



**Office of Homeless Services**  
 560 E. Hospitality Lane, Suite 200 • San Bernardino, CA 92408-0044  
 Phone: (909)501-0610 • Fax: (909)501-0622  
 Email: [homelessrfp@hss.sbcounty.gov](mailto:homelessrfp@hss.sbcounty.gov) • Website: <https://sbchp.sbcounty.gov/>

## Agenda for the meeting of the Interagency Council on Homelessness (ICH)

**Meeting date,  
time, and place**

Date: **January 24, 2023**  
 Time: **9:00 am – 11:00 am**  
 Place: **West End Educational Service Center**  
**8265 Aspen Avenue Rancho Cucamonga, CA 91730**  
 ICH members must attend the meeting in person.  
 The public may observe the meeting online at:

**Because there is limited seating capacity at the meeting location, members of the public are encouraged to observe the meeting online.**

<https://hs-sbcounty.webex.com/hs-sbcounty/j.php?MTID=m609ea03def9a2079437709b4c67792bb>

- Access #: 1-408-418-9388 • Access Code: 2493 836 9989
- Password: iDgp3dsNQ54 (173243268 from phones)

Note: Please remember to **MUTE** your phones. **DO NOT** place this call on hold should you get another call. Hang up and then rejoin the meeting.

		Time
<b>Call to Order</b>	Chair or Designee will call the meeting to order	9:00 – 9:01 am
<b>Invocation/Pledge</b>	Chair or Designee will lead the Invocation and Pledge of Allegiance	9:01 – 9:03 am
<b>Introductions</b>	Chair or Designee will lead the Introductions of the ICH Members by roll call.	9:03 – 9:05 am
<b>Agenda Items:</b>	The following items are presented for informational, consent, and discussion purposes.	
<b>Public Comment</b>	Open to the public for comments. Members of the public wishing to address the ICH Board on items within the subject matter jurisdiction of the ICH and the items on the agenda, please submit a Public Comment Request form or if you're joining us virtually, indicate by typing "Public Comment" in the chat box. Your name will be called in the order they are received. When your name is called, please proceed to the microphone, or unmute yourself and you will then have up to 3 minutes to address the council.	
	<b>Consent</b>	
<b>1</b>	Approve Minutes of the October 25, 2023, ICH Meeting -Jessica Alexander, Chair	9:05 – 9:10 am <i>Pages 3-10</i>
<b>2</b>	Ratify the action of the Chair to Approve a Letter of Support for The City of Montclair's Encampment Resolution Funding Application - Jessica Alexander, Chair	<i>Pages 11</i>

3	Ratify the action of the Chair to Approve a Letter of Support for The City of Redlands Encampment Resolution Funding Application - Jessica Alexander, Chair	<i>Pages 12</i>
<b>Information Sharing</b>		
4	Office of Homeless Services (OHS) Update - Marcus Dillard, Office of Homeless Services	9:10 – 9:20 am <i>Pages 13</i>
5	Update on New ICH Board Members and Vacancies on the High Desert Regional Steering Committee - Diana Alexander, Assistant Executive Officer, ICH Vice-Chair	9:20 – 9:35 am
6	2023 Point in Time Count (PITC) Update – - Erika Lewis-Huntly, Chair, PITC Oversight Committee	9:35 – 9:45 am <i>Page 14</i>
7	Update on the Governance Ad Hoc Committee and Feedback from Regions - Dr. Pat Leslie, on behalf of Urban Initiatives	9:45 – 10:15 am <i>Pages 15</i>
8	HHAP Funding Changes from the State of California - Dr. Coletti, Urban Initiatives	10:15 – 10:25 am <i>Pages 16</i>
<b>Discussion/ Action Item</b>		
9	Adopt Violence Against Women Act Policies and Procedures and the Introduction of the Domestic Violence Providers - Darryl Evey and Quinton Page, on behalf of the San Bernardino County Coalition of Domestic Violence Shelters	10:25 – 10:45 am <i>Pages 16-40</i>
<b>Council Roundtable</b>		
	Open to comments by the Council	10:45 – 11:00 am
<b>Adjournment</b>		
<b>11:00 am</b>		
<b>Next ICH Meeting</b>	The next regularly scheduled Interagency Council on Homelessness meeting is scheduled for:  <b>TBD</b>	

*Mission Statement*

*The mission of the San Bernardino County Homeless Partnership is to provide a system of care that is inclusive, well planned, coordinated, and evaluated and is accessible to all who are homeless and those at-risk of becoming homeless.*

THE INTERAGENCY COUNCIL ON HOMELESSNESS MEETINGS ARE ACCESSIBLE TO PERSONS WITH DISABILITIES. IF ASSISTIVE LISTENING DEVICES OR OTHER AUXILIARY AIDS OR SERVICES ARE NEEDED IN ORDER TO PARTICIPATE IN THE PUBLIC MEETING, REQUESTS SHOULD BE MADE THROUGH THE OFFICE OF HOMELESS SERVICES AT LEAST THREE (3) BUSINESS DAYS PRIOR TO THE PARTNERSHIP MEETING. THE OFFICE OF HOMELESS SERVICES TELEPHONE NUMBER IS (909) 501-0610 AND THE OFFICE IS LOCATED AT 560 E. HOSPITALITY LANE, SUITE 200, SAN BERNARDINO, CA 92408-0044. <https://sbchp.sbcounty.gov/> AGENDA AND SUPPORTING DOCUMENTATION CAN BE OBTAINED AT 560 E. HOSPITALITY LANE, SUITE 200, SAN BERNARDINO, CA 92408-0044.



**Minutes for San Bernardino County  
Homeless Partnership  
Interagency Council on  
Homelessness (ICH) Meeting**

October 25, 2023  
9:00 a.m. – 11:00 a.m.  
In Person

**Minutes Recorded and Transcribed by Joy Woodard (Secretary), Office of Homeless Services**

TOPIC	PRESENTER	ACTION/OUTCOME
Call to Order	Jessica Alexander, Chair	The meeting was called to order at 9:04 a.m.
ICH Board Member Introductions	Jessica Alexander, Chair	Marcus Dillard took ICH Member roll call. Members of the public are not introduced. There were 36 members of the public who joined the ICH meeting via Webex and/or telephone.
ICH Board Members Present		<ul style="list-style-type: none"> <li>The following ICH members or their alternates were present for the meeting: <ul style="list-style-type: none"> <li>Marlandra Johnson, Erika Lewis-Huntley, Curtis Yakimow, Quinton Page, Jerry Gutierrez, Carrie Harmon, Dr. Alyce Belford-Saldana, Becky Murillo, Don Smith, Jessica Alexander, Astrid Johnson</li> </ul> </li> <li>Late: Supervisor Joe Baca Jr. (9:11 am), Acquanetta Warren (9:27 am), Council member Sandra Ibarra (9:13 am), Dr. Paul Anthony Courtney (9:29 am), Sharon Green (9:21 am), Sue Walker (9:50 am), Ruben Mendoza (9:09 am)</li> <li>Absent: Brenda Dowdy, Diana Alexander</li> </ul>
PUBLIC COMMENTS	PRESENTER	ACTION/OUTCOME
		<p>The Chair recognized Public Comments from:</p> <ul style="list-style-type: none"> <li>Gab Fondrio (Public Comment)</li> <li>Ronald Williams (Public Comment)</li> </ul> <p>The Chair closed Public Comment.</p>
CONSENT	PRESENTER	ACTION/OUTCOME
Approve Minutes of the September 27, 2023, ICH Meeting	Jessica Alexander, Chair	<p>The Chair requested a motion to be made for the consent calendar portion of the agenda.</p> <p>Supervisor Baca made a motion to approve the consent calendar and was second by Jerry Gutierrez. The Chair opened the item for comment by the ICH Board members.</p> <p>No discussion ensued.</p> <ul style="list-style-type: none"> <li>A vote was taken. 13 members were in favor: Supervisor Baca, Erika Lewis-Huntley, Council member Sandra Ibarra,</li> </ul>

