

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

Georgia Mountain Women's Center, Inc., dba Circle of Hope (Circle of Hope), 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"), Circle of Hope 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, outlines the necessary documentation to request an emergency transfer, explains confidentiality protections, describes the process for an emergency transfer, and provides guidance on 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 federally funded housing programs to ensure they are in compliance with VAWA.

### **Definitions**

- **Internal emergency transfer** 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. An example of an internal emergency transfer includes transferring to a different unit within Circle of Hope's Sponsor-Based Rental Assistance (SRA) Permanent Supportive Housing (PSH) program.
- **External emergency transfer** 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 application process in order to reside in the new unit. An example of an external emergency transfer includes applying for public housing assistance.
- **Safe unit** refers to a unit that the victim of VAWA violence/abuse believes is safe.
- **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 additional information on emergency transfers, and Circle of Hope must provide a copy upon request.

Circle of Hope, in response to an emergency transfer request, will 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 their ability to request an emergency transfer under VAWA.

**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**
3. **EITHER**
  - a. 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**
  - b. 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.

**Emergency Transfer Policies**

Tenants who qualify for a VAWA emergency transfer must be given priority over other categories of tenants seeking transfers and over individuals on the waiting list for housing. VAWA provisions do not supersede eligibility or other occupancy requirements that may apply under a covered housing program. Circle of Hope may be unable to transfer a tenant to a particular unit if the tenant cannot establish eligibility for that unit.

**Internal Transfers**

**Circle of Hope Sponsor-Based Rental Assistance (SRA) Permanent Supportive Housing (PSH) program:**

- If a safe SRA unit is available, Circle of Hope will offer it to the tenant.
- No new application is required for internal transfers.
- Circle of Hope aims to finalize the transfer into the new unit within ten business days. If this timeline cannot be met, or if immediate safety concerns require alternative arrangements, Circle of Hope will provide temporary accommodation in its emergency shelter or a hotel (with costs covered by the agency) until the transfer is completed.
- If no safe SRA units are available, Circle of Hope should assist in identifying other safe housing options or external transfers as needed. This may include determining eligibility for Circle of Hope-operated TBRA programs.

### **Circle of Hope Tenant-Based Rental Assistance (TBRA) Programs (RRH & OVW):**

- If the tenant is eligible for TBRA (e.g., a rental assistance voucher/program opening is available), Circle of Hope will prioritize the transfer request.
- No new application is required for transfers within the same program type (e.g., TBRA-to-TBRA).
- When a Circle of Hope tenant requests a VAWA emergency transfer request to TBRA because no agency SRA units are available, staff must verify that the tenant meets all TBRA eligibility requirements before approving the transfer.
- If the tenant does not meet TBRA eligibility, Circle of Hope should assist in identifying other safe housing options or external transfers as needed.

### **External Transfers**

- If neither an internal SRA unit nor a TBRA voucher is available, Circle of Hope will:
  - Help the tenant identify and apply to other covered housing providers' programs.
  - Expedite the process by sharing documentation (with the tenant's consent).
- The tenant may need to complete a new application with the external provider.

### **External Transfer Request from Other Providers into Circle of Hope's SRA or TBRA programs:**

- All external referrals (survivors not currently served by Circle of Hope) will be directed to our designated coordinated entry point for assessment and referral. In our region, this coordinated entry process is administered by 9th District Opportunity.
- Once referred, these applicants will be assessed for eligibility and considered for available units or vouchers in accordance with this prioritization policy.

### **Priority for Transfers**

Tenants who qualify for an emergency transfer under VAWA will be given the following priority over other categories of tenants seeking transfers and individuals seeking housing placement. Current tenants who qualify for an emergency transfer will be given first priority if and when a safe and appropriate unit is available.

<b>Priority</b>	<b>Category</b>	<b>Description</b>
1	Internal VAWA Emergency Transfers	Current Circle of Hope clients needing immediate transfer for safety

2	Internal Non-VAWA Emergency Transfers	Current clients facing other urgent, non-VAWA emergencies
3	External VAWA Emergency Transfer Referrals (Coordinated Entry)	Survivors referred by 9th District Opportunity or other coordinated entry partners
4	General Wait List Applicants	All other applicants waiting for housing placement

### **Emergency Transfer Request Documentation**

Circle of Hope requires written documentation of the occurrence of VAWA violence/abuse and a written request for an emergency transfer before a transfer can be considered for approval. To request an emergency transfer, a tenant must notify Circle of Hope's Administrative Office at [contact@gacircleofhope.org](mailto:contact@gacircleofhope.org) or by calling 706-776-3406 ext. 1801.

If Circle of Hope does not already have appropriate documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, Circle of Hope will ask for this documentation in accordance with 24 CFR 5.2007. Circle of Hope will provide reasonable accommodations to this policy for individuals with disabilities.

