

Housing Needs of Survivors of Domestic Violence, Sexual Assault, Dating Violence, and Stalking

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Administering Agencies: Department of Health and Human Services (HHS) for the “Family Violence Prevention and Services Act” (FVPSA), Housing and Urban Development (HUD), U.S. Department of Agriculture (USDA), the Treasury Department, and the Department of Justice (DOJ)/Office on Violence Against Women (OVW) for housing programs and protections under the “Violence Against Women Act” (VAWA) and Office for Victims of Crime (OVC) for “Victims of Crime Act” (VOCA) funds.

Year Started: FVPSA, 1984; VAWA, 1994; VAWA Housing Protections (under HUD, USDA and Treasury Department), 2005; HUD Continuum of Care Domestic and Sexual Violence Bonus funds, 2018.

Number of Persons/Households Served: More than one million survivors and their children are served each year.

Populations Targeted: Victims of domestic violence, sexual assault, dating violence, human trafficking, and stalking (regardless of sex, gender identity, or sexual orientation).

Funding: (Request) VAWA Transitional Housing, \$50 million; FVPSA, \$450 million; HUD Domestic Violence and Sexual Assault Bonus Continuum of Care (DV CoC), \$75 million.

HISTORY

FVPSA, which created the first federal funding stream for domestic violence shelters and programs, passed in 1984 and is administered by HHS. VAWA passed in 1994 and was

reauthorized in 2000, 2005, and 2013. The 2018 Transportation, Housing, and Urban Development (THUD) appropriations bill created the first annual funding set aside for domestic and sexual violence survivors administered by HUD Special Needs Assistance Program (SNAPS) office. VAWA created the OVW transitional housing federal housing funding stream in 2005 and the first federal law to encourage coordinated community responses to address and prevent domestic and sexual violence. Various federal agencies are responsible for VAWA housing rights compliance; housing-related agencies are HUD, USDA, and the Treasury Department.

ISSUE SUMMARY

Domestic and sexual violence are consistently identified as significant factors in homelessness, especially for women, children, families, and LGBTQ+ individuals. Domestic violence is often life threatening; in the US, three women are killed each day by a former or current intimate partner. Survivors must often flee their homes to escape danger, yet do not have the means to secure affordable independent permanent housing. Complex relationships exist between housing insecurity, sexual assault, and power; homelessness and sexual violence often affect the most vulnerable members of society. When access to basic needs such as housing and safety are compromised, individuals can experience heightened risks of violence. Access to safe, affordable housing can be a critical protective factor from sexual violence. Advocates and survivors identify housing as a primary need of survivors and a critical component in survivors’ long-term safety and stability.

The impact of homelessness and domestic and sexual violence is compounded for women of color and LGBTQI communities, particularly

Native American and African American women. Native American and Alaska Native Women face both a lack of housing and disproportionate rates of violence. Discriminatory nuisance ordinances disproportionately target and impact African American survivors of violence resulting in evictions and homelessness. Racial and gender disparities have been exacerbated as a result of the pandemic, the recession, racist attacks, and on-going natural disasters.

Rates of domestic and sexual violence are increasing and the need for safe, affordable, trauma-informed housing has never been greater. Survivors face increased economic and health barriers caused by the pandemic, making it challenging to flee abuse. Over the course of the pandemic, domestic violence shelters have reduced the capacity of their communal buildings and are using hotel/motel space, extended stay apartments, flexible funding and/or rental assistance to house survivors. Programs have used HUD Emergency Solutions Grants Program (ESG) “CARES Act,” HUD ESG and CoC and permanent Emergency Housing Vouchers, Treasury Department Emergency Rental Assistance, VOCA, FVPSA, VAWA Transitional Housing and state, local and private funding to provide housing and assistance to survivors. Sexual violence programs struggled to meet the housing needs of survivors without adequate resources. Many survivors needed to leave their homes due to sexual violence and/or harassment by landlords, neighbors, or people in their home such as family and roommates. For most programs, providing any form of housing is not part of the services offered, nor do they receive any funding that would support housing services.

