



# AUSTIN/TRAVIS COUNTY COC

## **VAWA POLICIES AND PROCEDURES AND**

## **VAWA EMERGENCY TRANSFER PLAN**

ECHO Housing Protections Workgroup

# WHAT IS VAWA?

The Violence Against Women Act (VAWA) is a federal law that, in part, provides housing protections for people applying for or living in units subsidized by the federal government and who have experienced domestic violence, dating violence, sexual assault, or stalking, to help keep them safe and reduce their likelihood of experiencing homelessness. VAWA Protections are eligible to all individuals regardless of sex, gender identity, or sexual orientation.

## WHAT IS A VAWA EMERGENCY TRANSFER PLAN?

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Allows victims of domestic violence, dating violence, sexual assault, or stalking to transfer/move to another available and safe unit within the HUD covered housing program or, when available, another HUD covered program. A survivor can request for an emergency transfer if:

1. The survivor specifically requests for a transfer
2. The survivor reasonably believes there is a threat of imminent harm from further domestic violence\* if they remain in their unit

## WHY ARE WE DISCUSSING THIS TODAY?

1. VAWA Policies and Procedures and VAWA Emergency Transfer documents were last approved by “Membership Council” on 6/4/2018. Approximately every 5 years, the Violence Against Women Act is reauthorized. The most recent expansion to the law was in 2022.
2. HUD documents have been updated; as a result, ECHO will need to update links on referenced materials/website
3. Housing protections for survivors have been added to the Texas Property Code 92.1061: Survivors of family violence, stalking, or sexual violence can terminate their lease early without liability
4. The workgroup amended the resource page to local agencies, included a frequently asked question section, and references to Texas Laws, which provide additional support to survivors

# ADDITIONS TO POLICIES AND PROCEDURE DOCUMENT

Page 2 Section C- VAWA Requirements: "A person may not be retaliated against for seeking VAWA Emergency Transfer Services or VAWA housing Protections"

## C. VAWA Requirements

Austin/Travis County CoC and ESG providers must implement and document procedures to ensure compliance with the rules set forth in § 578.99(j) of the CoC Interim Rule:

- Persons may not be denied assistance, terminated from assistance or evicted as a result directly related to experiencing domestic violence, dating violence, sexual

<sup>4</sup> includes violence committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who —

(A) is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;

(B) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

(C) shares a child in common with the victim; or

(D) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

assault, or stalking, regardless of sex, gender identity, gender expression or actual or perceived sexual orientation.

- CoC-funded programs must inform participants of their Notice of Occupancy Rights and the VAWA Self-Certification Form for documenting the incidents of domestic violence, dating violence, sexual assault, or stalking.
- Providers are to adhere to the CoC's adopted VAWA Emergency Transfer Plan procedures and protocols.
- CoC programs must record the number of VAWA Emergency Transfer requests received and the outcomes associated with those requests.
- All housing providers will provide reasonable accommodations under the policy for individuals with disabilities
- A person may not be retaliated against for seeking VAWA Emergency Transfer Services or VAWA housing Protections

## D. Prohibitions on Denying, Terminating, and Evicting Protected Program Participants

# ADDITIONS TO POLICIES AND PROCEDURE DOCUMENT

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Page 3 Section D: “Has the right to seek law enforcement or emergency assistance for themselves or others without being penalized by local laws or policies for these requests or because they were victims of criminal activity.”

Page 3 Section E: HUD forms 5380 and 5382 have the most up to date links to the documents available on HUDs website.

- Has the right to seek law enforcement or emergency assistance for themselves or others without being penalized by local laws or policies for these requests or because they were victims of criminal activity.

## E. Providing Notice of VAWA Protections

All CoC-funded housing providers and ESG-funded Homelessness Prevention and Rapid Rehousing providers must provide notice to program applicants and participants of their rights under VAWA.

CoC program grantees must document that clients were informed of their rights and provided copies of the notices. A signed copy of the acknowledgement must be maintained in the client's file. HUD provides detailed guidance on the scope and timing of this requirement in 24 CFR 578.99(j)(4) and 24 CFR 5.2005(a).

