



## The Housing Authority of the City of Pekin Domestic Violence Policy implementing the Final Rule requirements of VAWA 2013 through HUD regulations (81 FR 80724)

The purpose of this Policy is to ensure the safety of all Pekin Housing Authority tenants, assisted families and applicants, when applying for admission to a covered housing program, who is the victim of domestic violence, dating violence, sexual assault and stalking. The policy protections are not limited to women, but to all eligible persons without regard to sex, gender identity, or sexual orientation.

- 1.** The Housing Authority of the City of Pekin will provide all current tenants, assisted families and applicants, who are applying for admission, to its Public Housing and Rural Development properties the \*Notice of Occupancy Rights Under the Violence Against Women Act to notify them of their rights under this Act.
- 2.** The Housing Authority will modify its annual and five-year plan to meet the objectives of the Act.
- 3.** The Housing Authority will not deny assistance or admission, terminate participation in, or evict a tenant based on an adverse factor, if the adverse factor is determined to be a direct result of the fact that the applicant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.
- 4.** It is the responsibility of the applicant or tenant to:
  - a. Inform the Housing Authority that they are a victim of domestic violence, dating violence, sexual assault, or stalking; and
  - b. Provide enough information for the Housing Authority to make a determination regarding the adverse factor they are claiming was a direct result of domestic violence, dating, sexual assault, or stalking
- 5.** The Housing Authority may evict or terminate assistance for any violation not premised on an act of domestic violence, dating violence, sexual assault, or stalking that is in question against the tenant or an affiliated individual of the tenant. The Housing Authority may still evict victims of domestic violence for any lease violations not relating to the domestic violence, or if the tenancy creates a threat to other residents or the employees of the property.



- 6.** The Housing Authority will request in writing that individuals certify that they are victims of domestic violence, dating violence, sexual assault, or stalking, using the form HUD-5382, which will be included with the VAWA Notice of Occupancy Rights (form HUD-5380). Certification may also be or include one of the following:
  - a. Verbal Statement if the Housing Authority is aware of the abuse and can corroborate the statement;
  - b. Federal, state, or tribal court record;
  - c. A signed statement from a victim's service provider, attorney, or medical or health professional from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault or stalking or the effects of the abuse.

The Housing Authority, at its discretion, may choose to rely solely on the tenant's statements and other corroborating evidence of the domestic violence without official documentation. If requested the documentation must be returned to the Housing Authority within 14 business days after the date that the individual received the written request from the Housing Authority.

- 7.** If the PHA denies VAWA protections, tenants and applicants will have the right to appeal the decision using the Housing Authority grievance policy procedures.
- 8.** \*The Notice of Occupancy Rights will be made available in multiple languages. All information provided to the Housing Authority regarding domestic violence will be kept confidential and will not be entered in any shared databases or disclosed to any other entity or individual, except to the extent that disclosure is:
  - a. Requested or consented to in writing by the individual (victim) in a time-limited release;
  - b. Required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program; or
  - c. Otherwise required by applicable law
- 9.** The Housing Authority of the City of Pekin has developed an Emergency Transfer Plan which:
  - a. Defines the tenants/participants eligible for an emergency transfer;
  - b. List documentation needed to request an emergency transfer;
  - c. Outlines the PHA confidentiality protections; and
  - d. Describes how an emergency transfer may occur.



**10.** The Housing Authority will keep confidential records of all emergency transfers requested under the Emergency Transfer Plan, and the outcomes of such requests, and retain these records for a period of three years, or for a period of time as specified in program regulations. The Housing Authority will also report the requests and outcomes of the request to HUD on an annual basis.

**11.** The Housing Authority may decide to bifurcate a tenant lease or remove a household member or lawful occupant from the lease, if it has evidence the household member is engaged in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual. If the individual removed/evicted was the eligible household tenant, the Housing Authority will provide any remaining tenant(s) that were not already eligible a period of 30 calendar days from the date of bifurcation of the lease to:

- a. Establish eligibility for the same covered housing program under which the evicted or terminated tenant was the recipient of assistance at the time of bifurcation of the lease;
  - b. Establish eligibility under another covered housing program;
- or
- c. Find alternative housing

The Housing Authority will allow non-citizen victims of covered crimes to self-certify that they are in "Satisfactory immigration status"(meaning they are in an immigration status which does not make the individual ineligible for financial assistance). After verifying such immigration status in the Department of Homeland Security (DHS) Systematic Alien Verification of Entitlements (SAVE) System, we will make a final determination as to the self-petitioner's eligibility for assistance (PIH 2017-02).

