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## NY-CoC 603 (Nassau/Suffolk)

### Emergency Transfer Request Policy & Form for victims of domestic violence, dating violence, sexual assault, and/or stalking

**Purpose of form:** If you are a tenant who receives rental assistance, transitional housing, or supportive housing through the Long Island CoC (serving Nassau and Suffolk counties), and you are experiencing domestic violence, dating violence, sexual assault or stalking (also known as “VAWA violence/ abuse”), you may meet the conditions to request an emergency transfer under the Violence Against Women Act (VAWA). Submitting this form does not necessarily mean that you will receive an emergency transfer. You may request a copy of your covered housing provider’s VAWA Emergency Transfer Plan free of charge for more information about VAWA emergency transfers.

**How do I know if the housing program I am in is covered by this policy?** A list of CoC and ESG funded programs is listed in Appendix A. You can also ask your program’s VAWA Liaison (listed in the VAWA Lease Addendum attached to your lease), or check this [List of CoC Programs](#).

**VAWA protects individuals and families regardless of a victim’s age or actual or perceived sexual orientation, gender identity, sex, or marital status.**

Any personal information you share in this form will not be collected nor maintained by HUD, but will be maintained by your covered housing provider according to the confidentiality provisions below.

#### 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 are a victim, including the information on this form, strictly confidential. This information can only be accessed by an employee/agent of your covered housing provider, if there is a reason that specifically calls for that access, your covered housing provider explicitly authorizes that person’s access for that reason, and 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).

#### You may request an emergency transfer when:

- (1) You (or a household member) are a victim of VAWA violence/abuse;
- (2) You specifically request the emergency transfer; **and either**
- (3)
  - (A) you reasonably believe that there is imminent harm from further violence or trauma if you (or a household member) stay in your housing; **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 or trauma if you or a household member stays in your housing, or the sexual assault occurred on the premises during the 180-calendar-day (six month) period preceding your request for an emergency transfer.

Whether or not a tenant is in good standing does not impact their ability to request an emergency transfer under VAWA.

#### Am I required to submit any documentation to my covered housing provider?

In addition to completing this emergency transfer request form, you may be asked to certify that you, or a household member, are a victim of VAWA violence/abuse. This request can be met by completing and submitting the VAWA Self-Page 1 of 12

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certification Form ([Form HUD-5382](#)). Your covered housing provider is only allowed to request third-party documentation to support your application if they receive conflicting information about the VAWA violence/abuse.

You may choose to provide third-party documentation that demonstrates why you are eligible for an emergency transfer instead of or in addition to a self-certification. Examples of third-party documentation include, but are not limited to: a letter or other documentation from a victim service provider or other professional from whom you have sought assistance; a current restraining order; a recent court order or other court records; a law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts.

#### **What if I need this information in a language other than English?**

This link will take you to translated [VAWA HUD forms](#). If you speak or read in a language other than English, your 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, your covered housing provider must first engage in the interactive process to identify an alternative accommodation for you. Your covered housing provider must also ensure effective communication with individuals with disabilities.

#### **What type of transfer is available to me?**

- **Internal:** when a new unit is available through your current housing provider, you will be offered an *internal transfer*, allowing you to remain enrolled in your current program while transferring to a new unit. Consider this type of transfer if you feel safe working with your current program and the services meet your needs.
- **External within program type:** when an internal transfer isn't possible or you do not feel safe in the internal transfer unit offered, an *external transfer within program type* will allow you to transfer to a new unit funded by a different agency. For example, Agency A RRH → Agency B RRH, Agency A PSH → Agency B PSH. Consider this type of transfer if the program support you are receiving meets your needs, but you do not feel safe in the location and/or working with the staff at your current program.
- **External to different program type:** when an internal transfer isn't possible or you do not feel safe in the internal transfer unit offered, AND you believe that you need a different level of support than your current program provides, an *external transfer to a different program type* may be possible. For example, if you believe you need more support, you may request a transfer from RRH → PSH. If you believe you need less support, you may request a transfer from PSH → RRH. This type of transfer may require you to demonstrate that you meet the minimum eligibility for this type of program. Consider this type of transfer if you need more or less support than your current program provides and you believe you meet the eligibility criteria of the program you wish to transfer to.
- **External transfer to non-supported housing:** in some instances, the person who qualified for the covered housing program is the person who has caused you harm and is listed as the tenant on the unit you are living in. If you are not eligible on your own to remain in the covered housing program, you may be offered up to 90 days (or until the end of the current lease if less than 90 days) to (a) qualify for other CoC funded housing programs or to locate private or independent housing to move to.

