



# Lee County Continuum of Care

## Written Standards

**Approved by the Lee County CoC Governing  
Board on November 2, 2016;  
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## BACKGROUND

The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 reauthorized the McKinney-Vento Homeless Assistance programs. Through the enactment of the HEARTH Act, the Department of Housing and Urban Development (HUD) published the new Continuum of Care (CoC) Program interim rule. The CoC Program interim rule requires that the CoC establish and consistently follow written standards for providing CoC assistance, in consultation with recipients of the Emergency Solutions Grant (ESG) program. At a minimum, these written standards must include:

- Policies and procedures for evaluating individuals' and families' eligibility for assistance in the CoC Program.
- Policies and procedures for determining and prioritizing which eligible individuals and families will receive assistance for permanent supportive housing assistance, transitional housing assistance, and rapid re-housing assistance.

The goals of the written standards are to:

- Establish community-wide expectations on the operations of projects within the community.
- Ensure that the system is transparent to users and operators.
- Establish a minimum set of standards and expectations in terms of the quality expected of projects.
- Make the local priorities transparent to recipients and sub recipients of funds.
- Create consistency and coordination between recipients' and sub recipients' projects within the Lee County CoC.

The Lee County CoC agrees that these standards must be applied consistently across the entire CoC defined geographic area. Additionally, Lee County CoC members agree to administer their assistance in compliance with the CoC's written standards on awarding CoC funds. Recipients and sub recipients of CoC and local funds may develop additional standards for administering program assistance, but these additional standards cannot be in conflict with those established by the Lee County CoC, the CoC Program interim rule, or any other federal guidance.

## HOUSING FIRST

The *Housing First* approach is a data driven solution to homelessness. *Housing First* approaches feature direct, or nearly direct, placement of targeted homeless people into permanent housing where supportive services are offered to maximize housing stability and prevent returns to homelessness as opposed to addressing predetermined treatment goals prior to permanent housing entry. *Housing First* approaches ensure that the risk factors that make finding and maintaining housing more challenging are used to screen people into assistance rather than screening them out.

All Lee County CoC service providers are required to implement a *Housing First* approach that ensures low barrier program entry and the provision of optional supportive services, both during and post-housing, that promote housing stability and overall well-being.

## NON-DISCRIMINATION

All CoC and ESG service providers must have written non-discrimination policies in place. These policies must outline actions to be taken to ensure outreach to homeless persons with the greatest risk to remaining homeless, and compliance with all federal statutes including, but not limited to, the Fair Housing Act and the Americans with Disabilities Act. All service providers, where assistance is provided through Community Planning and Development (CPD) programs, including assistance under the: HOME Investment Partnerships program (24 CFR part 92), Housing Trust Fund program (24 CFR part 93), Community Development Block Grant program (24 CFR part 570), Housing Opportunities for Persons With AIDS program (24 CFR part 574), Emergency Solutions Grants program (24 CFR part 576), Continuum of Care program (24 CFR part 578), or Rural Housing Stability Assistance Program (24 CFR part 579), must ensure equal access to the HUD-assisted program in accordance with all General HUD Program requirement as specified in 24 CFR Part 5.

Lee County CoC requires service providers to practice a person-centered model that incorporates participant choice and inclusion of all homeless subpopulations present in Lee County, including homeless veterans, youth, and families with children, individual adults, seniors, victims of domestic violence, and Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, and Intersex (LGBTQI) individuals and families. All CoC and ESG funded service providers must ensure that all people have fair and equal access to the coordinated entry process and all forms of assistance regardless of race, ethnicity, national origin, age, sex, familial status, religious preference, disability, type or amount of disability, gender identity, perceived gender identity, marital status, sexual orientation, or perceived sexual orientation.

All service providers must ensure that they comply with the HEARTH Act's involuntary family separation provision (42 USC 11361a) which ensures that emergency shelters, transitional housing, and permanent housing (PSH and RRH) providers within the CoC do not deny admission to or separate any family members from other members of their family based on age, sex, marital status, gender, gender identity, perceived gender identity, sexual orientation, or disability, when entering shelter or housing.

