

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

**In Accordance with the Violence Against Women Act (VAWA) and U.S. Department of Housing and Urban Development (HUD) Regulations (24 CFR Part 5, Subpart L)**

**Adopted by the Housing Authority of the City of Passaic**

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## **I. Purpose**

The Housing Authority of the City of Passaic (HACP) is committed to ensuring that participants and residents in all housing programs—Public Housing (PH), Project-Based Voucher (PBV), Tenant-Based Voucher (Section 8 HCV), and Rental Assistance Demonstration (RAD) properties—live in a safe environment free from domestic violence, dating violence, sexual assault, and stalking.

This Emergency Transfer Policy establishes procedures under which a tenant or participant who is a victim of such violence may request and obtain an emergency transfer to another unit or program when they reasonably believe there is a threat of imminent harm if they remain in their current dwelling unit, or if a sexual assault occurred on the premises within the previous 90 days.

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## **II. Applicability**

This policy applies to all households and participants in HUD-assisted housing programs administered by the Housing Authority of the City of Passaic, including:

- Public Housing (PH)
- Project-Based Voucher (PBV) units
- Tenant-Based Vouchers (TBV / Section 8 Housing Choice Vouchers)
- Rental Assistance Demonstration (RAD) converted properties

All protections and procedures described in this policy apply regardless of sex, gender identity, or sexual orientation.

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### III. Definitions

Definitions of **Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Emergency Transfer** are as described under HUD regulations at 24 CFR §5.2003. These definitions apply uniformly across all covered programs.

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### IV. Eligibility for Emergency Transfer

A tenant or participant qualifies for an emergency transfer if:

1. They are a victim of domestic violence, dating violence, sexual assault, or stalking; **and**
2. They reasonably believe that there is a threat of imminent harm from further violence if they remain in their current unit; **or**
3. They were sexually assaulted on the premises within the past 90 calendar days.

Emergency transfers are available to all individuals regardless of whether the perpetrator resides in the same household.

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### V. Requesting an Emergency Transfer

Tenants or participants may request an emergency transfer verbally or in writing at any HACP office or by contacting:

**Housing Authority of the City of Passaic**

52 Aspen Place

Passaic, NJ 07055

Phone: (973) 471-5656

Website: [www.passaichousingauthority.org](http://www.passaichousingauthority.org)

HACP may request completion of **HUD Form 5383 (Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking)**.

Supporting documentation such as police reports, restraining orders, or certifications from service providers may be requested but is **not required** to initiate the transfer request. A tenant's self-certification alone will be sufficient to start the process.

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### VI. Confidentiality

HACP will maintain strict confidentiality of all information related to VAWA incidents and emergency transfer requests. Such information will not be shared with any other entity unless:

- The tenant or participant provides written consent;
- Disclosure is required for eviction or termination proceedings involving the perpetrator; or
- Disclosure is otherwise required by law.

HACP will ensure that addresses or new locations are not disclosed to perpetrators or any unauthorized persons.

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## VII. Transfer Process

### Availability of Units:

HACP cannot guarantee immediate unit availability but will expedite processing once a safe and appropriate unit becomes available.

### Transfer Options:

Depending on the household's current program and circumstances, transfers may include:

- **Within Public Housing:** to another HACP public housing unit.
- **From PBV to PBV:** to another project-based property.
- **From PBV to TBV (HCV):** issuance of a Housing Choice Voucher if feasible under HUD rules.
- **From TBV to a new landlord/unit:** relocation with continued voucher assistance.
- **From RAD to other covered programs:** as available through inter-program coordination.

HACP will coordinate with local victim service providers and other housing authorities to identify safe and available housing options.

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## VIII. Confidentiality of Transfer Location

To protect the safety of victims, HACP will take all reasonable steps to ensure that the tenant's or participant's new address or location is not disclosed to the perpetrator or any unauthorized person.

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## IX. Timing and Priority of Transfers

Emergency transfer requests will be processed **as soon as possible** and take priority over non-emergency transfers.

If no safe unit is immediately available within HACP's inventory, staff will assist the applicant

in locating alternate housing through other HUD programs, neighboring housing authorities, or community-based organizations.

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## **X. Recordkeeping and Reporting**

HACP will maintain confidential records of all emergency transfer requests, determinations, and outcomes. Records will be used for internal monitoring and compliance with HUD reporting requirements under VAWA.

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## **XI. Policy Availability**

This policy will be:

- Provided to all applicants and residents at move-in and lease signing;
  - Available upon request at all HACP management offices;
  - Posted in public areas of HACP offices; and
  - Published on the HACP website.
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## **XII. Effective Date**

This Emergency Transfer Policy is effective as of **[Insert Effective Date]** and will remain in effect until amended or rescinded by the Board of Commissioners of the Housing Authority of the City of Passaic.

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## **XIII. Related Documents**

- HUD Form 5380: Notice of Occupancy Rights under VAWA
- HUD Form 5381: Model Emergency Transfer Plan
- HUD Form 5382: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking
- HUD Form 5383: Emergency Transfer Request Form