Krystal Ridge Housing-HHWP CAC

Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

Emergency Transfers

Krystal Ridge Housing-HHWP CAC 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 (VAWA),\(^1\) Krystal Ridge Housing-HHWP CAC allows tenants 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. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.\(^2\) The ability of Krystal Ridge Housing-HHWP CAC to honor such request for tenants currently receiving assistance, 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, and on whether Krystal Ridge Housing-HHWP CAC has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

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. This plan is based on a model

\(^1\) Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

\(^2\) Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.
emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that Section 811 PRAC is in compliance with VAWA.

**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. Upon your request, Krystal Ridge Housing-HHWP CAC may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, Krystal Ridge Housing-HHWP CAC may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, Krystal Ridge Housing-HHWP CAC may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

1. **You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in Notice of Occupancy Rights under the Violence Against Women Act.

2. **You expressly request the emergency transfer.** Your housing provider may choose to require that you submit a form, or may accept another written or oral request.

3. **You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a
reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

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

**Emergency Transfer Request Documentation**

To request an emergency transfer, the tenant shall notify Krystal Ridge Housing-HHWP CAC’s management office and submit a written request for a transfer to 122 Jefferson St., Findlay, OH 45840. Krystal Ridge Housing-HHWP CAC will provide reasonable accommodations to this policy for individuals with disabilities. The tenant’s written request for an emergency transfer should include either:

1. 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 Krystal Ridge Housing-HHWP CAC’s program; OR
2. 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.

A HUD-approved certification form can be provided and completed as documentation.

Confidentiality

Krystal Ridge Housing-HHWP CAC will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives Krystal Ridge Housing-HHWP CAC written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. 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. See the Notice of Occupancy Rights under the Violence Against Women Act for more information about Krystal Ridge Housing-HHWP CAC’s responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

Emergency Transfer Timing and Availability

Krystal Ridge Housing-HHWP CAC cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. Krystal Ridge Housing-HHWP CAC 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. A safe unit is defined as a unit that the victim of domestic violence, dating violence, and sexual assault, or stalking believes is safe. 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. Krystal Ridge Housing-HHWP CAC may be unable to
transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that
unit.

There are two types of transfers, first an internal emergency transfer in which the tenant is
relocated to a new unit and would not be categorized as a new applicant. This tenant would not
need to undergo an application process to reside in the new unit. Second, an external emergency
transfer in which the tenant is relocated to a new unit and would be categorized as a new
applicant. This tenant would be required to undergo an application process in order to reside in
the new unit.

An internal emergency transfer will be allowed when a safe unit is immediately available.
Immediately available means when a vacant unit is ready for move in within 30 days of the
emergency request. Transfer locations include any of the 4 duplexes at the Krystal Ridge
Housing complex. Priority for internal transfers will be given to those requesting an emergency
transfer under the VAWA protections. Those requesting an emergency transfer will have priority
over the waitlist and all other transfer requests.

If Krystal Ridge Housing-HHWP CAC has no safe and available units for which a tenant who
needs an emergency transfer is eligible (internal emergency transfer), Krystal Ridge Housing-
HHWP CAC will assist the tenant in identifying other housing providers who may have safe and
available units to which the tenant could move (external emergency transfer). Krystal Ridge
Housing-HHWP CAC will also assist the tenant in the application process and gathering required
documentation for this process if wanted by the tenant. Case management will also be provided
to the tenant even if previously this has been declined if requested by the tenant. An external emergency transfer does not guarantee continued assistance or a transfer to other HUD housing. A tenant may seek an internal emergency transfer and an external emergency transfer at the same time if a safe unit is not immediately available. At the tenant’s request, Krystal Ridge Housing-HHWP CAC 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. Krystal Ridge Housing-HHWP CAC can also provide brochures and pamphlets if requested.

**Safety and Security of Tenants**

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. 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 & Incest National Network’s National Sexual Assault Hotline at 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.
This emergency transfer plan is available upon request. The emergency transfer plan is also available on HHWP CAC’s website at hhwpcac.org.

Nothing in this plan may supersede any eligibility or other occupancy requirements that apply under the Section 811 PRAC funding this housing program receives.

Attachment: Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.