

HOUSING NEEDS OF VICTIMS OF SEXUAL ASSAULT

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Administering Agencies: The Department of Justice(DOJ)/Office on Violence Against Women (OVW) provision of housing programs/funding/ VAWA protections, the Office for Victims of Crime (OVC) Victims of Crime Act (VOCA) funding, the U.S. Department of Housing and Urban Development (HUD),and the Department of Health and Human Services (HHS) Office of Family Violence Prevention and Services FVPSA funding (only applicable to DV but includes dual organizations).

Year Started: VAWA 1994, VAWA housing protections 2005 (HUD, USDA, Treasury and addition of OVW SASP funding), VAWA amended definition of homeless 2022, HUD CoC DV/SV Bonus Funds 2018.

Populations Targeted: Survivors of sexual assault.

Funding that supports housing for sexual assault survivors (via programs or individuals): OVW Sexual Assault Services Formula Grant Program (SASP), OVW Transitional Housing, OVW Culturally Specific Services Program, OVW Training and Technical Assistance, OVC VOCA Victim Compensation or Victim Assistance Funds, HUD Continuum of Care DV(/SA) Bonus Funds.

History

The link between sexual assault and housing is irrefutable. Since the start of the anti-sexual violence movement, survivors, advocates, and others have consistently uplifted the housing challenges survivors face while elevating that current systems' responses do little to meet these needs. Sexual assault survivors deserve access to housing services that are tailored to their unique needs. While housing programs,

shelters, and safe spaces have been created for other populations facing housing insecurity, similar resources that address the unique challenges faced by sexual assault survivors have not been as extensively developed, funded, or supported. Separate and concerted attention is needed to intentionally address these unique challenges. Simply put, housing must be prioritized as a primary need of sexual assault survivors throughout the lifespan.

Issue Summary

WHY SEXUAL ASSAULT SURVIVORS HAVE HOUSING NEEDS

Sexual assault is a root cause of housing instability and homelessness, impacting a survivor's ability to obtain and maintain housing throughout their lifespan. Experiencing sexual assault can jeopardize what was once safe, affordable housing while experiencing homelessness can increase someone's risk of experiencing violence, including sexual violence. Sexual assault programs, culturally specific programs, sexual assault coalitions, Tribal coalitions, and other stakeholders who work directly with survivors have reported a consistent increase in the frequency of survivor's requests that center housing challenges. This increase in requests is paired with a general broadening of the scope of requests, likely due to the swiftly shifting housing landscape across the country. Requests range from assistance with rent/utilities and help navigating housing programs to housing options and housing protections to issues with landlords/property management or safety concerns. The housing needs of survivors of sexual assault are complex and vary from one survivor to another.

A survivor may need housing because the person causing harm, or who has caused harm in the past, is a threat to them physically or psychologically. They may not feel safe or comfortable remaining in their home immediately following an assault or years after the assault occurred, whether or not it occurred in their home. Adult survivors of child sexual abuse may have long term economic impacts directly resulting from their trauma making it difficult for them to keep a job, find safe housing, and keep up with their financial obligations. An adult survivor and their minor child may be staying with friends to keep rent costs affordable but find the environment is no longer conducive to their health or safety after a few months. An adult survivor of child sexual abuse may secure a new housing unit only to find the facilities manager reminds them of their abuser, deepening their depression and leading to employment issues ultimately resulting in the loss of the unit.

Additionally housing needs may arise due to:

- landlords or housing managers refusing to make housing safer;
- non-offending parents and children losing housing;
- landlords or other tenants engaging in sexual violence or harassment;
- being labeled a nuisance tenant for making too many requests;
- calling law enforcement one too many times;
- being kicked out after disclosing sexual violence (this is particularly true for youth);
- losing subsidies or assistance; or
- landlord/ property manager discovering that the tenant is a survivor and making it difficult for the survivor to stay.

