-to-work housing vouchers, provided by a housing authority to an individual. A housing voucher allows that individual to choose where she wants to live and pays a portion of the rent and utilities. Only housing authorities² and statewide housing agencies can apply to HUD for welfare-to-work housing vouchers.³ The welfare-to-work housing voucher program is not designed to specifically assist battered women. However, with advocacy, battered women could more easily gain access to and benefit from the welfare-to-work housing voucher program.

The welfare-to-work housing voucher program may provide a unique benefit to some battered women as they attempt to move from welfare to work. Many of the barriers to employment faced by battered women are caused by abusive partners who sabotage their efforts to become more economically independent. Often women are trapped due to the lack of economic resources to live elsewhere. For some battered women, moving to new housing is essential to escape abusive partners who sabotage their efforts to work.

¹Because the overwhelming majority of domestic violence victims are women abused by male partners, this article uses “she” or “battered woman” when referring to victims, and “he” when referring to “batterers.” All victims of domestic violence deserve support and responsive advocacy, including victims in same sex relationships and male victims abused by female partners. The strategies suggested in this article can be used to advocate for housing vouchers for all victims of domestic violence.

² Housing authorities are also referred to as public housing authorities.

³ You can find your local housing authority by looking in the government listing section of the phone book.

Therefore, housing vouchers may help some battered women escape from living with abusive partners and eliminate barriers to employment.

What barriers do battered women face when they attempt to move from welfare to work?

All women moving from welfare to work face a number of barriers to self sufficiency. Some of these barriers include the lack of quality childcare, affordable housing, and adequate job training or experience. Battered women face additional barriers caused by their batterers. According to the November 1998, U.S. General Accounting Office Report to Congressional Committees regarding Domestic Violence⁴, abusive partners “often feel threatened by women’s efforts to improve themselves and become financially independent.” Abusive partners may sabotage women’s efforts to get job training or employment by “promising child care that they then fail to deliver; destroying or hiding items the women need for the [employment] activities; and inflicting visible signs of abuse, such as bruises, black eyes, and cigarette burns, so the women will be too embarrassed to go to training, work or a job interview.” In addition, an abusive partner may interfere with a woman’s ability to work by harassing her at her place of employment either by frequent phone calls, coming to the work place unannounced, or in some cases causing disruption at the work place. Moreover, some battered women face further economic harm if their limited cash welfare benefits from the State are reduced because it appears they have failed to cooperate with employment activities.

How can housing vouchers benefit battered women?

Each woman’s circumstances, including her risks and resources, are unique. However, some of the benefits of a housing voucher to a battered woman might include the following:

- She may be able to leave an abusive partner with the financial assistance of a housing voucher. For some women, leaving an abusive partner may reduce the barriers to employment caused by the abusive partner’s attempts to sabotage their efforts to work;
- She will have affordable housing for herself and her children;
- She can choose the community in which she lives. She may choose to live near her place of employment or a supportive family or social network. She may choose to move far away from an abusive partner; and

⁴ United States General Accounting Office, Report to Congressional Committees *Domestic Violence; Prevalence and Implications for Employment Among Welfare Recipients*, November, 1998, GAO/HEHS-99-12.

- She may be able to increase her economic self sufficiency and resources by pursuing job training and employment once she has stable housing.

Although housing vouchers may effectively reduce or eliminate the unique barriers to employment faced by battered women, this is not necessarily true for barriers to employment stemming from other causes such as lack of job training, illiteracy, etc.

How does a voucher work?

Housing vouchers are administered by local housing authorities. To get a voucher, a person must contact the housing authority and fill out paperwork so that the housing authority can determine whether she is eligible for a housing voucher. If the person is eligible, then her name will be added to the waitlist for housing vouchers.

A person can, to a great extent, use her housing voucher to rent any apartment of the tenant's choosing. A housing voucher enables a tenant to rent an apartment or house from a landlord in the private rental market. With the housing voucher the tenant pays 30% of her income toward the amount of rent plus utilities. The federal housing subsidy pays the remainder of the rent and utilities up to a certain amount.⁵

The housing voucher enables a low income person to rent an apartment that is in the community of the tenant's choice, that is in "decent, safe and sanitary" condition, and is affordable for the tenant because the federal government is paying a portion of the rent. Before a housing voucher can be used to pay rent, the apartment must be inspected by the housing authority to be sure that the apartment meets the "housing quality standards" as set out in federal regulations.

A housing voucher can lead to stable housing. Housing vouchers enable tenants to avoid frequent moves due to the inability to pay rent and poor housing conditions.

