

CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE

LIHTC LEASE ADDENDUM: VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Tenant(s): _____ Landlord: _____

Address & Unit: _____

The property participates in federally funded program(s) that mandate that protections of the Violence Against Women Reauthorization Act of 2013 (VAWA 2013), as amended time to time, be applicable to this lease. This lease addendum adds the following paragraphs to the Lease between the above referenced Tenant and Landlord.

Purpose of the Addendum

The lease for the above referenced unit is being amended to include the provisions of VAWA 2013.

Conflicts with Other Provisions of the Lease

In case of any conflict between the provisions of this Addendum and other sections of the Lease, the provisions of this Addendum shall prevail.

Term of the Lease Addendum

The effective date of this Lease Addendum is _____. This Lease Addendum shall continue to be in effect until the Lease is terminated.

VAWA Protections

1. The Landlord may not terminate assistance, participation, or evict a tenant on the basis or as a direct result of the fact that the tenant is or has been the victim or threatened victim of domestic violence, dating violence, sexual assault, or stalking.
2. An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as a serious or repeated violation of the lease or other "good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse.
3. A violation of VAWA 2013 that leads to an eviction is a violation of the requirement for good cause eviction.
4. The Landlord may not consider criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance,

tenancy, or occupancy rights if the tenant or an affiliated individual of the tenant's family is the victim or threatened victim of that abuse.

5. The Landlord may request in writing that the tenant certify that the individual is a victim of domestic violence, dating violence, sexual assault, or stalking. To receive protections under VAWA, the tenant has the choice to submit either a VAWA Self-Certification Form HUD-5382, or other documentation as noted on the certification form, within 14 business days, or an agreed upon extension date. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.
6. Landlords are required to keep strictly confidential all information submitted by the tenant related to their VAWA request or protected status, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking. Landlords may not enter any of this confidential information into any shared database or disclose this information to any other entity or individual, except to the extent that the disclosure is: requested or consented to by the individual seeking VAWA protections in writing, required for use in an eviction proceeding, or otherwise required by applicable law.
7. Landlords are required to notify all tenants of their VAWA rights by providing each tenant a Notice of Occupancy Rights Form HUD-5380 and VAWA Self-Certification Form HUD-5382 with any notification of eviction or notification of termination of assistance in multiple languages consistent with Executive Order 13166. These forms are available on HUD's website in eleven languages: Armenian, Cambodian, Creole, Japanese, Korean, Lao, Chinese, Russian, Spanish, Thai, and Vietnamese.
8. Tenants and their affiliated individuals who are victims of domestic violence, dating violence, sexual assault or stalking may qualify for remedies under VAWA including (but not limited to) an emergency transfer or lease bifurcation. More information on these remedies can be found in the Notice of Occupancy Rights Form HUD-5380.
9. This is not an exhaustive list of VAWA protections. Additional protections may apply for tenants receiving other forms of housing assistance from HUD.

Tenant(s)

Date

Landlord

Date