		<p>Curtis Yakimow, Quinton Page, Jerry Gutierrez, Carrie Harmon, Alyce Belford-Saldana, Becky Murillo, Don Smith, Jessica Alexander, Astrid Johnson, Ruben Mendoza.</p> <ul style="list-style-type: none"> <li>• 0 members were opposed.</li> <li>• Absent: Acquanetta Warren, Dr. Paul Anthony Courtney, Brenda Dowdy, Diana Alexander, Sharon Green, and Sue Walker.</li> </ul> <p>The motion was approved.</p>
INFORMATION SHARING	PRESENTER	
Office of Homeless Services (OHS) Update	Marcus Dillard, Office of Homeless Services	<p>The Chair recognized Marcus Dillard, on behalf of the Office of Homeless Services (OHS) to provide updates.</p> <p>The Chair opened the item for comment by the ICH Board members.</p> <p>Discussion ensued:</p> <ul style="list-style-type: none"> <li>• Jessica Alexander-Asked what the format of the meetings will be for the end of the month homeless meetings.</li> <li>• Marcus Dillard- Stated they will be held virtually, and it will discuss best practices.</li> <li>• Don Smith- Asked who is the target for the HMIS training on the fifteenth.</li> <li>• Marcus Dillard-Stated that the initial target is for the outreach teams because it is going to be broken up into different sessions based upon the end users. Mr. Dillard stated there will be some meetings for case management so that everyone can work through navigating the system and assign the proper services and doing the proper assessments.</li> <li>• Don Smith- Stated he is hopeful that eventually there will be monthly end user meetings to talk about challenges, issues, best practices, and lessons learned. Mr. Smith stated that a new HMIS policies and procedures was released, and more information should be made on it being release and pointing out what people need to be looking for. Mr. Smith asked if the provider check in meetings were one on ones for agencies that have contracts with OHS.</li> <li>• Marcus Dillard- Stated they will start off as a group so everyone will know what is expected, then go into individual sessions so discussions can happen about their respective programs and not the performances.</li> <li>• Don Smith- Asked for an update on the HHAP 3 contracts and the HHAP 4 RFA.</li> <li>• Marcus Dillard- Stated the RFA has already been released.</li> <li>• Carrie Harmon- Stated the HHAP 3 contracts took longer partially because they convened the HHAP 3 subcommittee and took feedback from that provider group to detail what should be in the contracts. Mrs. Harmon stated the first round is going to the board in November and some of the larger projects they had to work through some regulatory issues and complexities for the dollar amount and they will all be executed.</li> <li>• Marcus Dillard- Stated that with HHAP 4 they are waiting on feedback from the regions.</li> <li>• Curtis Yakimow- Stated at the August meeting Acquanetta Warren asked for a recap report on all the expenditures. Mr. Yakimow asked about the status of the request and when will that be coming to the board.</li> <li>• Marcus Dillard- Stated internally that information was compiled but he needs to share it with the Chair first and decide how they want to disseminate the information.</li> </ul>

		The Chair closed item # 3 for discussion.
Shelter Court	Laura Martinez, on behalf of Superior Court of California, County of San Bernardino	<p>The Chair recognized Laura Martinez, on behalf of the Superior Court of California, County of San Bernardino to provide a presentation on Shelter Court.</p> <p>The Chair opened the item for comment by the ICH Board members.</p> <p>Discussion ensued:</p> <ul style="list-style-type: none"> <li>• Supervisor Joe Baca Jr.- Stated that people have to keep in mind the intent of the shelter which is to make sure that people get their records cleared so they get reintegrated back into society.</li> <li>• Sharon Green- Would like the providers work a lot more closely with probation.</li> <li>• Astrid Johnson- Asked if the Shelter Court rotates around the county.</li> <li>• Laura Martinez- Stated if there is an agency that is interested in hosting an event at any of their locations you can reach out to her. Mrs. Martinez stated you can reach out to her email, and they can try to coordinate services based on the resources and the coordination that they have enough people that are going to show up so they can provide the full court services to them.</li> <li>• Acquanea Warren-Stated that there is a part of the veteran's group that doesn't feel that services are available to them and including those that were dishonorably discharged in necessary because they are the largest growing veteran's homeless population.</li> <li>• Dr. Alyce Belford-Saldana- Stated she wanted to address Acquanea Warren's concerns and stated she is working with several departments to roll out a solution but as soon as the details are available, she will share the information.</li> </ul> <p>The Chair closed item # 3 for discussion.</p>
Introduction of the New Hope Team/Coast Team	Jerry Gutierrez, on behalf of the Sherriff's Department	<p>The Chair recognized Jerry Gutierrez, on behalf of the Sherriff's Department to present and introduce New Hope Team/Coast Team</p> <p>The Chair opened the item for comment by the ICH Board members.</p> <p>Discussion ensued:</p> <ul style="list-style-type: none"> <li>• Jerry Gutierrez-Stated that they can identify people, but the permanent housing situation is a real problem.</li> <li>• Don Smith- Thanked the HOPE team and Mike Jones. Mr. Smith stated that we have to be committed to ensuring that every person regardless of their circumstances has a housing option.</li> <li>• Sharon Green- Stated if she needed assistance the HOPE team can always be reached and is willing to help.</li> <li>• Dr. Alyce Belford-Saldana- Stated she is the Deputy that oversees the forensics unit for the Department of Behavior Health, and they do have shelter beds for individuals who re system impacted but the trouble is that they need to be willing to participate in services in order to be considered for the shelter options. Dr. Alyce Belford-Saldana asked if there is a way to separate out the duplicate numbers from the unduplicated numbers on the statistics that were</li> </ul>

		<p>shared.</p> <ul style="list-style-type: none"> <li>• Mike Jones- Stated there was thirteen thousand individual contacts and the others are duplications of the twenty-five thousand.</li> <li>• Carrie Harmon- Stated that Community Development and Housing is working on a project with the county's allocation of HHAP funding for the Kern Street project. Mrs. Harmon stated it will triple the number of beds for the forensic population especially targeting the high utilizers. Mrs. Harmon stated the ICH body needs to make sure that when their voting on funding recommendations and making suggestions on RFP requirements that they prioritize housing and creating new beds.</li> <li>• Council member Sandra Ibarra- Stated that the City of San Bernardino just came out of bankruptcy and now they have a housing division. Councilmember Ibarra stated if anyone needs to be connected with an outreach team then let her know and she will get you in contact with Mrs. Cassandra. Councilmember Ibarra stated that if you are a city leader, to speak with the elected official and encourage them to approve additional housing.</li> </ul> <p>The Chair closed item # 4 for discussion.</p>
Governance Ad Hoc Committee Update	Dr. Pat Leslie, on behalf of Urban Initiatives	<p>The Chair recognized Dr. Pat Leslie, on behalf of Urban Initiatives to present the Governance Ad Hoc Committee Update.</p> <p>The Chair opened the item for comment by the ICH Board members.</p> <p>Discussion ensued:</p> <ul style="list-style-type: none"> <li>• Acquanetta Warren-Asked about the term limits for board members and the recommendations that cities be cut out or cut down at a time when the primary priority is trying to get housing for homelessness. Mrs. Warren stated she looks forward to coming back and getting more people involved in the process because some of the items don't work.</li> <li>• Dr. Pat Leslie- Stated that there is a recommendation for time limits which is two, two-year terms and a schedule for how to roll that process forward.</li> <li>• Jessica Alexander- Thanked Dr. Leslie and Dawn Lee for there presentation and stated that the presentation will be presented at the regional meetings.</li> </ul> <p>The Chair closed item # 5 for discussion.</p>
<b>DISCUSSION/ ACTION ITEM</b>	<b>PRESENTER</b>	
Approve the ICH calendar for 2024	Marcus Dillard, Office of Homeless Services	<p>The Chair recognized Marcus Dillard on behalf of the Office of Homeless Services to present the approval of the ICH calendar for 2024.</p> <p>Marcus Dillard present information on the approval of the ICH calendar for 2024.</p> <p>The Chair requested a motion to be made for the approval of the ICH calendar for 2024.</p>

