

**EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE,
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**
Housing Opportunity Grant Program (HOP)
Vermont Office of Economic Opportunity
(Published 8/1/2017)

EMERGENCY TRANSFERS

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. The Housing Opportunity Grant Program (HOP) is administered by the Vermont Office of Economic Opportunity (OEO) and funded in part by a grant from the U.S. Department of Housing and Urban Development (HUD). As such, OEO and all HOP-funded Programs administered by “HOP Grantees” must comply with VAWA.

OEO and HOP Grantees who administer rental assistance are concerned about the safety of 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), tenants who are victims of domestic violence, dating violence, sexual assault, or stalking may request an emergency transfer from the tenant’s current unit to another unit while maintaining eligibility for HOP rental assistance. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.¹ The ability of HOP Grantees to honor such requests from tenants currently receiving assistance depends upon a preliminary determination that the tenant is or has been an actual or threatened victim of domestic violence, dating violence, sexual assault, or stalking. HOP Grantees must also consider the availability of alternative temporary or permanent dwelling units that will be safe for the tenant asserting VAWA protections.

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 emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the federal agency that monitors OEO’s 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 C.F.R. 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.

¹ 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.

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 HOP Grantee who is administering rental assistance for the tenant. While an oral request is acceptable to initiate the process, transfers cannot be approved without a written request from the tenant. The HOP Grantee 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 with HOP rental assistance; 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; OR
3. A completed Form HUD-5383 (Emergency Transfer Request).

CONFIDENTIALITY

HOP Grantees shall keep strictly confidential any information and documents submitted by the tenant or the tenant's representative to request an emergency transfer. HOP Grantees shall keep strictly confidential any information and documents related to the emergency transfer, including, for example: the location of the victim's emergency shelter, the name and location of the storage facility used by the victim, the address of the tenant's new dwelling unit, and so forth. HOP Grantees are only permitted to release information if: (1) the victim provides written authorization to release the information on a time limited basis; (2) the disclosure of the information is required for use in an eviction proceeding or hearing regarding termination of assistance from the HOP rental assistance program; or (3) the disclosure is otherwise required by law. Please refer to the Notice of Occupancy Rights under the Violence Against Women Act for more information about HOP Grantee responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

EMERGENCY TRANSFER TIMING AND AVAILABILITY

OEO and HOP Grantees cannot guarantee that a transfer request will result in immediate transfer to permanent housing. OEO and HOP Grantees cannot guarantee how long it will take to process a transfer request. All HOP Grantees 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 safe temporary or permanent housing, subject to availability and safety of a unit.

A tenant may choose to remain in the assisted rental unit pending transfer to alternative, safe housing. HOP Grantees 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, HOP Grantees 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 to engage in safety planning and access other services.

A tenant may choose to vacate the assisted rental unit immediately pending transfer to alternative, safe housing. If alternative permanent housing cannot be immediately secured, the HOP Grantee shall refer the tenant to a local agency providing services to victims of domestic violence, dating violence, sexual assault, or stalking. If the agency is unable to provide emergency shelter to the victim, the victim will be referred to the appropriate District Office of the Department for Children and Families for emergency housing. All such referrals shall be considered "constructive eviction" pursuant to Economic Services Division Rules 2821(F) or 2621(E) and granted up to 84 days of emergency housing.

Tenants requesting emergency transfers will be offered housing search case management from the HOP Grantee.

If a tenant reasonably believes, based on their personal knowledge, a proposed transfer would not be safe, the tenant may request a transfer to another location. Once transferred, the tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. HOP Grantees may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

The requirement to transfer a victim continues until the transfer is complete, the victim no longer receives housing assistance through the HOP Grantee, or the survivor withdraws the request for the emergency transfer by notice in writing to the HOP Grantee.

Once a victim vacates the assisted rental unit pursuant to an approved emergency transfer request, the rental agreement for the assisted unit terminates in accordance with the VAWA Lease Addendum and HOP payments shall cease. HOP Grantees shall notify the landlord of the same. The landlord may seek possession of the rental unit from remaining household members, or may choose to create a new rental agreement with the remaining household members.

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. Local agencies serving survivors of domestic violence, dating violence, stalking, and sexual assault are available to help throughout Vermont. Please see the attached listing of member organizations of the Vermont Network.

