

Take Your Mark



Shellie Hines, Director of Compliance, Congregate Management Services



Understanding Definitions

- Internal Emergency Transfer
- External Emergency Transfer
- Safe Unit
- *Be Specific*

Take Your Mark



Understanding Definitions

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.

Take Your Mark



Understanding 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.

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Understanding Definitions

Safe Unit: refers to a unit that the victim of domestic violence, dating violence, sexual assault, or stalking believes is safe.

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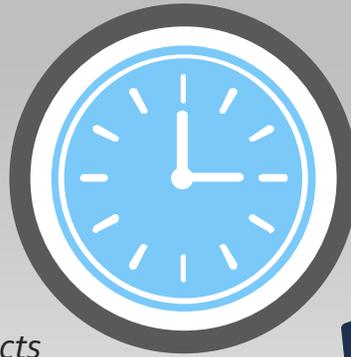
Be Specific!

The plan must allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available.

- a. The plan should define the term "immediately available." For example, "a vacant unit, ready for move-in with a reasonable period of time."
- b. Include time frames, possible internal transfer locations, and priority status relative to other tenants seeking an internal transfer.



Get Set



Understanding Effects

- *Rental Assistance*
- *VAWA Preference*
- *Priorities*



Get Set!

A tenant receiving rental assistance through, or residing in a unit subsidized under, a covered housing program who is a victim of domestic violence, dating violence, sexual assault, or stalking qualifies for an emergency transfer if:

- a. The tenant expressly requests the transfer; and
- b. The tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit that the tenant is currently occupying; or
- b. In the case of a tenant who is a victim of sexual assault, either the tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit that the tenant is currently occupying, or the sexual assault occurred on the premises during the 90-calendar-day period preceding the date of the request for transfer.



Get Set!

Where applicable, the plan must describe policies for a tenant who has tenant-based rental assistance (e.g., voucher) and who meets the requirements to move quickly with that assistance.

Housing providers should coordinate with local providers of the tenant-based assistance (e.g., local PHA).



Get Set!

The plan should state that a request does not guarantee continued assistance or an external transfer to other HUD housing.

**Get Set!**

The plan must detail the measure of any priority given to tenants who qualify for an emergency transfer under VAWA in relation to other categories of tenants seeking transfers and individuals seeking placement on waiting lists.

Tenant Selection Plans (TSPs) should be amended to include any VAWA preference (this does not require HUD approval).



Get Set!

The plan must describe policies for assisting a tenant in making an internal emergency transfer under VAWA when a safe unit is not immediately available.

These policies must ensure that requests for internal emergency transfers receive, at a minimum, any applicable additional priority that housing providers may already provide to other types of emergency transfer requests (e.g., transfers based on disability).

**Get Set!**

The plan must describe reasonable efforts the housing provider will take to assist a tenant who wishes to make an external emergency transfer when a safe unit is not immediately available. The plan must include policies for assisting a tenant who is seeking an external emergency transfer under VAWA out of the housing provider's program or project, and a tenant who is seeking an external emergency transfer under VAWA into the housing provider's program or project. These policies may include:

- a. Arrangements, including memoranda of understanding, with other housing providers to facilitate moves (such documents should be attached to the plan); and
- b. Outreach activities to organizations that assist or provide resources to victims of domestic violence, dating violence, sexual assault, or stalking.



Go! Go! Go!



Randall Scheetz, Chief, Account Executive Team,
NE Region Asset Management Division, US
Department of HUD, Philadelphia Branch

Understanding Requirements

- *Request*
- *Documentation*
- *Don't Make It Complicated*

Go! Go! Go!

The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.



Go! Go! Go!

The plan may require documentation from a tenant seeking an emergency transfer, provided that:

- a. The tenant's submission of a written request to the housing provider, where the tenant certifies that they meet the eligibility requirements to request a VAWA transfer, shall be sufficient documentation of the requirements necessary to request an emergency transfer.



Go! Go! Go!

The plan may require documentation from a tenant seeking an emergency transfer, provided that:

- b. The housing provider may, at its discretion, ask an individual seeking an emergency transfer to document the occurrence of domestic violence, dating violence, sexual assault, or stalking, in accordance with 24 CFR §5.2007, for which the individual is seeking the emergency transfer, if the individual has not already provided documentation of that occurrence.



