



RESOURCES

GENERAL RESOURCES

- [HUD EHV Website](https://www.hud.gov/ehv): <https://www.hud.gov/ehv>
- [EHV: A How-to Guide for PHAs](#)
- [Ask a Question](#): PHAs and CoCs can submit policy and program questions through the AAQ feature on the [HUD Exchange](#)
- [Signup for EHV Mailing List](#)
- [EHV FAQs](#): Up-to-date FAQs posted to HUD EHV website

WEBINARS & OFFICE HOURS

- **EHV Office Hours: Serving Survivors in EHV (9/14/2021)**: *Focuses on specific issues and policies for PHAs and EHV partners to consider in serving survivors:*
 - [Office Hours Recording](#)
- [Previously Held and Archived Resources](#)

TOOLS, TEMPLATES, & GUIDES

Training and support on partnering with VSPs and human trafficking organizations:

- [National Network to End Domestic Violence \(NNEDV\)](#): Resources concerning privacy and confidentiality
 - [Privacy, confidentiality, and safeguarding records considerations](#)
 - [Confidentiality Toolkit](#)
- [Freedom Network](#): Resources for serving or housing survivors of human trafficking
 - [FAQs: EHV and Service Provision](#)
 - [Factsheet: EHV for Trafficking Survivors](#)
 - [Factsheet: The Rights-based Approach](#)
 - [Factsheet: Collaborating with Homeless Shelters](#)

This resource is prepared by technical assistance providers and intended only to provide guidance. The contents of this document, except when based on statutory or regulatory authority or law, do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

OVERVIEW

Domestic violence, sexual assault, and human trafficking are leading causes of homelessness for individuals, families, and in particular, women and their children. Given the challenges that survivors face, public housing agencies (PHAs), Continuums of Care (CoCs) and victim service providers (VSPs) must work together to ensure that safe, confidential, and affordable housing is available to survivors. Such partnerships must also work to reduce the barriers survivors face in securing and maintaining housing.

PHAs have the ability to create survivor-centered admission policies and housing opportunities for survivors who, because of the abuse or violence committed against them, face significant barriers to accessing and keeping safe, affordable housing. For Emergency Housing Vouchers, PHAs should strongly consider adopting only the mandatory prohibitions listed in the Notice. Doing so allows survivors to quickly access safe, affordable housing.

[Notice PIH 2021-15 \(HA\)](#) outlines both the waivers and alternative requirements for the administration of the EHV that HUD has adopted to better ensure PHAs and Continuums of Care (CoCs) administer a low barrier program. PHAs can and should utilize these waivers, to make EHV more accessible for survivors by eliminating, where possible, the standard screening criteria part of existing PHA policies, such as criminal background checks (aside from statutory requirements) or rental history checks. VSPs and culturally specific organizations can provide valuable insights into the barriers to housing stability that they see with their clients, which can lead to a more survivor-centric application process.

VAWA anti-discrimination protections ensure survivors of domestic violence, sexual assault, stalking, and dating violence are not denied or evicted from housing based on criminal background or negative rental history, if these factors result from the violence committed against them. Partnering with VSPs can help PHAs better understand how seemingly neutral admissions criteria may actually be excluding survivors from obtaining housing.

PHAs must employ an individualized assessment of mitigating circumstances of the applicant when making decisions to deny an EHV applicant on the basis of a permissive prohibition. For example, the fact that someone is a survivor of domestic violence, dating violence, sexual assault, stalking, or human trafficking should be a mitigating factor when a PHA is considering whether to deny admission to the EHV program under a permissive prohibition. A survivor may, for instance, have been found to have engaged in violent criminal activity when in actuality the survivor was engaging in self-defense, or the violent criminal activity otherwise stems directly from the abuse committed against them. PHAs should also remember that the Violence Against Women Act (VAWA) prohibits denial of admission on the basis that someone is a survivor of domestic violence, dating violence, sexual assault, or stalking.

