



Connecticut Balance of State Continuum of Care

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CT BOS Continuum of Care Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking or Human Trafficking

Emergency Transfers

The CT BOS Continuum of Care is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking. In accordance with the Violence Against Women Act (VAWA),¹ the CT BOS CoC has developed this emergency transfer plan, which allows tenants of transitional housing, permanent supportive housing, and rapid re-housing projects that receive federal, county, or state funds who are victims of domestic violence, dating violence, sexual assault, stalking or human trafficking to request an emergency transfer from the tenant's current unit to another unit. All recipients and subrecipients of federal, county, or state funds for transitional housing, permanent supportive housing, and rapid re-housing projects must follow this plan. All recipients and subrecipients of federal, county, or state funds for transitional housing, permanent supportive housing, and rapid re-housing projects must follow the CoC's Emergency Transfer Plan, must make the CoC's Emergency Transfer Plan, which contains no information regarding individual clients publicly available whenever feasible (e.g. by posting the plan in a publicly visible location at project sites) and must make the plan available to participants and community partners upon request.

The housing provider must also ensure that refusal of a transfer unit is not a basis for terminating a tenant from assistance. Providers are encouraged, when possible, but not required to bear moving costs related to emergency transfers. As necessary providers, are encouraged to work with survivors to identify ways to pay for moves associated with emergency transfers – note that moving costs are an eligible Supportive Service Expense under the CoC Program.

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.

The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.² The ability of the CT BOS CoC to honor such requests 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, stalking or human trafficking, and on whether the CT BOS CoC 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 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 the CT BOS CoC is in compliance with VAWA.

Eligibility for Emergency Transfers

A tenant who is a victim of domestic violence, dating violence, sexual assault, stalking or human trafficking, 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.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan. 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 the management office of the transitional housing, permanent supportive housing, or rapid re-housing project where they are residing and submit a written request for a transfer to:

(INSERT ADDRESS FOR EACH COVERED PROJECT)

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.

Projects 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 the relevant transitional housing, permanent supportive housing, or rapid re-housing 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.

Housing providers must retain records for all emergency transfer requests and outcomes.

Confidentiality

The housing provider will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives the housing provider 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 All Tenants (form HUD 5380 available at

https://www.hud.gov/program_offices/administration/hudclips/forms/hud5a for more information about housing providers' responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

Emergency Transfer Timing and Availability

The CT BOS CoC cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The Housing Provider will, however, act as quickly as possible to secure an internal emergency transfer (i.e., to move a tenant who is a victim of domestic violence, dating violence, sexual assault, stalking or human trafficking to another unit, subject to availability and safety of a unit available within that provider agency's portfolio). 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. The housing provider may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit. At the tenant's request, the Housing Provider will also assist tenants in contacting CT Coalition Against Domestic Violence (CCADV), the state organization offering assistance to victims of domestic violence, dating violence,

sexual assault, stalking, or human trafficking. CCADV's hotline services are available 24 hours per day, seven days per week by calling **Toll Free Domestic Violence Hotline 888-774-2900** (English) or **844-831-9200** (Español).

If the housing provider has no safe and available units for which a tenant who needs an emergency transfer is eligible, the housing provider will refer the tenant to 211 and the local Coordinated Access Network (CAN), which will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, 211 and the local CAN will also assist tenants in contacting CCADV. 211 and CAN will retain records for all emergency transfer requests they receive and outcomes of those requests.

For individuals and families who qualify for an emergency transfer but a safe unit is not immediately available for an internal emergency transfer, the CAN shall ensure that the individual or family receives priority over all other applicants for transitional housing, permanent supportive housing and rapid rehousing projects provided that the individual or family meets all eligibility criteria required by federal, state, or county law or regulation or the terms of the source through which the project is funded; and the individual or family meets any additional criteria or preferences established for specific subpopulations in accordance with fair housing and equal opportunity requirements. The individual or family shall not be required to meet any other eligibility criteria or preferences for the project. The individual or family shall retain their original homeless or chronically homeless status for the purposes of the transfer.

In accordance with the CoC Program Interim Rule, CoC Tenant-based Rental Assistance program participants who have complied with all program requirements during their residence and who have been a victim of domestic violence, dating violence, sexual assault, or stalking, and who reasonably believe they are imminently threatened by harm from further domestic violence, dating violence, sexual assault, or stalking (which would include threats from a third party, such as a friend or family member of the perpetrator of the violence), if they remain in the assisted unit, and are able to document the violence and basis for their belief, may retain the rental assistance and move to a different Continuum of Care geographic area if they move out of the assisted unit to protect their health and safety. Recipients and subrecipients of CoC funds must maintain the documentation related to transfers to a different CoC as required by the CoC Program Interim Rule.

Non-transferring Family Members

If the family separates in order to effect an emergency transfer, and the person vacating the unit was the person who qualified the family for assistance, unless otherwise prohibited by the terms of a federal, county, or state funding stream the housing provider must provide the remaining tenant(s) until lease expiration to establish eligibility to remain in the unit or find alternative housing. In accordance with VAWA, all housing providers, except those receiving CoC program funds, must provide the remaining tenant(s) at least ninety calendar days or until lease expiration with a possible 60-day extension to establish eligibility for the existing program, establish eligibility for another program, or find alternative housing. In accordance with the CoC Program Interim Rule, all CoC funded projects must provide the

remaining tenant(s) until lease expiration to establish eligibility to remain in the unit or find alternative housing. In all cases, remaining tenants are obligated to pay rent based on the usual program requirements.

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 have been victims of any form of interpersonal violence (domestic violence, dating violence, sexual assault, stalking, human trafficking) are encouraged to contact providers who specialize in safety planning and access to protections from ongoing abuse. In CT BOS, CCADV is the comprehensive access point for these services (as well as survivor and family counseling services) **888-774-2900** or learn more about services online at <http://www.ctcadv.org/about-ccadv/contact-us/> If tenants prefer to seek assistance outside of local resources (not CCADV), they are encouraged to reach out to national hotlines that can direct them to possible assistance. These hotlines may refer victims back to their local provider, however may be of assistance to some who seek services in other areas. These hotlines or resource centers include:

- National Domestic Violence Hotline at 1-800-799-7233. For persons with hearing impairments, the national hotline can be accessed by calling 1-800-787-3224 (TTY). (domestic violence)
- Rape, Abuse & Incest National Network's National (RAINN) Sexual Assault Hotline at 800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>. (sexual assault or incest)
- National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.