What is the Violence Against Women Act (VAWA)?

The Violence Against Women Act (VAWA) is a federal law that protects victims of domestic violence, dating violence, sexual assault, and stalking (VAWA victims), whether they are men or women.

In 2017, the U.S. Department of Housing and Urban Development issued regulations regarding the Violence Against Women Act (VAWA). These regulations will simplify the emergency transfer process for VAWA victims (victims of domestic violence, dating violence, sexual assault, and stalking).

NYCHA is also making changes to simplify the emergency transfer process for intimidated witnesses (IW), intimidated victims (IV), and victims of traumatic incidents (VTI), even though they are not covered by the VAWA regulations.

What’s changing?

Section 8 participants who are VAWA victims (victims of domestic violence, dating violence, sexual assault, or stalking) can, but are no longer required to, submit third-party documentation to show they are VAWA victims eligible for an emergency transfer.

Intimidated victims, intimidated witnesses, and victims of a traumatic incident must submit third-party documentation to show they are eligible for emergency transfer. There are different documentation requirements for each of these types of transfers. The required documents are listed on the Tenant Transfer Fact sheet, NYCHA form 059.648, which is available at the walk in centers or by calling the Customer Contact Center at 718-707-7771.

Who is eligible for VAWA protection?

VAWA protections cover victims of domestic violence, dating violence, sexual assault, or stalking who are Section 8 Participants and assisted families, as defined under applicable program regulations. VAWA protections also cover applicants when they are applying for admission to a covered housing program.

VAWA protections are not limited to women. Victims of domestic violence, dating
violence, sexual assault, or stalking are eligible for protections without regard to sex, gender identity, or sexual orientation.

**Who is ineligible for VAWA?**

Guests, unassisted members, and live-in aides of the family are ineligible for VAWA protections that are available only to Section 8 Participants.

**What rights to victims have under VAWA?**

A housing authority cannot deny admission to a person, or terminate a person from Section 8, just because they are a VAWA victim. In addition, housing authorities must have an emergency transfer process in place for VAWA victims. VAWA also allows, but does not require, a housing authority to bifurcate a lease to terminate the rights of the abuser, while protecting the victim and other innocent household members.

**What is an emergency transfer?**

Emergency transfer allows a Section 8 Participant to relocate to another unit in accordance with NYCHA's emergency transfer plan.

Any Section 8 Participant, including the Head of Household, a household member, or an affiliated individual can apply for an emergency transfer. There are four Emergency Transfer Categories:

- **Victim under the Violence Against Women Act (VAWA Victim):** victim of domestic violence, dating violence, sexual assault or stalking
- **Intimidated Victim (IV)**
- **Intimidated Witness (IW)**
- **Victim of Traumatic Incident (VTI)**

**How and where can a Section 8 Participant apply for an emergency transfer?**

VAWA victim must request a transfer and complete the VAWA section on the form.
Section 8 VAWA Transfers
Frequently Asked Questions

A Section 8 Participant can apply for an emergency transfer through NYCHA's Self-Service Portal, or by completing the Voucher Holder Request for Transfer, NYCHA Form 059.004, which can be obtained by calling the Customer Contact Center at 718-707-7771 or visiting their local NYCHA Walk In Center.

How can a Section 8 Participant check on the status of their emergency transfer request?

A Section 8 Participant can check the status of the request online, via NYCHA's Self-Service Portal, 24 hours a day, 7 days a week. The Section 8 Participants will also receive a letter stating whether the emergency transfer request was approved or disapproved.

How long will it take to process an emergency transfer request?

NYCHA's Emergency Transfer Program is not intended to be a witness protection program and NYCHA cannot guarantee the safety or security of individuals and families who choose to apply and/or who are transferred under this program. Pending the review and/or processing of the Section 8 Participant's emergency transfer request, Section 8 Participants should be urged to take reasonable precautions to be safe. If you have questions regarding NYCHA's Emergency Transfer process, please call the Customer Contact Center at 718-707-7771.

Where can a Section 8 Participant move if he/she is eligible for an emergency transfer?

A Section 8 Participant does not have to exclude any zip codes, including the zip code where they currently live, if Section 8 Participant feels they can safely transfer to an apartment in their current zip code.

How will the Section 8 Participant be notified?

NYCHA will send a letter to the Section 8 Participant's current address, unless the Section 8 Participant lists a preferred alternate address on the emergency transfer form. Section 8 Participant can also check status on the Self-Service Portal. If the transfer was approved, NYCHA will also send a notification email to the referring agency if the Section 8 Participant applied for transfer as an intimidated victim or
Where can Section 8 Participant get more information about VAWA and emergency transfers?

You can find more information in NYCHA's Emergency Transfer Policy, which is posted on the NYCHA website. Section 8 Participants will also receive more information about VAWA with their annual review packet.