



Dear Interested Party:

Where your world opens up.

Attached is an application for Linwood Lafayette Senior Apartments located at 637 Linwood Ave in the Buffalo. This application must be completed in full and signed by all persons' age 18 years and over certifying that all information pertaining to them is correct. Incomplete applications will not be processed.

Eligibility Criteria:

1. The head of household must be 55 years of age or older.
2. Set aside apartments are available for head of household, 18 years of age or older for those with a diagnosed developmental disability.
3. Priority will be given to any special needs person who has served in the armed forces of the United States for a period of at least six (6) months (or shorter period due to injury occurred in such service) and have been released or discharged from the armed forces under conditions other than dishonorable.
4. Meet income limits.
5. The household may consist of one or two people per bedroom.

Tenants will be responsible for their own utilities (gas heat, hot water, electric cooking, lights, & AC) and **must be prepared to put the gas and electric services in their names** as of their scheduled move in date, as well as demonstrate that they have adequate income to afford both the rent and utilities. Water is included in rent.

Income limits are per unit, not per household size. The income limits for Linwood Lafayette Apartments are based off rent restrictions enforced by HCR.

Income limits Range between \$15,475 to \$33,225 minimum and \$24,760 to \$53,088 maximum. See below for detail:

Bedroom Size	Rent per month	Minimum Income	Maximum Income
1	\$556	\$15,475	\$24,760
1	\$627	\$17,250	\$27,600
1	\$709	\$19,300	\$30,880
1	\$1,056	\$27,975	\$44,760
2	\$632	\$17,650	\$28,240
2	\$709	\$19,575	\$31,320
2	\$862	\$23,400	\$37,440
2	\$893	\$24,175	\$38,680
2	\$1,255	\$33,225	\$53,088

Some apartments are designed for people who have mobility and vision challenges or for people who are deaf/hard of hearing.

Section 8 Voucher Holders are welcome and will automatically qualify within some income limits.

All applications will be processed in the order of date received and preliminary eligibility will be satisfied by using the information you provide. Applicants will either be given an interview appointment if apartments are available or notified in writing if placed on the waiting list.

Any applicant that is determined to be ineligible will be given the reason for the determination and will have an opportunity to request an appeal within a specified time frame.

Information attached to this application references the Violence against Woman act of 2013 (VAWA). The VAWA protects victims of domestic violence, dating violence, sexual assault, or stalking ("DVDVSAS" or "VAWA covered crimes") from discrimination in accessing and maintaining federally-assisted housing. Applicants and tenants may not be denied admission or evicted from housing because the applicant or tenant has been the victim of a crime protected under VAWA if otherwise qualified for the housing. See 34 U.S.C. § 12491 (b)(1); 24 CFR Part 5, Subpart L.

Please mail your completed application to "Linwood Lafayette Apartments" at the address above. Management staff will provide assistance to any applicant requesting assistance in completing their application. Reasonable accommodations will be made for all persons with disabilities or handicaps. If you require assistance in completing your paperwork please contact our office at (716) 881-6600.

Thank you.

Please note that Linwood Lafayette Apartments are smoke-free



For office use only: Date Received: _____ Time Received: _____ Witness: _____ Special Feature requested: Wheelchair / Hearing / Vision	Referred by: <input type="checkbox"/> Friend/Relative <input type="checkbox"/> Agency <input type="checkbox"/> Newspaper <input type="checkbox"/> Flyer <input type="checkbox"/> TV/Radio <input type="checkbox"/> Other: AMI Level____ 50%__ 55%__ 60%__ 80%__ 100%__
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Applicant please indicate - Bedroom size: One (1) Two (2)
Other: Mobility Challenges Vision Challenges Deaf/Hard of Hearing

All sections of this application MUST BE COMPLETED. LEGAL NAMES of each household member must be used. All information provided is keep confidential, safe and secure.

