



## **NH Housing's HOME/HTF Programs Emergency Transfer Plan**

### **for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

In accordance with the Violence Against Women Act (VAWA), NH Housing allows tenants in Section 811 PRA-assisted housing units who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit.

This policy applies to all Section 811 PRA-assisted units and to the individuals and entities owning, managing and administering those units, including owners, managers, agents and consultants (hereafter referred to as "housing providers".)

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 to tenants on safety and security.

### **Tenant Eligibility for Emergency Transfers:**

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.

The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. NH Housing and the covered housing providers will provide reasonable accommodations to this policy for individuals with disabilities.

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

### **Emergency Transfer Request & Documentation:**

Providing transfers to tenants, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. The tenant must submit one of the following forms of documentation:

- A complete certification form;
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident;
- A signed statement by you and 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; or
- Any other statement or evidence that the Housing Provider has agreed to accept.

Form HUD-5381(06/2017)

In addition, a tenant must expressly request an emergency transfer by submitting a written request for a transfer to the housing provider, or to NH Housing. 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 HP’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.

### **Confidentiality:**

The Housing Provider, and any of its employees, contractors or agents, must keep confidential any information a tenant provides related to the exercise of rights under VAWA.

The Housing Provider must report all requests for VAWA protections. However, the housing provider may not enter tenant information into any shared database or disclose information to any other entity or individual other than NH Housing unless:

- The tenant gives written permission;
- The Housing Provider needs to use the information in an eviction or termination proceeding; or
- A law requires the Housing Provider or your landlord to release the information.

This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant.

## **Emergency Transfer Procedures:**

The covered housing provider cannot guarantee that a transfer request will be approved, and transfers are subject to the availability and safety of a unit. However, the housing provider will act expeditiously to process the request and move the tenant, if approved.

### **Internal Emergency Transfer.**

- If a safe unit is available within the development, the transferred tenant may be relocated internally under the following conditions:
- The tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant is transferred, including ongoing Section 811 PRA occupancy requirements; and
- The lease of the current unit will be transferred to the new unit without penalty.

If a tenant reasonably believes a proposed transfer unit would not be safe, the tenant may request a transfer to a different unit or an external unit.

### **External Emergency Transfer.**

- If the housing provider has no safe and available units for which a tenant who needs an emergency is eligible, the housing provider will assist the tenant in contacting NH Housing to inquire about available Section 811 PRA units available.
- The housing provider will contact NH Housing and provide a copy of the emergency Transfer Request.
- NH Housing will review and approve the Request.
- If approved, NH Housing will provide a list of available units to the housing provider, and a list of victim assistance providers that can work with the victim to identify safe units and will assist the victim to apply for occupancy. The housing provider will cooperate with NH Housing and any service provider to assist in identifying a safe unit.
- If a transfer unit is identified, the lease for the current unit will be terminated without penalty.
- If there are no Section 811 PRA units available at the time of the request, the tenant will be notified of the next available vacant unit.

## **Tenant Safety and Security:**

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe. At the tenant's request, the housing provider will also assist tenants in contacting organizations offering assistance to

victims of domestic violence, dating violence, sexual assault, or stalking. National contacts include:

- 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) or visit the online hotline at <http://www.thehotline.org/>.
- Tenants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 800-656-4673 or visit the online hotline at <https://hotline.rainn.org/online/terms-of-service.jsp>.
- 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 <http://victimsofcrime.org/our-programs/stalking-resource-center>.

In addition, a list of local organizations that assist victims of domestic violence, dating violence, sexual assault, or stalking is attached to this plan.

#### Attachment – Local Service Providers

##### NH Housing Section 811 PRA Emergency Transfer Plan

Statewide Hotline with 24-hour support: 1-866-644-3574 (Domestic Violence), 1-800-277-5570 (Sexual Assault)

The New Hampshire Coalition Against Domestic & Sexual Violence network of member agencies provide comprehensive emergency and support services to victims of domestic violence, dating violence, sexual violence, and stalking. They can be accessed online at <https://www.nhcadsv.org/>.

Full Member Agencies are organizations whose primary purpose is to end domestic violence and provide victim services. Member agency services include 24-hour hotline support, emergency shelter, support groups, counseling, and assistance with the legal system. You can access the below organizations from the above link.

- Turning Points
- MCVP
- Wise
- New Beginnings

- Voices Against Violence
- Haven
- YWCA
- The Support Center at Burch House
- Response
- UNHSHARPP
- Bridges
- Starting Point
- Crisis Center of Central NH

Additional, non-emergency resources may be found by calling 2-1-1 or going to their website at: <https://www.211nh.org/>