

Protections for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking

When should I receive this form? A covered housing provider must provide a copy of the 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) when you are admitted as a tenant, when you receive an eviction or termination notice and prior to termination of tenancy, or when you are denied as an applicant. A covered housing provider may provide these forms at additional times.

What is the Violence Against Women Act (“VAWA”)? This notice describes protections that may apply to you as an applicant or a tenant under a housing program covered by a federal law called the Violence Against Women Act (“VAWA”). VAWA provides housing protections for victims of domestic violence, dating violence, sexual assault or stalking. VAWA protections must be in leases and other program documents, as applicable. VAWA protections may be raised at any time. You do not need to know the type or name of the program you are participating in or applying to in order to seek VAWA protections.

What if I require this information in a language other than English? To read this information in Spanish or another language, please contact [INSERT COVERED HOUSING PROVIDER’S CONTACT INFORMATION; FOR HOPWA PROVIDERS – INSERT GRANTEE NAME AND CONTACT INFORMATION] or go to [INSERT WEBSITE, IF APPLICABLE]. You can read translated VAWA forms at https://www.hud.gov/program_offices/administration/hudclips/forms/hud5a#4. If you speak or read in a language other than English, your covered housing provider must give you language assistance regarding your VAWA protections (for example, oral interpretation and/or written translation).

What do the words in this notice mean?

- *VAWA violence/abuse* means one or more incidents of domestic violence, dating violence, sexual assault, or stalking.
- *Victim* means any victim of VAWA violence/abuse.
- *Affiliated person* means the tenant’s spouse, parent, sibling, or child; or any individual, tenant, or lawful occupant living in the tenant’s household; or anyone for whom the tenant acts as parent/guardian.
- *Covered housing program*¹ includes the following HUD programs:
 - Public Housing
 - Tenant-based vouchers (TBV, also known as Housing Choice Vouchers or HCV) and Project-based Vouchers (PBV) Section 8 programs
 - Section 8 Project-Based Rental Assistance (PBRA)
 - Section 8 Moderate Rehabilitation Single Room Occupancy
 - Section 202 Supportive Housing for the Elderly
 - Section 811 Supportive Housing for Persons with Disabilities
 - Section 221(d)(3)/(d)(5) Multifamily Rental Housing
 - Section 236 Multifamily Rental Housing
 - Housing Opportunities for Persons With AIDS (HOPWA) program
 - HOME Investment Partnerships (HOME) program
 - The Housing Trust Fund
 - Emergency Solutions Grants (ESG) program
 - Continuum of Care program
 - Rural Housing Stability Assistance program
- *Covered housing provider* means the individual or entity under a covered housing program that is responsible for providing or overseeing the VAWA protection in a specific situation. The covered housing provider may be a public housing agency, project sponsor, housing owner, mortgagor, housing manager, State or local government, public agency, or a nonprofit or for-profit organization as the lessor.

¹ For information about non-HUD covered housing programs under VAWA, see Interagency Statement on the Violence Against Women Act’s Housing Provisions at <https://www.hud.gov/sites/dfiles/PA/documents/InteragencyVAWAHousingStmnt092024.pdf>.

What if I am an applicant under a program covered by VAWA? You can't be denied housing, housing assistance, or homeless assistance covered by VAWA just because you (or a household member) are or were a victim or just because of problems you (or a household member) had as a direct result of being or having been a victim. For example, if you have a poor rental or credit history or a criminal record, and that history or record is the direct result of you being a victim of VAWA abuse/violence, that history or record cannot be used as a reason to deny you housing or homeless assistance covered by VAWA.

What if I am a tenant under a program covered by VAWA? You cannot lose housing, housing assistance, or homeless assistance covered by VAWA or be evicted just because you (or a household member) are or were a victim of VAWA violence/abuse. You also cannot lose housing, housing assistance, or homeless assistance covered by VAWA or be evicted just because of problems that you (or a household member) have as a direct result of being or having been a victim. For example, if you are a victim of VAWA abuse/violence that directly results in repeated noise complaints and damage to the property, neither the noise complaints nor property damage can be used as a reason for evicting you from housing covered by VAWA. You also cannot be evicted or removed from housing, housing assistance, or homeless assistance covered by VAWA because of someone else's criminal actions that are directly related to VAWA abuse/violence against you, a household member, or another affiliated person.

How can tenants request an emergency transfer? Victims of VAWA violence/abuse have the right to request an emergency transfer from their current unit to another unit for safety reasons related to the VAWA violence/abuse. An emergency transfer cannot be guaranteed, but you can request an emergency transfer when:

1. You (or a household member) are a victim of VAWA violence/abuse;
2. You expressly request the emergency transfer; **AND**
3. **EITHER**
 - a. you reasonably believe that there is a threat of imminent harm from further violence, including trauma, if you (or a household member) stay in the same dwelling unit; **OR**
 - b. if you (or a household member) are a victim of sexual assault, either you reasonably believe that there is a threat of imminent harm from further violence, including trauma, if you (or a household member) were to stay in the unit, or the sexual assault occurred on the premises and you request an emergency transfer within 90 days (including holidays and weekend days) of when that assault occurred.

You can request an emergency transfer even if you are not lease compliant, for example if you owe rent. If you request an emergency transfer, your request, the information you provided to make the request, and your new unit's location must be kept strictly confidential by the covered housing provider. The covered housing provider is required to maintain a VAWA emergency transfer plan and make it available to you upon request. To request an emergency transfer or to read the covered housing provider's VAWA emergency transfer plan, [ENTER SPECIFIC CONTACT INFORMATION, WEBSITE, AND/OR INSTRUCTIONS FOR REQUESTING AN EMERGENCY TRANSFER OR A COPY OF THE APPLICABLE VAWA EMERGENCY TRANSFER PLAN]. The VAWA emergency transfer plan includes information about what the covered housing provider does to make sure your address and other relevant information are not disclosed to your perpetrator.