- 1) All CoC-funded programs must provide applicants and participants with the following documents:<sup>2</sup>
  - a) [HUD Form 5380](#): Notice of Occupancy Rights under the Violence Against Women Act form that explains the VAWA protections, including the right to confidentiality, and any limitations on those protections.
  - b) [HUD Form 5382](#): Certification of Domestic Violence, Dating Violence, Sexual Assault, Stalking or Alternate Documentation form to be completed by the participant to document that the applicant or resident is a victim of domestic violence, dating violence, sexual assault, or stalking.
- 2) HUD forms 5380 and 5382 must be provided to each person seeking or receiving CoC housing assistance at the following times:<sup>3</sup>
  - a) When an individual or family is denied permanent or transitional housing;
  - b) When a program participant is admitted to permanent or transitional housing;
  - c) When a program participant receives notification of eviction, and
  - d) When a program participant is notified of the termination of assistance.
- 3) HUD forms 5380 and 5382 are available in multiple languages [here](#).

# ADDITIONS TO POLICIES AND PROCEDURE DOCUMENT

Pages 7 and 8 Section K:  
“Documenting and reporting Outcomes” then workgroup added- How and what data needs to be collected- provided by Shan

## K. Documenting and Reporting Outcomes

Providers must document requests for emergency transfers, including the outcome of the requests, and are required to report these outcomes to HUD annually. All records related to emergency transfer requests must be retained for three years. All covered housing providers must maintain records on emergency transfers requested under 24 CFR 5.2005(e).

### Data to Be Collected

- Distribution and receipt of the HUD-required Notice of Occupancy Rights under VAWA and VAWA certification forms, including:
  - Timing of notices (admission, denial, eviction/termination, recertification)
  - Availability and provision of notices in multiple languages to support LEP access
- Number of tenants or applicants who submit VAWA certification forms
- Number and outcomes of actions involving VAWA protections, including:
  - Denials of admission, terminations of assistance, or evictions where VAWA protections were asserted
  - Instances where criminal activity related to domestic violence, dating violence, sexual assault, or stalking was cited
- Emergency transfer data collected through each provider’s VAWA Emergency Transfer Plan, including:
  - Number of emergency transfer requests submitted
  - Type of transfer requested (internal or external)
  - Outcomes of requests (approved, denied, pending)
  - Timeframes from request to transfer completion
  - Identification of transfers to a survivor-defined “safe unit”
- Equity indicators disaggregated, where available and appropriate, by race, ethnicity, gender identity, disability status, and LEP (reported only in aggregate and de-identified form)

### How the Data Will Be Collected

- Housing providers will collect this data through:
  - HUD-required VAWA notices and certification forms
  - Records maintained under each provider’s Emergency Transfer Plan
  - Case management and HMIS-aligned data entry processes
- Providers will ensure consistent participation of recipients and subrecipients in HMIS and HMIS-comparable databases for system-level monitoring.
- Aggregated, non-identifying data will be reported to ECHO on a scheduled basis to support oversight and equity analysis.
- ECHO’s HMIS and relevant committees, will review aggregated data to identify disparities, monitor compliance, and inform policy or process improvements.

All data collection will prioritize survivor confidentiality, adhere to VAWA protections, and comply with HUD privacy and data security requirements. Please see: [eCFR :: 24 CFR 5.2005 -- VAWA protections](#)

# ADDITIONS TO POLICIES AND PROCEDURE DOCUMENT

Pages 8 and 9  
Section M. Confidentiality:  
section was added to the  
previous document that did not  
have a section specifically  
about confidentiality.

## M. Confidentiality

All information provided regarding domestic violence, dating violence, sexual assault or stalking, including the fact that an individual is or has experienced such violence or stalking, must be kept confidential. This includes keeping confidential the new location of the dwelling unit of the program participant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the program participant. Confidentiality also means that providers and/or property owner or manager may not:

- Enter the information into any shared database except the authorized DV comparable database;

- Allow employees or others to access the information unless they are explicitly authorized to do so and have a need to know the information for purposes of their work; or
- Provide the information to any other entity or individual, except to the extent that the disclosure is:
  - o Requested or consented to by the individual in writing stating permission to release the information on a time-limited basis;
  - o Required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program; or
  - o Otherwise required by applicable law

If program disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, the program will inform the victim before disclosure occurs so that safety risks can be identified and addressed. [See the Notice of Occupancy Rights](#) under the Violence Against Women Act for All Program Participants for more information about the housing provider's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

