**ATTACHMENT AA-3**:   
**Assessing Justice-Involved Applicants for New York City-Funded and/or -Assisted Housing**[[1]](#footnote-2)

[COMPANY LETTERHEAD]

[PHONE NUMBER]

[EMAIL ADDRESS]

[FAX NUMBER]

Date: \_\_\_\_\_\_\_\_\_\_

[APPLICANT'S NAME AND ADDRESS]

Re: [PROJECT NAME]

Log #:\_\_\_\_\_\_\_\_

Dear Applicant:

We received your application for residency in the project indicated above. The following convictions appeared on your record in a background check and may be considered in your eligibility for housing:

* LIST CONVICTION RECORD(S), INCLUDING CASE #, CHARGE, AND DATE OF CONVICTION

**You have the opportunity to provide an explanation of the circumstances surrounding your conviction and/or supporting documentation showing evidence of rehabilitation in order to proceed with your application. You must contact this office within ten (10) business days. Please send your documentation to our office via Housing Connect, or at the [EMAIL / MAIL / FAX] information below, or reach out to [PHONE NUMBER] to schedule an in-person or virtual appointment.**

Examples of evidence you can submit may include, but is not limited to:

* Certificate of Relief from Disabilities or Certificate of Good Behavior
* Evidence of treatment enrollment or completion for conditions that may have contributed to previous criminal behavior
* Evidence of rehabilitative programming, such as vocational, educational, work or therapy programs during or after incarceration
* Employment status and history since conviction or release from incarceration
* Volunteer work or community engagement activities
* Recommendation letters from community members including, but not limited to: clergy, parole supervisors, educators, employers, neighbors and other local community residents, landlords, etc.
* Other relevant factors, including a narrative explaining the circumstances in which the crime was committed and what has occurred since then.
* If your justice-involved history is a direct result of you or another individual on the application being a victim of domestic violence, dating violence, sexual assault, or stalking, please refer to the Notice of Rights under the Violence Against Women Act, attached.

Additionally, you may request a copy of the background check report we used to identify this conviction. You can contest, with documentation or a written challenge, any conviction information on this report you think is erroneous.

Sincerely,

[NAME]

Owner/Manager

[INSERT EMAIL ADDRESS] [INSERT PHONE NUMBER] [INSERT FAX NUMBER]

**[INSERT ENGLISH HOUSEHOLD SIZE AND INCOME CHART BELOW OR ATTACH AD]**

For additional questions regarding the housing application process or appeals, please contact:

* HPD Marketed Units: HPD Applicant Helpline, 212-863-7990
* HDC Marketed Units: HDC Compliance Helpline, 212-227-6411

New York City Department of Housing Preservation and Development (HPD) and

New York City Housing Development Corporation (HDC)

**Notice of Rights under the Violence Against Women Act (VAWA)**

**for Housing Applicants[[2]](#footnote-3)**

The federal Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.[[3]](#footnote-4) This notice explains applicants’ rights under VAWA and the responsibilities of HPD and HDC, collectively known as “the Agencies”, and any marketing agents or other owner representatives engaged in the application process for HPD/HDC marketed housing units.

**Protections for Applicant- Households**

Housing units marketed via NYC Housing Connect may be funded by a number of federal, state or local financing programs. If you and the people you will live with (“your household members”) otherwise qualify for admission**,** you cannot be denied admission based on or as a direct result of the fact that a household member is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. Additionally, applicant households cannot be denied based on adverse factors that are a direct result of the fact that a household member is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.

**Applicants who are domestic violence survivors may invoke their VAWA rights and appeal a rejection to housing if they wish to claim that the reason given for rejection is a direct consequence of their experience with domestic violence, dating violence, sexual assault or stalking.** Such reasons may include, but are not limited to, poor credit, failure to pay rent, poor rental history and/or a criminal record. When submitting such a claim, applicants may be asked to provide supporting documentation. Instructions on the right to appeal and the time frame for submitting such an appeal are explained in the rejection letter from the development’s marketing agent.

Should you need assistance appealing **based on your VAWA rights,** you may contact one of New York City’s Family Justice Centers for help:

Bronx Family Justice Center, 198 East 161st Street, 2nd Floor, 718-508-1220

Brooklyn Family Justice Center, 350 Jay Street, 718-250-5111

Queens Family Justice Center, 126-02 82nd Avenue, 718-575-4545

Manhattan Family Justice Center, 80 Center Street, 212-602-2800

Staten Island Family Justice Center, 126 Stuyvesant Place, 718-697-4300

Family Justice Centers provide a variety of information and services to survivors of domestic and gender-based violence. No appointment is necessary. All centers are open Monday through Friday from 9:00am to 5:00pm. Please bring a copy of this notice with you.

**Confidentiality**

The Agencies and all marketing agents/owner representatives must keep confidential any information provided by applicants who are survivors of domestic violence, dating violence, sexual assault or stalking, including the fact that the applicant is exercising rights under VAWA.

However, they may disclose the information provided if:

* Written permission to release the information on a time limited basis is given.
* A law requires the Agencies or marketing agent/owner to release the information.

**Other Laws**

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. If you are a survivor of domestic violence, dating violence, sexual assault or stalking, you may be entitled to additional housing protections under other Federal laws, as well as under State and local laws.

**For Additional Information**

You may view a copy of HUD’s VAWA Final Rule, covering many of HUD’s housing programs, at **www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf**.

For help regarding an abusive relationship, you can call **NYC Domestic Violence Hotline** **at**

**1-800-621-4673.** Additional New York City resources for survivors of intimate partner violence include the **Family Justice Centers**, listed above under “Protections for Applicants.”

Applicants who are or have been victims of stalking and are seeking help may visit the **National Center for Victims of Crime’s Stalking Resource Center** at

**www.victimsofcrime.org/our-programs/stalking-resource-center.**

For help regarding sexual assault, you may contact the **NYC Alliance Against Sexual Assault:**

**212-229-0345** or **Rape Abuse and Incest National Network (RAINN) at 1-800-656-4673**.

Victims of any crime, including stalking, may contact their local police stations.

1. For the purposes of this document, when the term New York City-funded and/or -assisted housing is used it refers to HDC-funded and/or -assisted housing, as well as New York City-funded and/or -assisted housing. [↑](#footnote-ref-2)
2. This information pertains to an appeal on the grounds that the reason your application was rejected is a direct result of you or another individual on the application being a victim of domestic violence, dating violence, sexual assault, or stalking.  [↑](#footnote-ref-3)
3. Housing providers cannot discriminate based on any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted, HUD-insured, Low Income Housing Tax Credit financed and HPD/HDC financed housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status. [↑](#footnote-ref-4)