Although safe housing can give survivors pathways to freedom, there are many barriers that prevent survivors from maintaining or obtaining safe and affordable housing. Many survivors have faced economic abuse as part of the violence, meaning that they have not had access to family finances, have been prohibited from working, and have had their credit scores destroyed by their abuser or have faced sexual harassment from a landlord. Survivors often

face discrimination in accessing or maintaining housing based on the violent and criminal actions of perpetrators and systemic barriers endemic in housing markets such as racism, sexism, and family demographics. Additionally, survivors are limited in the locations and types of housing they can access because of their unique safety and confidentiality needs, and many housing/homelessness assistance programs have screening tools and barriers that inadvertently exclude victims of violence and their specific vulnerabilities. Finally, survivors face common economic barriers, such as unemployment, access to healthcare, lack of affordable housing, living-wage jobs, transportation, safety nets, and childcare options, with additional safety barriers as abusers sabotage their attempts to leave the relationship. As a result, many survivors face the impossible choice between staying with or returning to an abusive situation or becoming homeless because they cannot find or afford safe, long-term, permanent housing.

Domestic violence programs do their best to serve those in need of emergency, transitional housing, and permanent and supportive housing. Due to a lack of resources, however, every day thousands of abused adults and children are turned away from emergency shelters and denied housing services because programs lack adequate resources and funding. The National Network to End Domestic Violence’s *15th Annual Domestic Violence Counts: Census* found that in just one 24-hour period in 2020, almost 6,296 nationwide requests for shelter and housing went unmet.

PROGRAM SUMMARIES

FVPSA shelters and services, the VAWA transitional housing program, and the HUD CoC Domestic and Sexual Violence set-aside are critical components in the effort to reduce homelessness and housing instability among victims of domestic and sexual violence. These essential programs respond to an array of victims’ needs, from emergency shelter and transitional housing to permanent housing.

“Family Violence Prevention and Services Act”

FVPSA is administered by HHS. FVPSA created the first and only dedicated federal funding stream for community-based domestic violence programs and shelters. Approximately 1,600 emergency domestic violence shelters and programs across the country rely on FVPSA to sustain lifesaving support to victims trying to escape violence through emergency shelter and housing programs. The “American Rescue Plan” included almost \$1 billion in supplemental FVPSA funds that can be used to meet COVID related costs for testing, vaccines, mobile health units, and support for domestic and sexual violence and culturally specific programs. FVPSA funds cover basic needs and provide rental assistance, hotel and motel rooms, and utilities for domestic violence survivors and their children and can be utilized to match funds for HUD Continuum of Care resources. The funds are primarily distributed through a state formula grant. In addition to shelter, FVPSA-funded programs provide counseling, legal assistance, crisis intervention, and services for children.

“Violence Against Women Act”

VAWA includes many discretionary grant programs, including the Transitional Housing program administered by OVW. The program distributes grants to more than 200 entities annually across the country on a competitive basis, including states, units of local government, Indian tribes, and other organizations such as domestic violence and sexual assault victim service providers or coalitions, other nonprofit and nongovernmental organizations, and community-based and culturally specific organizations. Transitional housing grants allow entities to offer direct financial assistance for housing and housing-related costs for six to 24 months, operate transitional housing programs, and provide supportive services including advocacy in securing permanent housing. With VAWA Transitional Housing funding, organizations can provide a critical bridge from crisis to stability. The vast majority of VAWA transitional housing participants exit the program to safe, permanent housing.

VAWA, originally passed in 1994 and reauthorized in 2000, 2005, 2013, and in 2022, created the first federal law to encourage coordinated community responses to combat domestic and sexual violence. The 2005 VAWA reauthorization instituted landmark protections to ensure that victims can access the criminal justice system without facing discrimination or jeopardizing their current or future housing, strengthened confidentiality protections for victims accessing housing and homelessness services, and maintained the transitional housing grant program. The 2013 and 2022 VAWA reauthorizations built upon the strengths of these housing programs and protections with key improvements.

