



COMMUNITY-BASED ADVOCATES

TOOLKIT

**How to make sure your clients
have safe housing**

**A Resource Guide for Professionals
Helping Domestic Violence Survivors
in the District of Columbia**

Published by the District Alliance for Safe Housing
Revised September 2015

How to make sure your clients have safe housing

This Advocate Toolkit can answer your questions

Survivors of domestic violence have housing rights under local and federal laws. These rights are meant to ensure that survivors have access to shelter or housing and can live safely in their homes or their current housing situation. Survivors have rights if they want to stay in their apartment, move out, or find a place to live — be it a shelter, apartment or house.

In developing this Toolkit, we looked at the most common questions asked by domestic violence and homeless shelter advocates like you and at the most common scenarios you face in the District. While we cannot cover every situation, we did our best to give you the kind of information you need to feel empowered to do your job.

Federal and local laws provide protections and remedies to survivors of domestic violence. As an advocate, your role is to provide information and resources to survivors. This Toolkit has the information you need to help you understand the basic housing rights of domestic violence survivors and gives you information to help survivors get help.

If you don't find what you need in this Toolkit or want more information about safe housing resources and protections, please contact:

District Alliance for Safe Housing, Inc. (DASH)
P.O. Box 91730
Washington, DC 20090
Phone: (202) 462-3274
Email: info@dashdc.org
Web: www.dashdc.org

Nothing in this Toolkit should be construed as legal advice. The materials provided in this Toolkit are for your personal information and education. This Toolkit is not a substitute for good, sound legal advice. The results of any legal matter may vary depending upon specific facts and applicable law. No prediction of results should be inferred from information contained in this Toolkit.

Table of Contents

Understanding the Protections

Common Scenarios: Shelter/Housing Programs	4-7
Common Scenarios: Rented/Owned Apartments/ Houses (<i>includes public housing, Section 8 housing, or subsidized housing</i>)	8-10

Overview: Federal and Local Housing Protections for Survivors of Domestic Violence

District of Columbia

Human Rights Act (HRA)	11
Rental Housing Act (RHA)	11

Federal

Violence Against Women Act (VAWA).....	12
Fair Housing Act (FHA)	13
Americans with Disabilities Act (ADA)	13
Title VI of the 1964 Civil Rights Act (Title VI)	13
Section 504 of the Rehabilitation Act (Section 504)	13

What Can Be Done: Questions and Answers	14
--	----

Tables: Who Can Help Survivors	15-16
---	-------

Who Can Help: District of Columbia and Federal Government Agencies

Office of Human Rights (OHR)	17
U.S. Department of Housing and Urban Development (HUD)	18
District of Columbia Housing Authority (DCHA)	19

Sample Demand Letters

<i>Sample 1: Breaking the lease with protection order (CPO/TPO initial contact)</i>	20
<i>Sample 2: Breaking the lease without protection order (CPO/TPO initial contact)</i>	21
<i>Sample 3: Bifurcating the lease (Take batterer off the lease)</i>	22
<i>Sample 4: Emergency Transfer (from public housing unit)</i>	23
<i>Sample 5: Lock changes with protection order (CPO/TPO initial contact)</i>	24
<i>Sample 6: Lock changes without protection order (CPO/TPO initial contact)</i>	25
<i>Sample 7: Lock changes (Follow-up after initial contact)</i>	26

Glossary	27-28
-----------------------	-------

Resources	29-33
------------------------	-------

Appendices - Complaint Forms and VAWA Self-Certification Form

<i>Appendix 1: D.C. Office of Human Rights (OHR)</i>	
<i>Appendix 2: U.S. Department of Housing and Urban Development (HUD)</i>	
<i>Appendix 3: VAWA Self-Certification Form</i>	

Understanding the Protections

Common Scenarios: Shelter or Housing Programs

As an advocate, one of the most important things for you to know is that survivors of domestic violence have rights. Here are a few of the common situations advocates have shared. Although every scenario is different, they have common themes and provide a basic understanding of what all advocates need to know and what protections survivors have.

Can This Survivor Move into a Shelter?

Scenario 1

We received a call at our shelter from a woman to see if we had space. She said she was a victim before I even asked. I asked her if she had a protection order, six months of counseling and was no longer with the batterer, and she said no. I told her we couldn't take her, even though we have space. I thought she had to do these things prior to getting shelter since she's a victim.

Answer: The survivor has the right to shelter even if she does not have a protection order, police report, counseling, or other things. A shelter cannot ask a survivor to do something they don't ask others seeking shelter to do. This means if the shelter has a space, the survivor should not be denied shelter.

Scenario 2

We had space in our shelter and accepted a referral from a domestic violence program for a victim seeking shelter. But when she got here, she had a guide dog. We don't allow pets, so I told her that we couldn't take her now.

Answer: The survivor has the right to shelter and has the right to keep her guide dog with her. Guide dogs are not considered pets when someone has a disability.

① Can This Survivor Move into a Shelter?