Please note that preferences for a specific transfer type may increase the length of time for transfer. Requests for a project type transfer will depend on whether a vacancy is available and whether you meet minimum eligibility requirements for that program.

**Process to submit a request:**

1. Fill out the VAWA Emergency Transfer Request Form below.
2. Include a Self-Certification of VAWA violence and/or supporting documentation if available and safe.
3. Submit to the VAWA Liaison at your covered housing program. To find your liaison you may look at your VAWA Lease Addendum attached to your program lease.
4. If you prefer to work with someone outside of your covered housing program, you can request assistance from Coordinated Entry to navigate the transfer process and connection to safety planning. [include process]
5. You will be offered resources and a referral for safety planning and other survivor services. It is completely up to you which resources and referrals you wish to accept.
6. The VAWA Liaison will review and respond to your request within X business days.
7. If you are asked to provide additional supporting documentation, you will be given 14 business days to do so.

**Domestic Violence and VAWA Resources:**

- The Safe Center Long Island 24/7 hotline: 516-542-0404
- Domestic Violence Resource guide: [LI Homelessness Domestic Violence Resources](#)
- General Resource Guide: <https://www.lihomeless.org/community-resources>
- For additional information on VAWA and to find help in your area, visit <https://www.hud.gov/vawa>.

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## VAWA Emergency Transfer Request Form

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

1. Name(s) of the tenant or occupant requesting transfer: \_\_\_\_\_

2. Your name (if different from person requesting transfer): \_\_\_\_\_

3. Name(s) of other household member(s): \_\_\_\_\_  
\_\_\_\_\_

4. Name(s) of other household member(s) who would transfer with the person requesting a transfer: \_\_\_\_\_  
\_\_\_\_\_

5. Address of location from which the tenant/ occupant seeks to transfer: \_\_\_\_\_  
\_\_\_\_\_

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

Phone Phone Number: \_\_\_\_\_

E-mail E-mail Address: \_\_\_\_\_

Mail Mailing Address: \_\_\_\_\_

Other Please List: \_\_\_\_\_  
\_\_\_\_\_

7. Is there anything else your housing provider should consider to make sure you are safe when they need to communicate with you?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Name of the person(s) who has/have caused you harm (if known and can be safely disclosed):

\_\_\_\_\_

9. What type of housing program would the tenant want to be transferred into?

- Rapid Rehousing (RRH): medium term rental assistance with supportive services
- Permanent Supportive Housing (PSH): ongoing rental subsidy with supportive services
- Single Point of Access (SPA): ongoing rental subsidy with supportive services for people with severe and persistent mental illness

10. What features are requested for a safe unit? Please check off/ 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.)

- |   |  |
|---|--|
| <input type="checkbox"/> New Neighborhood | <input type="checkbox"/> New Building                  |
| <input type="checkbox"/> First Floor unit | <input type="checkbox"/> Second Floor unit (and above) |
| <input type="checkbox"/> Near an Exit     | <input type="checkbox"/> Well-lit hallways/walkways    |
| <input type="checkbox"/> 24-hour Security | <input type="checkbox"/> Accessible unit               |
| <input type="checkbox"/> Other:           |  |

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**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 entered on this form is true and correct to the best of my knowledge, and that I meet the conditions described on this form to qualify for an emergency transfer.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**\*\*\*To filled out by Coordinated Entry staff only\*\*\***

This application has been:

- Approved
- Denied. List reason for denial: \_\_\_\_\_
- Further information is needed to complete review

Additional information requested:

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Reason for denial (if applicable):

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Next steps for emergency transfer:

