

**ROSENBERG HOUSING AUTHORITY
EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE,
DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

The Rosenberg Housing Authority “RHA” 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”), RHA 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 and are available regardless of age or actual or perceived sexual orientation, gender identity, sex, or marital status. Victims cannot be discriminated against on the basis of any protected characteristic, including race, color, national origin, religion, sex (including perceived or actual sexual orientation or gender identity), 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 age, or 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 regarding 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 that is in compliance with VAWA.

Definitions

- **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. The RHA has no other programs other than HCV that a family could be transferred to.
- **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. For example, the tenant would be eligible to move to another unit in the same apartment building, to another unit within the RHA’s jurisdiction, or to port out to another housing authority administering the HCV program.
- **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 further information on emergency transfers, and the **RHA** must provide a copy if requested. The **RHA requires** submission of a written request for an emergency transfer, form HUD-5383, to certify eligibility for the emergency transfer.

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.

The RHA 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

Transfer requests under VAWA will be processed in accordance with the VAWA Emergency Transfer Plan. Emergency transfers will be handled immediately, on a case-by-case basis.

Internal transfers when a safe unit is immediately available:

Upon receipt of a completed VAWA transfer request and absent any conflicting or missing information, RHA will immediately process the request for transfer submitted by the tenant due to domestic violence, dating violence, sexual assault, or stalking. The RHA will allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available if the resident believes that there is a threat of further imminent harm if they remain in the unit. The RHA defines immediately available as a vacant unit that is ready for move-in or safe to offer the tenant for temporary or more permanent occupancy.

Internal transfers when a safe unit is not immediately available:

If an internal transfer to a safe unit is not immediately available, at the request of the resident, the RHA will allow the family to port out of the HA’s jurisdiction to another housing authority with an HCV program.

External transfers:

If an internal transfer to a safe unit is not immediately available, at the request of the resident, the RHA will assist in seeking an external emergency transfer either within or outside the PHA's programs. If the resident requests assistance with finding resources to assist them, the RHA will refer the resident to local resources such as

Emergency Shelter(s):

- Star of Hope Mission - Women and Family Development
2575 Reed Rd, Houston, TX 77051
(713) 222-2220
info@sohmission.org

 - Star of Hope - Men's Development Center
1811 Ruiz St Houston, TX – 77081
713-227-8900
banquet@sohmission.org
Emergency Shelter, Recovery, Career & Education, Personal Development & Veteran & Specialized Support

 - Mission of Yahweh
10247 Algiers Road, Houston, TX 77041
(713) 466-4785
For program entry call 713-930-0660
Services:
Emergency Shelter
Transitional Living Program
After School Tutoring
Kids Clubs
Music Lessons

 - Hoston Area Women's Center
Bayou Ridge Dr Houston, TX
713-528-6798 (main line)
- Domestic Violence Hotline:
(713) 528-2121
1-800-256-0551
- Sexual Assault Hotline:
(713) 528-RAPE (7273)
1-800-256-0661

Emergency Shelter:

Information about our emergency shelter services are available through our 24-Hour Hotlines.

Transitional/Temporary Shelter(s):

- Salvation Army Houston Family Residence
1603 McGowen Houston, TX – 77004

713-650-6530

texinfo@uss.salvationarmy.org

Provides comprehensive total care for women and families needing temporary emergency shelter or transitional living. The Family Residence provides a place of safety and healing for women and children, many of whom are victims of domestic violence, crime, and generational poverty.

- The Salvation Army of Galveston County
601 51st Street Galveston, TX 77551
409-763-169
Services Offered at Galveston Location:
Sunday Worship Service (7:45am)
Emergency Shelter
Family Shelter
Transitional Shelter
Case Management
Grocery Assistance
Daily Community Meal

Domestic Violence and/or Sexual Abuse Shelter(s):

- Aids Victims of Domestic Violence (AVDA):
Fort Bend: Phone Number 281-207-2312
Harris: Phone Number 713-224-9911
Domestic Violence, Divorce, Custody, and Custody modifications also provide free trauma counseling (Spoke to Abigail at Fort Bend)

Harris County/AVDA's Main Office
Phone: (713) 224-9911
1001 Texas Ave., Suite 600
Houston, TX 77002

Fort Bend County
Phone: (281) 207-2312
The United Way of Greater Houston – Fort Bend County Center
12300 Parc Crest Drive, Suite 140
Stafford, TX 77477

Austin, Grimes, Waller & Washington Counties Offices
Phone: (979) 826-3290, ext. 219
Focusing Families
910 Ninth St.
Hempstead, TX 77445

- United Way of Greater Houston – Waller County Center
531 Farm-to-Market 359 Road South
Brookshire, TX 77423

Tenants with a Housing Choice Voucher or other tenant-based rental assistance who qualify for an Emergency Transfer will be provided with a transfer voucher and Request for Tenancy Approval form without requiring a move-out notice (or mutual recission if they are in an active lease). They will also be provided with all available information on current unit availability known to RHA. The processing of all items related to the Emergency Transfer of a Housing Choice Voucher (or other tenant-based rental assistance) tenant will be given priority over other transfers in order to expedite the transfer of their assistance to a safe unit.