Scenario 3

I am an intake counselor for our shelter, and someone called seeking shelter. I went through our intake form and asked for the person's name. When she told me, it sounded very familiar. I remembered having a conversation with a program participant a few months ago and remembered the participant saying this woman was trouble, with an abusive girlfriend and drama in her life. When this came back to me, I told her we couldn't take her.

Answer: The survivor has the right to shelter. A shelter cannot deny shelter to someone because they believe that person may be a victim (real or perceived).

Scenario 4

We had space in our shelter and accepted a referral from the community for a domestic violence victim seeking shelter. But when she got here, she had a cat. We don't allow pets so I told her that we could not accept her anymore.

Answer: The survivor has the right to shelter. A shelter should not deny shelter to someone who they would have otherwise accepted because they have a pet. Although a cat is not considered a service animal and the shelter does not need to accept the cat, the victim should be informed that she cannot have a pet in the shelter program so she can make alternate arrangements for the pet and keep her shelter placement. There are Safe Haven programs that will provide temporary care for pets, if the survivor has no alternative (see Community and Referral Resources p. 33)

❗ Does This Survivor Need to Leave?

Scenario 1

We have a scattered site transitional housing program. One of the participants came to me during our regular case management session and told me that he heard from a friend that his ex-boyfriend knows where he lives. I told him that he needed to leave the program immediately.

Answer: The survivor has a right to stay. Just because a survivor shares that his abuser knows where he lives does not mean the program has the right to kick him out if he wants to stay.

Scenario 2

During the intake process for my shelter program, the staff person asked if the person was a victim of domestic violence. The person did not share whether she was or not. During a case management session, I found out that the person was a victim. I told her she couldn't stay any longer because she lied during intake.

Answer: The survivor has a right to stay because she can disclose (or not) her status as a victim, and a shelter does not have the right to make her leave because of that. Additionally, victims are considered homeless under federal law. If she got into your program, she was likely considered homeless under another criterion. So she didn't have to disclose her status, anyway.

Scenario 3

We have a scattered site housing program. During one of our scheduled meetings my client disclosed that her abuser contacted her via email to say that he knew where she was and he was coming to get her. The abuser lives in another country. I advised my client to begin searching for a new home, in a new city, because she could no longer stay in the program.

Answer: The survivor has a right to stay. Just because a survivor shares that her abuser knows where she lives does not mean the program has the right to kick her out if she wants to stay.

① Do We Need to Make Repairs?

Scenario 1

One of our program participants complained that her faucet was leaking several weeks ago. My friend, a case manager, told me that this person is dramatic and has shared stuff about her husband who beat her. I couldn't believe she was still married. She will probably go back to this guy. I decided that it's not a priority to have her faucet fixed because she would have left anyway.

Answer: The survivor has the right to be treated like other program participants, which includes having a faucet fixed, regardless of staff opinion.

Understanding the Protections

Common Scenarios: Rented or Owned Apartments/ Houses
(includes public housing, Section 8 housing, subsidized housing)

i *Survivor Wants to Stay in Housing But...*

Scenario 1

A survivor wants to stay in her apartment with her kids, but her husband —who calls her names and has even hit her — is on the lease.

Answer: The survivor has the right to notify her housing manager, stay in the apartment, and get her locks changed. If this is Section 8 or public housing, the survivor also has the right to request a lease bifurcation (have her husband removed from the lease).

Scenario 2

A survivor's boyfriend lives with her. A few weeks ago, she called the police because he punched her. The other day he attacked her again, and she called the police. The landlord came over to the apartment and told the survivor if she called the police again she was going to get kicked out.

Answer: The survivor has the right to call the police or other emergency assistance without being threatened with eviction or getting evicted.

Scenario 3

A survivor is scared because she lives on the first floor and she worries that the abuser will break in and hurt her. She asked the landlord to put in bars, but was refused.

Answer: The survivor has the right to improved security if she feels her safety is at risk. The landlord cannot refuse security improvements based on her status as a survivor; however, the landlord can request that the survivor pay for the security improvements.

① Survivor Wants to Stay in Housing But...

Scenario 4

A survivor received an eviction notice from her landlord because the police were called to her apartment after her boyfriend attacked her. She always paid her rent on time and the only issues she ever had were caused by her abusive boyfriend.

Answer: The survivor has the right to stay in the apartment if the Landlord Tenant Court judge makes a determination that domestic violence is the reason for the eviction. If the survivor received a protection order because of the domestic violence incident, the judge should not evict the survivor. If the survivor filed for a protection order, asked for the abuser to be removed from the apartment and provides a police report (within 60 days), but has not received the protection order yet, the Landlord Tenant Court judge has the option of not evicting the survivor.

① Survivor Needs to Keep Someone Out of the Housing, But ...

Scenario 1

A survivor has a protection order against her girlfriend, but the landlord lets her into the house the survivor rents because the girlfriend is still on the lease.

