

Emergency Transfer Plan Training

June 2023

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Overview

- Final Rule VAWA 2013
- CoC and ESG Written Standards of Care: Emergency Transfer Plan
- Model Emergency Transfer Plan
- Grantee Expectations

Final Rule: Violence Against Women Act 2013

[HUD Final Rule](#) regarding the Implementation of Housing Protections Authorized in the Violence Against Women Reauthorization Act of 2013 went into effect on December 16, 2016

- Expands housing protections to HUD programs beyond HUD's public housing program and HUD's tenant-based and project-based Section 8 programs that were covered by the Reauthorization of VAWA in 2005.
- The 2013 law provides enhanced protections and options for victims of domestic violence, dating violence, sexual assault, and stalking.

CoC and ESG Written Standards of Care: Emergency Transfer Plan

- Survivors of domestic violence, dating violence, stalking, and human trafficking living in federally assisted housing may need to move to another subsidized unit to protect their safety and maintain affordable housing.
- The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.

The San Antonio and Bexar County CoC has adopted an emergency transfer plan model that identifies

- Who is eligible for an emergency transfer
- Confidentiality protections
- How an emergency transfer may occur
- Guidance on safety and security

Guidance located in the CoC and ESG Written Standards of Care starting on pg 12 titled:
Emergency Transfer Plan

Model Emergency Transfer Plan

Located in the CoC and ESG Written Standards of Care starting on pg 56, Appendix C titled: Emergency Transfer Plan

- Eligibility For Emergency Transfers:
 - Tenant who is a victim of domestic violence, dating violence, sexual assault or stalking if the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit.
 - Tenant that is a victim of sexual assault may also be eligible for transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer
 - Tenant requesting an emergency transfer must request the transfer in accordance with the procedures outlined in the Emergency Transfer Plan

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

Model Emergency Transfer Plan Continued

Emergency Transfer Request Documentation:

To request an emergency transfer, the tenant shall notify the Housing Provider's Management office and submit a written request for a transfer.

**Housing providers are to provide reasonable accommodations to this policy for individuals with disabilities.*

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

- 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 the housing provider's program; or
- 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.

Model Emergency Transfer Plan Continued

Confidentiality:

Housing Provider will keep confidential any information that the tenant submits in requesting an emergency transfer and information about the emergency transfer unless:

- The tenant gives the housing provider written permission to release the information on a time-limited basis
- Disclosure of the information is required by law
- Required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program

Emergency Transfer Timing and Availability:

Housing Providers cannot guarantee that a transfer request will be approved or how long it will take to process the transfer request. However, the housing providers should act as quickly as possible to move a tenant subject to the availability and safety of the unit.

- The transferred tenant must agree that the proposed unit is safe and can request a transfer to a different unit reasonably believes it is unsafe
- If housing provider has no safe and available units for which a tenant who needs an emergency transfer is eligible for, the housing provider will assist the tenant in identifying other housing providers who may have safe and available units

Safety and Security of Tenants

Throughout the emergency transfer process, the tenant should be encouraged to take all reasonable precautions to be safe.

Housing providers should share information about national and local organizations that offer resources to victims of domestic violence, dating violence, sexual assault, or stalking.

National Domestic Violence Hotline: 1-800-799-7233

The Battered Women and Children's Shelter: 210-733-8810

There are more resources attached to the model plan

Grantee Expectations

Recipients and subrecipients of federal, county, or state funds for Permanent Supportive Housing, Rapid Rehousing, and Transitional Housing projects must:

- Follow the CoC's Emergency Transfer Plan Model
- Have their Emergency Transfer Plan documented in Policy and Procedures
- Make the transfer plan publicly available whenever feasible
- Make the plan available to participants, including at program entry and community partners upon request
- Ensure that refusal of a transfer unit is not a basis for terminating a tenant from assistance



Questions