VAWA provisions do not supersede eligibility or other occupancy requirements that may apply under a covered housing program. **RHA** 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 the RHA at 281-342-1456, or coming into the office at 117 Lane Dr. Ste. 22, Rosenberg, TX 77471, www.rosenbergha.org, rha@rosenbergha.org, or contact your housing counselor directly.

If **RHA** does not already have documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, **RHA** may ask for this documentation in accordance with 24 CFR 5.2007. Unless **RHA** receives documentation that contains conflicting information, as described in 24 CFR 5.2007(b)(2), **RHA** cannot require third-party documentation to determine status as a VAWA victim for emergency transfer eligibility. **RHA** will provide reasonable accommodations to this policy for individuals with disabilities.

IF rha REQUIRES A WRITTEN REQUEST FOR AN EMERGENCY TRANSFER

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, including trauma, if the tenant (or household member) stays in the same dwelling unit by filling out Form HUD-5382; OR
2. 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.
AND
3. The statement shall include information regarding the occurrence of domestic violence, dating violence, sexual assault, or stalking in accordance with § 5.2007, for which the individual is seeking the emergency transfer, if the individual has not already provided documentation of that occurrence

4. Request for Documentation:

4.1. If an applicant or tenant represents to the RHA that the individual is a victim of domestic violence, dating violence, sexual assault, or stalking entitled to the protections under § 5.2005, or remedies under § 5.2009, the covered housing provider may request, in writing, that the applicant or tenant submit to the covered housing provider the documentation specified in paragraph 4.1.1. of this section.

4.1.1. A certification form, in a form approved by HUD, to be completed by the victim to document an incident of domestic violence, dating violence, sexual assault or stalking.

Form HUD-5382 would satisfy this requirement; or

4.1.2. A document:

a. Signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse;

a.1. Signed by the applicant or tenant; and

a.2. That specifies, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under this subpart, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking under § 5.2003; or

b. A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or

c. At the discretion of a covered housing provider, a statement or other evidence provided by the applicant or tenant.

5. If a covered housing provider receives documentation that contains conflicting information (including certification forms from two or more members of a household each claiming to be a 5 Page 5 of 7 Form HUD-5381 victim and naming one or more of the other petitioning household members as the perpetrator), the covered housing provider may require an applicant or tenant to submit third-party documentation, as described in 4.1.2. of this section, within 30 days of the date of the request for the third-party documentation.

6. Nothing in paragraph 4.1 shall be construed to require a covered housing provider to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

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

Priority for Transfers

With the approval of the Executive Director or their designer, the RHA may, on a case-by-case basis, transfer a family in order to address the immediate need of a family in crisis.

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, **RHA** 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. This information should be securely and separately kept from tenant files. 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 **RHA** employees or contractors if explicitly authorized by **RHA** 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:

- 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.

Emergency Transfer Procedure

RHA 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. **RHA** will, however, act as quickly as possible to assist a tenant who qualifies for an emergency transfer. If **RHA** identifies an available unit and the tenant believes that unit would not be safe, the tenant may request a transfer to a different unit. **RHA** 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 **RHA** does not have any safe and available units for which the tenant is eligible, **RHA** 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, **RHA** will also assist the tenant in contacting the local organizations offering assistance to victims of VAWA violence/abuse that are attached to this plan.

Making the Emergency Transfer Plan Available

The **RHA** will provide the following forms when a family is admitted as a tenant, denied admission, or upon notification of eviction or termination of assistance:

Notice of Occupancy Rights Under the Violence Against Women Act (Form HUD-5380) and the Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (Form HUD-5382).

These forms are also available on the Rosenberg Housing Authority website: www.rosenbergha.org or can be requested by calling 281-342-1456. The forms can also be obtained in person at **RHA**’s office or via mail by sending a request to 117 Lane Dr. Ste 22, Rosenberg, TX 77471

If a person who has a disability requires special accommodation in order to have equal access to any **RHA** program, please contact our office.

Safety and Security of Tenants

When **RHA** receives any inquiry or request regarding an emergency transfer, **RHA** 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>

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact

- Resource and Crisis Center of Galveston County, Inc. (RCC)
1204 45th Street, Galveston, TX 77550
(409) 763-1441
info@rccgc.org

24 Hour Sexual Assault/domestic violence crisis hotline, residential service, non-residential service, referral to legal service & sexual assault service

RCC 24-hour Sexual Assault and
Domestic Violence Crisis Hotline:
888-919-SAFE (7233)

For 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>.

For help regarding sexual assault, you may contact (The above DV/SA Shelters Pg. 3-4)

Victims of stalking seeking help may contact (The above DV/SA Shelters Pg. 3-4)

Public reporting burden for this collection of information is estimated to range from four to eight hours per 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 covered 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.