## **DISCHARGE PLANNING**

Each CoC service provide must develop and implement, to the maximum extent practicable, policies and protocols for the discharge of persons from public funded institutions and systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons. (42 USC 11362)

## **VIOLENCE AGAINST WOMEN ACT OF 2013 (VAWA)**

On November 16, 2016 the U.S. Department of Housing and Urban Development published the final rule regarding housing protections for victims of domestic violence, dating violence, sexual assault, or stalking (Federal Register Document #2016-25888). This final rule prohibits an applicant for assistance or tenant assisted under a covered housing program from being denied assistance under, denied admission to, terminated from participation in, or evicted from housing on the basis or as a direct result of the fact that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault or stalking, so long as the applicant otherwise qualifies for admission, assistance, participation or occupation (24 CFR 5.2005 (b)(1)).

In addition, the VAWA Final Rule requires that each covered housing provider produce a detailed emergency transfer plan, which ensures that a tenant receiving rental assistance through or residing in a unit subsidized under a covered housing program who is a victim of domestic violence, dating violence, sexual assault, or stalking qualifies for an emergency transfer within the criteria stated in 24 CFR 5.2005 (e)(2). Lee County's Emergency Transfer plan, Attachment 1, encompasses all CoC, Emergency Solutions Grant (ESG), and HOME funded programs. All covered housing providers must maintain records on emergency transfers requested under 24 CFR 5.2005(e). Data must include the outcomes of each request, and must be provided to Lee County upon request.

VAWA in no way limits the authority of the covered housing program to terminate assistance or evict a tenant under a covered housing program if the provider can demonstrate that an actual and imminent threat to other tenants or those employed at

or providing service to the property of the covered housing provider would be present if that tenant is not evicted or terminated (24 CFR 5.2005 (d)(3)).

## **COORDINATED ENTRY**

Coordinated Entry is designed to coordinate housing and services for persons who are experiencing homelessness. Coordinated Entry represents a standardized access and assessment for all individuals, as well a coordinated referral and housing placement process to ensure that persons who are experiencing homelessness receive appropriate assistance with both immediate and long-term housing and service needs.

The Coordinated Entry process has three goals:

- Help people move through the homeless service system faster.
- Reduce new entries into homelessness through prevention and diversion resources.
- Improve data collection and quality to provide accurate information on what assistance consumers need.

All Lee County CoC Homeless Management Information System (HMIS) participating agencies making client referrals into the system will be required to first complete the Coordinated Entry screen. On completion of the screen, the system will notify the user if a Vulnerability analysis is required. Individuals that are determined to be a homeless veteran, chronically homeless, or homeless households with children are required to complete a full vulnerability analysis. The vulnerability analysis score will determine the client's and/or household's needs and eligibility for permanent supportive housing and/or rapid re-housing. *(For more information about Lee County CoC's Coordinated Entry process, please refer to the Lee County Coordinated Entry Policy and Procedures Manual.)*

## **EDUCATIONAL SERVICES**

All Lee County CoC service providers must have written policies in place which ensure that homeless individuals and families who become homeless are informed of their eligibility for and receive access to educational services. These policies should include how homeless families with children will be informed of and referred to the Lee County School Districts homeless students program, A.C.C.E.S.S. Such policies should also include information for all homeless individuals and families regarding local technical schools and universities which may offer programs and assistance for persons who are homeless.

## CHRONICALLY HOMELESS

The definition of “chronically homeless”, as stated in Definition of Chronically Homeless final rule is:

- (a) A “homeless individual with a disability,” as defined in Section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)), who:
- i. lives in a place not meant for human habitation, a safe haven, or in a an emergency shelter; **and**
  - ii. has been homeless and living a described in paragraph (a)(i) continuously for at least 12 months or on at least four separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described in paragraph (a)(i). Status in institutional care facilities for fewer than 90 days will not constitute as a break in homelessness, but rather such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering an institutional care facility;
- (b) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (a) of this definition, before entering the facility;
- (c) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (a) or (b) of this definition (as described in Section I.D.2.(a) of Notice CPD-16-11), including a family whose composition has fluctuated while the head of household has been homeless.