Answer: The survivor has the right to ask the housing manager to change the locks, and the housing manager or landlord must do so within five business days. The landlord can ask the survivor to pay for the lock change, and she has up to 45 days to pay. The landlord cannot charge the survivor more than any other tenant.

Scenario 2

The survivor is scared of his boyfriend. The boyfriend has copies of the key to his apartment (but he's not on the lease) and lets himself in.

Answer: The survivor has the right to ask the housing manager to change the locks, and the housing manager or landlord must do so within five business days. Because the survivor's boyfriend is not on the lease, no protection order is necessary to have the locks changed. The landlord can ask the survivor to pay for the lock change, and he has up to 45 days to pay. The landlord cannot charge the survivor more than any other tenant. If this is public housing or Section 8, the survivor has the right to request an emergency transfer.

📍 Survivor Needs to Keep Someone Out of the Housing, But ...

Scenario 3

The survivor lives in a Section 8 unit and is scared of her partner. The survivor wants to get her partner out of the unit.

Answer: The survivor has the right to ask the housing manager to remove the partner from the unit, including the lease. The survivor also has the right to request an emergency transfer. If the voucher is in her partner's name, the survivor can request to have the voucher placed in her name if she qualifies for Section 8.

📍 Survivor Wants to Leave, But...

Scenario 1

The survivor is scared for her safety but has eight months left on her one-year lease.

Answer: The survivor has the right to contact her housing manager and leave the apartment within 14 days of giving notice. The survivor is only responsible for 14 days of the rent. The survivor will need to provide her housing manager with either a copy of a protection order or a letter from a qualified third party (domestic violence counselor, health professional, police officer, sworn officer of the D.C. Housing Authority Office of Public Safety).

📍 Survivor Needs a Place to Live, But...

Scenario 1

A survivor is looking for an apartment, submits an application but gets rejected. She says she overheard that one of the people who lives in that same apartment complex told the manager the survivor's boyfriend beat her up and that's why she didn't get the apartment.

Answer: The survivor has the right to not be discriminated against. The housing manager cannot deny an applicant an apartment because she is (or is perceived to be) a survivor.

Overview: Federal and Local Housing Protections for Survivors of Domestic Violence

District of Columbia Law

Human Rights Act

The *Human Rights Act of 1977*, amended March 2007, provides extensive protections to survivors in public and private housing. This includes homeless shelters, domestic violence shelters, privately owned apartments/houses, public housing, Section 8 housing, and subsidized housing.

Survivors have the right to:

- be treated the same as other tenants or housing program participants;
- be protected from discrimination when seeking (or while in) public or private housing;
- have the locks changed;
- reasonable accommodation in restoring or improving security and safety measures;
- be released from a lease early without penalty;
- stay in her/his home without threat of eviction if they experience domestic violence in their residence; and
- stay in his/her home without threat of eviction if they contact the police or emergency services during or after a domestic violence incident.

Rental Housing Act

The Rental Housing Act of 1985, amended March 2007, provides survivors with protection from eviction and a release from certain lease obligations if the survivors safety is in jeopardy.

Survivors have the right to:

- have the locks changed;
- be released from a lease early free of penalty within 14 days of giving notice;
- stay in her/his home without threat of eviction if they experience domestic violence in their residence; and
- stay in his/her home without threat of eviction if they contact the police or emergency services during or after a domestic violence incident.

Federal Laws

Violence Against Women Act

Under the *Violence Against Women Act* (2013) someone who is a survivor of domestic violence and a tenant in federal public housing, Section 8 voucher- or project-based housing, or in a program that receives McKinney-Vento funds (includes Continuum of Care (except safe havens)¹ is entitled to certain protections. VAWA applies to survivors regardless of sex, gender identity, sexual orientation, disability or age. It also provides housing protection to survivors of dating violence, sexual assault, stalking and also applies to an affiliated individual of the survivor (including individuals who are not on the lease but are in the survivor's immediate family or individual living in the household).

Survivors have the right to:

- be accepted into a shelter/housing program. For example, a housing provider cannot deny an applicant housing/assistance on the basis that s/he is or has been a survivor;
- remove the batterer from the public housing lease (or Section 8 Housing Choice Voucher) and stay in the unit;
- ensure that DC Housing Authority and Section 8 landlords honor a civil protection order, specifically if it addresses the batterer's access to where the survivor lives;
- Port (move to another location) if s/he has a Section 8 voucher, so long as it's within the DC Housing Authority jurisdiction;
- seek an emergency transfer;
- stay in the unit, even if there is (or has been) criminal activity that is directly related to the domestic violence; and
- confidentiality of information about domestic violence, dating violence, sexual assault, or stalking. This information can only be shared if requested by the survivor in writing, is required for use in an eviction proceeding or by law.

¹ Protections also extend to: Section 202 Supportive Housing for the Elderly (Excludes Section 202 Direct Loan Projects without project-based Section 8 assistance), § 236 Multifamily rental housing, HOPWA Section 811 Supportive Housing for People with Disabilities, § 221d3 BMIR (Excludes 221(d)(3) and (d)(5) BMIR projects refinancing under 223(a)(7) or 223(f) where interest rates not determined under 221(d)(5)), HOME, Housing Trust Fund, , Emergency Solutions Grant, Rural Housing Stability Assistance program.