Can the perpetrator be evicted or removed from my lease? Depending on your specific situation, your covered housing provider may be able to divide the lease to evict just the perpetrator. This is called "lease bifurcation."

What happens if the lease bifurcation ends up removing the perpetrator who was the only tenant who qualified for the housing or assistance? In this situation, the covered housing provider must provide you and other remaining household members an opportunity to establish eligibility or to find other housing. If you cannot or don't want to establish eligibility, then the covered housing provider must give you a reasonable time to move or establish eligibility for another covered housing program. This amount of time varies, depending on the covered housing program involved. The table below shows the reasonable time provided under each covered housing programs with HUD. Timeframes for covered housing programs operated by other agencies are determined by those agencies.

Covered Housing Program(s)	Reasonable Time for Remaining Household Members to Continue to Receive Assistance, Establish Eligibility, or Move.
HOME and Housing Trust Fund, Continuum of Care Program (except for permanent supportive housing), ESG program, Section 221(d)(3) Program, Section 221(d)(5) Program, Rural Housing Stability Assistance Program	Because these programs do not provide housing or assistance based on just one person's status or characteristics, the remaining tenant(s), or family member(s) in the CoC program, can keep receiving assistance or living in the assisted housing as applicable.
Permanent supportive housing funded by the Continuum of Care Program	The remaining household member(s) can receive rental assistance until expiration of the lease that is in effect when the qualifying member is evicted.
Housing Choice Voucher, Project-based Voucher, and Public Housing programs (for Special Purpose Vouchers (e.g., HUD-VASH, FUP, FYI, etc.), see also program specific guidance)	If the person removed was the only tenant who established eligible citizenship/immigration status, the remaining household member(s) must be given 30 calendar days from the date of the lease bifurcation to establish program eligibility or find alternative housing. For HUD-VASH, if the veteran is removed, the remaining family member(s) can keep receiving assistance or living in the assisted housing as applicable. If the veteran was the only tenant who established eligible citizenship/immigration status, the remaining household member(s) must be given 30 calendar days to establish program eligibility or find alternative housing.
Section 202/811 PRAC and SPRAC	The remaining household member(s) must be given 90 calendar days from the date of the lease bifurcation or until the lease expires, whichever is first, to establish program eligibility or find alternative housing.
Section 202/8	The remaining household member(s) must be given 90 calendar days from the date of the lease bifurcation or when the lease expires, whichever is first, to establish program eligibility or find alternative housing. If the person removed was the only tenant who established eligible citizenship/immigration status, the remaining household member(s) must be given 30 calendar days from the date of the lease bifurcation to establish program eligibility or find alternative housing.
Section 236 (including RAP); Project-based Section 8 and Mod Rehab/SRO	The remaining household member(s) must be given 30 calendar days from the date of the lease bifurcation to establish program eligibility or find alternative housing.
HOPWA	The remaining household member(s) must be given no less than 90 calendar days, and not more than one year, from the date of the lease bifurcation to establish program eligibility or find alternative housing. The date is set by the HOPWA Grantee or Project Sponsor.

Are there any reasons that I can be evicted or lose assistance? VAWA does not prevent you from being evicted or losing assistance for a lease violation, program violation, or violation of other requirements that are not due to the VAWA violence/abuse committed against you or an affiliated person. However, a covered housing provider cannot be stricter with you than with other tenants, just because you or an affiliated person experienced VAWA abuse/violence. VAWA also will not prevent eviction, termination, or removal if other tenants or housing staff are shown to be in immediate, physical danger that could lead to serious bodily harm or death if you are not evicted or removed from assistance. **But only if no other action can be taken to reduce or eliminate the threat** should a covered housing provider evict you or end your assistance, if the VAWA abuse/violence happens to you or an affiliated person. A covered housing provider must provide a copy of the 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) when you receive an eviction or termination notice and prior to termination of tenancy.

What do I need to document that I am a victim of VAWA abuse/violence? If you ask for VAWA protection, the covered housing provider may request documentation showing that you (or a household member) are a victim. BUT the covered housing provider must make this request in writing and must give you at least 14 business days (weekends and holidays do not count) to respond, and you are free to choose any one of the following:

1. A self-certification form (for example, Form HUD 5382), which the covered housing provider must give you along with this notice. Either you can fill out the form or someone else can complete it for you;
2. A statement from a victim/survivor service provider, attorney, mental health professional or medical professional who has helped you address incidents of VAWA violence/abuse. The professional must state "under penalty of perjury" that he/she/they believes that the incidents of VAWA violence/abuse are real and covered by VAWA. Both you and the professional must sign the statement;
3. A police, administrative, or court record (such as a protective order) that shows you (or a household member) were a victim of VAWA violence/abuse; OR
4. If allowed by your covered housing provider, any other statement or evidence provided by you.

It is your choice which documentation to provide and the covered housing provider must accept any one of the above as documentation. The covered housing provider is prohibited from seeking additional documentation of victim status or requiring more than one of these types of documentation, unless the covered housing provider receives conflicting information about the VAWA violence/abuse.