⁵ The amount of rent and utilities that a voucher will pay for is determined by the region and the size of the apartment a family needs. If a tenant chooses an apartment with rent and utility costs that exceed the voucher payment amount, then the tenant pays that portion of the rent and utilities in excess of the voucher payment amount. For example, if a woman's monthly income is \$300 and the voucher amount for rent and utilities is \$500, she will pay \$90 towards monthly rent and utilities of \$500, and the federal government will pay, through the local housing authority, the remaining \$410. However, if the same woman chooses an apartment with monthly rent and utilities of \$575, the federal government will still pay \$410 as her housing subsidy, but she will have to pay \$165 (30% of her income plus the amount of rent and utilities that exceeds the voucher payment amount.) This example is for illustrative purposes only. The federal regulations governing housing vouchers contain formulas which allow for some deductions from income and account for other factors.

The federal laws and regulations regarding housing vouchers are complex. Furthermore, the administration of housing vouchers can be affected by the Section 8 Administrative Plan adopted by the local housing authority. Advocates are strongly urged to collaborate with others working on housing issues to further their understanding of housing law.

Advocates without a thorough understanding of the laws governing housing vouchers should help battered women find skilled housing lawyers/advocates. Skilled housing lawyers/advocates can appropriately advise women, who can then include the information in their safety planning decisions. For example, the law will affect where a woman is placed on the waitlist, how much money her housing subsidy will be, and the communities where she can use the voucher to rent housing.

What is HUD's application process like?

- The application process is very competitive. Not all local housing authorities will receive welfare-to-work housing vouchers under this program.
- The deadline for housing authorities to apply to the Department of Housing and Urban Development (HUD) is April 28, 1999.
- A housing authority's application must be coordinated with other welfare reform and welfare-to-work incentives within the community.
- The NOFA (HUD's Notice of Funding Availability) gives housing authorities wide discretion in designing their programs to ensure that these vouchers are used when needed to help people make the transition from welfare to work.

How can advocates for battered women be involved in this process?

- Start your advocacy NOW. Remember, the application deadline is April 28, 1999.
- Begin by gathering information from allies, colleagues and collaborators. Community groups that have information about housing issues include advocates for the homeless, legal service organizations, housing coalitions, groups involved in tenant, housing, or mobility counseling and welfare-to-work organizations. Advocates are strongly encouraged to collaborate with allies and others working on housing issues to further their understanding of housing law and issues.

- Contact your local housing authorities to find out if they have started the planning process for their applications. They should start planning immediately if they have not already done so. The application process requires housing authorities to coordinate with some welfare-to-work agencies and strongly encourages housing authorities to coordinate with other community based organizations. This takes time. **It is the housing authority's decision whether or not to apply for welfare-to-work vouchers.**
- Educate the housing authority about the unique barriers battered women face in moving from welfare to work and how they can be reduced or eliminated through the use of housing vouchers. Explain that abusive partners create barriers to employment for battered women. To escape these barriers and abusive partners, some battered women need to be able to move to new housing. A welfare-to-work voucher gives battered women this ability. A welfare-to-work housing voucher may be critical to some battered women's success in obtaining employment. This, the use of a housing voucher when it is critical to a person's ability to obtain or retain employment, is the explicit goal of this HUD voucher program.
- Offer to assist the housing authority in its process of designing and planning its application to HUD.
- Offer to commit your agency's services and resources to help women who receive vouchers move from welfare to work. For example, advocates might offer safety planning to all women who voluntarily disclose that they are victims of domestic violence, or to work with battered women who receive welfare-to-work housing vouchers.
- Assist welfare-to-work organizations advocating for battered women with housing authorities. Educate such organizations about the barriers battered women face in moving from welfare to work and how some of these barriers can be reduced or eliminated through the use of housing vouchers.

What can housing authorities do to support battered women?

One option is to suggest that a housing authority adopt a process that allows individual applicants on the waitlist to voluntarily and confidentially identify themselves as a battered woman currently living with or currently being harassed by an abusive partner. The housing authority should then weigh the presence of domestic violence, and its associated barriers to employment, as one of the factors to be considered in choosing applicants to receive welfare-to-work vouchers. The NOFA gives housing authorities broad discretion to choose who, among eligible applicants on the waitlist, will receive welfare-to-work vouchers. Housing authorities should develop written guidelines that detail the process they will use to choose among eligible applicants. These guidelines should be reflected in the housing authority's application to HUD.

How should housing authorities identify battered women among the applicants on the waitlist?

The inherent risks and realities of domestic violence mean certain approaches may increase danger to a woman or be ineffective. Two principal strategies that allow for voluntary and informed disclosure are universal notification, and screening for voluntary disclosure of domestic violence. A housing authority could provide both universal notification and screening for voluntary disclosure.⁶

- Universal Notification provides all applicants on the waitlist with information about domestic violence and the options and services that are available to victims. The notice would also include information about how domestic violence will be taken into account by the housing authority in determining which applicants will receive the welfare-to-work vouchers.
- Screening for voluntary disclosure of domestic violence means a trained housing authority worker asks an applicant on the waitlist a number of domestic violence related questions and it is up to the applicant whether or not to answer the questions. (The training of the housing authority worker could be provided by your domestic violence organization, if appropriate.) To ensure voluntary disclosure, the worker first explains why s/he is asking the questions, what s/he will do with the information the applicant provides, and clearly states that the applicant does not have to answer the questions. The domestic violence questions might be quite simple, such as: "Are you afraid of your partner?" "Has he done anything to hurt or scare you?" "Does he do anything to keep you from working?"