# ADDITIONS AND CHANGES TO EMERGENCY TRANSFER PLAN

Updated document for clarification:  
emergency transfers here is in relation to  
current HUD funded resident(s) seeking  
relocation due to safety concern

Consolidated and simplified previous  
definition of what VAWA Emergency Transfers  
are and how the CoC provides support

Added applicable definitions associated with  
VAWA Emergency Transfers including internal  
and external transfers, safe units, and lease  
bifurcation



## Austin/Travis County Continuum of Care (CoC) VAWA Emergency Transfer Plan: Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

### VAWA Emergency Transfers:

The Austin/Travis County Continuum of Care (CoC) prioritizes the safety of tenants in housing programs funded by CoC grants. Under the Violence Against Women Act (VAWA), tenants who are victims of domestic violence, dating violence, sexual assault, or stalking have the right to request an emergency transfer to another unit. VAWA protections are to all eligible individuals regardless of sex, gender identity or sexual orientation.

This emergency transfer plan outlines the eligibility criteria, required documentation, confidentiality protections, process for transfers, and safety guidance for tenants experiencing domestic violence, dating violence, sexual assault, or stalking. It is based on a model developed by HUD, which ensures that the Austin/Travis County CoC and its providers comply with VAWA regulations.

### Applicable Definitions under VAWA:

- **Internal VAWA Emergency Transfer:** transfer to a unit where the program participant would not be categorized as a new applicant. Move-in fees and costs may be associated with an emergency transfer
- **External VAWA Emergency Transfer:** transfer to a new unit where the program participant would be categorized as a new applicant and undergo the application process. Move-in fees and costs may be associated with an emergency transfer
- **Safe Unit:** A unit that a program participant identifies as safe.
- **Lease Bifurcation:** When a covered housing provider removes a household member from a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to a household member who engages in criminal activity directly relating to VAWA violence/abuse (known as "bifurcating" a lease). A housing provider may choose whether to bifurcate the lease, and if it is done, it must be done consistent with applicable federal, state, or local laws and the requirements of the covered housing program. In the event of a lease bifurcation, if a tenant who is causing violence is removed and was the one qualifying the household for housing assistance, the housing provider must allow the remaining members time to establish program eligibility for the same program or a different one, or to find alternative housing. This period is typically 90 days, but may vary by program. (See [24 C.F.R. § 5.2009](#)).

# ADDITIONS AND CHANGES TO EMERGENCY TRANSFER PLAN

Page 2 under “Eligibility for VAWA Emergency Transfers”: Added Texas Property Code 92.0161 which provides further protections to survivors in Texas.

## Eligibility for VAWA Emergency Transfers:

To request an emergency transfer, a program participant must notify the housing program staff (such as a case manager or property management) and submit a written request. The program will provide reasonable accommodations for individuals with disabilities and assist persons with limited English proficiency. A program participant can request an emergency transfer for themselves and their household in a covered housing program if the program participant:

1. Expressly requests the transfer and;
2. Reasonably believes there is a threat of imminent harm from further violence if the program participant remains in the same unit;
3. In the case of sexual assault or stalking, the participant has the right to terminate their lease regardless of where the incident occurred and can request a VAWA emergency transfer during the 90-calendar-day period of when the assault occurred.
4. State law ([Texas Property Code Section 92.0161 – Right to Vacate and Avoid Liability Following Certain Sex Offenses or Stalking](#)) also provides housing protection to survivors of domestic violence, sexual assault, dating violence, and stalking at non-HUD funded housing providers. **See Texas Law.**

Public housing agencies and other covered housing programs must adopt an emergency transfer plan based on a model plan from HUD. This emergency transfer plan must, among other requirements, allow the program participant to make an internal or external emergency transfer (*See [24 C.F.R. § 5.2005\(e\)](#)*).

## Documentation:

Program participants 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. HUD-5382, "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking" Form, provides program participants options as to how program participants want to respond to a covered housing provider's written request for documentation of victim status or the incident(s) of VAWA violence/abuse. If a program participant informs their HUD CoC-funded housing provider (local public housing agency, owner, or manager) that they are a survivor of violence or abuse, the covered housing provider may request that the program participant submit documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, which includes a self-certification form ,e.g., Form-HUD 5382.

