

Reading Housing Authority
Emergency Transfer Plan

1. Background: Reading Housing Authority (RHA) implements this Emergency Transfer Plan as an Addendum to the *Admissions and Continued Occupancy Policy* (ACOP) for Public Housing in response to Violence Against Women Reauthorization Act of 2013: Implementation in HUD Housing Programs Final Rule, published November 16, 2016 in the Federal Register (FR-5720-F-03). RHA is concerned about the safety of its residents, and such concern extends to residents who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA), RHA allows residents who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the resident's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. The ability of RHA to honor such request for residents currently receiving assistance, however, may depend upon a preliminary determination that the resident is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether RHA has another dwelling unit that is available and is safe to offer the resident for temporary or more permanent occupancy. This plan identifies residents 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 resident on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that RHA is in compliance with VAWA.
2. Effective Date: June 14, 2017
3. Eligibility: A resident 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 resident *reasonably believes that there is a threat of imminent harm from further violence* if the resident remains within the same unit. In rendering its decision to approve or deny an emergency transfer under the Plan, RHA shall employ a definition of "reasonably believes" or "reasonable belief" that includes both a subjective and objective component. The subjective component is satisfied if the resident actually believes, in good faith, that there is a threat of imminent harm from further violence if the resident remains within the same unit and that this threat will not exist or will be substantially reduced if he or she is transferred to another unit. The resident's "reasonable belief" must be based on facts and circumstances that he/she can articulate to RHA and include an explanation as to how the threat of imminent harm from further violence will not exist or will be substantially reduced if he or she is transferred to another unit. The objective component will be based on the knowledge available to a reasonable RHA employee who shall figuratively place him/herself in the same factual circumstance as the resident seeking the emergency transfer. The objective component will be satisfied if the RHA employee also believes, based on the totality of the facts and circumstances known to him or her, that the resident's belief is reasonable. RHA shall rely upon information contained in the documentation, as well as other information available to RHA, including information contained in public record and from Reading Police Department.

If the resident is a victim of sexual assault, the resident 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. A resident requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan. Residents who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section. RHA shall consider the nature of the issue(s) affecting the status of the standing in rendering its decision.
4. Documentation: To request an emergency transfer, the resident shall notify the resident's property management office and submit a written request for a transfer. RHA shall utilize form HUD-5382, *Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking, and Alternate Documentation* and form HUD-5383, *Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking* as documentation tools under this Plan. RHA will provide reasonable accommodations to this policy for individuals with disabilities. The resident's written

request for an emergency transfer should include either a statement expressing that the resident reasonably believes that there is a threat of imminent harm from further violence if the resident were to remain in the same dwelling unit assisted under RHA's program or a statement that the resident was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the resident's request for an emergency transfer. RHA will keep confidential any information that the resident submits in requesting an emergency transfer, and information about the emergency transfer, unless the resident gives RHA 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 resident, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the resident. See the Notice of Occupancy Rights under the Violence Against Women Act For All Residents for more information about RHA's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

5. Types of Transfers: Until such time that the ACOP is subject to update, transfers under this Plan shall be incorporated by way of this Plan into Chapter 12, Part III of the ACOP, with all terms and conditions of the current policy remaining otherwise intact unless redacted by this Plan. Transfers under this Plan shall be considered to be resident-requested transfers (ACOP 12-III.B.) and as such, are considered to be a High-Priority transfer, which are given priority over waiting list admissions and transfers related to agency occupancy standards and transfers that are optional to the resident.
6. Timing, Availability & Resident Safety: RHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. RHA will, however, act as quickly as possible to move a resident who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a resident reasonably believes a proposed transfer would not be safe, the resident may request a transfer to a different unit. If circumstances are such that an internal unit is available, the transferred resident must agree to abide by the terms and conditions that govern occupancy in the unit to which the resident has been transferred. RHA may be unable to transfer a resident to a particular unit if the resident has not or cannot establish eligibility for that unit. If RHA has no safe and available units for which a resident who needs an emergency is eligible, RHA will assist the resident in identifying other housing providers who may have safe and available units to which the resident could move. Because of agency occupancy rates of 98% - 99%, it is unlikely that any emergency transfer to a safe unit will be immediately available. For this reason, RHA shall inform the resident of other affordable housing providers by providing information on how to access the housing locator search engine of Pennsylvania Housing Finance Agency (www.pahousingsearch.com) and other Housing Authorities by providing information from HUD listings at via <https://portal.hud.gov/hudportal/HUD?src=/states/pennsylvania/renting/hawebsites>. At the resident's request, RHA will also assist residents in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the resident is urged to take all reasonable precautions to be safe. Residents 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). Residents 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/>. Residents 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>. Residents may also seek help locally through contact with SafeBerks, by telephone at 610-373-1206, in person at 255 Chestnut Street, Reading, or online at www.safeberks.org.