

Southwest Minnesota Continuum of Care

Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

Emergency Transfers

The Southwest Minnesota Continuum of Care (SWMNCoC) 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 (VAWA),¹ the SWMNCOC transitional housing, rapid rehousing and permanent supportive housing programs allow tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.² The ability of the SWMNCOC housing programs to honor such request for tenants currently receiving assistance, however, may depend upon: (1) a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and (2) on whether the SWMNCOC 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

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.

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.

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 oversees that the SWMNCOC Housing Programs comply 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 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 participant, with the assistance of his or her housing program case manager, shall notify their housing program's management and submit a written request for a transfer to that program's management and to the SWMNCOC Coordinator. The housing program 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 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.

Confidentiality

SWMNCoC Housing Programs will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless:

- (1) the tenant gives the housing program written permission to release the information on a time-limited basis, or
- (2) 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 on the CoC website for more information about Housing Provider's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

Emergency Transfer Timing and Availability

Housing Providers cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. SWMNCoC Housing Programs 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 another unit, subject to availability and safety of a unit. 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.

SWMNCoC Housing Programs may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If SWMNCOC Housing Programs have no safe and available units for which a tenant who needs an emergency is eligible, SWMNCOC Housing Programs 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, SWMNCOC Housing Programs 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.

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 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).

Tenants 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/>.

Tenants 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>.

Local organizations assisting victims of domestic violence, dating violence, sexual assault, or stalking:

Counties	Agency
Pipestone, Cottonwood, Rock, Nobles and Jackson	Southwest Crisis Center 1-800-376-4311
Murray	New Horizons Crisis Center 1-507-836-6272
Lincoln, Lyon, Redwood, Yellow Medicine	WoMen’s Rural Advocacy Program 800-639-2350
Big Stone, Lac qui Parle, Swift, Chippewa, Kandiyohi, Meeker, Renville,	Safe Avenues 1-800-792-4210
McLeod	McLeod Alliance 1-800-934-0851