		<p>Supervisor Joe Baca Jr. made a motion to approve the approval of the ICH calendar for 2024, the motion was seconded by Council member Sandra Ibarra.</p> <p>The Chair opened the item for comment by the ICH Board members.</p> <p>No discussion ensued.</p> <ul style="list-style-type: none"> <li>• A vote was taken. 17 members were in favor: Supervisor Baca, Acquanetta Warren, Erika Lewis-Huntley, Council member Sandra Ibarra, Curtis Yakimow, Dr. Paul Anthony Courtney, Quinton Page, Jerry Gutierrez, Carrie Harmon, Alyce Belford-Saldana, Becky Murillo, Sharon Green, Don Smith, Jessica Alexander, Sue Walker, Astrid Johnson, Ruben Mendoza.</li> <li>• 0 members were opposed.</li> <li>• Absent: Brenda Dowdy and Diana Alexander</li> </ul> <p>The motion was approved.</p>
Adopt Violence Against Women Act Policies and Procedures and the Introduction of the Domestic Violence Providers	Darryl Evey and Quinton Page, on behalf of the San Bernardino County Coalition of Domestic Violence Shelters	The Chair stated this agenda item will be tabled and brought back in January.
Approve the date of January 25, 2024, to conduct the unsheltered street Point-in-Time-Count	Marcus Dillard, Office of Homeless Services	<p>The Chair recognized Marcus Dillard on behalf of the Office of Homeless Services to present the approval of the date of January 25, 2024, to conduct the unsheltered street Point-in-Time-Count.</p> <p>Marcus Dillard present information on the date of January 25, 2024, to conduct the unsheltered street Point-in-Time-Count.</p> <p>The Chair requested a motion to be made for the date of January 25, 2024, to conduct the unsheltered street Point-in-Time-Count.</p> <p>Sharon Green made a motion to approve the date of January 25, 2024, to conduct the unsheltered street Point-in-Time-Count, the motion was seconded by Curtis Yakimow.</p> <p>The Chair opened the item for comment by the ICH Board members.</p> <p>Discussion ensued.</p>

		<ul style="list-style-type: none"> <li>• Supervisor Joe Baca Jr-Stated that at the end of the day the count is going to be done but what should be considered on the day of the count is with the outreach teams is identifying beds and try to get people help on that day. Supervisor Baca Jr. stated that the county residents would appreciate that effort from the county in a collective effort to identify beds. Supervisor Baca Jr. stated this is a great opportunity to get people housed, sheltered, and the services they need and would be a good message to the county and the community.</li> <li>• Don Smith- Stated at the last meeting they voted to uphold the date of the county but what they are discussing here is to move forward with the unsheltered count. Mr. Smith stated every year they do a targeted effort to focus on a specific population and getting them placed into available beds. Mr. Smith stated if they move forward with the unsheltered count, he encourages to make the youth the point time count plus population for this year. Mr. Smith stated he would caution against trying to organize something where they are trying to engage the volunteers in an effort to try to focus on getting people connect to resources on that day.</li> <li>• Astrid Johnson-Stated that she is advocating for a formal count.</li> <li>• Ruben Mendoza-Stated it would be ambitious to try to do all of that on one day, but it would be a great idea to have a save the date flier to hand out during the count that and set up a resource fair for the unhoused to show up a month later to connect them with resources.</li> <li>• Acquanetta Warren-Stated it is not over ambitious, but it is necessary to provide outreach at the point of contact. Mrs. Warren stated if they can commit to getting all the resources available and giving that information to the volunteers to help people then we should do it.</li> <li>• Jessica Alexander-Stated that the team that helps with the planning and putting things together may need to be expanded. Mrs. Alexander stated the burden has been on OHS and there has not been enough engagement in the planning process to make sure that there is a coordinated approach even for the P.I.T. plus. Mrs. Alexander asked Ericka Lewis-Huntley who is the chair of the committee to let them know who they can assist and be involved.</li> <li>• Sharon Green-Stated the not in my backyard approach makes it impossible to be effective in housing. Mrs. Green stated that they need to look at the properties that are vacant and utilize them for housing.</li> </ul> <p>A vote was taken. 17 members were in favor: Supervisor Baca, Acquanetta Warren, Erika Lewis-Huntley, Council member Sandra Ibarra, Curtis Yakimow, Dr. Paul Anthony Courtney, Quinton Page, Jerry Gutierrez, Carrie Harmon, Alyce Belford-Saldana, Becky Murillo, Sharon Green, Don Smith, Jessica Alexander, Sue Walker, Astrid Johnson, Ruben Mendoza.</p> <ul style="list-style-type: none"> <li>• 0 members were opposed.</li> <li>• Absent: Brenda Dowdy and Diana Alexander</li> </ul> <p>The motion was approved.</p>
<b>COUNCIL ROUNDTABLE</b>	<b>PRESENTER</b>	
	Jessica Alexander, Chair	<p>The Chair opened the floor for comment to the ICH Board members.</p> <p>Discussion ensued:</p>



		<ul style="list-style-type: none"> <li>• Jessica Alexander-Thanked the board for their comments and input and allowing her to lead. Mrs. Alexander stated if you have not registered for the Homeless Summit please do so because those seats will be released. Mrs. Alexander stated they will recognize the work that both the public and private organizations that address homelessness.</li> <li>• Astrid Johnson- Thanked Twentynine Palms council for deciding that when items are confiscated from a homeless person, they are going to be held at Public Works for ninety days. Mrs. Johnson stated that fentanyl is a big problem in her region.</li> <li>• Don Smith- Stated the Governor passed the Yes in God's Backyard which allows faith organizations and non-profit college campuses to develop housing by right on their land. Mr. Smith mentioned taking a ninety-day gap of not meeting until the end of January. Mr. Smith stated HHAP 5 was released last month, and the application is due May twenty-seventh which requires the CoC and the County to develop a homeless action plan together.</li> <li>• Sharon Green- Stated she loves looking around the board and seeing the diversity. Mrs. Green mentioned racist incidents that took place in Barstow and the City of San Bernardino. Mrs. Green stated when they are addressing homelessness, racism needs to be part of the equation. Mrs. Green thanked Jessica Alexander, Carrie Harmon, Marcus Dillard, Darryl Evey, Kimberly Starrs, Dr. Paul Courtney, and Sophie Curtis for stepping and address the issue in Barstow.</li> <li>• Ruben Mendoza-Stated he wanted to recognize and express gratitude to Brenda Dowdy</li> <li>• Alyce Belford-Saldana-Stated the Department of Behavioral Health does have access for anyone in the county that wants to receive Narcan if you go to their website and take a brief training then they can arrange to pick it up.</li> <li>• Dr. Paul Courtney- Apologized for Sharon Green's experience in Barstow. Dr. Courtney state being part of this collaborative has been a life changing event and he was not aware of all the services that were available. Dr. Courtney stated he was excited to be the presenter to a solution and for that solution to be shouted down in public setting and had to involve law enforcement. Dr. Courtney stated as an elected mayor he takes on the role to make sure that all the benefits that are available down the hill from Barstow are welcomed up the hill in Barstow.</li> <li>• Sharon Green- Stated she appreciates Dr. Paul Courtney for coming to Victor Valley Regional Center and taking a tour of the facility and opening a shelter in a city that doesn't have a shelter.</li> <li>• Council member Sandra Ibarra- Stated that at the last city council meeting somebody hacked the access into the Zoom and made some racial slurs that were unacceptable. Council member Sandra Ibarra stated she appreciates diversity and does not condone any of that conversation that took place. Council member Sandra Ibarra apologized for what took place on that Zoom. Council member Sandra Ibarra stated that the main issue that bothers her is when speakers are interrupted, and the community was offended. Council member Sandra Ibarra stated that if meetings are conducted online to have all measures in place to prevent this from happening.</li> </ul>
Adjournment		Being no further business, the meeting was adjourned at 11:15 a.m.
Next Meeting		<p>The next ICH meeting will be held as follows:</p> <p style="text-align: center;"> <u><b>ICH Meeting (Regular) In Person</b></u>  <u><b>Wednesday, January 24, 2023</b></u>  <u><b>9:00 am – 11:00 am</b></u>  <u><b>TBD</b></u> </p>

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Office of Homeless Services  
560 E. Hospitality Lane, Suite 200 • San Bernardino, CA 92408  
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Email: [homelessrfp@hss.sbcounty.gov](mailto:homelessrfp@hss.sbcounty.gov) • Website: <https://sbchp.sbcounty.gov/>