Fair Housing Act

The *Fair Housing Act* protects survivors from discrimination in private and public housing.

Survivors have the right to:

- be protected from discrimination when seeking housing to buy or rent;
- be protected from eviction; and
- be treated the same as other tenants by a landlord, even though they are domestic violence survivors. For example, a landlord cannot impose additional rules on a person just because they are or have been a survivor.

Title VI of the 1964 Civil Rights Act

Housing providers that receive federal funding are also prohibited from discrimination under Title VI of the *Civil Rights Act*. This includes discrimination based on race, color, national origin, and other areas.

Americans with Disabilities Act

Survivors with a disability are entitled to protections under the *Americans with Disabilities Act* (ADA). This Act prohibits discrimination against individuals with disabilities in public accommodations. The ADA applies to all shelters operated by the government and to private shelters.

Section 504 of the Rehabilitation Act

Section 504 of the *Rehabilitation Act* prohibits discrimination against survivors with disabilities by housing providers that receive federal funding.

Survivors with a disability have the right to:

- be protected from discrimination. For example, if a survivor of domestic violence is deaf or hard of hearing, the provider should find ways to make sure the survivor receives the services and support s/he needs;
- confidentiality; and
- reasonable accommodations, if the domestic violence survivor lets someone in the program know about her/his disability. For example, allowing a guide dog to stay with a program participant.

What Can Be Done: Questions and Answers

Q. *As an advocate, how can I help survivors protect their rights?*

A. If you think a survivor is being discriminated against (like in the scenarios in this Toolkit) you can help by providing them with resource information. Remember: you are not an attorney. Your role is to provide all of the information you have to help survivors advocate for themselves or get assistance from the government or a legal provider.

Q. *What are the survivor's options for help?*

A. Some of the options available include:

- talking to the landlord or housing provider about the concerns;
- sending the landlord or housing provider a letter (samples included in Toolkit);
- reaching out for support from a community resource or legal service organization;
- filing a complaint with a government agency to help resolve the problem;
- taking the landlord or housing provider to court.

Q: *What if the survivor's landlord or housing provider doesn't understand their problem?*

A. The survivor can contact one of the government agencies listed in this Toolkit to file a complaint and/or seek support from a community resource or legal service organization.

Q: *What if the survivor doesn't feel comfortable going directly to the housing provider or landlord?*

A. They can contact a government agency or organization listed in the resource page for help.

Q: *Can a survivor ask for help from more than one place at a time?*

A. Yes. They can send a letter to their housing provider or landlord and reach out to a legal service organization or the government at the same time.

Q. *Is the process to get help going to take a long time?*





A. It depends. Sometimes a letter to a landlord or housing provider works right away and the problem is resolved. If a survivor seeks help from a government agency, it usually takes longer but results can be achieved. A survivor may want to send a letter to his/her landlord and at the same time reach out to the government agency to complain. If the letter doesn't work, he/she has already started the process with the government.

Q. *What if survivor gets evicted or kicked out of the shelter (or evicted) while they're waiting for the government to investigate? Can they get their housing back?*



A. Maybe. Once a survivor files a complaint with the government agency, they begin a process to figure out what happened and what should be done. Sometimes, as a result, the survivor gets an apartment or housing unit again. Sometimes, once the landlord or housing provider is notified, they fix the problem on their own.

In the next few pages, you'll find a list of government organizations that can help survivors along with samples letters they can use. Use the tables on this page to help survivors quickly find what they need.



 Who Can Help Survivors

If they have been discriminated against by a housing or shelter provider...	They can file a complaint with the DC Office of Human Rights.	 See page 17 for where to get the form.
If they have been discriminated against while trying to rent or buy a home or apartment...	They can file a complaint with the U.S. Department of Housing & Urban Development (HUD).	 See page 18 for where to get the form.
If they are a resident of or applicant for DCHA public housing, section 8, or other subsidized housing and feel something has affected their rights...	They should first try to resolve the problem with the Housing Manager or the office involved. If that doesn't work, they can write to the DCHA Office of Fair Hearings.	 See page 19 for DCHA contact information.
If they live in public housing and need to request reasonable accommodations for disabilities...	They can fill out the DCHA Reasonable Request for Accommodation form.	 See page 19 for where to get the form.

To Change Their Lease

If they want to end their lease and have a protection order...	They can send a letter using the language in the sample letter on page 20.	 Be sure they include a copy of the protection order.
If they want to end their lease and have a document signed by a qualified third party...	They can send a letter using the language in the sample letter on page 21.	 Be sure they include a copy of the signed document.
If they want to take someone off their lease...	They can send a letter using the language in the sample letter on page 22.	