If you do not provide one of these types of documentation by the deadline, the covered housing provider does not have to provide the VAWA protections you requested. If the documentation received by the covered housing provider contains conflicting information about the VAWA violence/abuse, the covered housing provider may require you to provide additional documentation from the list above, but the covered housing provider must give you another 30 calendar days to do so.

Will my information be kept confidential? If you share information with a covered housing provider about why you need VAWA protections, the covered housing provider must keep the information you share strictly confidential. This information should be securely and separately kept from your other tenant files. No one who works for your covered housing provider will have access to this information, unless there is a reason that specifically calls for them to access this information, your covered housing provider explicitly authorizes their access for that reason, and that authorization is consistent with applicable law.

Your information **will not be disclosed** to anyone else or put in a database shared with anyone else, except in the following situations:

1. If you give the covered housing provider written permission to share the information for a limited time;
2. If the covered housing provider needs to use that information in an eviction proceeding or hearing; or
3. If other applicable law requires the covered housing provider to share the information.

How do other laws apply? VAWA does not limit the covered housing provider's duty to honor court orders about access to or control of the property, or civil protection orders issued to protect a victim of VAWA abuse/violence.

Additionally, VAWA does not limit the covered housing provider's duty to comply with a court order with respect to the distribution or possession of property among household members during a family break up. The covered housing provider must follow all applicable fair housing and civil rights requirements.

Can I request a reasonable accommodation? If you have a disability, your covered housing provider must provide reasonable accommodations to rules, policies, practices, or services that may be necessary to allow you to equally benefit from VAWA protections (for example, giving you more time to submit documents or assistance with filling out forms). You may request a reasonable accommodation at any time, even for the first time during an eviction. If a provider is denying a specific reasonable accommodation because it is not reasonable, your covered housing provider must first engage in the interactive process with you to identify possible alternative accommodations. To request a reasonable accommodation, please contact [INSERT APPROPRIATE STAFF MEMBER CONTACT INFORMATION]. Your covered housing provider must also ensure effective communication with individuals with disabilities.

Have your protections under VAWA been denied? If you believe that the covered housing provider has violated these rights, you may seek help by contacting [INSERT LOCAL HUD FHEO FIELD OFFICE & CONTACT INFORMATION]. You can also find additional information on filing VAWA complaints at <https://www.hud.gov/VAWA> and https://www.hud.gov/program_offices/fair_housing_equal_opp/VAWA. To file a VAWA complaint, visit <https://www.hud.gov/fairhousing/fileacomplaint>.

Need further help?

- ° 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 [ENTER CONTACT INFO FOR LOCAL ADVOCACY AND LEGAL AID ORGANIZATIONS].

Public reporting burden for this collection of information is estimated to range from 45 to 90 minutes per each covered housing provider's response, depending on the program. This includes time to print and distribute the form. 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, D.C. 20410. This notice is required for covered housing programs under section 41411 of VAWA and 24 CFR 5.2003. Covered housing providers must give this notice to applicants and tenants to inform them of the VAWA protections as specified in section 41411(d)(2). This is a model notice, and no information is being collected. 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.

Algoma Housing Authority

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

I. Purpose and Scope

The Algoma Housing Authority (AHA) 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”), AHA 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, 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 AHA is in compliance with VAWA.

II. 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 a standard application process in order to reside in the new unit.
- **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 within AHA's portfolio without having to undergo a new eligibility screening or 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).

III. 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 AHA must provide a copy if requested. AHA requires the submission of a written request for an emergency transfer, such as 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:**
 - 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**
 - 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 calendar days** (including holidays and weekend days) of when that assault occurred.

AHA, 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.

IV. Emergency Transfer Policies

1. Internal Emergency Transfers When a Safe Unit is Immediately Available

- **Definition of "Immediately Available":** AHA defines an immediately available unit as an un-leased, vacant unit that is completely turned and ready for move-in within a reasonable timeframe based on local maintenance factors.
- **Tenant Determination of Safety:** The tenant retains the sole right to determine whether a proposed internal unit is safe. If the resident reasonably believes the proposed unit does not offer safety from the abuser, they may reject the unit and request an alternative internal unit or an external transfer instead.
- **Processing Timelines:** AHA will prioritize internal emergency transfer requests above all other standard transfer categories and waitlist admissions. Upon receipt of a complete written request (Form HUD-5383 or alternative written certification), executive staff will review, approve or deny, and process the transfer within **5 business days**.
- **Execution:** If a safe, appropriately sized internal unit is available, it will be immediately offered to the approved tenant. The tenant must sign a new lease agreement for the new unit, but AHA will waive any standard lease-breaking penalties or notice period requirements associated with vacating the unsafe unit.

2. Internal Emergency Transfers When a Safe Unit is NOT Immediately Available

The approval of a VAWA emergency transfer request does not guarantee that an appropriate, safe unit will be immediately open within AHA's inventory. If no safe internal unit is available at the time of approval, AHA will implement the following mitigation protocols:

- **Concurrent Requests:** AHA will allow the resident to pursue an internal transfer and an external transfer concurrently. The tenant's name will remain at the top of the internal emergency transfer priority list while alternative options are explored.
- **Administrative Exceptions:** AHA will make administrative exceptions to standard policies as needed to expedite safety. This may include altering bedroom-size requirements if requested by the family to facilitate a faster move into a smaller or larger available unit, provided it does not violate local occupancy codes.
- **External Referrals and Partnerships:** AHA will actively assist the resident in identifying external housing providers, neighboring public housing agencies (PHAs), or local project-based properties that may have immediate vacancies.