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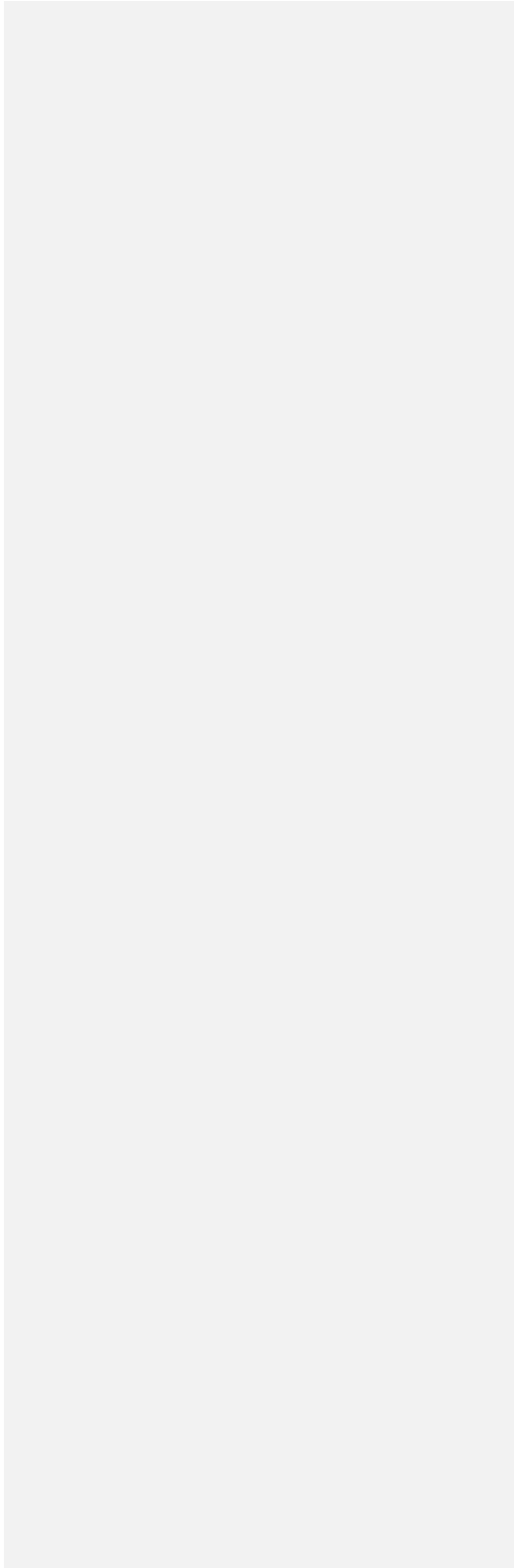
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Name of CE reviewer: \_\_\_\_\_

Date: \_\_\_\_\_



### **Review of Emergency Transfer Requests**

**Step 1: Request additional information** to support the eligibility of a tenant requesting a VAWA Emergency Transfer request if needed. This request must happen within 3 business days. Transfer requests will be considered if the tenant meets the eligibility criteria for a VAWA Emergency Transfer. Under VAWA, a survivor may self-certify their VAWA violence and is the sole determiner of whether or not they feel safe in their current unit/ site. If conflicting information arises, it is permissible to request third party documentation in support of a VAWA Emergency Transfer request. For example, if both adult tenants in a unit submit a self-certification stating they are a victim of VAWA violence at the hands of the other party, it is permissible to request third party documentation of abuse within 14 business days to help substantiate who is eligible for the VAWA Emergency Transfer request. Under step 1, a reviewer may request written certification of VAWA violence (self-certification is sufficient) or third party documentation in the event of conflicting information submitted.

**Step 2: Notify the requestor if their application was approved or denied.** Written responses will be provided to the tenant requesting a VAWA Emergency Transfer within 3 business days of receiving additional information needed to verify eligibility. All written notifications will be delivered in a confidential manner, taking care to prevent the named perpetrator from intercepting communications.

**Step 3: Connect to safety planning.** All participants requesting an emergency transfer will be offered a connection with The Safe Center Long Island for safety planning services. A participant may accept or decline this referral as they wish. Additional resources to share can be found in the Domestic Violence Resource guide: [LI Homelessness Domestic Violence Resources](#) and the General Resource Guide: <https://www.lihomeless.org/community-resources>

**Step 4: Offer internal transfers** if the program has the flexibility to move a household to a new unit without waiting for a vacancy. This will limit the delay in relocating households at-risk of harm. Participants may reject an internal transfer if they do not feel safe in the current location or unit, and/or if they do not feel safe continuing to work with the current program.

**Step 5: Determine eligibility for external transfers.** When an internal unit is not immediately available and/or is not deemed safe by the tenant requesting an emergency transfer, for those with approved transfer requests to relocate into following the review of the request. There are a limited number of permanent supportive housing beds with low-turnover rates. Participants approved for a VAWA Emergency Transfer retain their original homelessness status/ chronicity from their entry to the program they are asking to transfer from. Participants must only meet the minimum eligibility criteria for the program.

