

EXHIBIT 16-3: EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Prince William County Office of Housing and Community Development (OHCD) 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”), OHCD 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 the housing choice voucher (HCV) program is 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.
- **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.
- **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 Prince William County Office of Housing and Community Development (OHCD) must provide a copy if requested. OHCD 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.

OHCD, 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

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 the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. 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.

The Prince William County Office of Housing and Community Development (OHCD) cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. OHCD will, however, 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. OHCD may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If OHCD has no safe and available units for which a tenant who needs an emergency transfer is eligible, OHCD 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, OHCD 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.

Emergency Transfers: Housing Choice Voucher (HCV) Program

Tenant-based assistance: If you are a participant in the tenant-based HCV program and request an emergency transfer as described in this plan, the Prince William County Office of Housing and Community Development (OHCD) will assist you to move to a safe unit quickly using your existing voucher assistance. The OHCD will make exceptions to program regulations restricting moves as required.

At your request, the OHCD will refer you to organizations that may be able to further assist you.

Project-based assistance: If you are assisted under the project-based voucher (PBV) program, you may request an emergency transfer under the following programs for which you 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)

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

Emergency transfers will not take priority over waiting list admissions for these programs. At your request, OHCD will refer you to organizations that may be able to further assist you.

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

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify the Prince William County Office of Housing and Community Development (OHCD) at 15941 Donald Curtis Drive, Suite 112. Woodbridge, VA 22191. If OHCD does not already have documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, OHCD may ask for this documentation in accordance with 24 CFR 5.2007. Unless OHCD receives documentation that contains conflicting information, as described in 24 CFR 5.2007(b)(2), OHCD cannot require third-party documentation to determine status as a VAWA victim for emergency transfer eligibility. OHCD 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.

Form HUD-5383 may be used for making a written request for an emergency transfer.

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.

Priority for Transfers

Tenants who qualify for an emergency transfer under VAWA will be given priority over other categories of tenants seeking transfers and individuals seeking placement on waiting lists

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, Prince William County Office of Housing and Community Development (OHCD) 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 OHCD employees or contractors if explicitly authorized by OHCD 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 victim's dwelling unit is never disclosed to a person who committed or threatened to commit the VAWA violence/abuse. Accordingly, [INSERT ANY SPECIFIC MEASURES HERE.]

Emergency Transfer Procedure

Prince William County Office of Housing and Community Development (OHCD) 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. OHCD will, however, act as quickly as possible to assist a tenant who qualifies for an emergency transfer. If OHCD identifies an available unit and the tenant believes that unit would not be safe, the tenant may request a transfer to a different unit. OHCD 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 OHCD does not have any safe and available units for which the tenant is eligible, OHCD 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, OHCD will also assist the tenant in contacting the local organizations offering assistance to victims of VAWA violence/abuse that are attached to this plan.

Making the Emergency Transfer Plan Available

The Prince William County Office of Housing and Community Development (OHCD) policy for making the Emergency Transfer Plan available upon request. In addition, the form is available online through OHCD's website <https://www.pwcva.gov/departments/housing-community-development/forms>

Safety and Security of Tenants

When Prince William County Office of Housing and Community Development (OHCD) receives any inquiry or request regarding an emergency transfer, OHCD 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>.

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, 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>.

Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking. ACTS Domestic Violence Hotline (703) 221-4951.

DOMESTIC VIOLENCE RESOURCES

Domestic Violence Information / Hot Lines

ACTS Domestic Violence Services	703-221-4460 703-221-4951 - Hot Line Prince William Area: 703-368-4141
<u>Alexandria Office on Women - Domestic Violence Program</u>	703-838-4911
ADAPT: Anger and Domestic Abuse Prevention and Treatment	703-968-4052 703-471-6096 - 24-hour hot line 703-968-4050 - TTY
Artemis Group	703-228-4848 - 24-hour hot line 703-228-1550 - Main number
CrisisLink (Formerly Northern Virginia Hot Line)	703-527-4077- 24-hour hot line
Fairfax County Victim Assistance Network	703-360-7273
<u>National Center for Victims of Crime</u> A resource and advocacy organization for crime victims.	202-467-8700 - Washington, D.C.
<u>National Domestic Violence Hotline</u>	800-799-SAFE (7233) 800-787-3224 - TTY
Office for Women and Domestic Violence	703-360-7273 - 24-hour hot line 703-799-8253 - TTY
Virginia Crime Victim Assistance	888-887-3418 - INFOLINE
Virginia Family Violence & Sexual Assault Hot Line	800-838-8238
<u>Virginia Sexual and Domestic Violence Action Alliance</u>	
Virginia Statewide Hot Line	800-838-VADV (8238)
The Women's Center - Domestic Violence Services	703-281-2657 - Vienna

Sexual Assault Hot Lines

Alexandria SARA	703-683-7273
Artemis Group	(9 a.m. - 5 p.m.) 703-228-1550
Artemis Group	(5 p.m. - 9 a.m.) 703-228-4848
DC Rape Crisis Center	202-333-7273 - Washington, D.C.
Fairfax/Falls Church Victim Assistance	703-360-7273
Prince William, ACTS Sexual Assault Services Hot Line	703-368-4141
Virginia Family Violence & Sexual Assault Hot Line	800-838-8238

Shelters

ACTS Domestic Services - Prince William	703-221-4951
Alexandria Women's Shelter	703-838-4911
Arlington Doorways for Women & Families (formerly TACTS) Safe House www.DoorwaysVa.org	703-237-0881
Bethany House	703-658-9500
Fairfax County Women's Shelter	703-435-4940
Loudoun Abused Women's Shelter & Legal Svcs. (LAWS)	703-777-6552
My Sister's Place, DC	202-529-5991
Shelter House	703-536-2155
Women's Shelter	703-435-4940 - 24 hours 703-435-4940 - TTY

Legal Resources

[Legal Services of Northern Virginia](#)

Main: 703-534-4343
Alexandria: 703- 684-5566
Arlington: 202-532-3733
Fairfax: 703-540-9441
Leesburg: 571-482-2688
Manassas: 571-482-2680

[Women's Law Virginia Resources](#)

Fredericksburg: 540-374-9101
Richmond Highway: 571-482-2694

Spanish Resources

[Ayuda](#)

Linea de Ayuda

Prince William ACTS

703-368-6544

M-F: 6 - 10 p.m.

Public reporting burden for this collection of information is estimated to range from four to eight hours per each covered housing provider's response, depending on the covered housing program. This includes the time to develop program and project-specific emergency transfer policies and develop contacts with local service providers. Comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to the Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street, SW, Washington, DC 20410. This is a model plan and covered housing providers in programs covered by VAWA may, at their discretion, use it to develop their own emergency transfer plans, as required under 24 CFR 5.2005(e). While HUD does not intend to collect emergency transfer plans, HUD may access these plans to ensure compliance with the regulations. A Federal 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.