



National Resource Center
on Domestic Violence



**Domestic Violence, Sexual Assault, and Human Trafficking Recommendations for
Implementing the American Rescue Plan’s Housing and Homeownership Assistance by the
U.S. Department of the Treasury
(Updated: 5/4/21)**

For over 15 years, our working group of national domestic violence, sexual assault, human trafficking, and housing organizations has worked on a variety of issues to ensure safe housing for survivors of domestic violence, sexual assault, and human trafficking. We respectfully provide the following recommendations to the U.S. Department of the Treasury concerning implementing the American Rescue Plan’s (ARP) housing and homeownership assistance. We would greatly appreciate an opportunity to speak with Treasury staff via a call or virtual meeting to discuss strategies to ensure equitable access to ARP housing and homeownership assistance for survivors and communities of color. Please contact Karlo Ng at kng@nashta.org.

- There must be cross-agency coordination to ensure that domestic violence, sexual assault, dating violence, stalking, and human trafficking survivors are benefitting from the various forms of ARP assistance across the federal agencies.
- Treasury must take steps to better understand the specific housing needs of domestic violence, sexual assault, human trafficking, and survivors of color, as these populations have distinct needs and experiences that must inform how housing and homelessness assistance programs are set up and operate.
- Treasury must ensure that the agency’s guidance documents refer to *each category of violence* (domestic violence, sexual assault, dating violence, stalking, and human trafficking) and avoid using terms like “domestic abuse” or using “domestic violence” as a catch-all term to include several distinct forms of violence. Using such catch-all terms

creates major barriers for survivors of sexual assault, stalking, and human trafficking survivors to access assistance.

- Treasury must ensure that all housing and homeownership relief programs are designed in such a way to account for the specific dynamics of domestic violence, sexual assault, and human trafficking. For example:
 - Survivors often cannot secure assistance without the co-signature or consent of the perpetrator who may be a co-tenant, head of household, primary leaseholder, or co-homeowner. As a part of the cycle of violence, perpetrators will often withhold consent or refuse to cooperate in executing applications. Programs should be designed to permit survivors to apply for assistance on their own without the permission or cooperation of their perpetrators who are part of the households.
 - Eligibility should not mandate that the survivor be in the same household as the perpetrator.
 - Eligibility should not require that the violence have occurred recently or have occurred in the survivor's home. Instead, eligibility must allow for violence that has occurred anywhere and at any point in the survivor's lifespan, when the current need for assistance can be connected to the trauma related to the victimization.
 - Survivors should not be required to leave or flee their current housing and move to other housing in order to be eligible for assistance.
 - For survivors who are separated or seeking separation from partners or family members who have caused harm, the partner's or family member's income should not be considered when assessing income eligibility.
 - State and local agencies cannot set geographic limits on what is safe, i.e., requiring a survivor to move to another neighborhood or community. The survivor alone makes that determination.
- If documentation is required to show eligibility for housing or homeownership assistance, the proof should be a **low-barrier** attestation by the survivor or a victim service provider. For example, the latest CDC eviction moratorium declaration format¹ is written in plain language with check boxes. This approach further minimizes the amount of information the survivor is asked to affirmatively provide. If utilized, such attestation forms should be translated into a number of languages and easily accessible online.
- Treasury must create outreach and educational materials re: the ARPA housing and homeownership assistance for state and local domestic violence, sexual assault, and human trafficking programs.

¹ https://www.cdc.gov/coronavirus/2019-ncov/downloads/EvictionDeclare_d508.pdf

- Treasury must require states and localities to ensure the safety and confidentiality of survivors accessing the funding. State and local program administrators should utilize application systems that consider the safety of survivors. For example:
 - Survivors who do not feel comfortable providing personally identifying information for an online application should be able to apply for the funding in an alternative way that is easily accessible.
 - State and local program administrators should work with domestic violence, sexual assault, and human trafficking programs to properly connect survivors to services in a way that does not jeopardize the safety of survivors. Ideally, the program would have administrators who are victim service providers (VSPs) themselves, who partner with a VSP, or who are receiving training from a VSP. This would allow survivors to work directly with, or be easily connected to, an advocate who can provide trauma-informed services.
- Treasury should highlight the importance of confidentiality in communications with survivors. Programs should be instructed to only contact survivors via a method that the survivor has identified as safe. For example, program administrators may wish to ask on an application form what the preferred method of contact is for the applicant.
- Treasury should encourage engagement and partnership with local culturally specific communities of color organizations addressing sexual assault and domestic violence to ensure that survivors of color can equitably access rental assistance and other housing and homelessness assistance.
- ERAP grantees should immediately establish an advisory commission to provide ongoing input into rental assistance program design, administration, and evaluation. The advisory commission should have substantial representation from historically underserved communities, domestic violence/sexual assault/human trafficking advocates, culturally specific communities of color organizations, as well as individuals with lived experience, including survivors and low-income tenants.
- Treasury should instruct states, territories, and localities to confer with local and national experts on sexual assault, domestic violence, dating violence, stalking and human trafficking on how decisions are made to prioritize applications for rental assistance.
- Treasury should encourage local programs to identify historically underserved groups to ensure more equitable distribution of rental assistance – including groups such as survivors of domestic violence, dating violence, sexual assault, stalking, human trafficking, culturally specific communities of color (including survivors who have not sought help from the criminal legal system, such as by getting a restraining order or calling for police assistance), as well as immigrant survivors, and persons who have been arrested or convicted of criminal offenses, which can often include survivors.
- Treasury should make clear that state and local program administrators are not authorized to exclude individuals due to their immigration status or impose criteria that

would have the effect of excluding them (i.e. requiring a driver's license, Social Security Number, or state ID). Additionally, states and localities should be instructed not to share renter or household information with immigration authorities.

- Treasury should make clear that state and local program administrators should take pre-pandemic economic conditions into account, and prioritize targeting assistance to census tracts with the greatest indicators of housing instability, using tools such as the Urban Institute rental assistance targeting tool.²
- The ARP Technical Assistance (TA) money should be used towards TA to serve survivors, such as domestic violence/sexual assault/stalking/human trafficking 101, working with survivors of color, and VAWA trainings for housing providers.
- Under ERAP, the term “other expenses related to housing” should include flexible financial assistance³ that covers survivors' expenses that relate directly to housing insecurity resulting from the violence, such as back rent, moving expenses, first months' rent and security deposits; as well as expenses which might indirectly relate to survivors' housing stability, such as childcare, transportation, education supplies, food assistance, and the like.
- For states and localities that use the Homeless Management Information System (HMIS) to administer rental assistance programs, program administrators should make clear to all applicants that they are not required to provide personally identifying information, including a Social Security Number. That should continue to be optional to access rental assistance. Further, mandating SSNs would run afoul of the federal Privacy Act.

² Urban Institute, Where to Prioritize Emergency Rental Assistance to Keep Renters in Their Homes (last updated April 5, 2021), <https://www.urban.org/features/where-prioritize-emergency-rental-assistance-keep-renters-their-homes>

³ National Alliance for Safe Housing & Washington State Coalition Against Domestic Violence, Flexible Funding for Domestic Violence and Sexual Assault Survivors, <https://safehousingpartnerships.org/sites/default/files/2019-01/SafeHousingPartnerships-FlexFundingFAQ-Jan2019.pdf>