- **Advocacy and Victim Services Support:** At the resident's explicit request, staff will coordinate directly with local domestic violence shelters, crisis advocates, and community legal services to help the tenant secure temporary emergency shelter or permanent relocation assistance.

VAWA provisions do not supersede eligibility or other occupancy requirements that may apply under a covered housing program. AHA may be unable to transfer a tenant to a particular unit if the tenant cannot establish program-specific eligibility for that unit.

V. Emergency Transfer Request Documentation

1. Written Request Requirement

AHA requires a written request from any tenant seeking to exercise an emergency transfer under the protections of the Violence Against Women Act (VAWA). To initiate this process, the tenant or a household member must submit a written request directly to the AHA administrative office.

To simplify and expedite this process, AHA provides Form HUD-5383 upon request. However, AHA will accept any written submission or letter from the resident, provided it contains the mandatory statements detailed below.

2. Required Elements of the Written Request

Per federal guidelines, the tenant's written request for an emergency transfer must explicitly include at least one of the following criteria:

- **Imminent Harm Statement:** A statement expressing that the tenant reasonably believes there is a threat of imminent harm from further violence, including trauma, if the tenant (or household member) remains in the current dwelling unit; **OR**
- **Sexual Assault Premise Statement:** In the case of a tenant (or household member) who is a victim of sexual assault, either:
 1. A statement that the tenant reasonably believes there is a threat of imminent harm from further violence or trauma if they remain in the current dwelling unit; **OR**
 2. A statement that the sexual assault occurred directly on AHA premises and the emergency transfer request is being submitted within **90 calendar days** (including all holidays and weekend days) of the date the assault occurred.

3. VAWA Victim Status Documentation and Timeline Limitations

AHA prioritizes immediate safety and streamlines the approval process. The submission of a completed Form HUD-5383 or an equivalent written statement containing the criteria above is sufficient on its face to process an emergency transfer.

However, if AHA determines it is necessary to request official documentation certifying the underlying VAWA victim status (such as a completed Form HUD-5382, a police report, a court order, or professional documentation from a medical or legal advocate), the following federal parameters apply:

- **14-Day Submission Window:** AHA must issue any request for documentation to the tenant in writing. The tenant will have **14 business days** from the date they receive the written request to provide the requested documentation.
- **Extensions:** If the tenant requires additional time due to safety constraints or delays in securing third-party documents, they may request an extension. AHA will grant reasonable extensions on a case-by-case basis.
- **Strict Documentation Restrictions:** In compliance with 24 CFR 5.2005(e)(10), AHA cannot and will not require third-party verification (such as police reports or court records) to approve an emergency transfer, unless AHA receives multiple pieces of documentation regarding the VAWA incident that contain directly conflicting information. In all standard circumstances, the self-certification of the victim via a written statement or Form HUD-5383/HUD-5382 is legally sufficient.

Administrative Note: For residents with disabilities or limited literacy skills, AHA will provide reasonable accommodation. This includes allowing a designated advocate to type or write the statement on behalf of the tenant, or providing staff assistance to transcribe the verbal request into a written form, which the tenant can then sign or mark to finalize.

VI. Priority for Transfers and External Admission Preferences

1. Establishment of Supreme Administrative Priority

Tenants who qualify for an emergency transfer under the Violence Against Women Act (VAWA) are granted the highest administrative priority within this agency. VAWA emergency transfers bypass all standard waitlist chronological positioning and outrank all non-emergency transfer categories.

Note on Ties: In the event of a tie between a VAWA emergency transfer and another life-safety emergency transfer (Priority 1), the executive staff will evaluate the immediacy of physical danger to determine final allocation, with a natural administrative bias toward securing immediate physical safety for the domestic violence, sexual assault, stalking, or dating violence survivor.

2. Execution of Internal Emergency Transfers

When a tenant qualifies for an emergency transfer under VAWA and a safe unit is identified as immediately available within AHA's inventory, the internal transfer will be executed without delay.

- **Parity in Emergency Priority:** AHA ensures that requests for internal emergency transfers under VAWA receive, at a minimum, the identical urgent processing, rapid unit-turnarounds, and security response measures provided to any other high-tier emergency maintenance or safety event.
- **Exemption from Standard Hurdles:** The resident will not be required to re-apply, undergo updated background or credit screenings, or clear standard housekeeping inspections required of non-emergency transfers. The priority is to move the family to a safe environment first; administrative reconciliations will follow.

3. Priority and Admission Preferences for External Emergency Transfers

When an internal transfer is unavailable, undesirable, or unsafe, AHA will facilitate external emergency transfers in strict accordance with federal program regulations (such as Public Housing or Project-Based Rental Assistance/PBRA rules):

- **Preference on External Waitlists:** If the resident must transfer to a different housing program or an external property managed by AHA, the tenant's VAWA status will trigger an immediate local admission preference, placing them at the absolute top of that specific program's waitlist.
- **Inter-Agency Cooperation:** AHA will issue a formal administrative referral letter to neighboring public housing agencies (PHAs) and local affordable housing partners. This referral requests that the receiving agency utilize their own VAWA preference protocols to grant the transferring tenant expedited admission priority.
- **Administrative Directive:** To maintain the validity of this priority system, the Executive Director or designated occupancy specialist must review the

emergency transfer log weekly to ensure that no standard waitlist pull or lower-tier transfer bypasses an approved, pending VAWA emergency transfer request.

VII. Confidentiality

1. General Mandate for Absolute 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, AHA will keep all information provided strictly confidential. This mandate applies to the fact that an inquiry was made, the details of the violence/abuse, the request for an emergency transfer, and the victim status of any household member.

