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

**The Albert Lea Housing and Redevelopment Authority (ALHRA)** 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”), **ALHRA** 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. Victims cannot be discriminated against on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age.

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 ALHRA 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. For example, a public housing program administered by another Housing Authority, or PBV assistance in another development not owned by ALHRA.
* **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. For example, ALHRA public housing program administered by ALHRA.
* **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. Thisemergency transfer plan provides further information on emergency transfers, and the ALHRA must provide a copy if requested. **The ALHRA** 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:**

The tenant (or their household member) is a victim of VAWA violence/abuse;

The tenant expressly requests the emergency transfer; **AND**

**EITHER**

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**

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.

**ALHRA**, 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**

The PHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The PHA 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.

**Internal transfers when a safe unit is immediately available**:

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 PHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

Emergency Transfers: Public Housing (PH) Program If you are a public housing resident and request an emergency transfer as described in this plan, the PHA will attempt to assist you in moving to a safe unit quickly. The PHA will make exceptions as required to policies restricting moves. Emergency transfers for which you are not required to apply for assistance include the following:

• Public housing unit in a different development

• Public housing unit in the same development, if you determine that the unit is safe

You may also request an emergency transfer to the following programs for which you are required to apply for assistance:

• HCV tenant-based program

• HCV project-based assistance

• Other programs administered by the PHA (such as state housing programs)

Emergency transfers will not take priority over waiting list admissions for these types of assistance. At your request, the PHA will refer you to organizations that may be able to further assist you.

**Internal transfers when a safe unit is not immediately available**:

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

**External transfers**:

ALHRA does not have transfer agreements with outside housing providers for relocating emergency transfer movers. If the family chooses to me with another public housing agency, ALHRA will cooperate with the new provider to share information needed as approved by the family. If the family chooses to move with voucher assistance to another housing authority, ALHRA will prioritize the port-out for the voucher. If the family chooses to move to another housing provider without HCV, ALHRA will cooperate with the new provider to share information needed as approved by the family.

VAWA provisions do not supersede eligibility or other occupancy requirements that may apply under a covered housing program. ALHRA 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 Albert Lea Housing and Redevelopment Authority-800 4th Ave South, Albert Lea, MN 56007, 507-377-4375 and submit a written request for a transfer. If ALHRA does not already have documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, **ALHRA** may ask for this documentation in accordance with 24 CFR 5.2007. Unless **ALHRA** receives documentation that contains conflicting information, as described in 24 CFR 5.2007(b)(2), **ALHRA** cannot require third-party documentation to determine status as a VAWA victim for emergency transfer eligibility. **ALHRA** 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.

If verification or documentation is needed, it must be submitted to ALHRA withing 14 days of the transfer request.

* A complete HUD-approved certification form given to you by the PHA 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.

**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.

**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, ALHRAmust 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 ALHRA employees or contractors if explicitly authorized by ALHRA 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, ALHRA staff are the only members that have access to the VAWA related records stored in ALHRAs records database.

**Emergency Transfer Procedure**

ALHRA 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. ALHRA will, however, act as quickly as possible to assist a tenant who qualifies for an emergency transfer. If ALHRA identifies an available unit and the tenant believes that unit would not be safe, the tenant may request a transfer to a different unit. 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 ALHRA does not have any safe and available units for which the tenant is eligible, ALHRAwill 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, ALHRA 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 Emergency Transfer Plan is available on ALHRA website, [www.albertleahra.com](http://www.albertleahra.com/) and upon request by contacting the Albert Lea Housing and Redevelopment Authority-800 4th Ave South, Albert Lea, MN 56007, 507-377-4375. You can read translated VAWA forms at [https://www.hud.gov/program\_offices/administration/hudclips/forms/hud5a#4](https://www.hud.gov/program_offices/administration/hudclips/forms/hud5a" \l "4)**.** If you speak or read in a language other than English, your covered housing provider must give you language assistance regarding your VAWA protections (for example, oral interpretation and/or written translation).

**Safety and Security of Tenants**

When ALHRAreceives any inquiry or request regarding an emergency transfer, ALHRA 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>.

* Freeborn County Crime Victims Crisis Center (CVCC). Although CVCC is part of the Department of Human Services, it is located in the Government Center. Please call **507-377-5460** during regular business hours to speak with a staff advocate. 24-hour crisis line can be reached by calling **507-377-5460**. If there is a life-threatening emergency, please call **911**.
* National Domestic Violence Hotline 24/7 (800) 799-7233.

**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.