## [Enter a neutral provider and/or housing assistance program/fund name]

Violence Against Women Act: Emergency Transfer Plan

*Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation. Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.*

**Emergency Transfers**

The [Enter a neutral provider and/or housing assistance program/fund name] (“Program”) is concerned about the safety of its beneficiaries, and such concern extends to beneficiaries who are survivors of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA), the Program allows beneficiaries who are survivors of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the beneficiary'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 Program to honor such request for beneficiaries currently receiving assistance, however, may depend upon a preliminary determination that the beneficiary is or has been a survivor of domestic violence, dating violence, sexual assault, or stalking, and on whether the owner or the Program has another dwelling unit that is available and is safe to offer the beneficiary for temporary or more permanent occupancy. This plan identifies beneficiaries 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 beneficiaries 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), the Federal agency that oversees that the Program is in compliance with VAWA.

**Eligibility for Emergency Transfers**

A beneficiary who is a survivor 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: The beneficiary reasonably believes that there is a threat of imminent harm from further violence if the beneficiary remains within the same unit. If the beneficiary is a survivor of sexual assault, the beneficiary 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 beneficiary requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Beneficiaries 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 beneficiary shall notify the Program’s management office and submit a written request for a transfer to the Program. The Program will provide reasonable accommodations to this policy for individuals with disabilities. The beneficiary's written request for an emergency transfer should include either:

1. A statement expressing that the beneficiary reasonably believes that there is a threat of imminent harm from further violence if the beneficiary were to remain in the same dwelling unit assisted under the Program;

***\*OR\****

1. A statement that the beneficiary was a sexual assault survivor and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the beneficiary's request for an emergency transfer.

**Confidentiality**

The Program will keep confidential any information that the beneficiary submits in requesting an emergency transfer, and information about the emergency transfer, unless the beneficiary gives the Program written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the unit or the Program. This includes keeping confidential the new location of the dwelling unit of the beneficiary, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the beneficiary. See the Notice of Occupancy Rights under the Violence Against Women Act for more information about the Program’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 Program cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The Program will, however, act as quickly as possible to move a beneficiary who is a survivor of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a beneficiary reasonably believes a proposed transfer would not be safe, the beneficiary may request a transfer to a different unit. If a unit is available, the transferred beneficiary must agree to abide by the terms and conditions that govern occupancy in the unit to which the beneficiary has been transferred. The Program may be unable to transfer a beneficiary to a particular unit if the beneficiary has not or cannot establish eligibility for that unit.

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

**Safety and Security of Beneficiaries**

* Pending processing of the transfer and the actual transfer, if it is approved and occurs, the beneficiary is urged to take all reasonable precautions to be safe.
* Beneficiaries who are or have been survivors 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).
* Beneficiaries who have been survivors 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/.
* Beneficiaries who are or have been survivors of stalking seeking help may visit the National Center for Survivors of Crime's Stalking Resource Center at https://www.survivorsofcrime.org/our-programs/stalking-resource-center.