## PERMANENT SUPPORTIVE HOUSING

PSH can only provide assistance to individuals with disabilities and families in which one adult or child has a disability. Supportive services designed to meet the needs of the program participants must be made available to the program participants, but should not be required as a condition to remaining in housing.

### ELIGIBILITY

For permanent supportive housing programs, households must meet both the HUD definition of homelessness under Category 1 or Category 4, and have a disability, as defined in Section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)). For beds prioritized for Chronically Homeless individual and families, the head of household must have a qualifying disability and meet all of the criteria required as defined in 24 CFR 578.3. Once meeting the Category 1 or Category 4 and disability requirements, households are then prioritized by Lee County's target populations. Programs may not establish additional eligibility requirements beyond those specified in Category 1 and Category 4 and those required by funders.

#### Category 1: Literally Homeless

Households qualify as Category 1 if they are:

- Sleeping in a place not designed for or used as a regular sleeping accommodation, including the street, a car, park, abandoned building, bus or train station, airport, camping ground etc.;
- Living in a shelter designed to provide temporary living arrangements (including emergency shelter, congregate shelters, transitional housing, hotels and motels paid for by charitable organizations or by government programs); **or**
- Exiting an institution where they resided for  $\leq 90$  days, **and** were residing in an emergency shelter or place not meant for human habitation immediately prior to entering the institution.

#### Category 4: Fleeing/Attempting to Flee Domestic Violence

Households qualify as Category 4 if they:

- are fleeing, or attempting to flee domestic violence;
- have no subsequent residence; **and**
- have no resources or support networks to obtain other permanent housing.

## PRIORITIZATION

Of those eligible households the populations must be prioritized in accordance with:

- The U.S. Interagency Council on Homelessness (USICH) plan, *Opening Doors*
- HUD's guidance on prioritization of chronically homeless households and policy brief on coordinated entry systems

The most severe service needs will be determined by the household's Coordinated Assessment and VI-SPDAT, and will prioritize those with the highest scores within each category first. The Lee County CoC has established that individuals and families scoring 10 or above on the VI-SPDAT will be recommended for placement into permanent supportive housing. These priorities have been established to ensure that Lee County's most vulnerable people and high users of resources are quickly transitioned into permanent supportive housing.

The following types of homeless individuals and families must be prioritized primarily in the following order, and then by severity of service needs as identified below.

1. Chronically homeless individuals and families with the most severe service needs.
2. Chronically homeless individuals and families with the longest history of homelessness.
3. All other chronically homeless individuals and families.
4. Homeless individuals and families with a disability, as defined in Section 401 of the McKinney-Vento Homeless Assistance Act as amended by S.896 the HEARTH Act of 2009, and with the most severe service needs.
5. Homeless individuals and families with long periods of continuous or episodic homelessness.
6. Homeless individuals and families coming from places not meant for human habitation (such as emergency shelters, streets, safe havens, etc.)

Priority shall be given for eligible individuals and families who are relocating as per the Emergency Transfer Plan. All CoC funded transitional housing, rapid re-housing, and permanent supportive housing programs will ensure that applicants are prioritized according to the emergency transfer priority required under 24 CFR 578.99(j)(8).

Lee County's coordinated entry system identifies the severity of service needs (only going to the next level as needed to break a tie between two or more individuals):

1. **Medical Vulnerability:** The first prioritization criteria will expedite placement into housing for individuals with severe medical needs who are at greater risk of death. This score would be based on questions 22-34 of the vulnerability analysis, with a maximum score of 5.
2. **Overall Wellness:** The second prioritization factor targets individuals with similar medical needs as criteria number 1, who will be prioritized when they have behavioral health conditions or histories of substance use, which may either mask or exacerbate medical conditions. This score will be based on questions 21 through 50 of the vulnerability analysis (i.e., the "Wellness Domain").
3. **Unsheltered Sleeping Location:** The third prioritization criteria are the location where the individual sleeps, based on question 13 of the vulnerability analysis. Unsheltered individuals will be given priority over sheltered individuals.
4. **Length of Time Homeless:** The fourth prioritization factor is the length of time an individual has experienced homelessness, giving priority to the person that has experienced homelessness the longest (based on question 1 of the vulnerability analysis).
5. **Date of vulnerability analysis assessment:** The final prioritization criteria will be the date of the individual's assessment, giving priority to the earliest date of assessment.