ALL SPACES must be FILLED IN or MARKED as N/A (NON-APPILCABLE) Incomplete applications will be returned to you.
 *If you are unable to fill out this application, someone may fill it out for you. That person must sign the last page as the person whose handwriting appears on the form. If you need additional assistance, contact the office at number above.

Read all sections and complete the application as directed.

Please include the following items with this application:

- Driver’s license or Photo ID and Social Security card
- Birth Certificates for all members of household

Household information: List all person(s) who will be living in your home.

First Name, Middle initial, Last Name *PLEASE PRINT CLEARLY*	Relation to Head of Household	Social Security Number	Date of Birth	U.S. Citizen Y/N
	Head			
	Co-Head			
	Minor			
	Minor			

Current Address (PO Box not accepted):

Address: _____ City, State, Zip: _____
 Daytime phone: _____ Evening phone: _____ Email: _____

In case of an emergency, notify:

Address: _____ City, State, Zip: _____
 Daytime phone: _____ Evening phone: _____ Email: _____

Rental Assistance:

Will your household be receiving **rental assistance** at the time of move in? **Yes** **No**
 Agency providing voucher: _____
 Address: _____ Phone Number: _____



Please answer all questions:

1. Do you have a diagnosed **Intellectual or developmental disability**? Yes No
Please note this does not include PHYSICAL DISABILITIES.

If yes, do you have a care coordinator? Yes No

If yes, what is their name & their contact information and do we have permission to contact?

First and last name: _____ Contact Info: _____ Permission to contact → Yes No

2. Do you or anyone in your family require a **Live-in Attendant**? Yes No

First and last name: _____ Phone Number: _____

3. Do you need a Reasonable Accommodations request due to a disability? Yes No

4. Do you expect any changes to the household composition within the next twelve months? Yes No

Is there someone listed above that would be normally living in the household? Yes No

If yes, explanation: _____

5. If applicable, do you have full custody of all children listed on this application? Yes No

If no, please explain custody arrangements: _____

6. Will all of the persons in the household be or have been full-time students during five calendar months of this year or plan to be in the next calendar year at an educational institution (or other correspondence school) with regular faculty and students? Yes No

Student Information:

7. Is anyone in your household (including minors), currently a full or part time student or planning to become a student in the next 12 months? Yes No

If yes, please list whom and indicate name of school:

Name: _____ Status: Full _____ or Part _____ time Name of school: _____

Name: _____ Status: Full _____ or Part _____ time Name of school: _____

If yes, answer the following questions:

8. Are any full-time student(s) married and filing a joint tax return? Yes No

9. Are any student(s) enrolled in a job-training program receiving assistance under the Job Training Partnership Act? Yes No

10. Are any full-time student(s) a TANF or title IV recipient? Yes No

11. Are any full-time student(s) a single parent living with his/her children who is not a dependent on another's tax return and whose children are not dependents of anyone other than a parent? Yes No

Is any student a person who was previously under the care and placement of a foster care Program (under Part B or E of the Title IV of the Social Security Act)? Yes No

Additional Information

12. Has any household member ever been convicted of a felony?
If yes, describe _____ Yes No

13. Have you or any household member ever been convicted of methamphetamine production in the home?
If yes, describe _____ Yes No

14. Is any member listed on this application subject to a Lifetime Sex Offender Registration?
If yes, list all states you have lived in: _____ Yes No



Revised 8/2021

15. I/We do hereby opt NOT to have my/our credit run by the staff of People, Inc.

Initials: _____ Initials: _____ Initials: _____ Initials: _____ See below note:

If opting out of credit check, you **MUST** supply proof of 12 consecutive months of on-time, in-full rent payments OR Receipt of a subsidy or subsidies that pay the FULL amount of rent.

Income (please write in GROSS AMOUNTS) for each household member:

*Applications cannot be process if no income and/or assets are listed.

