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## **Lawsuit Filed Alleging D.C. Housing Authority Fails to Protect Federally Guaranteed Rights of Domestic Violence Survivors**

*Plaintiff alleges that after she experienced domestic violence and obtained a civil protection order against her then-husband, who has since left the home they lived in together, the Housing Authority unlawfully terminated her assistance and denied her request for a hearing.*

**WASHINGTON, March 13, 2019** – Today, the Legal Aid Society of the District of Columbia and Alston & Bird LLP filed a complaint in federal court against the D.C. Housing Authority and its Executive Director, Tyrone Garrett, for the agency’s failure to comply with local and federal laws and regulations protecting the rights of survivors of domestic violence who participate in housing subsidy programs. The lawsuit alleges that the Housing Authority violated the plaintiff’s due process rights and the Violence Against Women Act (“VAWA”) by terminating her housing assistance and denying her a hearing concerning her entitlement to, and the appropriate amount of, that assistance.

“Federal and District law guarantee that low-income survivors of domestic violence who receive housing assistance will have that assistance continue, in an amount that should allow them to remain in their homes,” said Daniel G. Jarcho, a Washington-based partner at Alston & Bird and member (and former President) of Legal Aid’s Board of Trustees. “Those essential guarantees protect survivors from a painful choice between separating from their abuser without being able to afford housing, on the one hand, and staying in housing with their abuser (and relying on their abuser to afford the rent) on the other. This case challenges the D.C. Housing Authority’s violation of those guarantees.”

The plaintiff and her then-husband had been participants in the Housing Authority’s Housing Choice Voucher Program (“HCVP”) for a little over a year when, in September 2018, he threatened her life in the presence of two of their children. The plaintiff called the police, filed a police report, and sought and obtained a civil protection order, a process that removed him from the home. Shortly thereafter, she secured a divorce.

Under the Violence Against Women Act, if a family receiving housing assistance breaks up as a result of domestic violence, the local public housing authority must ensure that the survivor retains assistance. In this instance, the D.C. Housing Authority failed to do so. It denied both the plaintiff’s request for continued assistance and her request for a fair hearing. Although the Housing Authority issued the plaintiff a “temporary” voucher, acknowledging that she met the VAWA requirements, it refused to adjust the assistance so that it would be based on her income alone. In February 2019, the agency stopped making payments to the plaintiff’s landlord under the voucher altogether, which places her and her two children at risk of homelessness.

The plaintiff filed this suit to enforce her right to continue receiving assistance under the HCVP as a victim of domestic violence, to have the amount of assistance she receives recalculated so that it is based on her household's new income, and to ensure that the Housing Authority complies with the law and due process for others, going forward.

“Our client has already demonstrated tremendous courage and resilience to obtain a protection order against her now ex-husband and escape from her relationship with him,” said Elena Bowers, a Staff Attorney at Legal Aid. “She should not now be in a position where she’s fighting to hold onto her housing because the Housing Authority refuses to provide her the protections to which she is entitled as a participant in the Housing Choice Voucher Program.”

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