Go! Go! Go!

The plan may require documentation from a tenant seeking an emergency transfer, provided that:

- c. No other documentation is required to qualify the tenant for an emergency transfer.



Go! Go! Go!

This is usually a team effort at properties to be able to act on a VAWA Resident or Applicant's request for assistance.

Communications involve Owner, Management, and Resident/Applicant but must remain confidential.



Go! Go! Go!

Management agents must provide notice of and access to the Agency's PA Housing Search Website – a free online resource funded by the Agency which is available for persons looking for rental housing.



PAHousingSearch.com

A Free Service to List and Find Affordable Homes and Apartments across Pennsylvania

Take It In Stride



Lauren Starlings, Assistant Counsel,
PHFA

Understanding Considerations

- Reasonable Accommodations And Modifications
- Confidentiality
- Availability To Public
- Eligibility & Occupancy Requirements

Take It In Stride

Owners and management agents are reminded that they must comply with all applicable fair housing and civil rights laws and requirements in the implementation of VAWA requirements – including the Fair Housing Act, Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

**Take It In Stride**

Tenants with disabilities may request a reasonable accommodation from VAWA requirements – including, but not limited to, the requirement that emergency transfer requests be in writing or the need to help certain tenants put their request in writing.



Take It In Stride

Under Section 504, reasonable accommodations must be provided and paid for by the housing provider unless providing them would be an undue financial and administrative burden or a fundamental alteration of the program. In such cases, the provider is still required to provide any other reasonable accommodation up to the point that would not result in an undue financial and administrative burden on the particular recipient and/or constitute a fundamental alteration of the program.



Take It In Stride

In addition, the Fair Housing Act prohibits a housing provider from refusing to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises.

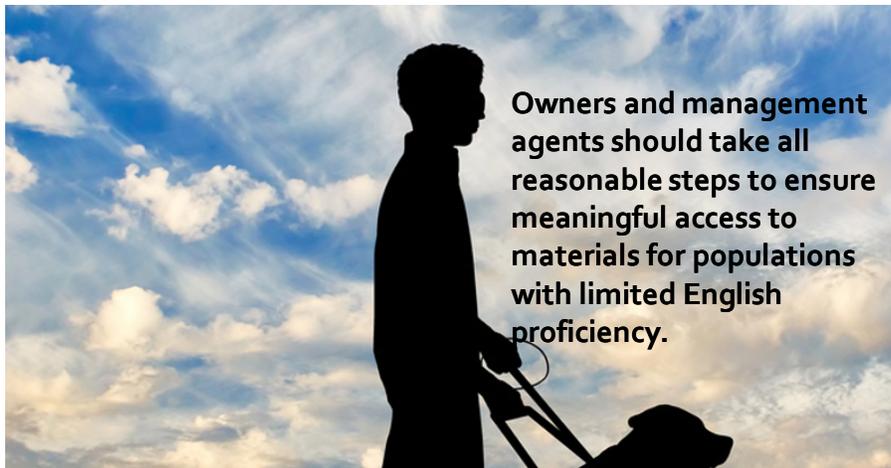


Take It In Stride



All VAWA communications and materials must be provided in a manner that is effective for persons with hearing, visual and other communication-related disabilities consistent with all applicable laws and regulations.

Take It In Stride



Owners and management agents should take all reasonable steps to ensure meaningful access to materials for populations with limited English proficiency.

Take It In Stride

The plan must incorporate strict confidentiality measures to ensure that the housing provider does not disclose the location of the dwelling unit of the tenant to a person who committed or threatened to commit an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.



Take It In Stride

The housing provider must make its emergency transfer plan available upon request and, when feasible, must make the plan publicly available.



Take It In Stride

Nothing in the plan may supersede any eligibility or other occupancy requirements that may apply under any other covered housing program.



Take It In Stride

Nothing may preclude a tenant from seeking an internal emergency transfer and an external emergency transfer concurrently if a safe unit is not immediately available.

It is recommended that this policy be clearly stated in the plan.





Winning The Race

Owners/agents should use the Model Emergency Transfer Plan form as a guide only.

These plans **MUST** be modified or will not be deemed appropriate for the site, and will be noted during a Management Review as a deficiency.

**QUESTIONS FOR OUR
PANEL**



THANKS FOR COMING!

