

## TA-DVS Hearings Summary January 2008 through December 2008

Outcome	Issue	Citations
Affirmed	Claimant has been a victim of domestic violence but though she's homeless her safety is not at risk due to domestic violence. There is no evidence that the "abuser" is pursuing her or intends to cause her harm.	ORS 183.450 (2) ORS 411.117 (3) OAR 461-135-1215 OAR 461-025-0332
Reversed	Department did not act in a timely manner. Client applied for TA-DVS in Feb. 2008 – In April the department gave the client a denial notice. Client was at the time residing in a domestic violence shelter due to domestic violence.	ORS 183.450 (2) ORS 183.310 (9) OAR 461-025-0332 OAR 461-135-1215 OAR 461-001-0000 (23) OAR 461-135-1225 (4) FSM TA-DVS (G)
Reversed	Claimant moved into temporary housing fleeing a domestic violence situation. Abusers family continued to harass claimant. Abuser has been released from jail.	ORS 183.450 (2) ORS 183.310 (9) OAR 461-025-0332 OAR 461-135-1215 OAR 461-001-0000 (23) OAR 461-135-1225 FSM TA-DVS (G) FSM TA-DVS (B) FSM TA-DVS (A) (1)
Affirmed	Client was approved for TA-DVS due to domestic violence. Client requested purchase of a car – she was living with her parents where she was safe. "Owning a car would not enhance the client's safety."	OAR 461-135-1215 OAR 461-135-1225 OAR 461-025-0332 OAR 461-135-1230 (3)
Affirmed	Client was being evicted for non-DV related reason. She claimed her safety would be at risk if she was homeless. Claimant and landlord argue and claimants feelings get hurt, these things do not amount to domestic violence.	ORS 411-117 (3) OAR 461-135-1205 OAR 461-135-1215
Affirmed	Neighbors (one was the father of 2 of her children – who lived with him) were harassing the client, committed crimes against her (breaking into her apartment, causing property damage, made threats, and used intimidation). The claimant did not attempt to move or to apply for TA-DVS to flee the violence until her	ORS 183-450 (2) OAR 461-135-1205 OAR 461-135-1215 OAR 461-135-1225

Outcome	Issue	Citations
	landlord suggested she apply for TA-DVS when her lease ran out. The hearings officer conclude her safety wasn't at risk.	OAR 461-025-0332
Affirmed	Claimant was raped by a friend's boyfriend. Claimant situation doesn't meet the definition of domestic violence in statute. Though she had suffered domestic violence as a child, her safety is not currently at risk due to domestic violence.	ORS 411-117 OAR 461-001-0000 (24) OAR 461-025-0332 OAR 461-025-0315 OAR 461-135-1215