- **Rapid rehousing (RRH):** For mainstream programs, households must have been literally homeless at the time of admission (HUD Category 1: Literally Homeless). For a domestic violence RRH project, participants must meet HUD Category 1 or HUD Category 4 (Fleeing or attempting to flee domestic violence, dating violence, sexual assault or stalking). Households certified as eligible for a VAWA Emergency Transfer are also eligible for a DV RRH program. ***A RRH transfer is possible only within the number of months left in a program participant's rental assistance period. A VAWA Emergency Transfer does not, by itself, extend the period of assistance.*** If a household is unsure of how long they have been in the rental assistance period, they can ask their program contact (Case Manager, VAWA Liaison, etc.) for a total number of months they have been in the program.
- **Permanent supportive housing (PSH):** Households must have had chronic homeless status (homeless for a minimum of one year and have a documented disability) prior to program admission to be eligible for a transfer to PSH.

- **Single Point of Access (SPA):** Households must have been homeless for a minimum of one year prior to program admission and have a documented serious mental illness to be eligible for a transfer to a SPA unit. The SPA office will confirm eligibility for Office of Mental Health Supportive Housing (OMH) programs. Coordinated Entry will make the final determination on VAWA transfer eligibility.

Category 4 Homelessness: Any household who is experiencing trauma or a lack of safety related to, or fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual's or family's current housing situation, including where the health and safety of children are jeopardized; has no other safe residence; and lacks the resources to obtain other safe permanent housing.

#### **Prioritization**

In accordance with HUD regulations, if program participants qualify for an emergency transfer but a safe unit is not immediately available for an internal emergency transfer, the individual or family shall have priority over all other applicants for rental assistance, transitional housing, and permanent supportive housing projects funded under this part, provided that the individual or family meets the minimum eligibility criteria. The individual or family shall not be required to meet any other eligibility criteria or preferences for the project. The individual or family shall be given the choice of which lists (DV RRH, non DV RRH, PSH) they prefer to be placed on, based on what they are eligible for.

**Step 6: Offer transitional case management services.** Case management services available at the time of emergency transfer include:

- Safety planning
- Referral to counseling / crisis resources
- Housing problem-solving & referral
- Assistance with obtaining documentation required for permanent housing eligibility
- Housing search
- Family mediation/support
- Referral to legal advocacy
- Moving assistance
- School & childcare coordination

Under VAWA 2022, CoC funded housing providers may shift up to 10% of funds from another eligible activity category to VAWA eligible activity category without a grant amendment. VAWA eligible activities include: moving costs, travel costs, security deposits, utilities, housing fees, case management, housing navigation, and technology to make an available unit safe.

#### **Preventing Family Separation**

When it is safe to do so, ensuring that families are not separated is always the goal. If the specific circumstances do not allow for households to stay together, provide safety planning for the family members experiencing violence and housing problem solving for all members of the household. For



example: based on safety considerations and/or unique circumstances, if children needed to be separated from the head of household temporarily, immediate and temporary safe housing accommodations will be sought such as with other family, friends, or other support networks with a long-term/permanent goal of family reunification. DSS may be a good partner in this process.

### **Provider roles & responsibilities**

#### Housing providers (PSH and RRH):

- Ensure all participants are informed of their right to request a VAWA Emergency Transfer once enrolled in the program and at regular intervals, as needed.
- As part of regular case management, communicate with program participants about any potential challenges or issues that may jeopardize housing stability and/or safety.
- Assist in submitting VAWA Emergency Transfer requests if the participant requests assistance. Provide and/or leverage safety planning supports.
- Explore the possibility of being able to relocate the household to another unit within the program (internal transfer) and explore all housing opportunities that would provide safe and stable housing to the household (including external transfer to a different PSH or RRH program, exiting the program with other supports, etc.)
- Obtain relevant eligibility documentation for any type of transfer.
- Coordinate with Coordinated Entry and Domestic Violence Coordinated Entry in regard to safety planning, transfers, and physical moves.

#### Housing providers (PSH and RRH) receiving a transferring participant:

When a participant does not feel comfortable working with their current housing provider through the transfer process, the housing provider receiving the transfer will assist with:

- Coordinating service provision during the transitional period.
- Assist in obtaining eligibility documentation with the assistance of Coordinated Entry.
- For all received transfers, housing providers are expected to coordinate with Coordinated Entry and Domestic Violence Coordinated Entry in regard to safety planning, transfers, and physical moves.

#### Coordinated Entry:

- Ensure all participants referred are informed of their right to request a VAWA Emergency Transfer.
- Review all external emergency transfer requests.
- Verify eligibility and help to obtain relevant documentation.
- Provide referrals to available crisis response, safety planning, and other needed resources.
- Coordinate with housing providers to facilitate transfers and/or housing search.
- When a VAWA Emergency Transfer Request is received from a participant in a non-CoC program (like the Housing Authority), obtain consent from the requestor to share the request directly with the covered housing program to expedite assistance.

