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

The Grand Junction Housing Authority (GJHA) 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"), GJHA 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 GJHA is in compliance with VAWA.

Definitions

- **External emergency transfer (Move Out of GJHA Property → Move IN to another GJHA Property)** 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 eligibility process to reside in the new unit.
- **Internal emergency transfer (On Site Transfer at existing GJHA Property)** 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.
- **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. This emergency transfer plan provides further information on emergency transfers, and GJHA must provide a copy if requested. GJHA 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:

1. The tenant (or their household member) is a victim of VAWA violence/abuse.
2. 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.

GJHA, 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 on their ability to request an emergency transfer under VAWA.

Emergency Transfer Policies

Internal transfers when a unit is immediately available:
Emergency transfers take priority over other transfer requests and over waitlist applicants. VAWA emergency transfers are given priority based on GJHA approval date.

Once a complete request is received by GJHA absent any conflicting or missing information, GJHA will process the VAWA emergency transfer request, approving/denying the request no later than ten (10) business days from the request date. Upon approval, GJHA will review possible internal transfer options; reviewing units that are immediately available.

Internal transfers when a unit is not immediately available:
Emergency transfers take priority over other transfer requests and over waitlist applicants. VAWA emergency transfers are given priority based on GJHA approval date.

Once a complete request is received by GJHA absent any conflicting or missing information, GJHA will process the VAWA emergency transfer request, approving/denying the request no later than ten (10) business days from the request date. Upon approval, GJHA will review possible internal transfer options; reviewing units that will be coming available.

External transfers:
Emergency transfers take priority over other transfer requests and over waitlist applicants. VAWA emergency transfers are given priority based on GJHA approval date.

Once a complete request is received by GJHA absent any conflicting or missing information, GJHA will process the VAWA emergency transfer request, approving/denying the request no later than ten (10)

business days from the request date. Upon approval, GJHA will work with the tenant to facilitate an external emergency VAWA transfer when no internal transfer options exist. This will include possible coordination/referrals to community partners and/or other housing options available. GJHA will give preference to VAWA Victims seeking an external transfer into a GJHA Property.

GJHA tenants with Housing Choice Vouchers or other Tenant-Based Rental Assistance who qualify for an emergency transfer under VAWA to move will be processed in accordance with the GJHA Administrative Policy.

VAWA provisions do not supersede eligibility or other occupancy requirements that may apply under a covered housing program. GJHA 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 **Grand Junction Housing Authority Property Management; Tenant Relations Line @ 970-208-9599 Option 2, tenantrelations@gjha.org.** If GJHA does not already have documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, GJHA may ask for this documentation in accordance with 24 CFR 5.2007. Unless GJHA receives documentation that contains conflicting information, as described in 24 CFR 5.2007(b)(2), GJHA cannot require third-party documentation to determine status as a VAWA victim for emergency transfer eligibility. GJHA will provide reasonable accommodations to this policy for individuals with disabilities.

GJHA requires a written request for an emergency transfer. The tenant's written request for an emergency transfer must include documentation 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.

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. The tenant has 14 business days to provide the requested documentation of VAWA victim status. If GJHA receives documentation of VAWA violence/abuse that contains conflicting information, GJHA will require third-party documentation to determine whether a tenant seeking an emergency transfer is a VAWA victim.

Priority for Transfers

GJHA tenants who qualify for an emergency transfer under VAWA will be given priority over other categories of tenants seeking transfers and applicants on GJHA waiting lists. VAWA emergency transfers are given priority based on GJHA approval date.

Confidentiality

If a tenant inquiry 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, GJHA must 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 GJHA employees or contractors if explicitly authorized by GJHA 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.

Emergency Transfer Procedure

GJHA cannot specify how long it will take from the time a transfer request is approved until the tenant can be placed in a new unit. GJHA will, however, act as quickly as possible to assist a tenant who qualifies for an emergency transfer. If GJHA identifies an available unit and the tenant believes that unit would not be safe, the tenant may request a transfer to a different unit. GJHA may be unable to transfer a tenant and their household to a particular unit if the tenant and their household have not established or cannot establish eligibility for that unit.

If GJHA does not have any available units for which the tenant is eligible, GJHA will 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, GJHA will also assist the tenant in contacting local organizations offering assistance to victims of VAWA violence/abuse.

Making the Emergency Transfer Plan Available

The GJHA VAWA Transfer Plan will be made available upon request and is publicly available on the GJHA website: **gjha.org**. GJHA will ensure that persons with disabilities have full access to GJHA's programs and services; persons with disabilities have the right to request a reasonable accommodation. If an applicant or participant indicates the need for alternative forms of communication or materials in alternative accessible formats because of a disability, GJHA will process the request. This Plan will be made available in alternative accessible formats for those who are visually impaired or are limited English proficiency (LEP).

Safety and Security of Tenants

When GJHA receives any inquiry or request regarding an emergency transfer, GJHA 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.

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.