To Change Their Locks

If they want their locks changed and have a protection order...	They can send a letter using the language in the sample letter on page 24.	 Be sure they include a copy of the protection order.
If they want their locks changed because they want to keep out someone who has harmed them but that person is not on the lease	They can send a letter using the language in the sample letter on page 25.	
If they asked to have their locks changed over 5 business days ago, and they have not been changed yet...	They can send a letter using the language in the sample letter on page 26.	 Be sure they include a copy of original letter.

Who can help my clients if someone is discriminating against them?

Contact the District of Columbia and federal government agencies. You will find contact information and discrimination complaint materials on the following pages.

District of Columbia Office of Human Rights (OHR)

*Survivors can contact the Office of Human Rights if they feel a **landlord, housing or shelter provider** discriminated against them.*

How to File a Complaint:

Use a computer and complete an Office of Human Rights intake form online at <http://dcforms.dc.gov/webform/housing-or-commercial-space-questionnaire-form>

Fill out OHR complaint intake form and email, fax, mail or bring it in person (information below)

Email to: ohr.intake@dc.gov

Fax it to: (202) 727-9589

Mail it to:
441 4th Street NW
Suite 570 North
Washington, DC 20001

In person at:
441 4th Street NW
Suite 570 North
Washington, DC 20001

For more information, contact:
DC Office of Human Rights
441 4th Street NW
Suite 570 North
Washington, DC 20001
Phone: (202) 727-4559
TTY: 711
Web: <http://ohr.dc.gov>

U.S. Department of Housing and Urban Development (HUD)

Survivors can contact HUD if they feel they have been discriminated against in public or private housing (by a shelter, landlord or housing provider) or by a bank, real estate agent, broker, company or organization while trying to rent or buy a home or apartment.

How to File a Complaint:

Use a computer: Complete the online complaint form at http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/online-complaint

Call toll-free: (800) 669-9777 (If you have a Housing Choice Voucher complaint, please contact the PIH Customer Service Center through our toll-free number at (800) 955-2232)

Mail a complaint form: Fill out the attached complaint form (link to online form above) and mail it to:

Office of Fair Housing and Equal Opportunity
Department of Housing and Urban Development
Room 5204
451 Seventh St. SW
Washington, DC 20410-2000

Mail a letter: Draft a letter including (your name/address, name/address of the shelter, landlord or housing provider, date when incident occurred and short description of what happened) and mail it to:

U.S. Department of Housing and Urban Development
The Wanamaker Building
100 Penn Square East, 12th Floor
Philadelphia, PA 19107-3380

For more information, contact:

U.S. Department of Housing and Urban Development
451 7th Street SW
Washington, DC 20410
Phone: (800) 669-9777
TTY: (800) 927-9275
Web: www.hud.gov

District of Columbia Housing Authority (DCHA)

Survivors of domestic violence can contact the District of Columbia Housing Authority's Office of Fair Hearings if they are residents of or applicants for DCHA public housing, Section 8 housing, or subsidized housing, and they feel DCHA has done something (or refused to do something) that adversely affects their rights, or welfare.

First, survivors should try to resolve the issue directly with the housing manager or office involved. If that is unsuccessful, they can file a grievance with the DCHA Office of Fair Hearings.

How to File a Grievance:

Mail a letter explaining what happened to:

DCHA Office of Fair Hearings
1133 N. Capitol Street NE
Washington, DC 20002

Visit the office: Explain in person how they were victims of discrimination:

DCHA Office of Fair Hearings
1133 N. Capitol Street NE
Washington, DC 20002

Fill out a grievance form available at every DCHA property management office and give it to the property management office (if they are already a tenant there) or to the Client Placement Division Office of DCHA at the address above (if they are an applicant).

Do your clients in public housing have a disability?

If so, they can request an exception to a rule or policy, called a **“request for reasonable accommodation,”** that gives them an equal opportunity to use and enjoy the housing.

Your client can apply for a reasonable accommodation by:

Filling out the DCHA Reasonable Request for Accommodation form, available from the manager of all public housing residences in the District.

Calling the Office of the ADA/504 Program at (800) 514-0301 or TTY (800) 514-0383

Sample 1

Survivors of domestic violence should use this sample letter, if they need to end their leases and they have a protection order. Remind them to include a copy of the protection order when they mail this letter.

Tenant Name:

Address:

Date:

Housing Provider:

Address:

Re: Notice of Lease Termination pursuant to D.C. Code § 42-3505.07

Dear housing provider:

I, _____, am writing to provide you with formal notice of my intent to end the lease agreement on my rental unit (write address here) _____

According to DC law, you must end my lease agreement within 14 days of notification without penalty because:

1. I am a victim of an intrafamily offense as defined by *D.C. Code § 16-1001(8)*, and
2. I have a protection order issued pursuant to *D.C. Code § 16-1005* (copy enclosed)

Under DC law, you may charge me rent prorated to the earlier of leasing the unit to someone else or 14 days from today. You cannot keep my security deposit as a penalty for ending the lease early. I will notify you of the forwarding address so you can return the security deposit to me as soon as possible.

