

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

The **Owner and Management Agent** for all listed properties are 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), **Owner/Management Agent** 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. Despite this law's name, VAWA protections are not limited to women, and are available regardless of a victim's sex, actual or perceived gender identity or sexual orientation, or marital status. Victims cannot be discriminated against 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 also be made available to all otherwise eligible individuals and families regardless of actual or perceived gender identity, sexual orientation, or marital status.

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 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 **Project Based Rental Assistance Program** complies 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.
- **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).
- **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 to reside in the new unit. **Note: OWNER/MANAGEMENT AGENT does not offer external emergency transfers from other communities.**

A Tenant is eligible for an emergency transfer if:

A current 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 **OWNER/MANAGEMENT AGENT** must provide a copy if requested. **OWNER/MANAGEMENT AGENT** may ask for submission of a written request for an emergency transfer, such as form HUD-5383, to certify eligibility for the emergency transfer.

- (1) Tenant (or a household member) is a victim of VAWA violence/ abuse;

(2) Tenant specifically 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.

**Reasonable belief may stem from VAWA violence/ abuse concerning a household member.*

OWNER/MANAGEMENT AGENT, 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 their ability to request an emergency transfer under VAWA.

Emergency Transfer Policies

Internal transfers when a safe unit is immediately available:

Internal VAWA emergency transfers will take priority over other voluntary transfers. For internal transfers from one affordable unit to another affordable unit, within the same community:

OWNER/MANAGEMENT AGENT will allow the tenant to break or bifurcate the lease to facilitate the move.

- **OWNER/MANAGEMENT AGENT** will allow the security deposit to transfer.
OWNER/MANAGEMENT AGENT will waive the requirement for tenants to remain in place for a full year if they are within the first 12-month lease term.
- **OWNER/MANAGEMENT AGENT** will waive the requirement for tenants to be in good standing.
OWNER/MANAGEMENT AGENT will allow providing the location of available unit(s) and allow the tenant to identify or choose, if there is more than one, the safe unit.
Once a complete request is received, and absent any conflicting or missing information, **OWNER/MANAGEMENT AGENT** will approve or deny the request **within 14 business days.**

External transfers:

OWNER/MANAGEMENT AGENT does not provide a preference or priority for external VAWA transfers of any type, including those to and from any other OWNER/MANAGEMENT AGENT-managed site.

VAWA provisions do not supersede eligibility or other occupancy requirements that may apply under a covered housing program. **OWNER/MANAGEMENT AGENT** 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 Tarus Edwards, Community Manager at Blue Rock and Eagle Rock, 2610 E 11th Street, Kansas, MO 64127 816-483-4766 and submit a written request

for a transfer to another unit within the community. Unless **OWNER/MANAGEMENT AGENT** receives conflicting documentation, as described in 24 CFR 5.2007(b)(2), **OWNER/MANAGEMENT AGENT** cannot require third-party documentation to determine emergency transfer eligibility. **OWNER/MANAGEMENT AGENT** will provide reasonable accommodation to this policy for individuals with disabilities. The tenant's written request for an emergency transfer must 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 tenant's current dwelling unit,
OR
2. In the case of a tenant 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 if the tenant remains within the same dwelling unit that the tenant is currently occupying, or a statement that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

Form HUD-5383 may be used for making a written request for an emergency transfer.

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 placement on waiting lists.

- | | |
|--|---|
| 1. Presidential Declared Disaster | 5. Reasonable Accommodation |
| 2. Accessible Unit ADA move-in | 6. Emergency Transfer Unit Uninhabitable |
| 3. Accessible Unit Transfer | 7. Over/Under Housed |
| 4. VAWA Emergency Transfer | 8. Tenant Initiated |
- **OWNER/MANAGEMENT AGENT** allows a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available.
 - Emergency VAWA transfers will be given priority over other voluntary unit transfers
 - **OWNER/MANAGEMENT AGENT** does not have any additional VAWA waiting list preferences other than emergency transfers within the community in which they already reside.

Confidentiality

If a tenant inquires about, or requests, any of the protections described in this Notice or represents that they are a victim of VAWA violence/abuse entitled to the protections under this Notice, **OWNER/MANAGEMENT AGENT** must keep any information they provide concerning the VAWA abuse and their 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 **OWNER/MANAGEMENT AGENT** employees or contractors if explicitly authorized by **OWNER/MANAGEMENT AGENT** 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:

- Requested or consented to in writing by the tenant 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, **OWNER/MANAGEMENT AGENT** will never permit unauthorized access to any confidential information. **OWNER/MANAGEMENT AGENT** will never attach or enter confidential VAWA information into a shared database. **Confidential VAWA information will only be securely stored in a locked cabinet maintained by the approving manager separate and apart from the active tenant file.**

Emergency Transfer Procedure

OWNER/MANAGEMENT AGENT cannot specify how long it will take to process a transfer request. **OWNER/MANAGEMENT AGENT** will, however, act as quickly as possible to assist a tenant who qualifies for an emergency transfer. If **OWNER/MANAGEMENT AGENT** identifies an available unit and the tenant believes that unit would not be safe, the tenant may request a transfer to a different unit. **OWNER/MANAGEMENT AGENT** may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If **OWNER/MANAGEMENT AGENT** has no safe and available units for which the tenant is eligible, **OWNER/MANAGEMENT AGENT** may 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, **OWNER/MANAGEMENT AGENT** will also assist tenants in contacting the local organizations aiding victims of VAWA violence/abuse that are attached to this plan.

Making Plan Available

OWNER/MANAGEMENT AGENT will make its Emergency Transfer Plan readily available to participants, applicants, and the public.

- The plan is posted on our website at www.monroegroup.com
- The plan for each property is posted in the Community Leasing Center
- The plan is provided upon request
- **OWNER/MANAGEMENT AGENT** will ensure effective communication with individuals with disabilities, including making the transfer plan available in alternative accessible formats, as well as providing reasonable accommodation.

Please contact OWNER/MANAGEMENT AGENT leasing office if you need translations or accommodation.

Safety and Security of Tenants

When **OWNER/MANAGEMENT AGENT** receives any inquiry or request regarding an emergency transfer, **OWNER/MANAGEMENT AGENT** 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.

- Tenants who are or have been victims of domestic violence will be 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 people with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).
- Tenants who have been victims of sexual assault will be encouraged to 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>.
- Tenants who are or have been victims of stalking seeking help will be encouraged to visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

When **OWNER/MANAGEMENT AGENT** receives any inquiry or request regarding an emergency transfer, **OWNER/MANAGEMENT AGENT** 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. For additional information on VAWA and to find help in your area, visit <https://www.hud.gov/vawa>. To talk with a housing advocate, contact Emergency Support Shelter, or Crisis Support Network (CSN) in your community's local County by dialing 988.

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 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.

Please note that this posted VAWA Emergency Transfer Plan covers all properties owned by Steele and CHC and managed by Monroe Group. Each community will have an Emergency Transfer Plan posted in its community office with property-specific information. You may also request a copy of it by contacting your community leasing office.