CONFIDENTIALITY AND RIGHTS FOR SURVIVORS

For any PHA working with victim service providers and survivors of domestic and dating violence, human trafficking, sexual assault, and stalking, maintaining confidentiality is paramount to preserving those seeking services' safety, privacy, and trust. PHAs need to be aware of survivors' enormously personal risks when seeking assistance. If a harm-doer should discover a victim is seeking services, the abuse could increase in frequency and severity on a continuum up to and including threats to their life. There can also be potential societal and personal repercussions from being identified as victims, such as housing or job discrimination. Minimizing the risks to victims and the re-traumatization that can stem from retelling their experiences is an integral part of providing housing services to survivors.



Victim service provider collaborating partner agencies may maintain their own strong confidentiality protections, but information collected through any sort of centralized entry system is inherently more vulnerable to security risks and legal subpoenas. Victim service provider staff and volunteers will collect minimal central demographic information and information regarding what services the victim/client requests and uses. Minimum central demographic information includes gender, age or age range (NOT date of birth), ethnicity, number of children, types of services requested, and types of services provided. Once the survivor is referred or if they directly to the PHA for housing, survivors choose what to disclose during their intake process.

PHAs administering EHV's must comply with the requirement under [VAWA](#) to adopt strict confidentiality measures to ensure that it does not disclose the location of the dwelling unit of the tenant to a person who committed or threatened to commit an act of domestic violence, dating violence, sexual assault, or stalking against the tenant. PHAs should also follow this requirement when working with victims of human trafficking

SURVIVOR RECORD KEEPING AND NON-DISCLOSURE

Many survivors have faced barriers in accessing housing due to experiencing violent situations and ongoing harassment and stalking. Some may have left them with criminal records, a lack of rental and credit history, and the absence of employment, especially when their identity as a survivor is disclosed. A survivor's confidential information and right to housing should be a PHAs top priority to provide safety. Survivors' confidentiality is protected by various federal laws PHAs must adhere to, including [Notice PIH 2014-10](#) and the confidentiality provisions of VAWA ([24 CFR Part 5, Subpart L](#)), which details confidentiality requirements for PHAs working with survivors. Taking into account VAWA requirements and best practice models in serving survivors, PHAs should:

- Refrain from disclosing clients' identity as a survivor and history of victimization to potential landlords, third-party entities, and employees not directly assigned to the survivors' cases.
- Collect and store only the personally-identifiable information required to receive an EHV. Detailed information about a survivor's history of victimization should not be collected or stored nor discussed among employees or third parties not assigned to their cases.
- Assess methods PHAs can accomplish goals, when possible, of delivering EHV's without releasing personally-identifiable information of survivors.
- Have survivors provide written, informed, and time-limited consent when necessary sharing information.
- Store survivors' personally-identifiable information deemed necessary for obtaining an EHV within secure databases authorized by your agency and within a locked file cabinet within a locked room within the office, which is only accessible by authorized employees.
- Allow victims, upon request, to review their file information held by the PHA including any identifying information.
- **Not** leave any personally-identifiable information unattended for any reason. Ensure all information is protected at all times.
- Educate employees quarterly of [confidentiality requirements under VAWA](#), HUD's [privacy policies](#), PHAs privacy issues, and [record retention](#) policies.
- Inform victims about security and data sharing policies. Immediately follow the PHAs' breach procedure when personal data breaches have occurred and report data loss as soon as possible. Survivors should be informed as soon as possible when there is a breach of confidentiality involving their personal information. Victims will be informed about the process to inspect, edit, remove, or correct their data/records.

CONSIDERATIONS FOR PHAs WORKING WITH SURVIVORS OF VIOLENCE

SELF-CERTIFICATION

As survivors attempt to access EHV's, PHAs should have a certification process in place. Partnerships with local Domestic Violence, Sexual Assault, and Human Trafficking programs will be beneficial when determining eligibility or survivor status for survivors in need of EHV support. This partnership creates more seamless referrals to PHAs and allows survivors to be supported by advocates trained in these areas of victimization. The self-certification process allows the survivors' advocates to assist in the certification process, minimizing survivors' having to retell their stories multiple times. When survivors are accessing PHAs without the support of a local survivor service agency, the PHA should be equipped to provide the self-certification paperwork to the survivor. The minimal information requested of the survivor should include the following:

- Survivor's name and signature
- Type of victimization (For example, "survivor of human trafficking")
- Previous living situation



VAWA PROTECTIONS

Further, under VAWA a covered housing provider is required to provide a self-certification form approved by HUD stating the person is a victim of domestic violence, dating violence, sexual assault, or stalking as well as grounds for VAWA protection and information on the perpetrator if safe to provide. (Detailed information can be found in [24 CFR Part 5, Subpart L – Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking](#)). It is important to note that if the survivor also wants to claim VAWA protections, they will need to provide the VAWA self-certification form or other type of acceptable documentation as described in 24 CFR Part 5 Subpart L.