# ADDITIONS AND CHANGES TO EMERGENCY TRANSFER PLAN

Page 3 under “Safety and Security of Tenants”: updated links and phone numbers. Also added the SAFE Alliance 24 hour hotline information

Pages 3 and 4: Added section for Early Lease Termination Law for Texas to provide more support to survivors

## Safety and Security of Tenants:

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the program participant is informed about ways to increase safety. For specific resources, participants are encouraged to reach out to:

Domestic Violence: National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For people with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Sexual Assault: Rape, Abuse & Incest National Network’s National Sexual Assault Hotline at 1-800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>.

Stalking: National Center for Victims of Crime’s Stalking Resource Center at <https://victimsofcrime.org/getting-help/>.

SAFE 24hr hotline: 512.267.SAFE (7233); Text: 737.888.SAFE (7233); Chat: [www.safeaustin.org/chat](http://www.safeaustin.org/chat)

## Early Lease Termination for Survivors of Family Violence, Sexual Assault, and/or Stalking under Texas State Law:

Aside from VAWA, Texas state law also gives rights to survivors and their household members to terminate their residential lease without being charged penalties that would otherwise be allowed under the lease. It is always important to first think through when it is appropriate to use this law to end a lease early, such that it would not cause the tenant to lose access to a federal housing subsidy.

If you or someone in your home is a victim of family violence as defined by the Texas Family Code 71.004, you may be eligible to terminate your lease without penalty. Texas property code gives victims of family violence the right to “vacate and avoid liability.” This means a

victim of family violence may break their residential lease without penalty and in some cases, without notice.

For more information:

[Early Lease Termination for Victims of Family Violence | Texas Law Help](#)

[Texas State Law Library - Landlord/Tenant Law](#)

[Sexual Assault and Early Lease Termination | Texas Law Help](#)

Lease termination for victims of family violence, sexual assault and stalking form: [https://tcfv.org/wp-content/uploads/30-day\\_notice\\_vacate.pdf](https://tcfv.org/wp-content/uploads/30-day_notice_vacate.pdf)

# ADDITIONS AND CHANGES TO EMERGENCY TRANSFER PLAN

Page 5: updated links to HUD documents, added FAQ sheet, and VAWA rights overview for better understanding of the law

## Related Documents and Attachments:

- **Attachment A:** Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, [HUD 5383](#)
- **Attachment B:** Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation, [HUD 5382](#)
- **Attachment C:** Notice of Occupancy Rights under the Violence Against Women Act, [HUD-5380](#)
- **Attachment D:** Local Resources
- **Attachment E:** VAWA Rights Overview for Participants
- **Attachment F:** FAQs for VAWA Emergency Transfers

# FREQUENTLY ASKED QUESTIONS ON VAWA EMERGENCY TRANSFERS

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- FAQ/ reference sheet for direct service staff to find the answers to common questions.
- Most of these questions are available on HUD's website and HUD documents.
- VAWA is not just for women
- What protections survivors have as a tenant
- How to prove victimization
- What a lease bifurcation is...
- How a survivor has time to find alternative housing options once a lease bifurcation happens.
- Survivors can still be evicted for lease violations that are not related to the abuse experienced, like not paying their rent portion

## FAQ VAWA Emergency Transfers

### Does VAWA only protect women?

Protections are not limited to women but cover victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation. Consistent with the nondiscrimination and equal opportunity requirements at [24 CFR 5.105\(a\)](#), victims cannot be discriminated against on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age.

### What protections do survivors have under VAWA?

- Cannot be denied admission, evicted, or have their assistance terminated for reasons related to violence/abuse. Ex: having an eviction record, criminal history, bad credit, or etc.
- Must have the option to stay even if there has been criminal activity related to violence/abuse
- Can request for emergency transfer for safety reasons related to VAWA violence/abuse and can move with continued assistance.
- Must be able to provide proof of violence to the housing provider by self certifying. (more information on page 2)
- Have the right to strict confidentiality
- Cannot be retaliated against for seeking or exercising VAWA protections

### Can survivors still be evicted for other reasons not related to violence?

Yes, survivors can still be evicted for repeated lease violations that are not related to the abuse experienced such as not paying rent or property damage.