#### **MINIMUM STANDARDS**

All referrals to permanent supportive housing will be made through the coordinated entry system. The following minimum standards will be applied to all permanent housing programs:

- Support services must be made available throughout the duration of stay in housing.
- Program participants must enter into a lease agreement for a term of at least one year, which is terminable for cause. The lease must be automatically renewable upon expiration for terms that are a minimum of one month long, except on prior notice by either party.
- There is no designated length of stay for program participants.

## RAPID RE-HOUSING

Continuum of Care funds may provide supportive services, as set forth in § 578.53, and/or short-term (up to 3 months) and/or medium-term (for 3 to 24 months) tenant-based rental assistance, as set forth in § 578.51(c), as necessary to help a homeless individual or family, with or without disabilities, move as quickly as possible into permanent housing and achieve stability in that housing. When providing short-term and/or medium-term rental assistance to program participants, the rental assistance is subject to § 578.51(a)(1), but not § 578.51(a)(1)(i) and (ii); (a)(2); (c) and (f) through (i); and (l)(1).

### ELIGIBILITY

For rapid re-housing programs, households must meet the HUD's definition of homelessness under Category 1, any subsequent CoC Program Notice of Funding Availability (NOFA) eligibility requirements, and any additional funder eligibility requirements. Once meeting the rapid re-housing eligibility requirements, households are then prioritized by Lee County's target populations.

#### Category 1: Literally Homeless

Households qualify as Category 1 if they are:

- Sleeping in a place not designed for or used as a regular sleeping accommodation, including the street, a car, park, abandoned building, bus or train station, airport, camping ground etc.;
- Living in a shelter designed to provide temporary living arrangements (including emergency shelter, congregate shelters, transitional housing, hotels and motels paid for by charitable organizations or by government programs); **or**
- Exiting an institution where they resided for ≤ 90 days, **and** were residing in an emergency shelter or place not meant for human habitation immediately prior to entering the institution.

## PRIORITIZATION

Of those eligible households the populations must be prioritized in accordance with:

- The U.S. Interagency Council on Homelessness (USICH) plan, *Opening Doors*
- HUD's guidance on prioritization of chronically homeless households and policy brief on coordinated entry systems

Programs may not establish additional eligibility requirements beyond those required by funders.

Lee County CoC has established the following priority populations for rapid re-housing for individuals and families. These priorities have been established to ensure that Lee County's most vulnerable people and high users of resources are quickly transitioned into rapid re-housing. The Lee County CoC has established that individuals and families scoring 5 to 9 on the VI-SPDAT will be recommended for placement into rapid re-housing.

Priority shall be given for eligible individuals and families who are relocating as per the Emergency Transfer Plan. All CoC funded transitional housing, rapid re-housing, and permanent supportive housing programs will ensure that applicants are prioritized according to the emergency transfer priority required under 24 CFR 578.99(j)(8).

The following types of homeless individuals and families must be prioritized primarily in the following order, and then by severity of service needs as identified below.

1. Households with children (under 18 years of age).
2. Households with the longest history of homelessness.
3. Household who are homeless for the first time.

Lee County's coordinated entry system identifies the severity of service needs (only going to the next level as needed to break a tie between two or more individuals):

1. **Date of Assessment:** The first prioritization criteria will be the date of the individual's assessment, giving priority to the most recent date of assessment.
2. **Unsheltered Sleeping Location:** The second prioritization criteria are the location where the individual sleeps, based on question 13 of the vulnerability analysis. Unsheltered individuals will be given priority over sheltered individuals.
3. **Length of Time Homeless:** The third prioritization factor is the length of time an individual has experienced homelessness, giving priority to the person that has experienced homelessness the longest (based on question 1 of the vulnerability analysis).