If you have any questions, please contact me at _____. Thank you.

Sincerely,

Signature

Enclosure: Copy of Protection Order

Sample 2

Survivors of domestic violence should use this sample letter if they need to end their lease, but do not have a protection order, they will need documentation (could be a letter) signed by a qualified third party. Remind them to include a copy of this signed document when they mail this letter.

Tenant Name:

Address:

Date:

Housing Provider:

Address:

Re: Notice of Lease Termination pursuant to D.C. Code § 42-3505.07

Dear Housing Provider:

I, _____, am writing to provide you with notice of my intent to end the lease agreement on my rental unit at _____. According to DC law, you must end my lease agreement within 14 days of notification without penalty because:

1. I am a victim of an intrafamily offense as defined by *D.C. Code § 16-1001(8)*, and
2. I have a document signed by a qualified third party as defined by *D.C. Code § 42-3505.07(a)* (domestic violence counselor, health professional, sworn officer DC Housing Authority Office of Public Safety, or law enforcement officer).

Under DC law, you may charge me rent prorated to the earlier of leasing the unit to someone else or 14 days from today. You cannot keep my security deposit as a penalty for ending the lease early. I will notify you of the forwarding address so you can return the security deposit to me as soon as possible.

If you have any questions, please contact me at _____. Thank you.

Sincerely,

Signature

Enclosure: Copy of document signed by qualified third party

Sample 3

Survivors of domestic violence can use this sample letter if they need to get the abuser off their lease. It is called a "Request to Bifurcate Lease Agreement." Bifurcate means to take a person off a lease without their permission.

Tenant Name:

Address:

Date:

Housing Provider:

Address:

Re: Request to Bifurcate Lease Agreement pursuant to the Violence Against Women Act of 2013

Dear Housing Provider:

I, _____, am writing to formally request a bifurcation of the lease agreement on my rental unit at _____, which will remove _____ from the lease and end _____ tenancy.

As stated in the *Violence Against Women Act of 2013*, housing providers (including but not limited to public housing, Section 8 vouchers, HOME, HOPWA and Continuum of Care (CoC) Program [homeless/housing programs]) are permitted to change the lease of any tenant who is a victim of domestic violence to end the abuser's tenancy and allow the victim to remain in the home with the rest of her/his family.

If you wish, you may request certification (in writing) of my status as a victim of domestic violence, as stated in the *Violence Against Women Act* (such as a HUD self-certification form; a written, signed statement from a victim services provider, medical personnel, mental health professional, attorney, or police; or court records), but any information provided to you *must* be kept confidential.

If you have any questions, please contact me at _____. Thank you.

Sincerely,

Signature

Sample 4

Survivors of domestic violence can use this sample letter if they need to request an Emergency Transfer from their public housing unit.

Tenant Name:

Address:

Date:

Housing Provider:

Address:

Re: Request for an Emergency Transfer pursuant to the *Violence Against Women Act of 2013*

Dear Housing Provider:

I, _____, am writing to formally request an emergency transfer from _____. I am requesting this transfer because _____.

As stated in the *Violence Against Women Act of 2013*, I can be transferred because I am making the request and I feel I am threatened with imminent harm from further violence if I stay. If you wish, you may request certification (in writing) of my status as a victim of domestic violence, as stated in the *Violence Against Women Act* (such as a HUD self-certification form; a written, signed statement from a victim services provider, medical personnel, mental health professional, attorney, or police; or court records), but any information provided to you *must* be kept confidential.

If you have any questions, please contact me at _____. Thank you.

Sincerely,

Signature

Sample 5

Survivors of domestic violence can use this sample letter if they need to have their locks changed, and they have a protection order. Remind them to include a copy of the protection order when they mail this letter.

Tenant Name:

Address:

Date:

Housing Provider:

Address:

Re: Request for Lock Changes pursuant to D.C. Code §42-3505.08

Dear Housing Provider:

I, _____, am writing to formally request a change of locks on the entrance doors to my rental unit, _____ . According to DC law, you are required to change the entrance door locks within five business days of receiving this request because:

1. I am a victim of an intrafamily offense as defined in *D.C. Code § 16-1001(8)*, and
2. I have a protection order issued pursuant to *D.C. Code § 16-1005*.

You are required to pay the costs for the lock change. If you wish, you may provide me with written documentation of the costs, and I will reimburse them within 45 days, if they do not exceed the fees charged to other tenants for changing locks in other circumstances.

You must **not** provide _____ with the new keys nor allow _____ access to my rental unit or any property therein, even if _____ name is on the lease.

Thank you for your prompt attention to this matter. If you have any questions, please contact me at _____.

Sincerely,

Signature

Enclosure: Copy of Protection Order

Sample 6

Survivors of domestic violence can use this sample letter if they need to have their locks changed and the abuser is not on the lease.