Domestic Violence Coordinated Entry:

- Ensure all participants referred are informed of their right to request a VAWA Emergency Transfer.
- Safety planning with all households that submit an emergency transfer request.
- Provide referrals to available crisis response, safety planning, and other needed resources.
- Coordinate with housing providers to facilitate transfers and/or housing search.
- When a VAWA Emergency Transfer Request is received from a participant in a non-CoC program (like the Housing Authority), obtain consent from the requestor to share the request directly with the covered housing program to expedite assistance.

Safety Planning CoC and ESG Practice Standards:

- The program will seek to ensure that households have a safe and stable living environment that minimizes any threats or acts of harm, violence, harassment, or other forms of abuse.
- Programs are expected to have safety planning policies and procedures in place to ensure an immediate, appropriate, and consistent response to any reported risk of violence or harm to a client.
- Programs are expected to meet with clients in a location and at times that where the client feels safe and comfortable.
- Programs are expected to utilize the CoC's VAWA Emergency Transfer Policy in all applicable situations. VAWA Emergency Transfer requests also connect each household to DV CE for additional safety planning support.
- All program participants should be informed how to report a risk of violence, both to the provider, CE, and other local crisis response resources in the community.
- All program participants will receive updated crisis resources on domestic violence, dating violence, sexual assault and stalking annually. Individual participants will additionally receive these resources at point of disclosure of violence.

Additional Safety Plan Policy and Procedure Considerations:

- Incorporating harm reduction practices to ensure safety and housing retention.
- Preparedness for participants experiencing mental health crises and/or suicidal ideation.
- Preparedness for participants experiencing behavioral health and physical health risks and challenges.

Additional Guidance and Resources:

- [Creative Interventions Toolkit "Mapping Allies and Barriers: Who Can Help?"](#)
- <https://vawnet.org/material/it-takes-village-people-advocacy-friends-and-family-lgbt-survivors-abuse>
- <https://safehousingpartnerships.org>

## **Appendix A: List of Continuum of Care (CoC) and Emergency Solutions Grant (ESG) projects whose participants are eligible for an emergency transfer under this policy**

### **Nassau County Permanent Supportive Housing Programs for Chronically Homeless Households (9):**

- **Catholic Charities** operates two PSH programs that serve chronically homeless families and single adults
- **Options for Community Living** operates two PSH that serve chronically homeless families and single adults, some beds require mental health
- **SAIL** operates one PSH program that serves chronically homeless single adults, SPA required
- **FREE** operates one PSH program that serves chronically homeless single adults
- **Concern for Independent Living**- operates 1 PSH project serving chronically homeless single adults
- **Circulo de la Hispanidad** operates one PSH program that serves chronically homeless single adults and families
- **HELP USA** operates one PSH program that serves chronically homeless families
- **Mental Health Association of Nassau County** operates one PSH program that serves chronically homeless single adults

### **Suffolk County Permanent Supportive Housing Programs for Chronically Homeless Households (8):**

- **Concern for Independent Living** operates 2 PSH programs serving chronically homeless single adults and families, SPA required
- **FREE** operates one PSH program that serves chronically homeless single adults and families
- **Suburban** operates one PSH program serving chronically homeless families
- **United Veterans Beacon House** operates two PSH programs serving chronically homeless single adults and families
- **Association for Mental Health and Wellness** operates one PSH serving chronically homeless single adults
- **TSLI** operates one PSH serving chronically homeless single adults, SPA required

### **Nassau County Rapid Rehousing Programs Targeted to Serve Long-Term Homeless Families (2):**

- **SUS** operates one RRH program serving long-term homeless families and single adults

- **Options for Community Living** operates one RRH serving long-term homeless families and single adults

#### **Suffolk County Rapid Rehousing Programs Targeted to Serve Long-Term Homeless Families (3):**

- **FSL** operates one RRH program serving long-term homeless families and single adults
- **EOC of Suffolk** operates two RRH programs serving long-term homeless families and single adults
- **SUS** operates one RRH program serving long-term homeless families and single adults

#### **Rapid Rehousing Programs for Households Actively Fleeing Domestic Violence (4):**

- **The Safe Center LI** operates one RRH program for victims of domestic violence
- **Circulo de la Hispanidad** operates a RRH program for victims of domestic violence
- **Brighter Tomorrows** operates one RRH program for victims of domestic violence
- **SEPA Mujer** operates one RRH program for victims of domestic violence

#### **Rapid Rehousing Programs for Youth (1):**

- **Hope For Youth** operates one TH-RRH program for youth