

**EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE, DATING
VIOLENCE, SEXUAL ASSAULT, AND STALKING**

SPRINGFIELD HOUSING AUTHORITY (SMHA) 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 of 1994, as amended (“VAWA”), SMHA allows any tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant’s current unit to another unit. VAWA protections are not limited to women and are available regardless of age or actual or perceived sexual orientation, gender identity, sex, or marital status. Victims cannot be discriminated against on the basis of any protected characteristic, including race, color, national origin, religion, sex (including perceived or actual sexual orientation or gender identity), familial status, disability, or age. HUD-assisted and HUD-insured housing must also be made available to all otherwise eligible individuals and families regardless of age, or actual or perceived gender identity, sexual orientation, or marital status.

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 regarding safety and security. The plan is based on Federal regulations at 24 Code of Federal Regulations (CFR) part 5, subpart L, related program regulations, and the model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD). HUD is the Federal agency that oversees that PUBLIC HOUSING AND HOUSING CHOICE VOUCHER (HCV) PROGRAMS are in compliance with VAWA.

Definitions

- **External emergency transfer** refers to an emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is, the tenant must undergo an application process in order to reside in the new unit. An example of an external emergency transfer includes applying for public housing assistance.
- **Internal emergency transfer** refers to an emergency relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process. An example of an internal emergency transfer includes transferring to a different unit within the same property.
- **Safe unit** refers to a unit that the victim of VAWA violence/abuse believes is safe.
- **VAWA violence/abuse** means an incident or incidents of domestic violence, dating violence, sexual assault, or stalking, as those terms are defined in 24 CFR 5.2003 and “Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking” (Form HUD-5382).

Eligibility for Emergency Transfers

A tenant may seek an emergency transfer to another unit if they or their household member is a victim of VAWA violence/abuse, as outlined in the “Notice of Occupancy Rights Under the Violence Against Women Act,” Form HUD-5380. This emergency transfer plan provides further information on emergency transfers, and CMHA must provide a copy if requested. CMHA may ask for submission of a written request for an emergency transfer, such as form HUD-5383, to certify eligibility for the emergency transfer.

A Tenant is eligible for an emergency transfer if:

1. The tenant (or their household member) is a victim of VAWA violence/abuse;
2. The tenant expressly requests the emergency transfer; **AND**
3. **EITHER**
 - a. The tenant reasonably believes that there is a threat of imminent harm from further violence, including trauma, if they or (their household member) stays in the same dwelling unit; **OR**
 - b. If the tenant (or their household member) is a victim of sexual assault, either the tenant reasonably believes that there is a threat of imminent harm from further violence, including trauma, if the tenant (or their household member) were to stay in the unit, or the sexual assault occurred on the premises and the tenant requested an emergency transfer within 90 days (including holidays and weekend days) of when that assault occurred.

SMHA, in response to an emergency transfer request, should not evaluate whether the tenant is in good standing as part of the assessment or provision of an emergency transfer. Whether or not a tenant is in good standing does not impact their ability to request an emergency transfer under VAWA.

Emergency Transfer Policies: Housing Choice Voucher (HCV) Program

Tenant-based assistance: If the tenant is a participant in the tenant-based HCV program and requests an emergency transfer as described in this plan, SMHA will assist the tenant to move to a safe unit quickly using their existing voucher assistance. SMHA will make exceptions to program regulations restricting moves as required. At the tenant's request, SMHA will refer them to organizations that may be able to further assist.

Project-based assistance: If the tenant is assisted under the project-based voucher (PBV) program, they may request an emergency transfer under the following for which they are not required to apply:

- Tenant-based voucher, if available
- Project-based assistance in the same project (if a vacant unit is available and you determine that the vacant unit is safe)
- Project-based assistance in another development owned by SMHA

Emergency transfers under VAWA will take priority over waiting list admissions for these types of assistance.

The tenant may also request an emergency transfer under the following programs for which they are required to apply:

- Public housing program
- PBV assistance in another development not owned by SMHA

Emergency transfers will not take priority over waiting list admissions for these programs. At the tenant's request, SMHA will refer them to organizations that may be able to further assist.

VAWA provisions do not supersede eligibility or other occupancy requirements that may apply under a covered housing program. SMHA may be unable to transfer a tenant to a particular unit if the tenant cannot establish eligibility for that unit.

Internal Transfers: SMHA will make the maximum effort to approve or deny internal transfer requests as soon as accurate and complete information is received, but no later than 14 business days. However, approval of an emergency transfer does not guarantee a safe and appropriate unit is available. If one is not available at the time, SMHA will refer the tenant to organizations that may be able to further assist.

External Transfers: SMHA regulations and policy do not allow for the acceptance of any external transfers. The SMHA wait list does not have preferences for VAWA emergency transfer requests. SMHA will assist with any tenant requesting an external transfer by providing reasonable accommodation where possible and working with the tenant and advocates to ensure a smooth transition.