Attendees on October 25, 2023, • Interagency Council on Homelessness – In-Person			
LAST NAME	FIRST NAME	ORGANIZATION	EMAIL
Alexander	Jessica	Operation Grace	
Baca Jr	Joe	5th District – BOS	
Belford-Saldana	Alyce	Department of Behavioral Health	
Courtney	Paul	City of Barstow	
Curtis	Sophie	County Counsel	
Dillard	Marcus	Office of Homeless Services	
Green	Sharon	Victor Valley Family Resource Center	
Gutierrez	Jerry	County Sheriff Department	
Harmon	Carrie	Community Development and Housing	
Ibarra	Sandra	Council member- City of San Bernardino	
Johnson	Astrid	Morongo Basin ARCH	
Lewis-Huntley	Erika	City of Rancho Cucamonga	
Mendoza	Ruben	Youth Advisory Board	
Murillo	Becky	Housing Authority of the San Bernardino County	
Smith	Don	Creating Community Solutions	
Page	Quinton	Mountain Region	
Walker	Sue	Mountain Homeless Coalition	
Warren	Acquanetta	2 <sup>nd</sup> District – BOS	
Yakimow	Curtis	Town of Yucca Valley	

\*Please note we do not take attendance of members of the public that joined via tele-conference

# San Bernardino County Homeless Partnership

## Homeless Provider Network

Administrative Office  
560 E. Hospitality Lane, Suite 200, San Bernardino, CA 92408-0044  
Office: (909) 501-0610



January 17, 2024

To: Tad Egawa, Acting Secretary  
Business, Consumer Services and Housing Agency  
California Homeless Coordinating and Financing Council  
Encampment Resolution Funding (ERF) Program  
915 Capitol Mall  
Sacramento, CA 95814

**RE: City of Montclair - Office of Homeless Services Letter of Support**

Dear Mr. Egawa,

The San Bernardino County Continuum of Care (CoC) provides its support for the City of Montclair's (City) application to the California Homeless Coordinating and Financing Council Encampment Resolution grant. The City's project aims to enhance homeless services for individuals living in prioritized encampments located along a two-mile section of the San Antonio Creek Channel along the western boundary of the City and at the Montclair Transcenter. Approximately 20 - 30 homeless individuals are estimated to live in these areas.

The San Bernardino County CoC oversees the County's plan to organize and deliver supportive social services, including housing options, which meet the specific needs of homeless individuals and families in the County. The CoC works to ensure community-wide commitment to ending and preventing homelessness in all parts of the County through inclusion of representation from the entire CoC geographic area. Ultimately, the goal of the CoC is to move homeless people toward stable housing and maximum self-sufficiency. The CoC will work closely with the City by improving coordination and integration with mainstream resources and other community programs for those who are experiencing homelessness. The City and partnering agencies have been providing services such as crisis intervention, mental health support, transitional housing, and other services to homeless encampments in the City. They are committed to the region and have shown their willingness to partner to improve the accessibility of those most in need by providing housing and other resources.

We are supportive of and committed to the City of Montclair for their proposal of the Encampment Resolution Funding request. Thank you for your consideration of this critical project for the City and our County.

Sincerely,

A handwritten signature in cursive script that reads 'Jessica Alexander'.

JESSICA ALEXANDER

Chair, Interagency Council on Homelessness  
San Bernardino County Continuum of Care

### Members of the Interagency Council on Homelessness

Members of the Board of Supervisors  
City of Victorville  
Housing Authority of the County of San Bernardino  
San Bernardino Law and Justice Group  
San Bernardino County Superintendent of Schools

City of Rancho Cucamonga  
Town of Yucca Valley  
Community Development and Housing Agency  
Mountain Regional City Representative  
Members of the Homeless Provider Network

City of San Bernardino  
Department of Behavioral Health  
San Bernardino County Human Services  
Youth with Lived Experience of Homelessness

# San Bernardino County Homeless Partnership

## Homeless Provider Network

Administrative Office  
560 E. Hospitality Lane, Suite 200, San Bernardino, CA 92408-0044  
Office: (909) 501-0610



January 17, 2024

To: Tad Egawa, Acting Secretary  
Business, Consumer Services and Housing Agency  
California Homeless Coordinating and Financing Council  
Encampment Resolution Funding (ERF) Program  
915 Capitol Mall  
Sacramento, CA 95814

RE: **City of Redlands** - Encampment Resolution Funding Letter of Support

Dear Mr. Egawa,

The San Bernardino County Continuum of Care (CoC) is supportive of and committed to the City of Redlands for their proposal of the Encampment Resolution Funding request. City of Redlands Homeless Solutions and partnering agencies have been providing services such as emergency shelter, permanent housing, crisis intervention, mental health support, transitional housing, identification vouchers, and other services to homeless encampments along State Interstate 10, State Interstate 210, and State Highway 38 for the last 12 months. They are committed to the region and have shown their willingness to partner to improve the accessibility of those most in need by providing housing and other resources.

The San Bernardino County Continuum of Care (CoC) are eager to be part of the City of Redlands partnership so we can strengthen and expand the resources to connect homeless with new opportunities in the community.

Sincerely,

JESSICA ALEXANDER

Chair, Interagency Council on Homelessness  
San Bernardino County Continuum of Care

### Members of the Interagency Council on Homelessness

Members of the Board of Supervisors  
City of Victorville  
Housing Authority of the County of San Bernardino  
San Bernardino Law and Justice Group  
San Bernardino County Superintendent of Schools

City of Rancho Cucamonga  
Town of Yucca Valley  
Community Development and Housing Agency  
Mountain Regional City Representative  
Members of the Homeless Provider Network

City of San Bernardino  
Department of Behavioral Health  
San Bernardino County Human Services  
Youth with Lived Experience of Homelessness



**County of San Bernardino  
Office of Homeless Services**

Item# 2

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## OHS Update

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Date January 24, 2024

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Presenter Marcus Dillard, Chief of Office of Homeless Services

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Announcements The table below lists the announcements for today's meeting.

Announcements
<ol style="list-style-type: none"><li>1. The Office of Homeless Services (OHS) released the RFP for the following:<ul style="list-style-type: none"><li>• Capacity Building was released on December 13th and is due on January 24, 2024</li><li>• Equity was released yesterday (1/17) and is due February 21, 2024</li><li>• Strategic Planning and Systems Support was released yesterday (1/17) and is due February 21, 2024</li></ul></li><li>2. THE HHAP RFA will be released today via HomelessRFP and Proposals are due February 20, 2024.</li><li>3. HHAP 5, OHS will begin reaching out for the planning sessions which must include 3 public sessions on the following:<ul style="list-style-type: none"><li>• Review of Regionally Coordinated Homelessness Action Plan &amp; Section 2.2 Performance Measures,</li><li>• Section 2.1 Roles and Responsibilities of participating Jurisdictions,</li><li>• Section 2.3: Equity Improvement Plan</li><li>• Section 2.4: Reduce the number of people experiencing homelessness upon exit from an institution.</li></ul></li></ol> <p>These will be working groups as the information gathered during these sessions will be used to develop a strategi plan on the use of HHAP 5 funding.</p>



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**2024 Point In Time Count (PITC) Update**

Date January 24, 2024

Presenter Erika Lewis-Huntly, Chair, PITC Oversight Committee

Announcements The table below lists the announcements for today's meeting.

Announcements	
<ul style="list-style-type: none"> <li>The command center for the PITC will be at the County Government Center.</li> <li>PITC Volunteer trainings will be complete as of January 23. In total OHS with ITD conducted 17 trainings (14 virtual trainings, 3 in-person training).</li> <li>2500 hygiene backpacks, 500 vests were boxed and distributed to the cities and agencies for the PITC.</li> <li>Volunteers – As of today we have over 700 registered volunteers. Registration closed on January 19.</li> </ul>	
<p><b>Breakdown of registered volunteers as of 1/18/2024</b></p> <p>**Final volunteer numbers will be totaled for each city after the count is conducted and sign-in sheets are returned.</p>	
<ul style="list-style-type: none"> <li>Adelanto - 19</li> <li>Apple Valley - 18</li> <li>Barstow - 18</li> <li>Bloomington - 5</li> <li>Chino - staff</li> <li>Chino Hills - staff</li> <li>Colton - 18</li> <li>Fontana - 49</li> <li>Grand Terrace - 6</li> <li>Hesperia – staff</li> <li>Highland - Staff</li> <li>Loma Linda – staff</li> <li>Montclair – staff</li> <li>Needles - staff</li> </ul>	<ul style="list-style-type: none"> <li>Muscoy - 5</li> <li>Ontario - 54</li> <li>Rancho Cucamonga – doing their own recruitment.</li> <li>Redlands - 111</li> <li>Rialto - 46</li> <li>San Bernardino - 168</li> <li>Twenty-nine Palms - 13</li> <li>Unincorporated Mountain Communities - 18</li> <li>Upland - 32</li> <li>Victorville - 76</li> <li>Yucaipa – 22</li> <li>Yucca Valley – 42</li> </ul>
<p>OHS will be conducting a volunteer survey in February for feedback on the experience of volunteering for the PITC.</p>	

**San Bernardino City and County Continuum of Care  
Governance Ad Hoc Committee Update – Outline  
January, 2024**

**Purpose**

- Report on activities of the Governance Ad Hoc Committee and Consultants from November 2023 to date.
- Provide an update on timeline for completion of Governance Charter review and update.