To request an emergency transfer, a tenant must follow the guidelines below:

- If a tenant asks for a VAWA emergency transfer, Circle of Hope may request documentation showing that the tenant (or a household member) is a victim, but Circle of Hope must make this request in writing and must give the tenant at least 14 business days (weekends and holidays do not count) to respond. The tenant is free to choose any one of the following:
  - A self-certification form (Form-HUD 5382), which Circle of Hope must give the tenant.
  - A statement from a victim/survivor service provider, attorney, mental health professional or medical professional who has helped the tenant address incidents of VAWA violence/abuse. The professional must state "under penalty of perjury" that they believe that the incidents of VAWA violence/abuse are real and covered by VAWA. Both the tenant and the professional must sign the statement.
  - A police, administrative, or court record (such as a protective order) that shows the tenant (or a household member) was a victim of VAWA violence/abuse, OR
  - If allowed by Circle of Hope, any other statement or evidence provided by the tenant.
- It is the tenant's choice which documentation to provide, and Circle of Hope will accept any one of the above as documentation. Circle of Hope is prohibited from seeking additional documentation of victim status or requiring more than one of these types of documentation unless Circle of Hope receives conflicting information about the VAWA violence/abuse.

- If the tenant does not provide one of these types of documentation by the deadline, Circle of Hope does not have to provide the VAWA protections requested. If the documentation received by Circle of Hope contains conflicting information regarding VAWA violence or abuse, Circle of Hope may require the tenant to provide additional documentation from the list above. In such cases, Circle of Hope will give the tenant an additional 30 calendar days to provide the required documentation.
- This deadline can be extended if the tenant is unable to provide the documentation within the stated timeframe for circumstances outside their control or as a reasonable accommodation for individuals with disabilities.

The tenant's written request for an emergency transfer must include either:

- A statement 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; OR
- 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.

### **Emergency Transfer Procedure**

Circle of Hope will provide written notice to the tenant regarding the approval or denial of their VAWA emergency transfer request within five business days of receiving the request. If a decision cannot be made within this period due to extenuating circumstances, the tenant will be informed in writing of the delay, the reason for the delay, and an estimated timeline for a final decision. Immediate safety needs will be addressed with temporary accommodation as necessary.

Circle of Hope cannot specify how long it will take from the time a transfer request is approved until the tenant can be placed in a new, safe unit. Circle of Hope will, however, act as quickly as possible to assist a tenant who qualifies for an emergency transfer. If Circle of Hope identifies an available unit and the tenant believes that the unit would not be safe, the tenant may request a transfer to a different unit.

Circle of Hope 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 Circle of Hope does not have any safe and available units for which the tenant is eligible, Circle of Hope 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, Circle of Hope will also assist the tenant in contacting the local organizations offering housing assistance programs.

### **Confidentiality**

If a tenant inquires 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, Circle of Hope 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.

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 Circle of Hope employees if explicitly authorized by Circle of Hope 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 that other providers have access to 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. Accordingly, Circle of Hope will require a signed Release of Information from any tenant if they request that Circle of Hope communicate with advocates or other community partners. It is Circle of Hope's policy to provide strict confidentiality in all areas and VAWA is no exception.

### **Making the Emergency Transfer Plan Available**

Circle of Hope will make the Emergency Transfer Plan available upon request to any participant or applicant. When feasible, the Emergency Transfer Plan will be made available publicly through the following methods:

- Posted on Circle of Hope's website, located at <https://www.gacircleofhope.org/get-help>
- Available in printed format at the office located at 120 Trinity Drive, Demorest, GA 30535
- Provided upon request via email or postal mail

### **Accessibility and Language Services**

To ensure effective communication with all tenants, including persons with disabilities, the Emergency Transfer Plan and all related materials will be made available in alternative accessible formats upon request. This may include, but is not limited to, large print or electronic formats compatible with screen readers. Reasonable accommodation will be provided as necessary. Per Circle of Hope's Language Access Plan, the Emergency Transfer Plan and any associated VAWA forms will be available in the indicated languages identified in the LAP to meet the needs of individuals with limited English proficiency.

## **Safety and Security of Tenants**

When Circle of Hope receives an inquiry or request regarding an emergency transfer, staff will develop an individualized safety plan with the individual. However, tenants are not required to receive guidance or assistance from Circle of Hope or any victim service provider. For additional information on VAWA and to find help in your area, visit <https://www.hud.gov/vawa>.

### **Local victim service agency providers:**

- Circle of Hope, domestic violence victim service provider: 706-776-4673 or chat 706-768-1616 ([www.gacircleofhope.org](http://www.gacircleofhope.org))
- FAITH, sexual assault victim service provider: 706-886-2290 ([www.faith-inc.org](http://www.faith-inc.org))
- Bridging Hope, sexual assault victim service provider: 770-503-7273 ([www.rapresponse.com](http://www.rapresponse.com))

### **National Help for Survivors:**

- National Domestic Violence Hotline: 1-800-799-SAFE (7233) (TTY): 1-800-787-3224 Text “START” to 88788
- National Sexual Assault Hotline: 1-800-656-HOPE (4673) <https://ohl.rainn.org/online/>.
- National Teen Dating Abuse Helpline: 1-866-331-9474 (TTY) 1-866-331-8453
- Abused Deaf Women’s Advocacy Services (ADWAS): 1-855-812-1001 Instant messenger: DeafHotline
- National Human Trafficking Hotline: 1-888-373-7888 (TTY) 711 Text: 233733 <https://humantraffickinghotline.org>
- National Runaway Safeline: 1-800-RUNAWAY (800-786-2929)
- National Center for Victims of Crime: 1-855-VICTIM (1-855-484-2846) (call or text) <https://victimsofcrime.org/>
- Stalking Prevention, Awareness, & Resource Center (SPARC): <https://www.stalkingawareness.org/what-to-do-if-you-are-being-stalked/>