Head of Household:

Source of Income	Gross Monthly Amount	Gross Annual Amount
Social Security	\$	\$
SSI or SSD	\$	\$
State Benefit (SSP)	\$	\$
Disability/Comp/Insurance	\$	\$
Employment (Wages)	\$	\$
Unemployment benefits	\$	\$
Pension Benefit (Annuity/Investments)	\$	\$
Veteran's Benefits	\$	\$
Public Assistance (Cash benefit/DSS)	\$	\$
Alimony and/or Child Support	\$	\$
Student Income/Financial Aid/ Grants/Scholarships	\$	\$
Other Monthly Income	\$	\$

Co-Head:

Source of Income	Gross Monthly Amount	Gross Annual Amount
Social Security	\$	\$
SSI or SSD	\$	\$
State Benefit (SSP)	\$	\$
Disability/Comp/Insurance	\$	\$
Employment (Wages)	\$	\$
Unemployment benefits	\$	\$
Pension Benefit (Annuity/Investments)	\$	\$
Veteran's Benefits	\$	\$
Public Assistance (Cash benefit/DSS)	\$	\$
Alimony and/or Child Support	\$	\$
Student Income/Financial Aid/ Grants/Scholarships	\$	\$
Other Monthly Income	\$	\$

Please answer all questions:

1. Do **YOU OR ANY** other household member expect changes to your income in the next 12 months? If yes, please explain: _____ Yes No

2. Does **ANY** member of your household work for someone who pays in cash? Yes No

3. Does anyone outside of your family give money to **ANY** member of your household? Yes No
4. Is **ANY** member of your household self-employed? Yes No
5. Does **ANY** member of your household receive any other type of income/payments not mentioned on this application? If yes, please explain & list amounts: _____ Yes No
6. Are **you or is any** other adult member of your household claiming ZERO Income? Yes No
7. If yes, members first and last name: _____
8. Do you or any other household member expect changes to your household income in the next 12 months? If yes, please explain: _____ Yes No

Assets: List ALL assets and/or debit cards for each household member

Name(s) on Account	Type of Account	Bank name	Last 4 digits of Account #	Balance & Interest rate
	Checking(s)			
	Saving(s)			
	Debit Card(s)			
	Pension(s)			
	Trust Account			
	CD(s)			
	Credit Union			
	Money Market			
	Stocks/Bonds			
	Annuities			
	IRA's			
	Life Insurance			
	Cash on Hand			
	Investment Property			
List any additional accounts				

Have you disposed of any asset in the past two (2) years? Yes No

Example: Sold real estate or reduced assets by more than \$1001.00 or more; given away money or set up an irrevocable trust account.

If yes, amount: \$ _____ please explain: _____
 Date of disposition: _____ amount disposed \$ _____

Property, answer all questions:

1. Does any member of your household own any property? Yes No
 If yes, type of property: _____ Property location: _____
 Appraised market value: \$ _____ Outstanding Mortgage \$ _____
 Amount of most recent tax bill \$ _____
 Does anyone in the household receive any income from property? Yes No
 If yes, amount: \$ _____

2. Has any member of the household sold or disposed of any property in the last 2 years? Yes No
 If yes, type of property _____ Market value when sold/disposed of \$ _____
 Amount sold / disposed for \$ _____ Date of transaction _____

Vehicle and Pet information: List any cars, trucks or other vehicles owned. Parking will be provided for one vehicle. Arrangements with management will be necessary for more than one vehicle.

Type of Vehicle: _____ License Plate: _____

Year/Make: _____ Color: _____

If 2nd Vehicle -

Type of Vehicle: _____ License Plate: _____

Year/Make: _____ Color: _____

Do you own any pets? Yes No

If yes, describe:

Our policy allows for one (1) common household pet that is less than 25 lbs. at maturity. This included: *Domesticated dog, cat, bird, rodent (including a rabbit) fish. All reptiles (except turtles) are not included reptiles.*

Do you have a service or companion animal? Yes No

Do you have proper documentation stating that the animal is service or companion? Yes No

Authorization: *(please read carefully and sign below this statement)*

I/We do hereby authorize the staff of People, Inc. to contact any person, agency, office, group or organization, to obtain and verify any information deemed necessary to complete my/our application for housing in the property managed by People, Inc. I/We agree to hold harmless People, Inc. and any landlord or person listed above from any and all claims I/We may have for the contents of the information disclosed and for the disclosure and use of this information.