Vermont Legal Aid, Inc., is available to provide legal advice and/or representation. Contact Vermont Legal Aid at 1-800-889-2047.

National organizations are also available to help:

- National Domestic Violence Hotline: 1-800-799-7233 (1-800-787-3224 (TTY)).
- National Center for Victims of Crime's Stalking Resource Center:
<https://www.victimsofcrime.org/our-programs/stalking-resource-center>.
- National Sexual Assault Hotline (RAINN): 1-800-656-4673, or visit the online hotline at <https://ohl.rainn.org/online/>.

Attachments: Vermont Network Member Organizations, Form HUD-5383



MEMBER ORGANIZATIONS

ADDISON COUNTY & TOWN OF ROCHESTER

WomenSafe

P.O. Box 67, Middlebury, VT 05753
Hotline: 802/ 388.4205 or toll-free 1.800.388.4205
Office: 802/388.9180 FAX: 802/388.3438
Email: info@womensafe.net Web: www.womensafe.net

BENNINGTON COUNTY

PAVE *

P.O. Box 227, Bennington, VT 05201
Hotline: 802/442.2111 Office: 802/442.2370 FAX: 802/442.6162
Email: pave@pavebennington.com

CALEDONIA, ORLEANS, & ESSEX COUNTIES

Umbrella, The Advocacy Program*

1216 Railroad Street, Suite C, St. Johnsbury, VT 05819
Hotline: 802/748.8645 Office: 802/748.8645 FAX: 802/748.1405

Newport Office*

93 East Main Street, Suite #1, Newport, VT 05855
Office & Hotline: 802/ 334.0148 FAX: 802/334.0148
Email: advocate@umbrellanek.org
Web: www.umbrellanek.org

CALEDONIA, WASHINGTON & ORLEANS COUNTIES

(of Hardwick area)

AWARE, Inc.

P.O. Box 307; Hardwick, VT 05843
Hotline & Office: 802/472.6463 FAX: 802/472.3504
Email: aware@vtlink.net
Web: www.awarevt.org

CHITTENDEN COUNTY

H.O.P.E. Works

P.O. Box 92, Burlington, VT 05402
Hotline: 802/863.1236 Office: 802/ 864.0555 FAX: 802/863.8449
Email: hopeworks@hopeworksvt.org
Web: www.hopeworksvt.org

Steps To End Domestic Violence*

P.O. Box 1535, Burlington, VT 05402
Hotline: 802/658.1996
Office: 802/658.3131 FAX: 802/658.3832
Email: steps@stepsVT.org Web: www.stepsVT.org

FRANKLIN & GRAND ISLE COUNTIES

Voices Against Violence*

P.O. Box 72, St. Albans, VT 05478
Hotline: 802/524.6575 Office: 802/524.8538 FAX: 802/524.8539
Email: voices@cvoeo.org
Web: www.voicesagainstviolence.org

LAMOILLE COUNTY

Clarina Howard Nichols Center*

P.O. Box 517, Morrisville, VT 05661
Hotline: 802/888.5256 Office: 802/888.2584 FAX: 802/888.2570
Email: info@clarina.org Web: www.clarina.org

ORANGE & NORTHERN WINDSOR COUNTIES

Safeline, Inc.

P.O. Box 368, Chelsea, VT 05038
Hotline: 1.800.639.7233 Office: 802/685.7900 FAX: 802/685.7902
Email: safelineinfo@safelinevt.org
Web: www.safelinevt.org

RUTLAND COUNTY

NewStory Center*

P.O. Box 313, Rutland, VT 05702
Hotline: 802/775.3232 Office: 802/775.6788 FAX: 802/747.0470
Email: aLanning@nscvt.org Web: www.nscvt.org

STATEWIDE

Pride Center of Vermont SafeSpace Program

255 S. Champlain St, #12, Burlington, VT 05401
Support Line: 802/ 863.0003 or toll-free 866.869.7341
Support Line Hours: M-Th 9am-6pm & Fri 9am-2pm
Office: 802/860.7812 Email: safespace@pridecentervt.org
Web: www.pridecentervt.org/programs/safespacet

WASHINGTON COUNTY

Circle*

P.O. Box 652, Barre, VT 05641
Hotline: 1.877.543.9498 Office: 802/ 476.6010
FAX: 802/479.9310 Shelter FAX: 802/476.4746
Email: vtbwss@sover.net