What should a housing authority do when an applicant identifies herself as a victim of domestic violence?

- The housing authority should keep all information regarding domestic violence confidential and protected. This is especially important in cases where a battered woman is in hiding. Housing authorities are required by HUD regulations to keep some types of information confidential, and they therefore have experience protecting information about applicants and tenants.

⁶ For a discussion on the use of universal notification and screening for voluntary disclosure of domestic violence in the context of administration of TANF and Child Support Enforcement by States, see Davies, J. 1998, *Building Opportunities for Battered Women's Safety and Self-Sufficiency*. The first in a series of Practice papers developed by the National Resource Center on Domestic Violence for TANF and Child Support Enforcement agencies and domestic violence advocates. To request copies contact the NRC at 1-800-537-2238.

- The housing authority should keep all information regarding domestic violence separate from the welfare-to-work waitlist, or any other waitlist. Housing authority waitlists are not confidential documents. They are available to the public.
- Give the applicant information regarding services available for victims of domestic violence.

Why should a housing authority want to include domestic violence advocates in the planning process?

This is a competitive bidding process. HUD will rate housing authority applications based on a number of factors. One factor is the soundness of the housing authority's approach, which includes "innovative approaches." Housing authorities that team up with domestic violence advocates may be able to set their applications apart from the rest.

In the competitive bidding process, HUD will look at the housing authority's ability to leverage resources from the community. Your agency could offer to provide a commitment, in the form of a letter or memorandum of understanding, of services that you will provide to recipients of the vouchers to ensure their successful move from welfare to work. Although the NOFA does not specifically mention domestic violence services, these services fall within the types of services that the NOFA does list as examples of community based services that can be leveraged.

Additionally, housing authorities want to get additional vouchers because HUD pays housing authorities an administration fee for each voucher they administer.

How can an advocate help an individual battered woman obtain a welfare-to-work housing voucher?

A battered woman must navigate a maze of complex eligibility requirements and local housing authority procedures to get a welfare-to-work housing voucher. There is no guarantee that a particular person will obtain a welfare-to-work housing voucher. It will depend on the number of people ahead of an applicant on the waitlist and the criteria used by the housing authority to select among eligible applicants on the waitlist. Even if a woman does not receive a welfare-to-work voucher, there may be other housing assistance available.

The following information is very basic. If advocates do not have a thorough understanding of the federal laws and regulations governing housing vouchers they can help battered women access skilled housing lawyers/advocates who can appropriately advise them. To find skilled housing lawyers/advocates, call your local legal services office.

Basic eligibility requirements for welfare-to-work vouchers:

1. The battered woman must be on the housing authority's *Section 8 certificate/voucher waitlist*.

To get a welfare-to-work housing voucher, a battered woman must be on a “Section 8 certificate/voucher waitlist” kept by a housing authority. To get on a waitlist, women must contact a housing authority and ask to be placed on the Section 8 certificate/voucher waitlist. Women can get on waitlists at as many housing authorities as they like. Women can get on waitlists even in towns where they do not live.⁷ (Housing authorities may keep a number of different waitlists for different programs. It is important to make sure that a woman is on the “correct” list for the program she wants to access.)

Some waitlists are very long. Others may be so long that they are “closed,” which means that the housing authority is not adding new applicants to the waitlist. Housing authorities with “closed” waitlists may have to open their waitlists if the housing authority receives welfare-to-work vouchers and has an insufficient number of welfare-to-work eligible applicants on the waitlist to use up their vouchers.

Women can ask where they are on a housing authority waitlist. If a woman is on a waitlist at a housing authority that receives welfare-to-work vouchers, she can ask the housing authority about the process for establishing her eligibility for one.

2. A battered woman must be moving from welfare to work.

In addition to meeting normal Section 8 eligibility requirements, such as income guidelines, applicants for welfare-to-work vouchers must also be eligible to receive, be currently receiving, or have received within the past two years assistance under the TANF program. Temporary Aid to Needy Families (TANF) is the new federal program which replaced the federal program known as Aid to Families with Dependent Children (AFDC).

⁷ The location of a woman's residence at the time she applies for a housing voucher may, in some cases, affect the communities in which she can use the voucher for the first 12 months. In addition, the policies adopted by a housing authority in its administrative plan may affect a particular applicant's ability to get and use a housing voucher.