Tenant Name:

Address:

Date:

Housing Provider:

Address:

Re: Request for Lock Changes pursuant to D.C. Code §42-3505.08

Dear Housing Provider:

I, _____, am writing to formally request a change of locks on the entrance doors to my rental unit located at

_____. Under DC law, you are required to change the entrance door locks within five business days of receiving this request because I am a victim of an intrafamily offense as defined in *D.C. Code § 16-1001(8)*.

Since the perpetrator is not a tenant in the rental unit, I am only required to provide you with this written request for the lock change. You are required to pay the costs for the lock change. If you wish, you may provide me with written documentation of the costs, and I will reimburse them within 45 days, if they do not exceed the fees charged to other tenants for changing locks in other circumstances.

Thank you for your prompt attention to this matter. If you have any questions, please contact me at _____.

Sincerely,

Signature

Sample 7

Survivors of domestic violence can use this sample letter if it's been five business days since they asked to have their locks changed, and they haven't been changed yet. Remind them to enclose a copy of the original letter that asked for the change of locks and make a copy of this letter.

Tenant Name:
Address:

Date:

Housing Provider Name:
Address:

Re: Request for Lock Changes pursuant to D.C. Code §42-3505.08

Dear Housing Provider:

I, _____, am writing to follow up on my letter dated _____ requesting a change of locks on the entrance doors to my rental unit, _____ (see enclosed letter).

According to DC law, you were required to change the entrance door locks within five business days of receiving my formal request. As of today, you are in violation of the law, because the locks have not been changed.

If the locks are not changed by the close of business tomorrow, I will pursue my legal options, including filing a complaint with the District of Columbia Office of Human Rights to fix this problem.

If you have any questions, please contact me at _____.

Sincerely,
Signature

Enclosure: Copy of original letter

Glossary

Bifurcate: To separate or a cut person out of a lease without their permission.

Business Day: Most commonly Monday through Friday, between 9 am and 5 pm.

CPO/TPO: These acronyms stand for Civil Protection Order and Temporary Protection Order. A Civil Protection Order is a final order from a judge telling an abuser to stay away from the victim that lasts up to one year. They can only get a CPO by going to a court hearing and notifying the abuser. A Temporary Protection Order can be given the day they file for protection in the court, even if the abuser is not present, and lasts for 14 days. A judge can order a TPO if he/she believes the victim or a member of his/her household is in immediate danger from the abuser and the victim cannot wait for a CPO hearing.

Give Notice: To tell the landlord or housing provider of anything — from a demand to change locks to the victim’s intent to leave. It usually must be done in writing.

HUD: The acronym for the U.S. Department of Housing and Urban Development, the federal government agency in charge of affordable housing and community development.

Intrafamily Offense: A criminal offense that is committed, or threatened to be committed, by someone related to the victim by blood, adoption, legal custody, marriage, or domestic partnership, or with whom they have a child in common.

Prorate: To calculate rent per day from monthly rent. This allows for charges less than the full month’s rent.

Protection Order: A temporary or final court order that forbids a person from committing violent or threatening acts or harassing, contacting or communicating with, or being close to, another individual.

Public Housing: Government built, owned, and operated housing that is typically made available to low-income individuals and families at reduced rents.

Public Housing Provider: The people or organization in charge of operating or renting specific units of public housing.

Public Safety Transfer: Transferring from one public housing unit to another because of a situation that endangers a tenant’s or household member’s life from something other than the condition of the unit or the building. These life-threatening conditions must be documented and verified and may include situations, such as crimes, domestic violence, or hate crimes.

Qualified Third Party (local law): Any of the following people who can help a victim by acting in their official capacity:

- (1) A law enforcement officer
- (2) A sworn officer of the D.C. Housing Authority Office of Public Safety
- (3) A health professional
- (4) A domestic violence counselor

Reasonable Accommodation: A “reasonable accommodation” is a change, exception, or adjustment made to meet the needs of someone with a disability so that person can have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.

Section 8: An affordable housing assistance program offered by the federal government, either as rental vouchers to reduce rents or as specific Section 8-designated buildings with reduced rents for low-income tenants.

Resources



Legal

These organizations offer legal advice or services to help survivors with housing/shelter issues.

- **The Washington Legal Clinic for the Homeless**
(202) 328-5500
www.legalaidclinic.org
- **Legal Aid Society of the District of Columbia**
(202) 628-1161
www.legalaiddc.org
- **DC Law Students in Court Program** (services offered during fall/spring)
(202) 638-4798
www.lawstudents.org
- **Neighborhood Legal Service Program**
Headquarters: (202)832-6577
Ward 7/ Ward 8 Office: (202)832-6577
www.nlsp.org
- **Bread for the City**
(202)265-2400
(202) 561-8587
www.breadforthecity.org
- **Landlord/Tenant Resource Center**
(202)508-1710
http://www.dccourts.gov/dccourts.gov/dccourts/superior/ci_vil/landlord_tenant.jsp
- **University of the District of Columbia David A. Clarke School of Law Housing/Consumer Clinic**
(202)274-5120
<http://www.law.udc.edu/?page=HousingClinic>
- **Columbus Community Legal Clinic, Catholic University School of Law**
(services offered during fall/spring)
(202)319-6788
www.law/cua/edi/clinics/clc
<http://www.law.edu/clinics/cle/clinics-columbus.cfm>