VIRTUAL INTERVIEWS

Allowing virtual interviews maintains confidentiality of the survivor’s current physical address while completing the EHV application process. Additionally, virtual interviews allow for PHAs and survivors to minimize the risk of COVID-19 transmissions. As [Technology Safety](#) cautions, with any virtual tools, there are going to be benefits and risks for survivor safety and privacy, accessibility, and organizations’ confidentiality obligations.

ADDITIONAL EHV WAIVERS AND ALTERNATIVE REQUIREMENTS THAT CAN BETTER SERVE SURVIVORS

[Notice PIH 2021-15 \(HA\)](#) includes many other waivers and alternative requirements that can help increase the likelihood that survivors will successfully lease-up with an EHV. For more information on EHV waivers, please see the [EHV Waivers and Alternative Requirements Summary Checklist](#) in [EHV: A How-to Guide for PHAs](#).

<p>SSN and Citizenship Verification <i>(not mandatory)</i></p>	<p>HUD allows PHAs to give EHV households more time to provide a Social Security number and eligible noncitizen documentation by allowing PHAs to issue an EHV before receiving these documents. Instead, the families must provide this documentation within 180 days of admission unless the PHA offers an extension. While this flexibility does not ultimately change eligibility requirements for EHV, survivors would likely benefit from additional time to obtain such documentation, particularly if their abusers or trafficker(s) have prevented them from immediately accessing key documents. PHAs can give similar allowances for the verification of age and disability status.</p>
<p>Income targeting requirements <i>(not mandatory)</i></p>	<p>HUD allows PHAs to rely upon self-certification by the EHV applicant regarding the applicant’s income. To self-certify income eligibility, the family must submit an affidavit “attesting to reported income, assets, expenses and other factors which would affect an income eligibility determination.” The ability to self-certify is vital for survivors who have been subject to economic abuse, as survivors may not have access to documents or information to confirm income.</p>
<p>Initial lease term <i>(mandatory)</i></p>	<p>HUD has issued a waiver that the initial lease term can be less than 12 months. Such a requirement provides survivors with the flexibility to find a unit that suits their safety needs with a lease term of less than one year.</p>
<p>Initial search term <i>(mandatory)</i></p>	<p>HUD has established an alternative requirement for initial EHV search terms of at least 120 days. More time to search for a safe, affordable unit allows survivors the flexibility to find housing that they consider safe. Depending on a PHA’s policies, this initial search term may also be extended if an accommodation cannot be found within 120 days.</p>
<p>Payment standard <i>(not mandatory)</i></p>	<p>HUD is giving PHAs the option to establish a separate payment standard for EHV (up to 120 percent of the Fair Market Rent (FMR)), and allowing PHAs to adopt payment standards (up to 120 percent of the Small Area Fair Market Rent (SAFMR)). Adopting higher payment standards for EHV and adopting SAFMRs allow survivors and other EHV families to lease up in higher-cost areas.</p>
<p>Portability <i>(mandatory)</i></p>	<p>Usually, a voucher holder in the HCV program cannot move out of the PHA’s jurisdiction for a year after receiving the voucher. However, under EHV, HUD is allowing any EHV holder to move immediately after receiving their voucher. Under EHV, the PHA may not restrict an EHV family from exercising portability because they are a nonresident applicant. Further, a receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA does or does not currently administer EHV. PHAs must coordinate with each other regarding the transfer of services and service fees for the voucher holder. Service providers should work with survivors to make sure they have the proper assistance and safety measures in place when porting/moving to another PHA.</p>