

WILKES-BARRE HOUSING AUTHORITY

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

Emergency Transfers

The Wilkes-Barre Housing Authority (Authority) is concerned about the safety of its tenants, and 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 the Authority 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 The ability of the Authority to honor such requests 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 the Authority 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

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.

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.

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 Wilkes-Barre Housing Authority's Public Housing and Housing Choice Voucher programs, and complies with VAWA.

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. If 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 the Authority's management office and submit a written request for a transfer to another Authority Public Housing site if they are a public housing tenant or to another house/apartment if they are a Housing Choice Voucher participant. The Authority 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 the Authority'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

The Authority will keep confidential any information that the tenant submits in requesting an emergency transfer and information about the emergency transfer unless the tenant gives the Authority written permission to release the information on a time-limited basis.

Additionally, disclosure of the information may occur if it 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 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 the Authority'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

The Authority cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The Authority will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking

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to another unit, subject to availability and safety of a unit. 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, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. The Authority may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

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

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Luzerne County

Organization	Contact	Services
Domestic Violence Service Center P.O. Box 2177 Wilkes-Barre, PA 18703-2177	Daytime: 570-823-6799 Hotline: 570-823-7312 1-800-424-5600 TTY: 570-823-5853	Domestic Violence Program
Victims Resource Center 119 Warren Street Tunkhannock, PA 18657	Daytime: 570-836-5844 Hotline: 1-866-206-9050 570-836-5544 TTY: 570-823-5853 E-mail: www.vrcnepa.org	Victim Witness Program, Specialized services for victims of juvenile offenders, Comprehensive Victim Service Agency, Sexual Assault/ Domestic Violence Program
Victims Resource Center 616 North Street Jim Thorpe, PA 18229	Daytime: 570-325-9641 Hotline: 570-325-9642 1-866-206-9050 TTY: 570-823-5853 E-mail: www.vrcnepa.org	Sexual Assault Program, Specialized services for victims of juvenile offenders
Victims Resource Center 71 North Franklin Street Wilkes-Barre, PA 18701	Daytime: 570-823-0766 Hotline: 570-823-0765 1-866-206-9050 TTY: 570-823-5853 E-mail: www.vrcnepa.org	Comprehensive Victim Services Agency, Sexual Assault Program, Specialized services for victims of juvenile offenders
Luzerne County Victim Services Luzerne County District Attorney's Office Luzerne County Courthouse 200 North River Street Wilkes-Barre, PA 18711	Daytime: 570-825-1674	Victim Witness Program, Specialized services for victims of juvenile offenders
Children's Advocacy Center of North Eastern PA 1710 Mulberry Street Scranton, PA 18510	Daytime: 570-969-7313 Website: www.cacnepa.org	Child Abuse Program
MADD - North/Central Affiliate Office 1216 Carbon Street Reading, PA 19601	Daytime: 610-372-6233 Hotline: 1-800-988-5702 Website: www.maddpa.org	Mothers Against Drunk Driving