### Can the perpetrator be evicted or removed from a survivor's lease?

Depending on the specific situation, a 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 survivors and other remaining household members an opportunity to establish eligibility or to find other housing. If survivors cannot or don't want to establish eligibility, then the covered housing provider must give a reasonable time to move or establish eligibility for another covered housing program. This

# FREQUENTLY ASKED QUESTIONS ON VAWA EMERGENCY TRANSFERS

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Page 2 of the FAQ sheet

- HUD's covered housing programs
- Local agencies that can support survivors with VAWA housing protections

amount of time varies, depending on the covered housing program involved. Timeframes for covered housing programs operated by other agencies are determined by those agencies.

**What HUD Programs are covered?**

VAWA applies to these HUD programs:

- [Public Housing](#);
- [Housing Choice Voucher](#);
- [Section 8 Moderate Rehabilitation Single Room Occupancy \(SRO\)](#);
- [Section 202 Direct Loan](#);
- [Section 811 Supportive Housing for Persons with Disabilities](#);
- [Housing Opportunities for Persons With AIDS \(HOPWA\)](#);
- [HOME Investment Partnerships \(HOME\)](#);
- [Emergency Solutions Grants](#);
- [Continuum of Care](#);
- [Section 221\(d\)\(3\)/\(d\)\(5\) Below-market Interest Rate \(BMIR\), Multifamily Rental Assistance](#);
- [Section 236 Multifamily Assistance](#);
- [Housing Trust Fund](#)
- Other Federal housing programs that provide affordable housing to low and moderate-income persons through restricted rents or rental assistance, or other affordable housing opportunities, which HUD identifies as covered by VAWA. This will ordinarily occur in a Notice of Funding Opportunity (NOFO).  
(See [34 U.S.C. § 12491](#).)

**Who can survivors reach out to for assistance with VAWA Protections?**

Domestic violence and sexual assault agencies, attorneys, legal aid, and fair housing agencies

- Austin Tenants Council: 512-474-1961; Legal Counseling and Advocacy
- Texas Rio Grande Legal Aid (TRLA): 956-996-8752; free legal aid
- Texas Advocacy Project (TAP): 800-374-HOPE; free legal services
- The SAFE Alliance: 512-267-7233; advocacy and support for survivors

# FREQUENTLY ASKED QUESTIONS ON VAWA EMERGENCY TRANSFERS

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Page 3 of the FAQ sheet

- Reasonable accommodations information
- If a landlord or housing provider does not comply, survivors have the right to file a complaint through HUD's Office of Fair Housing and Equal Opportunity.
- Lastly, VAWA does not impact state or local laws that provide more housing protections for survivors.

## **Can a survivor request for reasonable accommodations?**

If a survivor has a disability, the covered housing provider must provide reasonable accommodations to rules, policies, practices, or services that may be necessary to allow survivors to equally benefit from VAWA protections (for example, giving more time to submit documents or assistance with filling out forms). Survivors may request reasonable accommodations 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, a covered housing provider must first engage in the interactive process with survivors to identify possible alternative accommodations. Covered housing provider must also ensure effective communication with individuals with disabilities.

## **What if a survivor requires VAWA information and documentation in another language?**

Covered housing providers must give survivors language assistance regarding VAWA protections (ex: oral interpretation, ASL and/or written interpretation)

## **Does VAWA affect other states or local laws?**

VAWA is a federal law, however, it does not impact state or local laws that provide more housing protections for survivors

## **What if a landlord/housing property does not comply with VAWA Emergency Transfer protocol?**

- If survivors believe their VAWA rights have been violated, they can [visit this link to file a complaint with HUD's Office of Fair Housing and Equal Opportunity \(FHEO\)](#). You can also [find out more about the complaint process](#). These sites provide information in multiple languages and include instructions for filing a complaint online on HUD's website and by email, mail, or telephone.
- *Note: HUD is currently updating its complaint form to include VAWA protections. However, you may still use the current complaint form to file a VAWA complaint. On the complaint form, please explain in the narrative section why you believe your VAWA rights were violated.*

**ANY QUESTIONS?**

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# EQUITY ASSESSMENT

## QUESTIONS

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Question 1.

List the priority populations this policy intends to serve.

- Survivors of Domestic Violence, Dating Violence, Sexual Assault, Dating Violence, and Stalking regardless of sex, gender identity, and sexual orientation
- VAWA's housing protections, in part, apply to a survivor if they are applying for or living in shelter, transitional housing, or permanent housing that is subsidized by a federal homeless assistance program or federal affordable housing program.

Score: 5

Question 2.

How have these populations been included in policy creation and review?