All documentation submitted by or on behalf of the tenant to support an emergency transfer request—including but not limited to Form HUD-5382 (Certification), Form HUD-5383 (Request Form), police reports, third-party statements, and intake notes—is legally defined as Confidential Information.

2. Physical and Digital Data Separation

To guarantee confidentiality, Confidential Information must be kept completely separate and secure from standard tenant files.

- **Physical Security:** Hard copies of any VAWA-related documentation will never be placed in the general resident file. Instead, they will be maintained in a separate, locked, fireproof filing cabinet located exclusively in the executive or program manager's private office.
- **Digital Isolation:** VAWA documentation and emergency transfer statuses will not be uploaded into the general, shared tenant database software where standard maintenance or front-desk staff could accidentally view it. Digital records will be stored in a highly restricted electronic folder with encrypted access permissions.

3. Authorized Staff Access and Restrictions

Confidential Information may only be accessed by AHA employees or contractors who have been explicitly authorized by executive leadership for reasons that specifically require access under applicable Federal, State, or local law (e.g., final approval of a transfer or processing a lease split).

AHA will not enter Confidential Information into any shared community database or disclose it to any other entity or individual, except under the following three legally defined exceptions:

1. **Time-Limited Release:** The victim provides explicit, written, signed permission via a time-limited release form to share specific information with a designated party (such as a local crisis shelter or legal aid attorney).
2. **Statutory Hearings:** The information is explicitly required for use in an eviction proceeding or a formal hearing regarding the termination of assistance of the abuser.
3. **Legal Mandate:** Disclosure is otherwise strictly required by applicable law.

4. Specific Measures to Protect the Victim's Location

In accordance with HUD's VAWA regulations, AHA implements the following strict operational protocols to ensure that the location of the victim's new dwelling unit is never disclosed to a person who committed or threatened to commit the VAWA violence/abuse:

- **Masked Work Orders:** For any maintenance work orders generated for the victim's new unit, AHA will utilize administrative overrides to mask the resident's name. Standard maintenance logs will display the unit number but will not link it to the identity of the transferred tenant.
- **Secure Mail and Communication Routing:** If AHA must mail official notifications to the resident post-transfer, staff will utilize a secure, centralized administrative P.O. Box or handle correspondence via a designated, password-protected email address, preventing physical mail tracking to the new address.
- **Restricted Staff Briefings:** Front-line customer service, intake clerks, and reception staff will be completely restricted from viewing the transfer location. If an inquirer asks for the resident by name, staff are strictly trained to state that they can neither confirm nor deny the residency of any individual, ensuring no accidental leaks occur.
- **Abuser File Separation:** In cases where the abuser remains a tenant in a separate AHA unit or is undergoing eviction, any documentation related to their case will be completely stripped of references to the victim's new location, unit number, or contact details.

Staff Compliance Directive: Any unauthorized access, casual water-cooler discussion, or accidental disclosure of VAWA Confidential Information or a victim's unit location by an AHA employee constitutes a severe breach of federal law and agency policy, and will result in immediate disciplinary action up to and including termination of employment.

VIII. Emergency Transfer Procedure

1. Timeline Disclaimer and Commitment to Expedited Action

AHA cannot guarantee or specify exactly how long it will take from the time an emergency transfer request is approved until the tenant can be successfully placed in a new, safe unit. Unit availability fluctuates constantly based on move-outs, turn times, and funding. AHA will, however, treat all approved VAWA emergency transfers as life-safety priorities and will act as quickly as humanly possible to facilitate a safe move.

2. Unit Offers, Safety Determinations, and Program Eligibility

- **Tenant Right of Refusal:** If AHA identifies an available unit within its inventory and offers it to the tenant, the tenant retains the absolute right to determine if that unit is safe. If the tenant believes the proposed unit would not be safe due to proximity to the abuser, transit lines, or other safety factors, the tenant may reject that specific unit and request a transfer to a different unit without losing their priority status.
- **Statutory Eligibility Limits:** AHA may be unable to transfer a tenant and their household to a specific unit if the family has not established or cannot establish statutory federal eligibility for that particular unit or housing program (e.g., income limits, bedroom size restrictions under local occupancy codes, or specific elderly/disabled designated housing rules).

3. Procedure When No Internal Units are Safe and Available

If AHA does not have any safe and available units within its own portfolio for which the tenant is eligible, the agency will actively implement the following external assistance procedures:

- **Covered Housing Provider Referrals:** AHA will immediately assist the tenant in identifying other local or regional covered housing providers (including neighboring Public Housing Agencies, Section 8 administrators, and Project-Based Rental Assistance properties) who may have safe, immediate vacancies. Staff will provide direct administrative referrals to help expedite the applicant's intake with those outside agencies.
- **Victim Services Coordination:** At the tenant's explicit request, AHA staff will directly assist the resident in securely contacting local organizations, domestic violence shelters, legal aid societies, and crisis advocacy networks. A comprehensive list of these vetted local resources is attached as an appendix to this plan.

IX. Making the Emergency Transfer Plan Available

1. Public Availability and Transparency

To ensure all residents, applicants, and community advocates are fully aware of their protections, AHA will make this Emergency Transfer Plan widely and publicly available:

- **Online Access:** This complete Emergency Transfer Plan, along with downloadable copies of Form HUD-5382 (Certification) and Form HUD-5383 (Request Form), will be permanently posted and easily accessible on AHA's public website.
- **Physical Postings:** A notice summarizing this plan and detailing how to request a full copy will be prominently displayed in the main lobby of the administrative office and within the common areas or community rooms of all AHA properties.