VAWA housing protections prohibit covered housing programs from denying housing or evicting a victim (of domestic violence, sexual assault, dating violence, or stalking) simply because they are victims; allow public housing agencies (PHAs) to prioritize victims for housing when their safety dictates; clarify that Housing Choice Vouchers are portable for victims; and delineate an emergency transfer policy process for victims who face continued threats or violence or who have been sexually assaulted on the premises. The covered federally subsidized housing programs are: public housing, tenant- and project-based Section 8, McKinney-Vento homeless assistance programs, the HOME Investment Partnerships Program, the Section 221(d)(3) Below Market Interest Rate Program, the Section 236 program, the Housing Opportunities for Persons with AIDS Program, the Section 202 Supportive Housing for the Elderly Program, the Section 811 Supportive Housing for People with Disabilities Program, USDA Rural Development Housing Properties, and Low-Income Housing Tax Credit (LIHTC) properties. See “For More Information” for list of implementing documents from HUD and other agencies.

HUD issued a final rule, the Office of Multifamily Housing and the Office of Public and Indian Housing issued guidance, and USDA’s Rural Development Office (RD) issued an Unnumbered

Letter (UL) implementing VAWA 2013 in the agency’s multifamily housing program. Treasury has not issued regulations or guidance on implementation for the LIHTC. *Projections Delayed: State Housing Finance Agency Compliance with the Violence Against Women Act* finds that inaction on the part of the Treasury has led to significant state-by-state variation in the implementation of VAWA protections under the LIHTC program. This has a substantial impact on the level of protection afforded to survivors.

VAWA was reauthorized in 2022. The updated bill enhances protections for survivors of violence by improving compliance review processes in federally assisted housing, ensuring no survivor is denied housing access or evicted from their current housing because of the crime committed against them. The bill also amends the federal definition of “homelessness” provided in the “McKinney-Vento Homeless Assistance Act” to include the experiences of survivors escaping or attempting to escape domestic violence, dating violence, sexual assault, stalking, or human trafficking. Additionally, the 2022 VAWA reauthorization codifies a new VAWA Housing Director position at HUD to help coordinate the department’s response to survivors of violence.

Advocates call on HUD to issue timely updates to guidance for all programs, call on the USDA to issue further guidance, and for Treasury to issue guidance to fully implement the VAWA housing protections for survivors. New regulations, along with on-going training and technical assistance and expansions in VAWA reauthorization will help promote more consistent implementation of the protections. HUD and the other administering agencies should strongly enforce VAWA protections, ease the burden on victims to provide documentation, and reduce other barriers that arise when victims assert their rights or simply attempt to remain safe.

The “HEARTH Act” and McKinney-Vento Homeless Assistance Programs

Domestic violence shelters and housing programs depend on HUD McKinney-Vento funding to operate and provide safe housing

and shelter for survivors. Dedicated funding to serve domestic violence survivors - the Domestic Violence/Sexual Assault (DV/SA) Bonus - coupled with targeted technical assistance, improvements to HUD’S Notice of Funding Availability (NOFA) and related guidance, have recently increased the capacity of the domestic violence field to provide trauma-informed, safe and confidential housing to domestic violence survivors. The new funds and improvement are helping to build back capacity lost after a prior shift in policy reduced the number of domestic violence transitional housing programs funded by HUD. Since FY18, Congress has set aside at least \$50 million in the DV/SA Bonus to support projects serving victims of domestic violence, dating violence, and stalking via Rapid Rehousing (RRH), Joint Component (Transitional Housing and Rapid Rehousing) or Coordinated Entry Supportive Service Only projects. The FY18 and FY19 CoC NOFA awarded points to CoCs that demonstrated efforts to address the needs of persons fleeing domestic violence by including victim service providers on CoC boards, offering training on coordinated entry best practices for serving survivors of domestic violence, having safety planning protocols for coordinated entry, and determining the needs of domestic violence and homelessness victims based on data from victim service provider Comparable Databases. Advocates should urge HUD to provide clear guidance on how to evaluate the efficacy of domestic and sexual violence survivor housing, to maintain language in the NOFA encouraging communities to address domestic violence, and to continue to issue guidance and messaging to encourage communities to meet the needs of domestic and sexual violence survivors. HUD should also be encouraged to align their funding processes with their messaging by awarding points in the NOFA to ensure that domestic and sexual violence programs can be competitive and integral partners for the CoC funding and can continue their lifesaving services.