Signature of Applicant Date Signed

Signature of Co-Tenant Date Signed

Signature of Co-Tenant Date Signed

**Signature of person completing application for applicant Date Signed

Please note that you have the right to review/contest/have explained the results of background and/or credit checks

Certification:

I/we hereby certify that I/we will not maintain a separate residency in another location, and I/we will certify that this will be my/our permanent residence. I/we understand I/we must pay a security deposit for this apartment prior to occupancy. I/we understand that acceptance of this application does not guarantee rental of an apartment. I/we authorize my consent to have People Inc. verify the information contained in this application for purposes of providing my/our eligibility for housing, will be based on applicable income limits and managements selection criteria for the Low Income Housing Tax Credit Program. I/we will provide all necessary information including source names, addresses, phone numbers, and account numbers where applicable as well as any other information required. All applications must meet screening criteria. Any changes in family income, size, address or phone numbers must be reported promptly to management in order to properly process this application. I/we further understand that People Inc. is relying on the information I/we provided to prove my household’s eligibility for the Affordable Housing Program. I/we hereby authorize People Inc. and its staff or authorized representative to contact any agencies, offices, groups or organizations to obtain & verify information or materials which agree deemed necessary to complete my/our application/recertification for housing in the property managed by People Inc. I/we certify that all information in this application is true to the best of my/our knowledge and I/we understand that false statements or information are punishable by law and will lead to cancellation of this application or termination of tenancy after occupancy. All eligibility information will be verified through the appropriate third-party source. Failure or inability to provide documentation as requested will result in your application be denied. All qualified applicants will be afforded equal opportunities without discrimination because of race, color, religion, familial status, creed, national origin, sex, age, disability or marital status.

I/we hereby certify that attached to this application are “Things you should know about USDA rural rental housing” information, “Notice of occupancy rights under the violence against women act”, including HUD for 5382.

All adult applicants, 18 or older, must sign application

Signature of Applicant Date Signed

Signature of Co-Tenant Date Signed

Signature of Co-Tenant Date Signed

**Signature of person completing application for applicant Date Signed

The information below regarding race, ethnicity and sex designation solicited on this application is requested in order to assure the Federal Government, acting through the Rural Housing Service, that the Federal Laws prohibiting discrimination against tenant applications on the basis of race, color, nation origin, religion, sex, familial status, age and disability are complied with. You are not required to furnish this information. This information will not be used in evaluating your application or to discriminate against you in any way.

Head Tenant Ethnicity:

- Hispanic or Latino
- Non-Hispanic or Latino

Race: (Mark one or more)

- American Indian/Alaska Native
- Asian
- Black/African American
- Native Hawaiian/Pacific Islander
- White

Gender:

- Male Female Other

Co-Tenant Ethnicity:

- Hispanic or Latino
- Non-Hispanic or Latino

Race: (Mark one or more)

- American Indian/Alaska Native
- Asian
- Black/African American
- Native Hawaiian/Pacific Islander
- White

Gender:

- Male Female Other



Revised 8/2021



Notice of Occupancy Rights under the Violence Against Women Act¹

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.² The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that **People Inc.'s housing program (HP)** complies 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 **People Inc.'s housing program** 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

If you are receiving assistance under **People Inc.'s housing program**, 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

¹ Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

² 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.

assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under **People Inc.'s housing program** 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 **the Department of Housing & Urban Development at (716) 551-5755.**

For Additional Information

You may view a copy of HUD’s final VAWA rule at **HUD Federal Register # 79 CR 62751.**

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 **Crisis Services at (716) 834-3131.**

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 the local organization at (512) 453-8117.