2. Distribution Protocols

This plan will be proactively distributed to individuals at key touchpoints in their housing tenure:

- **At Admission:** A copy of this plan, along with the mandatory HUD Notice of Occupancy Rights (Form HUD-5380), will be provided to all new tenants at the time of lease signing.
- **Upon Notification of Eviction or Termination:** This documentation will be automatically included with any official notice of lease termination or eviction proceedings issued by the agency.
- **Upon Request:** Any tenant, applicant, or community member may request a physical or digital copy of this plan at any time, free of charge. Staff will fulfill these requests immediately without requiring the individual to state a reason for the request.

3. Accessibility and Language Access Accommodations

To meet federal fair housing obligations and ensure all individuals have equal access to life-safety resources, AHA enforces the following communication standards:

- **Effective Communication for Individuals with Disabilities:** AHA will provide reasonable accommodation and ensure effective communication with individuals with disabilities. This includes making this Emergency Transfer Plan, notices, and relevant VAWA forms available in alternative accessible formats

upon request (such as large print, electronic versions compatible with screen readers, or braille).

- **Limited English Proficiency (LEP) Obligations:** In accordance with federal civil rights requirements and the agency's Language Access Plan (LAP), AHA will maintain copies of vital VAWA documents—including this Emergency Transfer Plan, Form HUD-5382, and Form HUD-5383—translated into the primary languages of the local community. For languages not covered by standard translated forms, oral interpretation services will be provided at no cost to the resident or applicant.
- **Staff Training:** All staff members who interact with applicants or residents must undergo annual training on the contents of this Emergency Transfer Plan to ensure they can confidently direct a tenant in crisis to these procedures immediately, confidentially, and in an accessible format or language.

X. Safety and Security of Tenants

When AHA receives any inquiry or request regarding an emergency transfer, AHA 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.

Safety Resources

- **National Domestic Violence Hotline:** 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY)
- **HUD VAWA Resources Portal:** <https://www.hud.gov/vawa>
- **Local Emergency Contact Sheet:** Attached as Appendix A to this plan.

Adopted: June 2017 – Resolution 17-295

Reviewed: April 2019, January 11, 2023

Revised: May 15, 2024, June 15, 2026

Appendix A: Local Resources for Algoma, WI

Important Phone Numbers

- **Algoma Police Department:** (920) 487-3311
- **Kewaunee County Sheriff Department:** (920) 388-3100
- **Kewaunee Police Department:** (920) 388-5010
- **Luxemburg Police Department:** (920) 845-5381
- **Human Services:** (920) 388-7030
- **Clerk of Courts:** (920) 388-7144
- **Victim/Witness Program:** (920) 388-7173
- **District Attorney:** (920) 388-7194
- **Family Court Commissioner:** (920) 388-2333

Domestic Violence & Sexual Assault Crisis Agencies

- **Violence Intervention Project:** 1-877-847-3223 *(Serving victims of domestic violence in Kewaunee County)*
- **Golden House:** (920) 432-4244 *(Serving victims of domestic violence in Brown County)*
- **Family Services Sexual Assault Center:** (920) 436-8899 *(Serving victims of sexual assault in Brown, Door, Oconto, and Marinette Counties)*
- **Help of Door County:** (920) 743-8818 *(Serving victims of domestic violence in Door County)*
- **InCourage:** (920) 684-5770 *(Serving victims of domestic violence and sexual assault in Manitowoc County)*
- **Diverse & Resilient "Room to be Safe" Line:** (414) 856-LGBT (5428) *(LGBTQ+ specific advocacy and culturally sensitive connections statewide)*
- **National Sexual Assault Hotline (RAINN):** 1-800-656-4673 *(24/7 phone or online chat, Spanish options available)*
- **National Teen Dating Abuse Hotline:** 1-855-270-1599 or Text: LOVEIS to 22522
- **The Recovery Village Support Line:** 1-855-891-6499

**CERTIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE,
SEXUAL ASSAULT, OR STALKING**

Confidentiality Note: Any personal information you share in this form will be maintained by your covered housing provider according to the confidentiality provisions below.

Purpose of Form: If you are a tenant of or applicant for housing assisted under a covered housing program, or if you are applying for or receiving transitional housing or rental assistance under a covered housing program, and ask for protection under the Violence Against Women Act ("VAWA"), you may use this form to comply with a covered housing provider's request for written documentation of your status as a "victim". This form is accompanied by a "Notice of Occupancy Rights Under the Violence Against Women Act," Form HUD-5380.

VAWA protects individuals and families regardless of a victim's age, sex, or marital status.

You are not expected **and cannot be asked or required** to claim, document, or prove victim status or VAWA violence/abuse other than as stated in "Notice of Occupancy Rights Under the Violence Against Women Act," Form HUD-5380.

This form is **one of your available options** for responding to a covered housing provider's written request for documentation of victim status or the incident(s) of VAWA violence/abuse. If you choose, you may submit one of the types of third-party documentation described in Form HUD-5380, in the section titled, "What do I need to document that I am a victim?". Your covered housing provider must give you at least 14 business days (weekends and holidays do not count) to respond to their written request for this documentation.

Will my information be kept confidential? Whenever you ask for or about VAWA protections, your covered housing provider must keep any information you provide about the VAWA violence/abuse or the fact you (or a household member) are a victim, including the information on this form, strictly confidential. This information should be securely and separately kept from your other tenant files. This information can only be accessed by an employee/agent of your covered housing provider if (1) access is required for a specific reason, (2) your covered housing provider explicitly authorizes that person's access for that reason, **and** (3) the authorization complies with applicable law. This information will not be given to anyone else or put in a database shared with anyone else, unless your covered housing provider (1) gets your written permission to do so for a limited time, (2) is required to do so as part of an eviction or termination hearing, **or** (3) is required to do so by law.