In FY17 and in subsequent NOFAs HUD included the Joint Transitional Housing (TH) and Permanent Housing (PH)-Rapid Rehousing (RRH) component project that allows two existing

program models to become a single project to better serve and expand housing options for homeless individuals and families, including individuals or families fleeing domestic and sexual violence. The project furthers HUD’s message to communities to create high quality projects regardless of component type and states that “transitional housing, rapid re-housing, and permanent supportive housing for survivors each can and should have a place in a community’s system as long as these programs meet a need in the community, can show positive safety and housing related outcomes, and provide choice to the people who want these types of programs.”

The HUD NOFA highlights compliance with VAWA Final Rule housing protections 24 CFR 578.99(j)(3)0. To enable full compliance with this rule, each CoC must establish an emergency transfer plan and make related updates to the written standards for administering CoC program assistance.

Finally, the National Network to End Domestic Violence (NNEDV) supports legislative changes to improve HUD’s responses to survivors, including the “Help End Abusive Living Situations (HEALS) Act,” which would help ensure that survivors’ unique housing needs are met.

Emergency Housing Vouchers (EHVs)

As part of the “American Rescue Plan Act” (ARP) of 2021, Congress appropriated \$5 billion for Emergency Housing Vouchers (EHVs) intended to assist individuals and families who are homeless or facing housing instability, as well as individuals and families who are *fleeing or attempting to flee domestic violence, sexual assault, dating violence, stalking, or human trafficking*.

EHVs are a form of permanent affordable housing tenant-based rental assistance similar to the Housing Choice Voucher program. Public Housing Authorities (PHAs) are the entities designated to receive and administer EHVs at the local level. Collaboration is not only highly encouraged by HUD, it is mandated in several instances, particularly in regards to working with CoCs and victim service providers, including culturally specific victim service organizations.

HUD requires that PHAs enter into a Memorandum of Understanding (MOU) with their CoCs, victim services providers (VSPs), culturally specific victim service organizations, and other service providers to establish a partnership for the administration of the EHV program. The primary role of CoCs, VSPs, and other service providers is to make direct referrals of EHV-eligible survivors to the PHAs to access this new housing resource.

The HUD EHV website is dedicated to EHV-related information and resources. The webpage contains HUD guidance and materials related to EHVs, an EHV FAQ document, registration links for upcoming HUD EHV webinars, and recordings and materials from previous HUD EHV webinars.

HOME Funds

In addition to EHV, ARP allocated \$5 billion to the HOME program to address homelessness, including addressing homelessness amongst those who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, as defined by the Secretary. Communities should work with victim service providers to ensure funded projects target survivors.

TIPS FOR LOCAL SUCCESS

“Violence Against Women Act”

Advocates can play a key role in promoting safe housing for victims of domestic and sexual violence by encouraging consistent implementation of VAWA housing protections in local jurisdictions. Housing advocates should work in partnership with domestic violence advocates to familiarize themselves with VAWA housing protections, improve advocacy for individuals, and improve PHAs’ policies and procedures. Domestic and sexual violence advocates can train PHA staff, hearing officers, Section 8 owners, resident groups and other stakeholders of covered housing programs on VAWA implementation and the dynamics of domestic and sexual violence. PHAs should be encouraged to institute a preference for survivors when making admission decisions. Advocates

must also get involved with their PHA's planning process to ensure that survivors' needs are addressed and that VAWA housing protections are adequately communicated to consumers.

“HEARTH”

Implementation of the “HEARTH Act” and related funding decisions must reflect and respond to victims' serious safety needs and their desperate need for housing. Performance measures, evaluation, confidentiality, data collection, and more have an impact on funding decisions and ultimately on victims' access to safe housing. Implementation and funding decisions must support the unique role that domestic and sexual violence service providers play in meeting victims' specific needs. Communities must ensure that they have “HEARTH Act” funded domestic and sexual violence housing and shelter available. Each community should ensure that survivor advocates are significantly involved in all homelessness resource planning.

Communities should use guidance from HUD and USICH to help support funding for domestic and sexual violence programs. In 2015, HUD, OVW, Office for Victims of Crime, and FVPSA at HHS launched the Domestic Violence and Housing Technical Assistance Consortium (DVHTAC) to better address the critical housing needs of victims of domestic violence and their children. The Consortium aims to foster increased collaboration among domestic violence and homeless service providers and provide national training, technical assistance, and resource development on domestic violence and housing. Communities are encouraged to contact the DVHTAC to address specific needs around implementation of HEARTH (see www.safehousingpartnerships.org).