4. Overall Wellness: The fourth prioritization factor targets individuals with medical needs, who will be prioritized when they have behavioral health conditions or histories of substance use, which may either mask or exacerbate medical conditions. This score will be based on questions 21 through 50 of the vulnerability analysis (i.e., the "Wellness Domain").

5. Medical Vulnerability: The final prioritization criteria will expedite placement into housing for individuals with severe medical needs who are at greater risk of death. This score would be based on questions 22-34 of the vulnerability analysis, with a maximum score of 5.

#### MINIMUM STANDARDS

All referrals to rapid re-housing will be made through the coordinated entry system. The following minimum standards will be applied to all rapid re-housing programs:

- Support services must be made available throughout the duration of stay in housing.
- Program participants must enter into a lease agreement for a term of at least one year, which is terminable for cause. The lease must be automatically renewable upon expiration for terms that are a minimum of one month long, except on prior notice by either party.
- Maximum participation in a rapid re-housing program cannot exceed 24 months.
- Program participants must be re-evaluated not less than once annually to ensure that the type and amount of assistance being received is necessary to retain housing.
- Program participant must meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability. The project is exempt from this requirement if the Violence Against Women Act of 1994 (42 U.S.C. 13925 et seq.) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) prohibits the recipient carrying out the project from making its housing conditional on the participant's acceptance of services.
- Supportive Services may not be received for longer than 6 months after rental assistance has ended.
- Depending on the program model, rental assistance will be either a fixed rate (e.g. \$400 per month) or based on household income (e.g. 30% of the household's monthly adjusted income).

*Lee County does not currently feature any Continuum of Care funded transitional housing programs. The following standards outline the basic requirements for homelessness prevention programs funded with funds other than the Continuum of Care, such as ESG, TANF, and Challenge Grant, and for future reference should a transitional housing program be funded in Lee County.*

## **TRANSITIONAL HOUSING**

Transitional housing (TH) facilitates the movement of homeless individuals and families to Permanent housing (PH) within 24 months of entering TH. Grant funds may be used for acquisition, rehabilitation, new construction, leasing, rental assistance, operating costs, and supportive services.

### **ELIGIBILITY**

For transitional housing programs, households must meet the HUD's definition of homelessness under Category I or IV, any subsequent CoC Program Notice of Funding Availability (NOFA) eligibility requirements, and any additional funder eligibility requirements. Once meeting the transitional housing eligibility requirements, households are then prioritized by Lee County's target populations. Programs may not establish additional eligibility requirements beyond those required by funders.

#### **Category 1: Literally Homeless**

Households qualify as Category 1 if they are:

- Sleeping in a place not designed for or used as a regular sleeping accommodation, including the street, a car, park, abandoned building, bus or train station, airport, camping ground etc.;
- Living in a shelter designed to provide temporary living arrangements (including emergency shelter, congregate shelters, transitional housing, hotels and motels paid for by charitable organizations or by government programs); **or**
- Exiting an institution where they resided for  $\leq 90$  days, **and** were residing in an emergency shelter or place not meant for human habitation immediately prior to entering the institution.

#### **Category 4: Fleeing/Attempting to Flee Domestic Violence**

Households qualify as Category 4 if they:

- are fleeing, or attempting to flee domestic violence;
- have no subsequent residence; **and**
- have no resources or support networks to obtain other permanent housing.

## PRIORITIZATION

The process for prioritizing households for transitional housing first includes eligible households based on HUD's homeless definition, and then secondly based on the below prioritization. Transitional Housing facilitates the movement of homeless households to permanent housing within 24 months of entering transitional housing.