**12.** The Housing Authority may allow a tenant to end their lease early and vacate the unit if a family member is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and the family needs to move out to protect the health or safety of the victim.

### **Definitions:**

**Actual and imminent threat** refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm.

**Affiliated individual**, with respect to an individual, means:

- a. A spouse, parent, brother, sister, or child of that individual, or a person to whom that individual stands in the place of a parent or guardian.



b. Any individual, tenant, or lawful occupant living in the household of that individual

**Bifurcate** means to divide a lease as a matter of law, subject to the permissibility of such process under the requirements of the applicable HUD-covered program and State or local law, such that certain tenants or lawful occupants can be evicted or removed and the remaining tenants or lawful occupants can continue to reside in the unit under the same lease requirements or as may be revised depending upon the eligibility for continued occupancy of the remaining tenants and lawful occupants.

**Covered housing provider** refers to the individual or entity under a covered housing program, and as defined by each program in its regulations, that has responsibility for the administration and /or oversight of VAWA protections and includes PHAs, sponsors, owners, mortgagors, managers, State and local governments or agencies thereof, nonprofit or for-profit organizations or entities.

**Dating violence** means violence committed by a person:

- a. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- b. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - 1) The length of the relationship
  - 2) The type of relationship; and
  - 3) The frequency of interaction between the persons involved in the relationship

**Domestic Violence** includes felony or misdemeanor crimes of violence committed by:

- a. A current or former spouse or intimate partner of the victim
- b. By a person with whom the victim shares a child in common
- c. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or
- e. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction



The term “spouse or intimate partner of the victim” includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship

**Sexual assault** means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

**Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- a. Fear for the person’s individual safety or the safety of others; or
- b. Suffer substantial emotional distress

\_\_\_\_\_  
Tenant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tenant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Housing Authority Signature

\_\_\_\_\_  
Date

# NOTICE OF OCCUPANCY RIGHTS UNDERTHE VIOLENCE AGAINST WOMEN ACT

U.S. Department of Housing and Urban  
Development  
OMB Approval No. 2577-0286  
Expires 06/30/2017

## **Housing Authority of the City of Pekin**

### **To all Tenants and Applicants:**

The 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. The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that **The Housing Authority of the City of Pekin** is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence; dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA."

### **Protections for Applicants:**

If you otherwise qualify for assistance under **The Housing Authority of the City of Pekin Public Housing and Rural Development Programs'** you cannot be denied admission or assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

### **Protections for Tenants:**

If you are receiving assistance from **The Housing Authority of the City of Pekin**, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

If you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest you may not be denied rental assistance or occupancy rights under the **Public Housing or Rural Development Programs, provided by The Housing Authority of the City of Pekin**, solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

### **Removing the Abuser or Perpetrator from the Household:**

The Housing Authority may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If the Housing Authority chooses to remove the abuser or perpetrator, they may not take away the rights of eligible tenants to the unit or otherwise punish the remaining

tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, the Housing Authority must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, the Housing Authority must follow Federal, State, and local eviction procedures. In order to divide a lease, the Housing Authority may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

### **Moving to Another Unit:**

Upon your request, the Housing Authority may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request the Housing Authority may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is for an emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

**(1) You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.

**(2) You expressly request the emergency transfer.** Your housing provider may choose to require that you submit a form, or may accept another written or oral request.

**(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

The Housing Authority will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

The Housing Authority's emergency transfer plan provides further information on emergency transfers, and the Housing Authority must make a copy of its emergency transfer plan available to you if you ask to see it.

### **Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking:**

The Housing Authority can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from the Housing Authority must be in writing, and they must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. The Housing Authority may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to the Housing Authority as documentation. It is your choice which of the following to submit if the Housing Authority asks you to provide documentation that you are, or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by HP with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, "professional") from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.
- any other statement or evidence that the Housing Authority has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, the Housing Authority does not have to provide you with the protections contained in this notice.

If the Housing Authority receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed, (such as, certification forms from two or more members of a household, each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), the Housing Authority has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, the Housing Authority does not have to provide you with the protections contained in this notice.



**Confidentiality:**

The Housing Authority must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

The Housing Authority must not allow any individual administering assistance or other services on behalf of the Housing Authority (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

The Housing Authority must not enter your information into any shared database or disclose your information to any other entity or individual. The Housing Authority, however, may disclose the information provided if:

- You give written permission to the Housing Authority to release the information on a time limited basis.
- The Housing Authority needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires the Housing Authority or your landlord to release the information. VAWA does not limit the Housing Authority's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

**Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated:**

You can be evicted and your assistance terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, the Housing Authority cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if the Housing Authority can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

- 1) Would occur within an immediate time frame, and
- 2) Could result in death or serious bodily harm to other tenants or those who work on the property.