**October**

The Governance Ad Hoc Committee last reported to the ICH in October 2023.

**November - December**

Consultants Provided Presentations, Listening Sessions, and Office Hours

- Feedback we heard from the sessions was integrated into subsequent sessions. Themes that were repeated among sessions:
  - Questions about Board Composition and Selection
  - Questions about Regional Representation and Communication
  - Concerns about timeline to move forward to CoC Membership

Ad Hoc Committee Meeting of December 19, 2023

- Update on Activities
- Ad Hoc Member Feedback
- Specific Questions for Ad Hoc
  - CoC Membership Leaders (separate from the Board)
  - Regional Structures and Liaisons

**Changes to Draft Charter Chapters**

One HUD-Required Change -An update to the HUD Code of Conduct:

- E-Library Update listed 6 required items.
- Required elements include limitation on gifts and gratuities.
- All Codes submitted prior to 2017 are being removed from the E- Library and must be replaced with new documents that align with 2 CFR part 200.

**December- January**

Charter Document Reviews and Edits

Distribution of Chapters

- Review Process. This process continues until all Chapters have been reviewed.
- Internal review for readability and consistency
- Committee Review and Consultants Edit

**Timeline**

The original intent was to present to CoC Membership in January.

- Challenges:
  - Review of all Chapters – impacted by holidays and illness
  - January Point in Time Count as Priority
  - Finding location for CoC Membership Meeting
  - Revise plan to present to CoC Membership in early March

## Will There be Funds for a Homeless Housing Assistance Program (HHAP) Round 6?

*Governor's Proposed 2024-25 Budget does not include funding for a HHAP Round 6*

The Senate Committee on Budget and Fiscal Review's [Summary of the Governor's Proposed 2024-15 Budget](#) states the following on page 24:

*The Governor's Budget does not include funding for a HHAPP Round 6, but commits to working with the Legislature on additional funding "assuming that local governments deliver" on commitments under HHAPP Rounds Three and four, as well as regional planning and coordination requirements pursuant to HHAPP Round Five.*

The Senate Committee echoed the Assembly Budget Committee's statement in its [Highlights of Governor's Proposed 2024-25 Budget](#) on page 29:

*(Governor) Promises to continue to work with locals in spring on additional homelessness support so long as locals continue commitments in HHAP round 3-5.*

Both committees echoed the [Housing and Homelessness Section of Governor's Budget Summary — 2024-25](#) which notes the following on page 67:

*As part of the spring budget process, the Administration will commit to working closely with the Legislature on additional funding to support local governments' response to the homeless crisis—assuming local governments deliver on the performance commitments made under HHAP 3 and HHAP 4, and on the regional planning and coordination requirements of HHAP 5.*

The spring budget process will include the "May revise," which requires the Governor to issue an updated budget proposal by May 14 could include additional HHAP funding. The May Revision updates the governor's economic and revenue outlook; adjusts the governor's proposed expenditures to reflect revised estimates and assumptions; revises, supplements, or withdraws policy initiatives that were included in the governor's proposed budget on January 10. The updates could result in the Governor and Legislature committing to additional HHAP funding.

Prior to the May Revision, Democratic and Republican caucuses in each chamber of the Legislature will respond to the Governor's request to work with the Legislature regarding additional HHAP funding. Policy committees will hear and report to fiscal committees and fiscal committees will hear and report to the Legislative Floor, which may include consideration of additional HHAP funding.



The Spring budget process will culminate on June 15 because the Legislature must pass a Budget Bill for the 2024-25 fiscal year, which begins July 1. The Budget Bill must be balanced. Lawmakers face penalties if they fail to pass the budget bill on or before June 15. The Governor must sign the bill before July 1. The Budget Bill could include additional HHAP funding.

## **Summary**

- The Governor's Budget does not include funding for a HHAP Round 6.
- Whether there will be additional HHAP funding for FY 2024-2025 remains to be seen for the Governor has proposed to defer discussion about additional HHAP funding until the Spring once more information is known about actual revenues and the conversation about accountability has evolved.
- Prior to the May Revision, Democratic and Republican caucuses in each chamber of the Legislature will respond to the Governor's request to work with the Legislature regarding additional HHAP funding.
- Policy committees will hear and report to fiscal committees and fiscal committees will hear and report to the Legislative Floor, which may include consideration of additional HHAP funding.
- Before the Legislature reaches an agreement with the Governor, the Assembly and Senate must decide what to present regarding funding for HHAP if anything in its Budget Bill for the 2024-25 fiscal year.
- Assembly and Senate budget committees and subcommittees meet to discuss and decide. A Budget Conference Committee consisting of a small group of legislators from both house work to reconcile differences between the Assembly and Senate versions of the their state budget.
- The Spring budget process will culminate on June 15 because the Legislature must pass a Budget Bill for the 2024-25 fiscal year, which begins July 1. The Budget Bill must be balanced. Lawmakers face penalties if they fail to pass the budget bill on or before June 15.
- The Governor must sign the bill before July 1 and could include additional HHAP funding.

# SAN BERNARDINO CITY AND COUNTY COC POLICIES VAWA 2022

September 17, 2023

DRAFT

# San Bernardino City & County Continuum of Care Violence Against Women Act of 2022 (VAWA) Policies and Procedures

## A. Overview

Under the HUD Final Rule Implementing VAWA Reauthorization Act of 2022 the San Bernardino City & County Continuum of Care (CoC), is adopting policies to include provisions for protection of victims<sup>1</sup> of domestic violence, dating violence, sexual assault, sexual battery, or stalking, regardless of sex, gender identity, gender expression or actual or perceived sexual orientation.

These policies and procedures apply to CoC-funded housing programs when they are present in the CoC. Rapid Re-Housing (RRH), Permanent Supportive Housing (PSH) programs, Joint Transitional-Housing Rapid Rehousing (TH-RRH), and Other Permanent Housing. HUD guidance related to the 2022 federal regulations are also relevant to operations of Emergency Solutions Grant (ESG) and impact the operations of the HUD-mandated Coordinated Entry System (CES) of the CoC.

## B. 2022 Definitions

### Definition of Domestic Violence

Key changes under the VAWA 2022 reauthorization expand the definition of domestic violence and initiate changes in HUD protocols for assessing compliance with the revision. In March 2023, subsequent to the approval of VAWA 2022, HUD released guidance for implementation of the new rules on CoC Programs. This guidance amends the definition of homelessness under Category 4.

The VAWA 2022 definition domestic violence expands to include two new conditions: Economic Abuse and Technological abuse.

*Economic Abuse:* The term 'economic abuse', in the context of domestic violence, dating violence, and abuse in later life, means behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, or manipulation to:

- (A) restrict a person's access to money, assets, credit, or financial information;
- (B) unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or
- (C) exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

*Technological Abuse.* The term 'technological abuse' means an act or pattern of

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<sup>1</sup> The term 'survivors' of domestic violence may also be used with the same applicability.

behavior that occurs within domestic violence, sexual assault, dating violence or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to: internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies.