-
- **DC Volunteer Lawyer Project (DCVLP)**
(202)885-5542
www.dcvlp.org
 - **DC Bar Helpline**
(202)626-3499
www.dcbar.org
 - **Legal Counsel for the Elderly**
(202)434-2170
www.aarp.org/lce
 - **National Law Center on Homelessness and Poverty**
(202)638-2535
www.nlchp.org
 - **Equal Rights Center**
Phone: (202) 234-3062
TTY: (202)234-3106
www.equalrightscenter.org



Community and Referral Resources

These organizations can help with housing/shelter, food, public assistance, protection orders and legal issues.

- **District Alliance for Safe Housing (DASH)**
Housing Resource Center: (202)290-2356
Administrative Office: (202)462-3274
www.dashdc.org
- **DC Coalition Against Domestic Violence (DCCADV)**
(202)299-1181
www.dccadv.org
- **Asian Pacific Islander Domestic Violence Resource Project (DVRP)**
(202)464-4477
www.dvrp.org
- **Ayuda, Inc.**
(202) 387-4848
www.ayudainc.org

-
- **Break the Cycle**
(202)824-0707
www.breakthecycle.org
 - **Deaf Abused Women's Network (DAWN)**
(202)559-5366
www.deafdawn.org
 - **DV Leap**
www.dvleap.org
info@dvleap.org
 - **House of Ruth**
(202)667-7001
www.houseofruth.org
 - **My Sister's Place (MSP)**
24 Hour Hotline: (202)529-5991
www.mysistersplacedc.org
 - **Ramona's Way**
(202)822-3888
www.ramonasway.org
 - **SAFE, Inc.**
Courthouse Office: (202) 879-0720
United Medical Center: (202) 561-3000
Main Office: (202) 506-2901 (to contact staff only)
www.dcsafe.org
 - **Women of Freedom Foundation**
(202) 250-1699
www.womenoffreedomfoundation.org
 - **National Domestic Violence Hotline**
1-800-799-7233 (24 Hour Hotline)
TTY 1-800-787-3224
www.ndvh.org
 - **DC Rape Crisis Center**
(202) 232-0789
www.dcrcc.org

-
- **Washington Human Society: Safe Haven Program**
202-723-5730 ext. 135
http://support.washhumane.org/site/PageServer?pagename=programs_safehaven&AddInterest=1047



Housing Counseling Resources

These organizations can help with housing issues if the survivor needs to stay or leave the home.

- **District Alliance for Safe Housing**
(202) 462-3274
www.dashdc.org
- **Housing Counseling Services**
(202)667-7006
www.housingetc.org
- **University Legal Services**
(202)547-4747
(202)442-7180
www.uls-dc.org
- **Latino Economic Development Corporation**
(866)977-5332
www.ledcdc.org
- **Lydia's House**
(202)373-1050
www.lydiashousendc.org



Additional Government Resources

These government agencies can help with additional housing/shelter issues.

- **Rental Housing Commission**
Enforces the Rental Housing Act of 1985 and decides appeals from the Rent Administrator and the Office of Administrative Hearings.

(202)442-8359
<http://dhcd.dc.gov/service/rental-housing-commission>

- **Office of Tenant Advocate**

The Office of the Tenant Advocate helps tenants understand the *Rental Housing Act of 1985* (rent control) and the *Rental Housing Conversion and Sale Act of 1980*. The documents and links on the website will help tenants understand their rights and the processes for ensuring they are treated fairly under the law.

(202)442-8359

www.ota.dc.gov

- **Department of Consumer and Regulatory Affairs Multi-Door Dispute Resolution Services**

The Multi-Door Dispute Resolution Service is a good place to start when tenants think they might have a problem with their landlord or housing provider. This service tells tenants about their rights and resources, shows them effective ways to resolve the problem on their own, and helps them find exactly which services would be best.

Tenants can:



Call (202) 879-1549 and ask to speak with a Dispute Resolution Specialist



Fax questions or documents to (202) 879-9458



Visit their office at:

410 E Street, N.W., Washington, DC 20001

(Please use the Police Memorial Entrance at Judiciary Square Metro Station).



Help your clients access safe housing

Victims of domestic violence have housing rights under local and federal laws. Victims have rights if they want to stay in their apartment, move out, or find a place to live – be it a shelter, apartment or house.

If you don't find what you need in this Toolkit, or you want more information about safe housing resources and protections, please contact:



D A S H
DISTRICT ALLIANCE FOR SAFE HOUSING

P.O. Box 91730
Washington, DC 20090-1730
Phone: 202-462-3274 ext. 223

Email: info@dashdc.org
Web: www.dashdc.org