Lee County CoC permits each transitional housing program to establish its own eligibility criteria. If multiple household meet the transitional housing programs individualized eligibility criteria, then prioritization will take place in the following order:

1. Households with the highest service needs will be prioritized first as per the VI-SPDAT score
2. Length of time homeless
3. Within one of the target populations for transitional housing:
  - a. Family with head of household between ages 18-24 years of age
  - b. Households with behavioral health needs
  - c. Household fleeing domestic violence

Priority shall be given for eligible individuals and families who are relocating as per the Emergency Transfer Plan. All CoC funded transitional housing, rapid re-housing, and permanent supportive housing programs will ensure that applicants are prioritized according to the emergency transfer priority required under 24 CFR 578.99(j)(8).

## MINIMUM STANDARDS

All referrals to transitional housing must be made through the coordinated entry system. The following minimum standards will be applied to all transitional housing programs:

- Maximum length of stay cannot exceed 24 months.
- Assistance in transitioning to permanent housing must be made available/provided.
- Supportive services must be provided throughout the duration of stay in transitional housing.
- Program participants in transitional housing must enter into a lease, sublease or occupancy agreement for a term of at least one month. The lease, sublease or occupancy agreement must be automatically renewable upon expiration, except on prior notice by either party, up to a maximum of 24 months.

*Lee County is not currently designated as a high-performing community and therefore does not feature a homelessness prevention program. The following standards outline the basic requirements for homelessness prevention programs funded with funds other than the Continuum of Care, such as ESG, TANF, and Challenge Grant, and for future reference should Lee County be designated as a high-performing community.*

## **HOMELESSNESS PREVENTION**

Funds may be used by recipients in Continuums of Care- designated high-performing communities for housing relocation and stabilization services, and short- and/or medium-term rental assistance, as described in 24 CFR 576.105 and 24 CFR 576.106, that are necessary to prevent an individual or family from becoming homeless.

Individuals and Families defined as Homeless under the following categories are eligible for assistance in homelessness prevention projects:

### **Category 2 –Imminent Risk of Homeless**

(1) Individual or family who will imminently lose their primary nighttime residence, provided that: (i) Residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; and (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing.

### **Category 3 – Homeless Under Other Federal Statutes**

(2) Unaccompanied youth under 25 years of age, or families with Category 3 children and youth, who do not otherwise qualify as homeless under this definition, but who: (i) Are defined as homeless under the other listed federal statutes; (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; (iii) Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; and (iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers.

### **Category 4: Fleeing/Attempting to Flee Domestic Violence**

(3) Households who: are fleeing, or attempting to flee domestic violence; have no subsequent residence; **and** have no resources or support networks to obtain other permanent housing.

Individuals and Families who are defined as At Risk of Homelessness are eligible for assistance in homelessness prevention projects.

Homelessness prevention projects have the following additional limitations on eligibility with homeless and at risk of homeless:

- Must only serve individuals and families that have an annual income below 30% of AMI

*The following standards outline the basic requirements for street outreach programs funded with funds other than the Continuum of Care, such as ESG, TANF, and Challenge Grant, and for future reference should Lee County designate funds for this purpose in the future.*

## **STREET OUTREACH**

Funds may be used by recipients in Continuums of Care- designated high-performing communities for housing relocation and stabilization services, and short- and/or medium-term rental assistance, as described in 24 CFR 576.105 and 24 CFR 576.106, that are necessary to prevent an individual or family from becoming homeless.

Individuals and Families defined as Homeless under the following categories are eligible for assistance in homelessness prevention projects:

### **Category 2 –Imminent Risk of Homeless**

(1) Individual or family who will imminently lose their primary nighttime residence, provided that: (i) Residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; and (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing.

### **Category 3 – Homeless Under Other Federal Statutes**

(2) Unaccompanied youth under 25 years of age, or families with Category 3 children and youth, who do not otherwise qualify as homeless under this definition, but who: (i) Are defined as homeless under the other listed federal statutes; (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; (iii) Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; and (iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers.

### **Category 4: Fleeing/ Attempting to Flee Domestic Violence**

(3) Households who: are fleeing, or attempting to flee domestic violence; have no subsequent residence; **and** have no resources or support networks to obtain other permanent housing.

Individuals and Families who are defined as At Risk of Homelessness are eligible for assistance in homelessness prevention projects.