In addition, your covered housing provider must keep your address strictly confidential to ensure that it is not disclosed to a person who committed or threatened to commit VAWA violence/abuse against you (or a household member).

What if I require this information in a language other than English? To read this in Spanish or another language, please contact [INSERT COVERED HOUSING PROVIDER'S CONTACT INFORMATION; FOR HOPWA PROVIDERS – INSERT GRANTEE NAME AND CONTACT INFORMATION] or go to [INSERT WEBSITE, IF APPLICABLE]. You can read translated VAWA forms at https://www.hud.gov/program_offices/administration/hudclips/forms/hud5a#4. If you speak or read in a language other than English, your covered housing provider must give you language assistance regarding your VAWA protections (for example, oral interpretation and/or written translation).

Can I request a reasonable accommodation? If you have a disability, your covered housing provider must provide reasonable accommodations to rules, policies, practices, or services that may be necessary to allow you to equally benefit from VAWA protections (for example, giving you more time to submit documents or assistance with filling out forms). You may request a reasonable accommodation at any time, even for the first time during an eviction. If a provider is denying a specific reasonable accommodation because it is not reasonable, your covered housing provider must first engage in the interactive process with you to identify possible alternative accommodations. Your covered housing provider must also ensure effective communication with individuals with disabilities.

Need further help? For additional information on VAWA and to find help in your area, visit <https://www.hud.gov/vawa>. To speak with a housing advocate, contact [ENTER CONTACT INFO FOR LOCAL ADVOCACY AND LEGAL AID ORGANIZATIONS].

TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

1. Name(s) of victim(s): _____

2. Your name (if different from victim's): _____

3. Name(s) of other member(s) of the household: _____

4. Name of the perpetrator (if known and can be safely disclosed): _____

5. What is the safest and most secure way to contact you? (You may choose more than one.)

If any contact information changes or is no longer a safe contact method, notify your covered housing provider.

☐ Phone Phone Number: _____

Safe to receive a voicemail: ☐ Yes ☐ No

☐ E-mail E-mail Address: _____

Safe to receive an email: ☐ Yes ☐ No

☐ Mail Mailing Address: _____

Safe to receive mail from your housing provider: ☐ Yes ☐ No

☐ Other Please List: _____

6. Anything else your housing provider should know to safely communicate with you?

Applicable definitions of domestic violence, dating violence, sexual assault, or stalking:

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who lives with or has lived with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Spouse or intimate partner of the victim includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.

Dating violence means violence committed by a person:

- (1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; **and**
- (2) Where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; and (iii) The frequency of interaction between the persons involved in the relationship.

Sexual assault means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (1) Fear for the person's individual safety or the safety of others **or**
- (2) Suffer substantial emotional distress.

Certification of Applicant or Tenant: By signing below, I am certifying that the information provided on this form is true and correct to the best of my knowledge and recollection, and that one or more members of my household is or has been a victim of domestic violence, dating violence, sexual assault, or stalking as described in the applicable definitions above.

Signature

Date

Public Reporting Burden for this collection of information is estimated to average 20 minutes per response. This includes the time for collecting, reviewing, and reporting. 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. Housing providers in programs covered by VAWA may request certification that the applicant or tenant is a victim of VAWA violence/abuse. 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.

EMERGENCY TRANSFER REQUEST FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

Confidentiality Note: Any personal information you share in this form will be maintained by your covered housing provider according to the confidentiality provisions below.

Purpose of Form: If you are a tenant of housing assisted under a covered housing program, or if you are receiving transitional housing or rental assistance under a covered housing program, you may use this form to request an emergency transfer and certify that you qualify for an emergency transfer under the Violence Against Women Act (“VAWA”). This form refers to domestic violence, dating violence, sexual assault, or stalking as “VAWA violence/abuse.”

VAWA protects individuals and families regardless of a victim’s age, sex, or marital status.

You may request an emergency transfer when:

1. You (or a household member) are a victim of VAWA violence/abuse;
2. You expressly request the emergency transfer; **AND**
3. **EITHER**
 - a. you reasonably believe that there is a threat of imminent harm from further violence, including trauma, if you (or a household member) stay in the same dwelling unit; **or**
 - b. if you (or a household member) are a victim of sexual assault, either you reasonably believe there is a threat of imminent harm from further violence, including trauma, if you (or a household member) stay in the unit, or the sexual assault occurred on the premises and you request an emergency transfer within 90 days (including holidays and weekend days) of when that assault occurred.

A covered housing provider, in response to an emergency transfer request, should not evaluate whether you are in good standing as part of the assessment or provision of an emergency transfer. Whether or not you are in good standing does not impact your ability to request an emergency transfer under VAWA.

However, submitting this form does not necessarily mean that you will receive an emergency transfer. See your covered housing provider’s VAWA Emergency Transfer Plan for more information about VAWA emergency transfers and see “Notice of Occupancy Rights Under the Violence Against Women Act,” Form HUD-5380, for additional housing rights you may be entitled to.