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:

Erie County: (716) 834-2310 Genesee County: (585) 344-0516

Niagara County: (716) 438-3306 Cattaraugus County: (888) 945-3970

Victims of stalking seeking help may contact **your local law enforcement or 911.**

Attachment: Certification form HUD-5382.

**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.

Form HUD-5382
(12/2016)

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):

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.

Know Your Rights

NEW Anti-Discrimination Guidance Affecting People with Criminal Histories



If you are applying for state-funded housing and have a criminal record, you now have rights and protections. Read below to make sure you are not denied housing unjustly.

There are only two mandatory reasons that you can be denied access to state-funded housing:

1. Conviction for methamphetamine production
2. Being a lifetime registrant on a state or federal Sex Offender database

If you have any other type of conviction, you are eligible to be considered for housing.

Housing operators will first look at whether your criminal conviction involved physical violence to persons or property, or affected the health, safety and welfare of others. If it did not, they should not consider your conviction in assessing your housing application. If it did, you must be provided with an opportunity to answer the following questions:

1. How much time has passed since the conviction(s)?
2. How old were you at the time of the conviction(s)?
3. How serious was the conviction(s)?
4. What evidence do you have about your rehabilitation, including treatment programs, volunteer work, paid employment, etc. since your conviction(s)?

The housing operator must evaluate your answers in determining your eligibility for housing. If you were not given an opportunity to answer these questions, or if you feel the housing provider did not properly evaluate your application and wrongfully denied you access to housing, you may contact the Fair and Equitable Housing Office at feho@nyshcr.org to obtain assistance.



Know Your Rights

NEW Anti-Discrimination Guidance Affecting People with Criminal Histories



ANDREW M. CUOMO
Governor

Homes and Community Renewal

RUTHANNE VISNAUSKAS
Commissioner/CEO

Know Your Rights: New York State's Credit Policy for Applicants to State-Funded Housing

A housing provider/landlord cannot automatically deny your application to state-funded rental housing based solely on your credit score or history. **If you have a low credit score or negative credit history, you must be provided with the opportunity to present additional information to explain or refute the findings.**

What is the policy?

- You **CAN** avoid a credit check by evidencing that you paid your rent in full and on time during the last 12 months.
- You **CANNOT** be rejected because of your credit score or credit history if:
 - Your FICO credit score is 580 or above (or 500 if you are homeless),
 - You have limited or nonexistent credit history,
 - Rent subsidies pay your entire rent,
 - Your credit score or credit history is a direct result of a Violence Against Women Act (VAWA)- covered crime (like domestic violence, stalking or harassment), or
 - You have a history of bankruptcy or outstanding debt but present evidence of on-time rental payments over the past 12 months.
- You **CANNOT** be rejected based on:
 - Medical debt or student loan debt.
 - Bankruptcies that occurred over 1 year ago.
 - Unpaid debt that is less than \$5,000.
 - A past eviction or housing court history.
 - Limited or no rent or credit history.

What are my rights?

- Housing providers must accept evidence that you paid your last 12 months rent in full and on time instead of requiring a credit check.
- Housing providers may only reach out to your current or previous landlord without your permission to obtain information on major lease violations.
- Housing providers are limited in the fees that they can charge you:
 - A housing provider cannot charge you a credit or background check fee if you provide one to them that was run within the last 30 days.
 - A housing provider may not charge you more than \$20 or the actual cost (whichever is less), to run both a credit check and a background check.
- *Before* rejecting your application based on your credit report, you must be given 14 days to present evidence of circumstances that explain negative credit findings such as errors in the credit report and short-term periods of unemployment/illness.
- If you are denied, you must be told why and you must be provided with a copy of your credit report and background check.

Find more information about your rights when applying to state-funded housing, including if you have a criminal conviction, here: <https://hcr.ny.gov/marketing-plans-policies#credit-and-criminal-convictions-assessment-policy>