Homelessness prevention projects have the following additional limitations on eligibility with homeless and at risk of homeless:

- Must only serve individuals and families that have an annual income below 30% of AMI

**ATTACHMENT 1 -  
EMERGENCY TRANSFER PLAN FOR VICTIMS OF  
DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR  
STALKING**

**EMERGENCY TRANSFERS**

Lee County and other local CoC, HOME or ESG funded housing providers are concerned about the safety of our 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), Lee County along with other applicable housing providers allow 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. The ability of Lee County and other applicable housing providers 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 Lee County or other applicable housing providers 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 ensures that the rapid re-housing, tenant based rental assistance, and all other CoC, ESG, and HOME funded rental assistance programs are in compliance 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 Lee County or other applicable housing provider's management office and submit a written request for a transfer to the assigned case manager. Tenant may, but is not required, to use the Emergency Transfer Request form provided in the attached Appendix C. Lee County and other applicable housing providers 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 Lee County or other applicable housing provider'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.

## **Attachment 1 - Lee County CoC Emergency Transfer Plan**

### **CONFIDENTIALITY**

Lee County and other applicable housing providers will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives Lee County and other applicable housing providers 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 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, Lee County and other applicable housing providers are responsible to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

### **EMERGENCY TRANSFER TIMING AND AVAILABILITY**

Lee County or other applicable housing providers cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. Lee County or other applicable housing providers will, however, 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. 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. Lee County or other applicable housing provider may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If Lee County or other applicable housing providers have no safe and available units for which a tenant who needs an emergency transfer is eligible, Lee County or other applicable housing providers 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, Lee County or other applicable housing providers will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.

### **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](https://www.victimsofcrime.org/our-programs/stalking-resource-center).

### **APPENDIX TABLE**

Appendix A	Notice of Occupancy Rights under the Violence Against Women Act
Appendix B	Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking
Appendix C	Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking



## APPENDIX A - LEE COUNTY CONTINUUM OF CARE LEE COUNTY HUMAN AND VETERAN SERVICES

### NOTICE OF OCCUPANCY RIGHTS UNDER THE VIOLENCE AGAINST WOMEN ACT

To all Tenants and Applicants The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation. The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that the Rapid Re-Housing, Tenant Based Rental Assistance, and all other CoC, ESG, and HOME rental assistance programs are in compliance with VAWA. This notice explains your rights under VAWA.

***A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.***

#### PROTECTIONS FOR APPLICANTS

If you otherwise qualify for assistance under the Rapid Re-Housing, Tenant Based Rental Assistance, or any other CoC, ESG, and HOME funded rental assistance programs, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

#### PROTECTIONS FOR TENANTS

If you are receiving assistance under the Rapid Re-Housing, Tenant Based Rental Assistance, or any other CoC, ESG, and HOME funded rental assistance programs, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under the Rapid Re-Housing, Tenant Based Rental Assistance, or any other CoC, ESG, and HOME funded rental assistance programs solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

#### REMOVING THE ABUSER OR PERPETRATOR FROM THE HOUSEHOLD

Lee County or any other CoC or ESG funded housing provider may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If Lee County or any other CoC or ESG funded housing provider chooses to remove the abuser or perpetrator, Lee County or any other CoC or ESG funded housing provider may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, Lee County or any other CoC or ESG funded housing provider must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, Lee County or any other CoC or ESG funded housing provider must follow Federal, State, and local eviction procedures. In order to divide a lease, Lee County or any other CoC or ESG funded housing provider may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

#### MOVING TO ANOTHER UNIT

Upon your request, Lee County or any other CoC or ESG funded housing provider may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, Lee County or any other CoC or ESG funded housing provider may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

- (1) **You are a victim of domestic violence, dating violence, sexual assault, or stalking.** *(If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.)*, **AND**

## APPENDIX A

**(2) You expressly request the emergency transfer.** *(Your housing provider may choose to require that you submit a form, or may accept another written or oral request.), AND*

**(3a) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** *(This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.)*

**OR**

**(3b) You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** *(If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.)*

Lee County or any other CoC or ESG funded housing provider will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

Lee County or any other CoC or ESG funded housing provider's emergency transfer plan provides further information on emergency transfers, and Lee County or any other CoC or ESG funded housing provider must make a copy of its emergency transfer plan available to you if you ask to see it.

