

## **Scranton/Lackawanna County CoC Emergency Transfer Policy**

### **Scranton/Lackawanna County Continuum of Care Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

#### **Emergency Transfers:**

The Scranton/Lackawanna County Continuum of Care (SLCCoC) has developed this Emergency Transfer Plan so that participants in homeless assistance projects who are victims of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking can be safe and have stable housing.

The SLCCoC is concerned about the safety of its participants, and such concern extends to participants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),<sup>1</sup> SLCCoC allows participants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the participant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.<sup>2</sup> The ability of SLCCoC housing providers (HPs) to honor such a request for participants currently receiving assistance, however, may depend upon a preliminary determination that the participants is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether SLCCoC has another dwelling unit that is available and is safe to offer the participants for temporary or more permanent or more permanent occupancy.

This plan identifies participants 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 participants 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 that the National Housing Trust Fund (HTF) and the Low Income Housing Tax Credit (LIHTC) programs are in compliance with VAWA.

#### **Eligibility for Emergency Transfers:**

A participant 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 participants reasonably believes that there is a threat of imminent harm from further violence if the participants remains within the same unit. If the participants is a victim of sexual assault, the participants 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.

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<sup>1</sup> 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.

<sup>2</sup> 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.

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

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

### **Emergency Transfer Request:**

To request an emergency transfer, the participants shall notify their SLCCoC HP's office and request a transfer (please see appendix for contact information for applicable housing providers). The CoC member agency will then provide verification of need for a transfer. Housing providers will provide reasonable accommodations to this policy for individuals with disabilities. The participant's request for an emergency transfer will be based upon the following criteria:

- 1) The participant reasonably believes there is a threat of imminent harm from further violence if the participants were to remain in the same dwelling unit assisted under HP's program;  
OR
- 2) The participant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the participant's request for an emergency transfer.

### **Confidentiality:**

HP will keep confidential any information that the participants submit in requesting an emergency transfer, and information about the emergency transfer, unless the participants give HP written permission to release the information on a time limited basis, or disclosure of the information is required by law or 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 participants, if one is provided, from the person(s) that committed an act(s) of domestic violence, sexual assault, or stalking against the participants. See the Notice of Occupancy Rights under VAWA for all participants 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:**

HP cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. HP will, however, act as quickly as possible to move a participant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a participant reasonably believes a proposed transfer would not be safe, the participant may request a transfer to a different unit. If a unit is available, the transferred participant must agree to abide by the terms and conditions that govern occupancy in the unit to which the participant has been transferred. HP may be unable to transfer a participant to a particular unit if the participant has not or cannot establish eligibility for that unit.

If HP has no safe and available units for which a participant who needs an emergency is eligible, HP will assist the participant in identifying other housing providers who may have safe and available units to which the participant could move. At the participant's request, HP will also assist participants in

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contacting Women's Resource Center (WRC), the local organization offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.

### **Safety and Security of Participants:**

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

### **Local Resource/ Provider:**

Participants who are or have been victims of domestic violence, sexual assault, or stalking are encouraged to contact **Women's Resource Center** at 570-346-4671, P.O. Box 975, Scranton, PA 18501.

### **National Resources:**

Participants 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/>.

Participants 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>.

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### Appendix

Women's Resource Center, P.O. Box 975, Scranton, PA 18501: (570) 346-4671

Catherine McAuley Center, 430 Pittston Avenue, Scranton, PA 18505: (570) 342-1342

Catholic Social Services, 504 Penn Avenue, Scranton, PA 18509: (570) 207-2283

Community Intervention Center, 445 N. 6<sup>th</sup> Street, Scranton, PA 18503: (570) 342-4298

St. Joseph's Center, 320 S. Blakely Street, Dunmore, PA 18512: (570) 207-6677

United Neighborhood Centers, 410 Olive Street, Scranton, PA 18509: (570) 343-8835

Valley Youth House, 120 Wyoming Ave. Suite 301 Scranton PA, 18503: (570) 704-0626