MOSAIC Vermont*

4 Cottage Street, Barre, VT 05641
H: 802/479.5577 O: 802/476.1388 FAX: 802/476.1381
Email: anne@mosaic-vt.org web: www.mosaic-vt.org

WINDHAM & SOUTHERN WINDSOR COUNTIES

Women's Freedom Center*

P.O. Box 933, Brattleboro, VT 05302
Hotline: 802/254.6954 or 1.800.773.0689 Office: 802/257.7364
FAX: 802/257.1683 Email: advocates@womensfreedomcenter.net
Springfield Office
Hotline: 802/ 885.2050 Office: 802/885.2368

CENTRAL WINDSOR COUNTY & TOWNS OF THETFORD & FAIRLEE

WISE*

38 Bank Street, Lebanon, NH 03766
24-Hour Crisis Line: 603/448.5525 or toll-free 1.866.348.WISE
Office: 603/448.5922 FAX: 603/448.2799
Email: peggy.oneil@wiseuv.org
Web: www.WISEuv.org

***Organization with shelter**

The organizations of the Vermont Network support victims and survivors of domestic and sexual violence across Vermont, providing:

- Private Help
- Hotlines / Support Line
- Shelters and Safehomes
- Legal Help
- Help at the Hospital
- Help with Basic Needs

Private Help – Advocates from Vermont Network organizations provide free and confidential advocacy. An advocate will not disclose any information about a survivor without the survivor’s permission*.

* While *most advocates can keep your conversations confidential*, some advocates may need to report child abuse to the state if they are concerned that a child may be in danger. If you are concerned about child abuse reporting, you can ask to speak with an advocate who is not a “mandated reporter”, or you can speak anonymously with hotline advocates.

Hotlines / Support line – Pride Center of VT SafeSpace Program provides a Support Line 5 days a week. All other member organizations staff a free 24/7 hotline for crisis support, ongoing peer support and advocacy, and information and referral.

Legal Help – Trained peer advocates can support survivors in making informed decisions about legal concerns and/or accompany survivors to court. Advocates provide information about protection orders for survivors of domestic violence, sexual assault and stalking, and about what to expect in civil and criminal court. Advocates may be able to provide referrals to specialized legal resources including attorneys.

Help at the Hospital – Advocates are available to meet survivors at the hospital after a sexual or physical assault to assist them in understanding their rights, to provide support and information before, during and after examinations, and to help survivors connect with other resources as needed.

Help with Basic Needs – Peer advocates can support survivors in identifying and accessing a wide variety of public benefits and community resources for basic needs. Advocates can assist survivors in securing rights and services with social service providers, landlords, creditors and others.

Shelters and Safehomes – Shelters provide a home-like environment for survivors of domestic and sexual violence and their children who need a safe place to stay temporarily. An advocate can help a survivor identify and access community resources and develop a plan for leaving the shelter, while a children’s advocate can support her children. In communities without shelters, and for male survivors of domestic violence, programs can connect survivors with local safe homes, or with shelters in other regions of the state.

Other Resources – Most organizations offer peer education &/or support groups for adult survivors, youth &/or children, creating opportunities to connect with others sharing similar experiences. Some programs provide individual advocacy with youth and children, parenting support, limited transportation &/or childcare, transitional housing, and education and support regarding substance use or abuse.

OTHER SERVICES

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| DIVAS (Discussing Intimate Violence and Accessing Support) Support for women incarcerated in Vermont. divas@vtnetwork.org | VT Interpreting & Translation Services 802/654.1706 |
| Deaf Vermonters Advocacy Services Videophone & Hearing: 802/461.4707 | Communication Support Project (for people who have disabilities that interfere with communicating effectively)1.888.686.8277 csp@disabilityrightsvt.org |
| AALV – Fostering Hope, Dignity and Independence in New Americans to Strengthen our Community 802/985.3106 | VT Center for Independent Living People with disabilities working together for dignity, independence, and civil rights. 1.800.639.1522 info@vcil.org |
| VT Interpreter Referral Service 1.888.317.2006 (toll-free) | Green Mountain Self-Advocates A VT Self-Advocacy organization run by people with developmental disabilities. 1.800.564.9990 info@gmsavt.org |