Am I required to submit any documentation to my covered housing provider? Your covered housing provider may request documentation proving that you, or a household member, are a victim of VAWA violence/abuse, in addition to completing this emergency transfer request form. The request can be met by completing and submitting the VAWA Self-certification Form (Form HUD-5382), unless the covered housing provider receives conflicting information about the VAWA violence/abuse. If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you may, instead, choose to submit that documentation to your covered housing provider. See “Notice of Occupancy Rights Under the Violence Against Women Act,” Form HUD-5380, for more information.

Will my information be kept confidential? Whenever you ask for or about VAWA protections, your covered housing provider must keep any information you provide about the VAWA violence/abuse or the fact you (or a household member) are a victim, including the information on this form, strictly confidential. This information should be securely and separately kept from your other tenant files. This information can only be accessed by an employee/agent of your covered housing provider if (1) access is required for a specific reason, (2) your covered housing provider explicitly authorizes that person’s access for that reason, **and** (3) the authorization complies with applicable law. This information will not be given to anyone else or put in a database shared with anyone else, unless your covered housing provider (1) gets your written permission to do so for a limited time, (2) is required to do so as part of an eviction or termination hearing, **or** (3) is required to do so by law.

In addition, your covered housing provider must keep your address strictly confidential to ensure that it is not disclosed to a person who committed or threatened to commit VAWA violence/abuse against you (or a household member).

What if I need this information in a language other than English? To read this in Spanish or another language, please contact [INSERT COVERED HOUSING PROVIDER'S CONTACT INFORMATION; FOR HOPWA PROVIDERS – INSERT GRANTEE NAME AND CONTACT INFORMATION] or go to [INSERT WEBSITE, IF APPLICABLE]. You can read translated VAWA forms at https://www.hud.gov/program_offices/administration/hudclips/forms/hud5a#4. If you speak or read in a language other than English, your covered housing provider must give you language assistance regarding your VAWA protections (for example, oral interpretation and/or written translation).

Can I request a reasonable accommodation? If you have a disability, your covered housing provider must provide reasonable accommodations to rules, policies, practices, or services that may be necessary to allow you to equally benefit from VAWA protections (for example, giving you more time to submit documents or assistance with filling out forms). You may request a reasonable accommodation at any time, even for the first time during an eviction. If a provider is denying a specific reasonable accommodation because it is not reasonable, your covered housing provider must first engage in the interactive process with you to identify possible alternative accommodations. Your covered housing provider must also ensure effective communication with individuals with disabilities.

Need further help? For additional information on VAWA and to find help in your area, visit <https://www.hud.gov/vawa>. To speak with a housing advocate, contact [ENTER CONTACT INFO FOR LOCAL ADVOCACY AND LEGAL AID ORGANIZATIONS].

TO BE COMPLETED BY OR ON BEHALF OF THE TENANT REQUESTING AN EMERGENCY TRANSFER

1. **Name(s) of victim(s):** _____
2. **Your name (if different from victim's):** _____
3. **Name(s) of other household member(s):** _____

4. **Name(s) of other household member(s) who would transfer with the victim:** _____

5. **Name of the perpetrator (if known and can be safely disclosed):** _____
6. **Address of location from which the victim seeks to transfer:** _____

7. **Current Unit Size (# of bedrooms):** _____
8. **What is the safest and most secure way to contact you? (You may choose more than one.)**
If any contact information changes or is no longer a safe contact method, notify your covered housing provider.

☐ Phone Phone Number: _____
Safe to receive a voicemail: ☐ Yes ☐ No

☐ E-mail E-mail Address: _____
Safe to receive an email: ☐ Yes ☐ No

☐ Mail Mailing Address: _____
Safe to receive mail from your housing provider: ☐ Yes ☐ No

☐ Other Please List: _____

9. Anything else your housing provider should know to safely communicate with you?

10. What features are requested for a safe unit? You may list here any information that would facilitate a suitable transfer, such as accessibility needs, and a description of where it is safe or unsafe for you to live.

(Please note that the ability to provide an emergency transfer is based on unit availability.)

- | | |
|---|--|
| ☐ New Neighborhood | ☐ New Building |
| ☐ First Floor unit | ☐ Second Floor unit (and above) |
| ☐ Near an Exit | ☐ Well-lit hallways/walkways |
| ☐ 24-hour Security | ☐ Accessible unit |
| ☐ Other: _____ | |
-

11. To approve your request for an emergency transfer, your covered housing provider may require that you provide written documentation that you (or a household member) are a victim of VAWA violence/abuse. Your covered housing provider must make this request for documentation in writing. You can choose to submit **any one** of the following types of documentation:

- Form HUD-5382 *Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation*, which asks your name and the perpetrator's name (if known and safe to provide);
- A document signed by a victim service provider, attorney, mental health professional, or medical professional who has helped you address the VAWA violence/abuse. The professional must state "under penalty of perjury" that he/she/they believe in the occurrence of the incident of VAWA violence/abuse and that it is covered by VAWA. Both you and the professional must sign the statement;
- A police, administrative, or court record (such as a protective order) that shows you (or a household member) are a victim of VAWA violence/abuse; OR
- If permitted by your covered housing provider, a statement or other evidence provided by you.

Certification of Tenant: By signing below, I am certifying that the information provided on this form is true and correct to the best of my knowledge and recollection, and that I meet the conditions described on this form to qualify for an emergency transfer.

Signature _____

Date _____

Public reporting burden for this collection of information is estimated to average 20 minutes per response. This includes the time for collecting, reviewing, and reporting. 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. Covered housing providers in programs covered by VAWA may ask for a written request for an emergency transfer for a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking. Housing providers may distribute this form to tenants and tenants may use it to request an emergency transfer. The information is subject to the confidentiality requirements of VAWA. 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.