If the Housing Authority can demonstrate the above, the Housing Authority should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

**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. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

**Non-Compliance with the Requirements of This Notice**

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with The **U.S. Department of**

**Housing and Urban Development, Office of Public Housing, Illinois State Office,  
77 West Jackson Boulevard, 24th Floor, Chicago IL 60604-3507, (312) 353-1915  
For Additional Information**

You may view a copy of HUD's final VAWA rule at **(CFR) part 5, subpart**  
**[https://www.hud.gov/program\\_offices/public\\_indian\\_housing/regs/fedreg](https://www.hud.gov/program_offices/public_indian_housing/regs/fedreg)**.  
Additionally, the Housing Authority must make a copy of HUD's VAWA regulations available  
to you if you ask to see them.

For questions regarding VAWA, please contact **The City of Pekin Housing Authority  
office at 1901 Broadway, Pekin IL, 61554 or (309) 346-7996**.

For help regarding an abusive relationship, you may call the National Domestic Violence  
Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224  
(TTY).

You may also contact The Center for Prevention of Abuse, PO Box 3855, Peoria, IL  
61612-3855, (309) 691-0551, **<http://www.centerforpreventionofabuse.org/>**

For tenants who are or have been victims of stalking seeking help may visit the  
National Center for Victims of Crime's Stalking Resource Center at  
<https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault, you may contact The Center for Prevention of Abuse, PO  
Box 3855, Peoria, IL 61612-3855, (309) 691-0551,  
**<http://www.centerforpreventionofabuse.org/>**

Victims of stalking seeking help may contact The Center for Prevention of Abuse, PO  
Box 3855, Peoria, IL 61612-3855, (309) 691-0551,

**<http://www.centerforpreventionofabuse.org/>**

**Attachment:** Certification form HUD-5382

**CERTIFICATION OF  
DOMESTIC VIOLENCE,  
DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING,  
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing  
and Urban Development**

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**Purpose of Form:** The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

**Use of This Optional Form:** If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

**Submission of Documentation:** The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE,  
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Date the written request is received by victim: \_\_\_\_\_

2. Name of victim: \_\_\_\_\_

3. Your name (if different from victim's): \_\_\_\_\_

4. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_

\_\_\_\_\_

5. Residence of victim: \_\_\_\_\_

6. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_

\_\_\_\_\_

7. Relationship of the accused perpetrator to the victim: \_\_\_\_\_

8. Date(s) and times(s) of incident(s) (if known): \_\_\_\_\_

\_\_\_\_\_

10. Location of incident(s): \_\_\_\_\_

In your own words, briefly describe the incident(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Public Reporting Burden:** The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

# **The Housing Authority of the City of Pekin Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

## **Emergency Transfers:**

The Housing Authority of the City of Pekin is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA), The Housing Authority allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. The ability of The Housing Authority to honor such requests for tenants currently receiving assistance may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. It will also depend on whether the Housing Authority has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD). Which is the Federal agency that oversees that The Housing Authority of the City of Pekin is in compliance with VAWA.

## **Eligibility for Emergency Transfers:**

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if:

1. The tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit.
2. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

## **Emergency Transfer Request Documentation:**

To request an emergency transfer, the tenant shall notify the Housing Authority's management office and submit a written request for a transfer to \_\_\_\_\_

\_\_\_\_\_. The Housing Authority will provide reasonable accommodations to this policy for individuals with disabilities. The tenants' written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under HP's program; OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

**Confidentiality:**

The Housing Authority will keep confidential all information the tenant submits in requesting an emergency transfer. Including information about the emergency transfer, unless the tenant gives the Housing Authority written permission to release the information on a time limited basis or, if disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about the Housing Authority's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

**Emergency Transfer Timing and Availability:**

The Housing Authority cannot guarantee approval of the request. Nor can it guarantee how long it may take to process the request. However, The Housing Authority will act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. The Housing Authority may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If the Housing Authority has no safe and available units for which a tenant who needs an emergency is eligible, the Housing Authority will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, the Housing Authority will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

**Safety and Security of Tenants:**

Pending processing of the transfer, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the **National Domestic Violence Hotline at 1-800-799-7233**, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the **Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 800-656-HOPE**, or visit the online hotline at <https://ohl.rainn.org/online/>.

Tenants who are or have been victims of stalking seeking help may visit the **National Center for Victims of Crime's Stalking Resource Center** at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

**Attachment:** Local Agency listing for persons who are or have been victims of domestic violence, dating violence, sexual assault, or stalking