

memorandum

Pat Quinn, *Governor*

MANAGEMENT BULLETIN # 435

Date August 8, 2013

To Owners/Agents of Section 8/236, HOME
and Tax Credit developments

From Diane Smith, Asst. Director
Asset Management Services

Re Violence Against Women
Reauthorization Act of 2013 (VAWA)

President Obama signed the Violence Against Women Reauthorization Act of 2013 (“VAWA 2013”) into law on March 7, 2013. [The National Housing Law Project](#) has created an article to highlight the key provisions provided in VAWA 2013 which [you may access via the website link provided below](#):

<http://nhlp.org/files/VAWA%202013%20Bulletin%20Article%20Updated.pdf>

This VAWA 2013 reauthorization extended protection to additional classes of victims and continues many of the housing protections that had been provided by the VAWA Act of 2005. The changes in the VAWA 2013 include covering **more** federal housing programs beyond Section 8/236 (e.g. **HOME and LIHTC**), extending protections to survivors of sexual assault, allowing survivors who remain in the unit to establish eligibility or find new housing when a lease is bifurcated, providing survivors with emergency transfers, and notifying applicants and tenants of VAWA housing rights at three critical junctures.

Please note that “Owners of projects in the low income housing tax credit (LIHTC) program must now comply with VAWA. Interestingly, a violation of VAWA by itself does not constitute an incidence of non-compliance within the LIHTC program because it is not required by Section 42 of the IRC. It would however, be a legal issue for all LIHTC owners who must insure that their staff understands how to meet their VAWA requirements. If it is determined that a violation of VAWA is also a violation of a resident's rights under fair housing law, the incident could trigger a loss or recapture of LIHTC”.

Please be sure to read the entire **National Housing Law Project** article explaining the key provisions included in VAWA 2013. You should find out if the VAWA 2013 now applies to your development and, if so, what protections your tenants may now receive. Please contact your Asset Manager with any questions you may have.