*The 2022 expanded definitions are incorporated in each reference to 'domestic violence' throughout these policies and procedures.*

#### **Definition of Homelessness, Category 4**

Under VAWA 2022 HUD changes the Category 4 definition of homelessness to the following: Any individual or family who:

- (i) is experiencing trauma or lack of safety related to, or fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual's or family's current housing situation, including where the health and safety of children are jeopardized;
- (ii) Has no other safe residence; and
- (iii) Lacks the resources to obtain other safe permanent housing.

The changes in the definition of homelessness under HUD for CoC programs broadens section (i) the eligibility from 'fleeing domestic violence' and removes restrictions in in section(iii). These changes allow more persons to potentially qualify as homeless.

The CoC adopts the 2022 revisions to the definition of homelessness. Each reference to homelessness incorporates the revised homelessness eligibility under category 4.

### **C. Notification of Occupancy Rights under VAWA**

All CoC-funded programs must provide written notification to applicants, participants, and property owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and termination of tenancy or assistance.

1. All CoC-funded programs must provide applicants and participants the following:
  - HUD Form 5380, *Notice of Occupancy Rights under the Violence Against Women Act* form that explains the VAWA protections including the right to confidentiality, and any limitations on those protections<sup>2</sup>. See Attachment I.<sup>3</sup>
  - HUD Form 5382, *Certification of Domestic Violence, Dating Violence, Sexual Assault, Stalking or Alternate Documentation* form to be completed by the victim to document that the applicant or resident is a

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<sup>3</sup> The 2023 edition of the 5380 form is pending HUD release and will replace the current attachment when available.

victim of domestic violence, dating violence, sexual assault, or stalking. See Attachment II<sup>4</sup>

2. HUD Forms 5380 and 5382 must be provided to each person seeking or receiving CoC housing assistance at the following times:
  - i. At the time the person is denied housing;
  - ii. At the time the person is admitted to housing;
  - iii. When a participant receives notification of eviction; and
  - iv. When a participant terminates from the assistance program.

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<sup>1</sup> The final HUD Rule implementing VAWA applies to CoC-funded Rapid Re-Housing (RRH) and PSH programs funded under a CoC NOFA published on or after December 16, 2016. However, the core statutory protections of VAWA that prohibit denial or termination of assistance or eviction solely because an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking, applied upon reauthorization in October, 2022.

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<sup>4</sup> The 2023 edition of the 5382 form is pending HUD release and will replace the current attachment when available.

When a participant is notified of termination of program assistance.

3. Property owners must also receive notice of VAWA obligations and agree to certain VAWA commitments:
  - i. CoC rental assistance programs must provide copies of the HUD Forms to the property owner or manager at the time of lease-up and every re-certification as part of the lease renewal.
  - ii. Any contract between the recipient/sub-recipient and the Landlord must include:
    - The requirement to comply with VAWA provisions as promulgated in 24 CFR part 5, subpart L;
    - A commitment from the Landlord to provide the HUD Forms 5380 and 5382 to the program participant with any notification of eviction and comply with VAWA's confidentiality requirements;
    - The requirement on the Landlord to include
      - (1) a lease provision that includes **all requirements that apply to tenants, the owner, or the lease under VAWA**, including the prohibited bases for eviction and restrictions on construing lease terms under 24 CFR 5.2005(b) and (c), and
      - (2) language in the lease that permits the program participant to terminate the lease, sublease, or occupancy agreement without penalty if the program participant qualifies for an emergency transfer.
  - iii. Sponsor-based housing programs must include the following in any lease, sublease, or occupancy agreement:
    - (1) a lease provision that includes **all requirements that apply to tenants, the owner, or the lease under VAWA**, including the prohibited bases for eviction and restrictions on construing lease terms under 24 CFR 5.2005(b) and (c), and
    - (2) language in the lease that permits the program participant to terminate the lease, sublease, or occupancy agreement without penalty if the program participant qualifies for an emergency transfer.
  - iv. VAWA Lease Addendum must be executed and returned by the property owner or manager and then executed by the participant.

#### **D. Protections Provided Under the VAWA**

VAWA provides specific protections for victims of domestic violence<sup>5</sup>, dating violence, sexual assault or stalking as follows:

CoC programs may not deny admission or assistance to an applicant on the

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<sup>5</sup> All references to 'domestic violence' incorporate the 2022 revised and expanded definitions.

basis or as a direct result of the fact that the person has been a victim of domestic violence, dating violence, sexual assault or stalking if the applicant otherwise qualifies for admission or assistance.

- a. If the program receives adverse information about an applicant/household member and is aware that domestic violence might be involved, the program shall determine whether there is a substantial connection between the adverse information and the fact that the applicant/household member is a victim of domestic violence. If the program determines that there is such a connection, then the program will disregard the adverse information.

A substantial connection includes, but is not limited to, where a victim loses financial support (e.g. victim's job or perpetrator's wages) due to domestic violence and is evicted (or receives a negative landlord reference) for late or nonpayment of rent; where a victim is evicted or receives a negative landlord reference due to property damage and/or noise or other interference with neighbors caused by the perpetrator; and where a victim receives a negative landlord reference for breaking a lease prior to its expiration due to domestic violence.

4. CoC programs may not terminate the lease or program assistance of a family that moves out of the dwelling unit in violation of the lease, with or without prior notification to the program, if the move occurred to protect the health or safety of a family member who is or has been the victim of domestic violence, dating violence, sexual assault or stalking and who reasonably believed they were imminently threatened by harm from further violence if they remained in the unit. An "imminent threat" is a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: The duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.
5. An incident or incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking may not be construed as either a serious or repeated lease or program violation by the victim or as good cause to terminate the lease or assistance of the victim.
6. Criminal activity directly related to domestic violence, dating violence, sexual assault or stalking may not be construed as cause for terminating assistance of the lease of a resident if a member of the resident's household, a guest, or another person under the resident's control is the one engaging in the criminal activity, and the resident or affiliated individual or other individual is the actual or threatened victim of the domestic violence, dating violence, sexual assault, or stalking.
7. CoC programs have the authority to terminate the lease to any resident or lawful occupant who engages in criminal acts of physical violence against family members or others without terminating assistance to, or otherwise penalizing, the victim of the violence.
8. Common Application of Protections Afforded:

- a) Where a perpetrator causes property damage, program assistance may not be terminated nor shall a sponsor-based program evict the victim of domestic violence, dating violence, sexual assault or stalking because of such property damage.
- b) Where nonpayment of rent or other charges due a sponsor-based program is caused by the perpetrator, and where the victim of domestic violence, dating violence, sexual assault or stalking removes said perpetrator from the lease, the program shall offer the remaining household members a reasonable repayment plan (without charging late fees but may recover costs) and shall not evict the remaining members for such nonpayment so long as they comply with said plan.

## **E. Limitations on VAWA Protections**

- Nothing in this policy limits the authority of the CoC or CoC programs, when notified of a court order, to comply with respect to the rights of access or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault or stalking, or the distribution of property among household members.
- Nothing in this policy limits any available authority of the CoC or CoC programs to evict or terminate assistance to a resident or tenant for any violation not premised on or directly related to an act of domestic violence, dating violence, sexual assault, or stalking that is in question against the tenant or an affiliated individual of the tenant.

However, the CoC nor CoC programs may not subject the tenant, who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, or is affiliated with an individual who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate assistance.

- Nothing in this section limits the authority of CoC programs to issue a termination of assistance or evict a tenant if the program can demonstrate an actual and imminent threat would be present if that tenant or lawful occupant is not evicted or terminated from assistance. The threat can be to other tenants or those employed at or providing service to the property or site. In this context, words, gestures, actions, or other indicators will be considered an “actual and imminent threat” if they meet the standards provided in the following definition:
  - A physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: The duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.
- Any termination of assistance or eviction, as provided in paragraph D(3) of this section will be utilized only when there are no other actions that



could be taken to reduce or eliminate the threat, including, but not limited to, transferring the victim to a different unit, barring the perpetrator from the property or site, contacting law enforcement to increase police presence or develop other plans to keep the property safe, or seeking other legal remedies to prevent the perpetrator from acting on a threat. Restrictions predicated on public safety cannot be based on stereotypes but must be tailored to particularized concerns about individual residents.