- Members of the workgroup identify as survivors of abuse, those with lived experience. The workgroup is diverse in ethnicity and race (LatinX, Hispanic, African American, Caucasian, Indigenous, Native American, survivors of domestic violence, lived experience, formerly incarcerated, involved in rapid rehousing/ HUD-funded housing, experiencing homelessness, people with disabilities, Immigrants). All members reviewed the language of the policy and provided feedback
- Survivors in the group highlighted gaps and recommendations for improvement
- Staff who work directly with victims of violence addressed needs and gaps. Also provided training
- Legal counsel provided technical support and training.

Score: 4

### Question 3.

How does the policy demonstrate cultural awareness and ensure accessibility?

- Created a FAQ document that includes examples and highlights key points for staff and survivors on survivor housing protections.
- Provides information on how to request reasonable accommodations and documentation in different languages
- Policy clarifies that the Violence Against Women Act is for all survivors of violence
- ECHO will include policy updates in newsletters, committee meetings, public meetings and on their website.

Score: 4

### Question 4.

List marginalized groups that could be affected (Please reference the accompanying glossary for populations that have been historically marginalized.)

- BIPOC, LGBTQIA+, Domestic Violence Survivors, Youth, Families with Children, Seniors, People w/ Disabilities (including physical, cognitive, behavioral), People who are immunocompromised (including people with HIV, cancer, autoimmune diseases), People who use drugs, Immigrants, people with Limited English Proficiency (LEP), Formerly Incarcerated, Chronically Homeless, Veterans, People with Low Incomes, Geographically Isolated.

Score: 5

## Question 5:

List the potential impacts marginalized groups may face

- People with low income/fixed income face a housing cost barrier if needing to relocate, moving costs, transfer not done in a timely manner, no available unit to transfer to, accessibility to transportation may change, parents may have to transfer children to a new school, limited financial assistance, landlord cooperation, emotional distress- for survivors and children, safety during relocation
- Stigma associated with being a victim of domestic violence, etc. Potential retaliation from the abuser can impact the process of relocation. Disclosing victimization

- Survivors who may have used self-defense, and those arrest records/criminal charges, impact housing access, background checks for housing applications
- Survivors who self-medicate or are experiencing ongoing crisis due to violence/trauma experience barriers due to sobriety/employment requirements.

Score: 4

## Question 6.

How does this policy mitigate potential unintended consequences for marginalized groups?

- FAQ document mentions that survivors can request that fees be waived during a VAWA Emergency Transfer. Policy also includes resources for agencies that can provide free legal advice and agencies that may be able to provide financial assistance, counseling support, and peer support
- VAWA has strict confidentiality policies for housing providers to not disclose that the survivor is requesting for a VAWA Emergency Transfer and keeps the survivors' information anonymous. Survivors can reach out to hotlines and agencies for guidance on navigating next steps and safety planning.

- VAWA protections include that survivors cannot be denied admission, cannot be evicted from their housing unit, or have their assistance terminated due to direct results of violence.
- The policy includes resources to hotlines that can offer resources for sobriety
- Policy does allow for self-reporting and not needing to have legal advice and/or representation, policy includes resources to no-cost agencies that can support VAWA Emergency Transfers (legal and advocacy)
- Accommodation regarding other languages, accessibility technology- screen reader compatibility, larger font. If you need reasonable accommodation due to disability to read these documents, ask the housing provider or advocates.

Score: 4

### Question 7:

What additional strategies have been considered to achieve greater equity and inclusion in this policy?

- Diverse work group: survivors, advocates, and attorneys working with survivors provided input and feedback on the documents.
- Created an FAQ sheet to help program staff understand policies.
- Example overview document from The SAFE Alliance was added to the Emergency Transfer Document to support agencies with informing clients and collecting information to be monitored

Score: 4

### Question 8:

What data has been used to assess the policy's impact on equity?

- We are editing an existing policy.
- Mandated by HUD to establish and update
- The diverse group has shared personal experiences (needs, barriers, challenges) that have informed the continuous development of the policy- FAQs.

Score: 5

Question 9: Score: 4

What data needs to be collected to monitor the policy's equity impact? How will it be collected?