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify SMHA's housing specialist, AMP management staff or the 504 coordinator, Christopher Elliott at assist@smhaohio.org. If SMHA does not already have documentation of the occurrence of VAWA violence/abuse, SMHA may ask for this documentation in accordance with 24 CFR 5.2007. SMHA will require a written request for an emergency transfer on Form-HUD 5383. Unless SMHA receives documentation that contains conflicting information, as described in 24 CFR 5.2007(b)(2), SMHA cannot require third-party documentation to determine status as a VAWA victim for emergency transfer eligibility. SMHA will provide reasonable accommodations to this policy for individuals with disabilities.

The tenant's written request for an emergency transfer must include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence, including trauma, if the tenant (or household member) stays in the same dwelling unit; OR
2. In the case of a tenant (or household member) who is a victim of sexual assault, **either** a statement that the tenant reasonably believes there is a threat of imminent harm from further violence or trauma if the tenant (or household member) stays in the same dwelling unit), **or** a statement that the sexual assault occurred on the premises and the tenant requested an emergency transfer within 90 days (including holidays and weekend days) of when the assault occurred.

Priority for Transfers

Tenants who qualify for an emergency transfer under VAWA will be given the following priority over other categories of tenants seeking transfers and individuals seeking placement on waiting lists. SMHA waitlists do not give waitlist preference for VAWA emergency transfers. Current SMHA tenants who qualify for an emergency transfer will be given first priority if and when a safe and appropriate unit is available. Emergency transfers under VAWA will take priority over waiting list admissions for tenant-based assistance and project-based assistance.

Confidentiality

If a tenant inquires about or requests any VAWA protections or represents that they or a household member are a victim of VAWA violence/abuse entitled to VAWA protections, SMHA must keep any information they provide concerning the VAWA violence/abuse, their request for an emergency transfer, and their or a household member's status as a victim strictly confidential. This information should be securely and separately kept from tenant files. All the information provided by or on behalf of the tenant to support an emergency transfer request, including information on the Certification Form (HUD-5382) and the Emergency Transfer Request Form (HUD-5383) (collectively referred to as "Confidential Information") may only be accessed by SMHA employees or contractors if explicitly authorized by SMHA for reasons that specifically call for those individuals to have access to that information under applicable Federal, State, or local law.

Confidential information must not be entered into any shared database or disclosed to any other entity or individual, except if:

- Written permission by the victim in a time-limited release;
- Required for use in an eviction proceeding or hearing regarding termination of assistance; or
- Otherwise required by applicable law.

In addition, HUD's VAWA regulations require emergency transfer plans to provide strict confidentiality measures to ensure that the location of the tenant's dwelling unit is never disclosed to a person who committed or threatened to commit the VAWA violence/abuse. Accordingly, SMHA will require a signed Release of Information from any tenant if they request that SMHA communicate with advocates or other community partners. It is SMHA's policy to provide strict confidentiality in all areas and VAWA is no exception.

Making the Emergency Transfer Plan Available

SMHA is committed to ensuring the safety and accessibility of all tenants, including victims of VAWA violence/abuse. In accordance with VAWA, SMHA has established an Emergency Transfer Plan to allow eligible tenants to request an emergency transfer to another available and safe unit.

SMHA will make the Emergency Transfer Plan available upon request to any participant or applicant. When feasible, the Emergency Transfer Plan will be made available publicly through the following methods:

- Posted on SMHA's website located at <https://smhaohio.gov/>
- Available in printed format at each AMP's management's office and at the Main office at 2026 W Main St. Springfield, OH 45504
- Provided upon request via email or postal mail

Accessibility and Language Services

To ensure effective communication with all tenants, including persons with disabilities, the Emergency Transfer Plan and all related materials will be made available in alternative accessible formats upon request. This may include, but is not limited to, large print or electric formats compatible with screen readers. Reasonable accommodations will be provided as necessary. In accordance with SMHA's Language Access Plan, the Emergency Transfer Plan and any associated VAWA forms will be available in the indicated languages to meet the needs of individuals with limited English proficiency (LEP).

Emergency Transfer Procedure

SMHA cannot specify how long it will take from the time a transfer request is approved until the tenant can be placed in a new, safe unit. SMHA will, however, act as quickly as possible to assist a tenant who qualifies for an emergency transfer. If SSMHA identifies an available unit and the tenant believes that unit would not be safe, the tenant may request a transfer to a different unit. SMHA may be unable to transfer a tenant and their household to a particular unit if the tenant and their household has not established or cannot establish eligibility for that unit.

If SMHA does not have any safe and available units for which the tenant is eligible, SMHA will assist the tenant in identifying other covered housing providers who may have safe and available units to which the tenant could move. At the tenant's request, SMHA will also assist the tenant in contacting the local organizations offering assistance to victims of VAWA violence/abuse that are attached to this plan.

Safety and Security of Tenants

When SMHA receives any inquiry or request regarding an emergency transfer, SMHA will encourage the person making the inquiry or request to take all reasonable precautions to be safe, including seeking guidance and assistance from a victim service provider. However, tenants are not required to receive guidance or assistance from a victim service provider.

For additional information on VAWA and to find help in your area, visit <https://www.hud.gov/vawa>.

Project Woman at Ph. (937) 328-5308 <https://www.projectwomanohio.org/>

Tenants who have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or locate 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, and Incest National Network's National Sexual Assault Hotline at 1-800-656-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>.

Women Helping Women: 24-hour Crisis Hotline (808) 579-9581