FUNDING

Increasing funding for FVPSA and VAWA programs and the \$50 million CoC DV/SA funds is critical to ending domestic and sexual violence and homelessness. When adequately funded, these acts help to reduce the societal cost of domestic and sexual violence. In fact, by supporting critical services for victims, VAWA

saved \$12.6 billion in net averted social costs in its first six years alone. Despite their lifesaving potential and efficacy, these programs are woefully underfunded; there is a serious gap caused by a lack of available resources. It is unacceptable that victims fleeing violence should be turned away from emergency shelters because the programs are full. Victims who must wait in emergency shelter for an available housing unit remain unstable, while other victims in crisis cannot access shelter.

FY21 funding levels include \$37 million for VAWA transitional housing and \$175 million for FVPSA, and \$103 million for the DV Bonus set aside in combined FY20 and 21 CoC funds. In FY22, advocates should call on Congress to provide \$450 million for FVPSA, increase transitional housing VAWA funds, CoC funds, and affordable housing investments with any final reconciliation bill, with special emphasis on ensuring funds are allocated to domestic and sexual violence programs.

WHAT TO SAY TO LEGISLATORS

Advocates should tell Members of Congress why emergency shelter, transitional housing, and permanent housing are essential for survivors of domestic and sexual violence. Housing providers should talk about the victims that programs serve and about the struggles that programs face in meeting survivors' unique needs for safety. Advocates should share the latest information about the pervasive scarcity of emergency and transitional housing, and of safe, affordable long-term housing in their communities.

For these federal laws and programs to realize their full potential in meeting survivors' housing needs, program funding must be increased to its authorized level, new and existing VAWA housing protections must be fully implemented, and “HEARTH Act” funding and implementation must address survivors' needs.

Specifically, advocates should ask the House and Senate Appropriations Committees to increase investments in domestic violence shelter and housing programs including:

- In the Commerce, Justice, Science Appropriations bill, \$50 million for VAWA Transitional Housing.
- In the Labor, Health and Human Services Appropriations bill, \$450 million for FVPSA/domestic violence shelters, including cash assistance that can be utilized for housing and housing-related expenses.
- In the Transportation, Housing, and Urban Development (THUD) bill, support \$75 million designated for domestic violence housing and encourage CoC and Emergency Solutions Grants funding processes to reflect the needs of victims of domestic violence.
- \$1 billion in incremental housing vouchers (building on the ARPA EHV program) for PHAs to provide vouchers for use by survivors of domestic violence, or individuals and families who are homeless, or at risk of homelessness.

Advocates should tell their Senators to pass the “HEALS Act,” which will help communities better meet the needs of homeless survivors of domestic and sexual violence.

FOR MORE INFORMATION

National Network to End Domestic Violence, 202-543-5566, www.nnedv.org/census.

NNEDV Tools on Confidentiality, <https://www.techsafety.org/confidentiality>.

NNEDV Toolkit on Housing for Domestic Violence Survivors <https://nnedv.org/content/housing/>.

DVHTAC: www.SafeHousingPartnerships.org.

NNEDV; National Alliance for Safe Housing <https://www.nationalallianceforsafehousing.org/>. National Resource Center on Domestic Violence www.VAWnet.org (search housing)

CSI, Inc. <http://www.collaborative-solutions.net/>

National Sexual Violence Resource Center <https://www.nsvrc.org/>.

National Housing Law Project VAWA protections <https://www.nhlp.org/initiatives/protections-for->

[survivors-of-domestic-and-sexual-violence/](http://www.nhlp.org/initiatives/protections-for-survivors-of-domestic-and-sexual-violence/).

SNAPS In-Focus on [Addressing the Needs of Domestic Violence Survivors](http://www.nhlp.org/initiatives/protections-for-survivors-of-domestic-and-sexual-violence/).

USICH KM to [Reviewing Domestic Violence Transitional Housing Programs](http://www.nhlp.org/initiatives/protections-for-survivors-of-domestic-and-sexual-violence/).