- Organizations such as My Sisters Keeper, The SAFE Alliance, Walking by Faith Prison Ministries, Austin Mutual Aid, etc. collect data through Clarity and comparable HMIS databases.
- More guidance is needed from HUD on what data needs to be collected

Data to Be Collected- guidance from ECHO

- Distribution and receipt of the HUD-required Notice of Occupancy Rights under VAWA and VAWA certification forms, including:

- Timing of notices (admission, denial, eviction/termination, recertification)
- Availability and provision of notices in multiple languages to support LEP access

- Number of tenants or applicants who submit VAWA certification forms

- Number and outcomes of actions involving VAWA protections, including:

- Denials of admission, terminations of assistance, or evictions where VAWA protections were asserted
- Instances where criminal activity related to domestic violence, dating violence, sexual assault, or stalking was cited

## Question 9: Continued

Emergency transfer data collected through each provider's VAWA Emergency Transfer Plan, including:

- Number of emergency transfer requests submitted
  - Type of transfer requested (internal or external)
  - Outcomes of requests (approved, denied, pending)
  - Timeframes from request to transfer completion
  - Identification of transfers to a survivor-defined "safe unit"
1. Equity indicators disaggregated, where available and appropriate, by race, ethnicity, gender identity, disability status, and LEP (reported only in aggregate and de-identified form)

## How the Data Will Be Collected

- Housing providers will collect this data through:
  1. HUD-required VAWA notices and certification forms
  2. Records maintained under each provider's Emergency Transfer Plan
  3. Case management and HMIS-aligned data entry processes
- Providers will ensure consistent participation of recipients and subrecipients in HMIS (and HMIS-comparable database) for system-level monitoring.
- Aggregated, non-identifying data will be reported to ECHO on a scheduled basis to support oversight and equity analysis.
- ECHO's HMIS and relevant committees will review aggregated data to identify disparities, monitor compliance, and inform policy or process improvements.
- All data collection will prioritize survivor confidentiality, adhere to VAWA protections, and comply with HUD privacy and data security requirements. Please see: eCFR :: 24 CFR 5.2005 -- VAWA protections.

Question 10.

Please describe the framework the policy uses for continuous assessment, community engagement, and iterative improvements.

- The links on ECHO website were not updated- this document is to replace existing documents to be shared with the community.
- If revisions need to be done again, ECHO governance would reinstate workgroups to update.
- ECHO will include policy updates and announcements thru newsletter, committee meetings, public meetings, website, etc.
- Updates to be provided once Congress/Texas Legislation provides reauthorization for Violence Against Women Act (typically every 5 years and Texas Property Code (as needed from community concerns). Request updates and support from TRLA and TCFV regarding laws.

Score: 4

Question 11.

Explain how you have ensured that decision-making processes are transparent and what mechanisms for accountability and community oversight have been employed.

- The client may report a grievance through the Agency Client Grievance Policies
- Client may report a grievance to HUDs Office of Fair Housing and Equal Opportunity
- HUD monitoring needs updates regarding VAWA Emergency Transfer polices

Score: 4

## Question 12.

How does the policy address systemic barriers and promote success for the populations of focus?

- Making the updated information easier to access on ECHO websites, and ongoing training provided to the CoC regarding VAWA information. Documents provide information to survivors and housing providers on housing protections (rights, options, how to document requests and needs).

Score: 4

## Question 13.

What alternatives to this policy could achieve similar goals?

- Housing providers offer a transfer process to survivors on a voluntary basis, without the legal requirements.

Score: 4

## Question 14.

What key factors should be taken into account for future changes or revisions to this policy?

- Data collection needed as directed by HUD or ECHO
- Keep up with updates/reauthorization of the law (every 5 years)
- Keep up with updates on Texas Property Code laws
- Changes to policy dependent on data collection

Score: 5

## Question 15.

List any obstacles or restrictions that impacted your work on this policy.

(unscored)

- Previously created documents were not easily accessible
- HUD websites were not accessible for researching and gathering updated information needed to be implemented
- No available housing/ funding restrictions to enroll in programs
- Unreported or unknown data about VAWA transfer request results

- Financial constraints
- Gap in community partnerships or collaborations
- Transparency on funding, housing availability, needs and gaps in the community to support survivors
- Ensuring confidentiality across agencies
- Limited capacity for VAWA Trainings
- The workgroup was not aware of the requirements for completing the Equity Review Tool until the documents were nearly completed. This created delays in submitting the packet of documents to the Equity Committee.