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HUD No. 11-021
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HUD ISSUES GUIDANCE ON DISCRIMINATION COMPLAINTS FROM VICTIMS OF DOMESTIC VIOLENCE

WASHINGTON - The U.S. Department of Housing and Urban Development (HUD) recently issued guidance making it clear that residents who are denied or evicted from housing as a result of domestic violence may have basis to file a discrimination complaint with HUD under the federal Fair Housing Act. HUD's guidance states that while the *Violence Against Women Act* (VAWA) provides some protections to victims of abuse who experience housing discrimination, the Fair Housing Act provides authority for HUD to investigate whether the denial or eviction violates the Act based on gender or another federally-protected basis.

The Fair Housing Act prohibits landlords from discriminating based on race, color, national origin, religion, sex, familial status, and disability.

"People in abusive relationships are not only victims of abuse, but potential victims of housing discrimination," said John Trasviña, HUD Assistant Secretary for Fair Housing and Equal Opportunity. "Evicting a domestic violence victim from her home robs her of the one anchor she has in a sea of uncertainty. HUD is committed to using the Fair Housing Act to protect victims of abuse from unlawful denial of access to decent, affordable housing."

Under the guidance, HUD will review claims of discrimination from victims of domestic violence to determine if there is sufficient evidence to apply the Fair Housing Act to those complaints. For example, a landlord refusing to accept women with a history of domestic violence because they may return to abusive men may violate the Fair Housing Act's prohibition against gender discrimination. Similarly, a "zero-tolerance" policy for criminal activity, under which an entire household may be evicted for the criminal act of one household member, may have a disparate impact on women because they are the overwhelming majority of domestic violence victims. Evicting women for the violent acts of their abusers may violate the Fair Housing Act.

Additionally, the guidance provides examples of recent housing discrimination cases and explains how VAWA protects victims of domestic violence from denial, eviction and termination from public housing and the Housing Choice Voucher Program (Section 8).

To read HUD's Domestic Violence guidance go to HUD's **website**.

The Department's domestic violence forms, HUD form 91066, "Certification of Domestic Violence, Dating Violence or Stalking" and HUD form 91067, "Lease Addendum - Violence Against Women and Justice Department Reauthorization Act of 2005," are available in 14 different languages on HUD's Limited English Proficiency Web site.

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HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes: utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination; and transform the way HUD does business. More information about HUD and its programs is available on the Internet at www.hud.gov and espanol.hud.gov.