## **F. Evidence Related to Proof of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

- If an applicant or tenant requests or may be subject to VAWA protections as defined in this policy, the program must provide the alleged victim with HUD form 5382, *Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking and Alternate Documentation*. The program may request that Form 5382 or other documentation as listed below be returned within fourteen business days. The program may, but is not required, to extend the period to submit the documentation with the approval of the Collaborative Applicant.
- In response to this request, the resident may complete HUD form 5382 **or may choose to** provide **one** (or more) of the following types of third-party documentation listed below. The applicant or tenant may not be required to provide multiple documents to substantiate their DV status.
  - a) A listing of the approximate dates when each incident occurred, discussion of the applicant's fears and injuries and the effect that each abusive incident has had on the applicant and their family;
  - b) Restraining or civil protection orders;
  - c) Medical records or statement from medical professional;
  - d) Documentation from a mental health professional;
  - e) Police reports, records of telephone calls or visits to the victim's address. This may include telephone calls to the police registering a complaint, a log of police runs made to the residence, copies of all tapes and reports written by officers responding to a call;
  - f) A record of an administrative agency or victim service provider;
  - g) Court records;
  - h) Statements signed by workers from a domestic violence shelter or other domestic violence programs attesting to the time the victim spent in the shelter and the reason as linked to incidents of abuse;
  - i) Statement signed by counselors if victim attended counseling;
  - j) Statement signed by an attorney from whom the victim sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking.

- k) Reports, statements from police, judges and other court officials, clergy, social workers, social service agencies, or other victim service providers;
- l) Other credible evidence as corroborated by law enforcement or domestic violence providers as accepted at the discretion of the housing provider.
- m) Any statements that are signed by above-mentioned professionals must indicate that the professional believes the incident or incidents of domestic violence occurred and meet the definition of domestic violence, dating violence, sexual assault, or stalking. The victim also signs the same statements.

#### **G. Resolving the Presence of Conflicting Evidence**

- a) If the program receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim of the other petitioning household members as the abuser or perpetrator), the program may request third-party documentation from victims in order to resolve the conflict.
- b) The victim must provide the third-party documentation within 30 days of the request from a housing provider or CoC representative.
- c) If the victim is dissatisfied with the results of the conflict resolution, the victim may appeal the decision following the housing providers' standard appeals policies and procedures.
- d) If the victim fails or refuses to provide documentation as required in this section, the program does not have to provide the victim with the protections contained in this policy. HUD, however, advises that the safety of tenants is the primary concern.

#### **H. Considerations for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

The housing program must consider:

- a. The nature and severity of each case while exercising discretion on whether family members or their guests pose an actual and imminent threat to the health, safety, or right to peaceful enjoyment of the premises by others. Any eviction or termination of assistance taken on this basis will only be used when there are no other actions that can be taken to reduce or eliminate the threat, including but not limited to:
  - a) Transferring the victim to another location
  - b) Barring the perpetrator from the property
  - c) Lease bifurcation
  - d) Contacting law enforcement

- b. Undertaking whatever actions permissible and feasible under the program to assist victims of domestic violence, dating violence, sexual assault, or stalking. (e.g., bear some or all of the moving cost of the transfer, etc.), subject to availability of funding and resources.
- c. Removing the perpetrator of domestic violence from the lease, while the remaining family members stay in the assisted unit, with notification of the CoC.
- d. The effects of denial or termination of assistance on other family members who were not involved in the offense.
- e. The conditions barring the culpable household member from residing in or visiting the unit.
- f. The circumstances relevant to an eviction or termination of tenancy based on the extent to which the person has shown personal responsibility to prevent the offending action, and the time that has elapsed since their arraignment for that crime.
- g. The range of evidence as proof of domestic violence, dating violence, sexual assault, or stalking, which may include, but is not limited to victim's statement, testimony or affidavit outlining the facts of the violence or cruelty in each incident, utilizing form HUD-5382.

## **I. Confidentiality**

All information provided regarding domestic violence, dating violence, sexual assault, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence. This means that the CoC, providers or property owner or manager may not:

- a. enter the information into any shared database except the authorized DV comparable database;
- b. allow employees or others to access the information unless they are explicitly authorized to do so and have a need to know the information for purposes of their work; or
- c. provide the information to any other entity or individual, except to the extent that the disclosure is:
  - (i) requested or consented to by the individual in writing in a time-limited basis;
  - (ii) required for use in an eviction proceeding or termination of assistance; or
  - (iii) otherwise required by applicable law.

If program disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, the program will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

The CoC and CoC funded projects must comply with the confidentiality protections under 34 USC 1249 (c) (4). VAWA 2022 amends the Mc Kinney-Vento Act to offer CoC recipients new support with respect to monitoring compliance with confidentiality protections. CoC-funded projects are

encourages to utilize the financial assistance offered through the amendments.

## **J. Lease Bifurcation**

- a. A survivor residing in a CoC or ESG project providing rental assistance can request a lease bifurcation, which allows the survivor to retain the existing assistance without the presence of the perpetrator in the unit. The regulations allow the CoC and ESG projects to continue assistance for a period of time, to allow survivors to either establish assistance on their own or to find other housing.
- b. The program may, in accordance with paragraph 2 of this section of VAWA, bifurcate a lease, or remove a household member from a lease to evict, remove, terminate occupancy rights, or terminate assistance to such member who engages in criminal activity directly relating to domestic violence, against an affiliated individual or other individual:
  - i. Without regard to whether the household member is a signatory to the lease; and
  - ii. Without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant.
- c. A tenant who requests protection(s) under VAWA and who qualifies as a victim and who is not subject to removal, who declares that they feel safe in the unit, may not be forced to transfer to another unit, except as to comply with housing occupancy regulations. A tenant may however, who feels unsafe and at risk by remaining in the unit, may request an Emergency Transfer as specified in the CoC Standards.
- d. A lease bifurcation, as provided in paragraph 1 of this section, shall be carried out in accordance with any requirements or procedures as may be prescribed by Federal, State, or local law for termination of assistance or leases and in accordance with any HUD requirements.

## **K. Assistance for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

- a. Rental assistance programs will work with the property owner or manager to facilitate protections on the tenant's behalf. In addition, the CoC will make determinations on a case-by-case basis based on the program's recommendation whether to provide new tenant-based rental assistance to a remaining tenant if lease bifurcation or an emergency transfer results in the division of the household.

## **L. Non-discrimination**

Pursuant to VAWA and the policies of the CoC, no applicant or tenant shall, on the basis of actual or perceived race, color, religion, national or ethnic origin, sex, familial status, marital status, status as a victim of domestic violence, dating violence, sexual assault or stalking, gender identity or gender expression, actual or perceived sexual orientation, disability, ancestry, age,

pregnancy, or source of income be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under VAWA.

#### **M. Prioritization of Victims/ Survivors of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

Pursuant to VAWA 2022 and HUD Guidance, the CoC must establish priorities for responding to request for emergency transfers. Regulations mandate that households exercising an internal emergency transfer (ie within a project) must have priority for units that become available.

#### **N. Right to File a Complaint**

Persons covered by VAWA regulations have a right to file a complaint with the Fair Housing Equal Opportunity. CoC-funded projects will advise their applicants and program participants of their rights.

HUD has established a new website where individuals can file a complaint if they believe their VAWA rights have been violated - [Violence Against Women Act \(VAWA\) | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](https://www.hud.gov/program_offices/fair_housing_equal_opp/complaint-process).

Information on the complaint process is found at [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/complaint-process](https://www.hud.gov/program_offices/fair_housing_equal_opp/complaint-process)

VAWA complaints do not need to allege a violation of the Fair Housing Act for FHEO to accept and investigate a VAWA complaint. A complainant may, not later than one year after an alleged VAWA violation has occurred or terminated, file a complaint with FHEO alleging a VAWA violation.

VAWA complaints are filed at <https://www.hud.gov/fairhousing/fileacomplaint%20>. Or at [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/VAWA](https://www.hud.gov/program_offices/fair_housing_equal_opp/VAWA)

#### **O. Prohibition on Retaliation**

VAWA 2022 prohibits covered housing providers from coercing, intimidating, threatening, or retaliating against a survivor for seeking or exercising their VAWA rights.