“Violence Against Women Act” (VAWA)

VAWA provides key protections for survivors of sexual assault. It was the first federal law that used a coordinated community engagement approach to address and respond to sexual assault and domestic violence. VAWA was passed in 1994 and was reauthorized in 2000, 2005, 2013, and 2022. Each reauthorization enhances survivors’ rights and expands protections. The 2005 reauthorization secured protections that ensured survivors could access the criminal justice system without risking their current or future housing and strengthened confidentiality protections.

VAWA provides housing protections for survivors of sexual assault, domestic violence, dating violence, and stalking who are living in federally assisted housing. It protects federally subsidized tenants from being denied housing or evicted due to their status as a survivor or for seeking law enforcement assistance; allows public housing agencies (PHA) to prioritize survivors for housing; and requires covered housing programs to have an emergency transfer policy process.

The VAWA 2022 expansion extends the same protections to all federally subsidized housing programs and any new federally subsidized housing that will be created. It also expanded the definition of homeless and clarified that a person can qualify as “homeless” if they are “experiencing trauma or a lack of safety related to “domestic violence, dating violence, sexual assault and stalking.” Survivors of sexual assault are legally entitled to housing protections regardless of whether they are actively fleeing further sexual, physical, or emotional harm. This amendment to the definition more closely addresses and reflects the lived realities of all survivors. The amended definition also clarifies that to qualify for homeless assistance a person must have no other “safe” residence, allowing survivors who would once be screened out due to having other/unsafe housing to now access housing assistance. This change removed a significant barrier for many survivors who are now no longer required to demonstrate that they lack “support networks” to obtain safe housing.

Systems Barriers

Sexual assault survivors face unique barriers when it comes to housing. The housing system fails survivors of sexual assault by not considering the complexity of housing needs while implementing processes that create heightened and unnecessary barriers. The one size fits most criteria used by current housing models centers imminent physical harm as a precursor to housing need. This approach disregards the variety of experiences survivors have over their lifespan and underestimates sexual violence as a root cause of housing insecurity.

For many survivors of sexual assault, their healing journey is not linear. The same can be said about housing needs and challenges. Our systemic response to housing centers providing services immediately following an assault due to elevated potential of physical harm. Linking services to an arbitrary timeframe excludes many survivors. Some survivors have immediate housing needs, but others may have housing needs crop up one year or ten years later. The impact of trauma can create housing instability and chronic homelessness throughout the lifespan. For example, what if a survivor was assaulted five years ago, remains safely in their home for those five years, and then witnesses someone related to the person who caused harm moving into their neighborhood? The survivor no longer feels safe but their housing concerns may be dismissed due to the time that has passed or have limited options since they appear to still be safely housed. Housing needs are complex, change over time, and can be unforeseen. To better serve survivors of sexual assault and meet their needs, housing challenges must be framed as an issue that impacts survivors throughout their lifespan.

Unnecessary barriers created by systems prevent survivors from accessing much needed assistance. Survivors of sexual assault face barriers to shelter if the space is not designed with their unique needs in mind or if staff are not trained to work with sexual assault survivors. A survivor of sexual assault may go to a homeless shelter seeking services. During the intake process they mention that they experienced sexual assault and are referred to a domestic violence shelter.

At the DV shelter, the same survivor is screened out for not meeting eligibility requirements. Alternatively, the survivor may screen themselves out feeling they do not “deserve” the open bed since they are not a survivor of domestic violence and leave before being finalizing the intake process. Survivors often shared being screened out of shelter space due to not meeting the eligibility requirements or face unintentional stigma since there are few shelters or housing programs specifically designed for sexual assault survivors. Survivors from marginalized communities face heightened barriers when attempting to access assistance, especially those requiring interactions with systems. Systems also screen out sexual assault survivors through “standard practices”, like tenant screenings.

