**Housing Authority of Travis County (HATC)**

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

**Emergency Transfers**

**The Housing Authority of Travis County** is concerned about the safety of its program participants in the Housing Choice Voucher Program (HCV), Project Based Rental Assistance Program (PBRA) and Project Based Program (PB). Such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),[[1]](#footnote-2) HATC allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant’s current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.[[2]](#footnote-3) The ability of HATC to honor such request for tenants currently receiving assistance, however; may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether HATC has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees the HCV, PBRA, and PB programs.

**Eligibility for Emergency Transfers**

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD’s regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if:

* the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit; or
* the tenant is a victim of sexual assault; the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

**Emergency Transfer Request Documentation**

To request an emergency transfer, the tenant shall notify HATC’s management and do the following:

HCV, PBRA, and PB: The tenant shall notify the housing specialist and submit a written request for a transfer to another unit. The Housing Specialist will provide the tenant with an Emergency Transfer Request form. HATC will provide reasonable accommodations to this policy for individuals with disabilities.

The tenant’s written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under HATC’s program; OR

2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant’s request for an emergency transfer.

**Confidentiality**

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

* the tenant gives HATC written permission to release the information on a time limited basis; or
* disclosure of the information is required by law; or
* disclosure is required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program.

This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about HP’s responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

**Emergency Transfer Timing and Availability**

HATC cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. HATC will act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit.

Tenants can request internal and external transfer moves. Internal transfer moves are moves within the same program. External transfer moves are moves that cross over to a different program. Requests can be made simultaneously to allow for the safest opportunity for the tenant to move.

**HCV tenants:** Upon receipt of the Emergency Transfer Move Request and verification of being a victim of domestic violence, dating violence, sexual assault, or stalking, the housing specialist will provide the tenant with a rescission form to be completed by the tenant and current landlord. Other written forms of communication such as emails acknowledging and confirming the emergency transfer move will also be accepted from landlord and tenant.

* **Internal Transfer Move Options:** The tenant will be issued a voucher, which can be used to locate a new unit within HATC’s voucher jurisdiction where the family feels safe. The family has the option to use the portability feature of the voucher and move to another jurisdiction where an HCV program is administered.
* **External Transfer Move Options:** The tenant will be given the opportunity to place their name on the waiting list for any of HATC’s Project Based units if the tenant is 55 or older or any of the PBRA properties where the family feels safe, even if the waiting list for that property is closed. This placement of the waiting list is done with a preference that will move the family to the top of the list. The process will be streamlined to assist the family with moving as quickly as possible.

**PB and PBRA tenants:** Upon receipt of the Emergency Transfer Move Request and verification of being a victim of domestic violence, dating violence, sexual assault, or stalking, the housing specialist/ property manager will assist the tenant with both internal and external move options.

* **Internal Transfer Move Options:** The tenant will be given the opportunity to place their name of the waiting list for any of HATC’s PBRA properties where the family feels safe even if the waiting list for that property is closed. The placement on the waiting list is done with a preference that will move the family to the top of the waiting list. If the tenant reasonable believes, a proposed internal transfer would not be safe; the tenant may reject the transfer offer and request a transfer to a different unit.
* **External Transfer Move Options:** When voucher funding is available, the tenant may request to be placed on the housing choice voucher waiting list with an emergency preference, even if the list is closed. With a voucher, the family can locate a new unit within HATC’s voucher jurisdiction where the family feels safe. The family can also use the portability feature of the voucher and move to the jurisdiction of any other Public Housing Authority that administers the HCV program. The process will be streamlined to assist the family with moving as quickly as possible.

If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available within HATC, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit and program to which the tenant transferred. HATC may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If HATC has no safe and available units for which a tenant who needs an emergency is eligible, HATC will assist the tenant in identifying and referring to other housing providers or local organizations who offer assistance. At the tenant’s request, HATC will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

**Safety and Security of Tenants**

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network’s National Sexual Assault Hotline at 800-656-HOPE, or visit the online hotline at https://ohl.rainn.org/online/.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime’s Stalking Resource Center at https://www.victimsofcrime.org/our-programs/stalking-resource-center.

**Attachment:** Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.

* Safe Place

24/7 Hotline

512-267-SAFE (7233)

* The Salvation Army Shelter for Women and Children

4523 Tannehill Lane

Austin, Texas 78721

512-933-0600

* Casa Marianella

821 Gunter St.

Austin, Texas 78702

512-928-8862

* Asian Family Support Services of Austin

Hotline: 1-877-281-8371

Local: 512-651-3743

**Travis County Health and Human Services Community Centers**

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| **Name/ Location** | **Address** | **Phone** |
| Palm Square | 100 N IH 35 Suite 2000 Austin, TX 78701 | 512-854-4120 |
| Del Valle | 3518 FM 973 S Del Valle, TX 78617 | 512-854-1520 |
| Post Road | 2201 Post Rd. Suite 101 Austin, TX 78704 | 512-854-9130 |
| Manor | 600 W Carrie Manor St. Manor, TX 78653 | 512-854-1550 |
| Pflugerville | 15822 Foothill Farm Loop Pflugerville, TX 78660 | 512-854-1530 |
| Oak Hill | 8656 W HWY 71 Oak Hill, TX 78735 | 512-854-2130 |

**City of Austin Neighborhood Centers**

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| Blackland | 2005 Salina St. Austin, TX 78722 | 512-972-5790 |
| East Austin | 211 Comal St. Austin, TX 78702 | 512-972-6650 |
| Montopolis | 1416 Montopolis Dr. Austin, TX 78741 | 512-972-6650 |
| Rosewood | 2800 Webberville Rd. Austin, TX 78702 | 512-972-6740 |
| South Austin | 2508 Durwood St. Austin, TX 78704 | 512-972-6840 |

1. Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation. [↑](#footnote-ref-2)
2. Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status. [↑](#footnote-ref-3)