#### **P. New Activities Eligible for CoC Funding**

VAWA<sup>6</sup> expands the CoC eligible fundable activities to include, “facilitating and coordinating activities to ensure compliance with the Emergency Transfer Plan requirement and monitoring compliance with the confidentiality protections” under the law. Examples of costs associated with this provision<sup>7</sup> include, but are not limited to, moving costs, travel costs, security deposits, utilities, housing fees, case-management, navigation, technology to improve unit safety, staff costs associated with monitoring and evaluation of compliance and of confidentiality policies or procedures, developing strategies or corrective

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<sup>6</sup> Section 605(a) (2) amends the Mc Kinney-Vento Homeless Assistance Program to ensure compliance with Emergency Transfer Plan requirements and monitoring compliance with confidentiality protections.

<sup>7</sup> These items are described on page 42 of the **FY2023** CoC NOFO.

actions, training, reporting, costs associated with establishing mechanisms or protocols to maintain confidentiality.

Projects intending to utilize the expanded activities eligible for reimbursement, must update their agency policies and procedures to conform with VAWA 2022. The CoC VAWA policies and procedures place responsibility for understanding the eligible uses of the activities and the programmatic and fiscal compliance of these.

The Collaborative Applicant will determine which, if any of the VAWA eligible activities will be used by the Collaborative Applicant.

#### **Q. Emergency Transfer Plan**

The CoC must develop and follow a written Emergency Transfer Plan compliant with VAWA 2022. The CoC in collaboration with the “appropriate stakeholders”, defined as but are not limited to, “(A) individuals and organizations with expertise in the housing needs and experiences of victims of domestic violence, dating violence, sexual assault and stalking; and (B) individuals and organizations with expertise in the administration or management of covered housing programs, including industry stakeholders and public housing agencies.” Representative from the CoC Board, the Collaborative Applicant, and appropriate stakeholders are responsible for ensuring compliance with the ETP regulations.

The 2022 VAWA Emergency Transfer Plan must comply with the regulations at 24 CFR 578.99(j)(8) and 24 CFR 5.2005(e). VAWA Emergency Transfer Plans govern how projects in the CoC will respond to requests for emergency transfers from survivors. In accordance with regulations, the ETP will be available on request and should be available on a public website.

Eligibility for requesting an emergency transfer includes: the participant’s reasonable belief of imminent harm, or assault during the past 90 days. The ETP cannot require prior certification of the qualifying condition. The ETP cannot consider gender, race, age, mental health, family size, household composition, ethnicity, or ‘perceived reliability’.

The ETP must describe the prioritization and protocols for actions when an individual requests an emergency transfer for safety reasons. ETP can be separated into ‘internal’ or ‘external’ policies and protocols. ETP.

The CoC ETP process will abide by HUD regulations which require that ETP transfer be given priority in the CoC system an immediate transfer if a unit internal to the program is available and the participant feels the unit is ‘safe’. If no unit is available within the program, transfer to another program within the CoC system, or to other safe housing, such as ESG housing can be prioritized. Rules also provide that persons subject to ETP retain their original homeless status.

ETP may allow flexibility for housing placement for victim HH outside the CoC boundaries (as permitted by HUD). The ETP can **offer** advocacy or other supports if the victim HH is also engaged with Law Enforcement (probation, parole), Public Welfare, Child Protective Services that may inadvertently create

barriers to providing safe housing and protections. The ETP will describe interactions with VSP providers or DV Council

## **R. Best Practice Considerations**

### **Technical Assistance**

HUD has invested in providing resources and information to support CoC implementation of VAWA 2022. HUD's centralized Violence Against Women Act (VAWA) webpage is live now at [www.hud.gov/vawa](http://www.hud.gov/vawa). The webpage serves as a clearinghouse for HUD's VAWA resources, featuring FAQs on VAWA's housing protections, VAWA trainings, VAWA forms, related legal authorities, and referrals for survivors of domestic violence, dating violence, sexual assault, stalking, and human trafficking who need access to direct services.

HUD Compliance reviews are effective no later than March 2024. The CoC local policy recommends that CoC and ESG-funded programs review the information on the HUD VAWA site at least monthly during the 2023-2024 transition period.

### **VAWA Visa A**

Certain Households can apply for a special VISA/ 'green card' under the Act. The process starts with Form I-360 (Immigration) and may take several months to be processed. CoC recipient organizations are encouraged to advise program applicants of this opportunity.

## **S. Subsequent Actions**

Upon approval of the updated VAWA Policies and Procedures, the CoC Board will ensure that subsequent actions mandated by VAWA 2022, such as updated CoC Written Standards, a VAWA 2022 compliant Emergency Transfer Plan, and adjustments to CES policies and practices, as appropriate are completed.

**[Insert Name of Housing Provider<sup>1</sup>]**

**Notice of Occupancy Rights under the Violence Against Women Act<sup>2</sup>**

**To all Tenants and Applicants**

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.<sup>3</sup> The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that **[insert name of program or rental assistance]** is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”

**Protections for Applicants**

If you otherwise qualify for assistance under **[insert name of program or rental assistance]**, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

**Protections for Tenants**

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<sup>1</sup> The notice uses HP for housing provider but the housing provider should insert its name where HP is used. HUD’s program-specific regulations identify the individual or entity responsible for providing the notice of occupancy rights.

<sup>2</sup> Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

<sup>3</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.



If you are receiving assistance under **[insert name of program or rental assistance]**, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under **[insert name of program or rental assistance]** solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

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.

### **Removing the Abuser or Perpetrator from the Household**

HP may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If HP chooses to remove the abuser or perpetrator, HP may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, HP must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, HP must follow Federal, State, and local eviction procedures. In order to divide a lease, HP may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

### **Moving to Another Unit**

Upon your request, HP may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, HP may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

- (1) You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.
- (2) You expressly request the emergency transfer.** Your housing provider may choose to require that you submit a form, or may accept another written or oral request.
- (3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

HP will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

HP's emergency transfer plan provides further information on emergency transfers, and HP must make a copy of its emergency transfer plan available to you if you ask to see it.

**Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

HP can, but is not required to, ask you to provide documentation to “certify” that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from HP must be in writing, and HP must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. HP may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to HP as documentation. It is your choice which of the following to submit if HP asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by HP with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, “professional”) from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.
- Any other statement or evidence that HP has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, HP does not have to provide you with the protections contained in this notice.

If HP receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), HP has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, HP does not have to provide you with the protections contained in this notice.

### **Confidentiality**

HP must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

HP must not allow any individual administering assistance or other services on behalf of HP (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

HP must not enter your information into any shared database or disclose your information to any other entity or individual. HP, however, may disclose the information provided if:

- You give written permission to HP to release the information on a time limited basis.
- HP needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires HP or your landlord to release the information.

VAWA does not limit HP'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.

### **Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated**

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, HP cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if HP can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

- 1) Would occur within an immediate time frame, and
- 2) Could result in death or serious bodily harm to other tenants or those who work on the property.

If HP can demonstrate the above, HP should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

### **Other Laws**

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. You may be entitled to

additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

#### **Non-Compliance with The Requirements of This Notice**

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with **[insert contact information for any intermediary, if applicable]** or **[insert HUD field office]**.

#### **For Additional Information**

You may view a copy of HUD's final VAWA rule at **[insert Federal Register link]**.

Additionally, HP must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact **[insert name of program or rental assistance contact information able to answer questions on VAWA]**.

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact **[Insert contact information for relevant local organizations]**.

For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault, you may contact **[Insert contact information for relevant organizations]**

Victims of stalking seeking help may contact **[Insert contact information for relevant organizations]**.

**Attachment:** Certification form HUD-5382 **[form approved for this program to be included]**

**CERTIFICATION OF  
DOMESTIC VIOLENCE,  
DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING,  
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing  
and Urban Development**

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**Purpose of Form:** The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

**Use of This Optional Form:** If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

**Submission of Documentation:** The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE,  
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**



1. Date the written request is received by victim: \_\_\_\_\_

2. Name of victim: \_\_\_\_\_

3. Your name (if different from victim's): \_\_\_\_\_

4. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_

5. Residence of victim: \_\_\_\_\_

6. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_

7. Relationship of the accused perpetrator to the victim: \_\_\_\_\_

8. Date(s) and times(s) of incident(s) (if known): \_\_\_\_\_

10. Location of incident(s): \_\_\_\_\_

In your own words, briefly describe the incident(s):

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This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Public Reporting Burden:** The 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. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.