

How-to Guide

Understanding the Violence Against Women Act (VAWA) and What It Means for Rental Property Providers

The Violence Against Women Act (VAWA) requires rental property providers who receive funding from many U.S. Department of Housing and Urban Development (HUD) housing programs, including Emergency Solutions Grants (ESG) Program-funded Rental Assistance, to offer certain protections to all tenants.

These protections include the right to an emergency transfer: terminating a lease if a tenant has a reasonable fear of imminent harm from domestic violence, dating violence, sexual assault, or stalking if they remain in their current unit, or if they experience a sexual assault on the premises of their assisted unit.



How will VAWA impact rental property providers' property management efforts?

Rental property providers may be concerned about how VAWA will affect their rental income, the safety of their properties, or the amount of additional paperwork that VAWA requires.

ESG providers can reassure rental property providers on each of these points:

- Rental income – ESG and other HUD programs can pay the rental property provider for the cost of breaking a lease to effect an emergency transfer. In addition, housing providers have a strong incentive to quickly refill units, especially in challenging housing markets.
- Property safety – The safest thing for both the tenant and the property is to quickly relocate the tenant to a new, safe unit. Emergency transfers are a tool to protect the property and its owner.
- Additional paperwork – The overwhelming majority of tenants never request an emergency transfer. When an emergency transfer is necessary, ESG providers work hard to ensure that the process goes smoothly and that the administrative burden is as small as possible. The partnership between organizations and rental property providers is extremely important.



The reality is that rental property providers are already providing housing for domestic violence survivors in the private market even if they don't know it. ESG and other housing programs provide support for both the tenant and the rental property provider that doesn't exist in the private market. Rental property providers have more protections and support with ESG and other housing program tenants – not less.



ESG providers can help rental property providers **comply with VAWA.**

- In the private market, survivors often break leases with no notice to escape further violence. Under the ESG and other housing programs, rental property providers have more information about what's happening to their tenants and properties, and housing providers work hard to ensure landlords are made whole – including financially.
- ESG Rental Assistance can pay amounts owed for breaking a lease to effect an emergency transfer. CoC Program Rental Assistance and the CoC VAWA budget line item can also pay for these costs.
- ESG providers have a strong incentive to continue renting affordable, safe, sanitary, and secure housing. If a unit is vacated in response to an emergency transfer, the provider is likely to want to quickly lease the unit to another eligible participant.
- Emergency transfers are rare. Under most circumstances, the additional paperwork involves minimal effort – and when an emergency transfer is required, the ESG Program offers ways to support the rental property provider in protecting the tenant's safety.
- To help rental property providers become more familiar with VAWA, consider developing a short, one-page flyer. For more information, visit nnedv.org/content/violence-against-women-act/.