Tenant screenings; including criminal background checks and eviction records, can unfairly impact a survivor’s access to housing. Yet, each may be directly linked to their experience with sexual assault. A survivor may be flagged during a criminal background check for having an assault charge. What the report fails to show is that the potential tenant/survivor was acting in self-defense against someone who had assaulted them in the past and was likely to do so again. An eviction record may flag a past eviction but it does not reflect that the facilities manager reminds the potential tenant, a survivor of child sexual abuse, of the person who caused them harm and in order to get to the office to pay rent they have to walk by the facilities office. A survivor may have been labeled a nuisance tenant for requesting another lock, asked for a shared door to not be propped open, fell behind on rent due to missing work, was arrested for something related to their substance use, or had law enforcement called on them too many times while, unbeknownst to their neighbors, being trafficked. The information contained within a report reflects findings while disregarding the context that led up to a criminal charge or eviction. Without the opportunity to explain their circumstances, including the role their victimization played, survivors often become disillusioned with the process.

Funding

Funding is one of the most significant barriers imparting ability to address sexual assault survivors specific housing needs. Most sexual assault specific/stand-alone programs do not receive funding that is earmarked to solely support housing work with survivors, nor do they have a staff member dedicated fully or partially to supporting housing requests. Many dual programs, such as those that serve both domestic violence and sexual assault survivors and receive funding specifically for housing, prioritize the funds and staff time towards meeting the needs of domestic violence survivors.

Without dedicated housing funding or staff, programs working to address housing requests from sexual assault survivors are left with two choices: do their best to meet the need internally with current staff whose knowledge around housing issues varies or refer to a local housing program whose staff who may not be trained to work with survivors of sexual assault. Referring a survivor for housing services feels risky to many advocates, particularly for those who did not have an established relationship with the referred organization, as it presents an additional step for the survivor to take with a low likelihood of follow through without a warm handoff. Although survivors of sexual assault have clear housing needs, limited staff capacity due to inadequate and inequitable funding leads to gaps in services including meeting housing needs.

Lack of dedicated funding impacts survivors of sexual assault from marginalized communities even more drastically. Culturally specific programs that work with survivors of sexual assault face heightened barriers barring many from applying for funding. This is especially true for smaller organizations. Due to the heightened barriers faced by culturally specific programs, all programs must be infused with strategies that are responsive to Communities of Color, LGBTQ, and other marginalized communities.

Beyond Shelter

Shelters are a necessary part of the housing ecosystem but are just one component of something so much broader. For far too long, shelters have been relied upon as the main entry point for those seeking housing to access housing resources. Shelters are a solution for some but for many survivors of sexual assault, shelters are not the answer. Although domestic violence shelters are technically accessible to survivors of sexual assault, many have shared stories of being screened out because their experience did not fit within the parameters of domestic violence or too much time had passed. Homeless shelters, alternatively, can pose increased risk of repeat violence to survivors not to mention lack of staff training specific to sexual assault. Other survivors would prefer to sleep outside than be in congregate housing sharing living areas with strangers compounded with limited personal autonomy. Yet access to housing resources largely depends on entering a shelter. We must look beyond shelter and establish an alternative bridge to housing resources to ensure more equitable access.

The Advocate's Role

Advocates are key to improving sexual assault survivors' access to safe, stable, and affordable housing. Whether an advocate has 30 minutes a month or 30 minutes a day, they can start changing the narrative around the needs of sexual assault survivors by prioritizing housing throughout the life span of a survivor. Advocates can:

- Raise awareness around the unique housing challenges faced by sexual assault survivors, including housing protections.
- Train housing program staff on best practice for working with sexual assault survivors (even better- establish regular cross-training opportunities between sexual assault and housing programs so key professionals have access to foundational knowledge).

- Train public housing staff, hearing officers, field offices, and other stakeholders on the housing challenges of sexual assault survivors.
- Build relationships with local landlords, property management companies, housing authorities, housing organizations, Continuums of Care and others working on housing access/justice.
- Connect with your local resources including your local HUD office.
- Research funding that can support housing programs, explore potential partnerships to increase capacity, and advocate for changes that would make the funding more accessible.

For More Information

National Alliance to End Sexual Violence

<https://endsexualviolence.org>

National Organizations of Sisters of Color Ending Sexual Assault <https://sisterslead.org>

National Sexual Violence Resource Center <https://www.nsvrc.org> or <https://www.nsvrc.org/sexual-violence-housing-resource-collection>

National Sexual Assault Coalition Resource Sharing Project <https://resourcesharingproject.org>