### **DOCUMENTING YOU ARE OR HAVE BEEN A VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT OR STALKING**

Lee County or any other CoC or ESG funded housing provider can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from Lee County or any other CoC or ESG funded housing provider must be in writing, and Lee County or any other CoC or ESG funded housing provider must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. Lee County or any other CoC or ESG funded housing provider may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to Lee County or any other CoC or ESG funded housing provider as documentation. It is your choice which of the following to submit if Lee County or any other CoC or ESG funded housing provider asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

1. A complete HUD-approved certification form given to you by Lee County or any other CoC or ESG funded housing provider with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
2. A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
3. A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, "professional") from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.
4. Any other statement or evidence that Lee County or any other CoC or ESG funded housing provider has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, Lee County or any other CoC or ESG funded housing provider does not have to provide you with the protections contained in this notice.

If Lee County or any other CoC or ESG funded housing provider receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), Lee County or any other CoC or ESG funded housing provider has the right to request that you provide third-party documentation within thirty (30) calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, Lee County or any other CoC or ESG funded housing provider does not have to provide you with the protections contained in this notice.

### **CONFIDENTIALITY**

Lee County or any other CoC or ESG funded housing provider must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

Lee County or any other CoC or ESG funded housing provider must not allow any individual administering assistance or other services on behalf of Lee County or any other CoC or ESG funded housing provider (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

## **APPENDIX A**

Lee County or any other CoC or ESG funded housing provider must not enter your information into any shared database or disclose your information to any other entity or individual. Lee County or any other CoC or ESG funded housing provider, however, may disclose the information provided if:

1. You give written permission to Lee County or any other CoC or ESG funded housing provider to release the information on a time limited basis.
2. Lee County or any other CoC or ESG funded housing provider needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
3. A law requires Lee County or any other CoC or ESG funded housing provider or your landlord to release the information.

VAWA does not limit Lee County or any other CoC or ESG funded housing provider's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

### **REASONS A TENANT ELIGIBLE FOR OCCUPANCY RIGHTS UNDER VAWA MAY BE EVICTED OR ASSISTANCE MAY BE TERMINATED**

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, Lee County or any other CoC or ESG funded housing provider cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if Lee County or any other CoC or ESG funded housing provider can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

1. Would occur within an immediate time frame, and
2. Could result in death or serious bodily harm to other tenants or those who work on the property.

If Lee County or any other CoC or ESG funded housing provider can demonstrate the above, Lee County or any other CoC or ESG funded housing provider should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

### **OTHER LAWS**

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

### **NON-COMPLIANCE WITH THE REQUIREMENTS OF THIS NOTICE**

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with HUD Miami Field Office, Brickell Plaza Federal Building, 909 SE First Ave, Room 500, Miami, FL 33131-3028, Phone: 350-536-5678, Fax: 350-536-5765.

### **For ADDITIONAL INFORMATION**

You may view a copy of HUD's final VAWA rule at:

<https://www.federalregister.gov/documents/2016/11/16/2016-25888/violence-against-women-reauthorization-act-of-2013-implementation-in-hud-housing-programs>.

Additionally, Lee County or any other CoC or ESG funded housing provider must make a copy of HUD's VAWA regulations available to you upon request. For questions regarding VAWA or to request a copy of the regulation, please contact Jeannie Sutton, Grants Coordinator, Lee County Human and Veteran Services, 2440 Thompson St., Fort Myers, FL 33901, Phone: 239-533-7958, Fax: 239-533-7960, E-mail: [jsutton@leegov.com](mailto:jsutton@leegov.com).

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). For 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>.

For help regarding an abusive relationship, sexual assault or stalking, you may also contact Abuse Counseling & Treatment's 24-Hour Hotline at 239-939-3112.

## APPENDIX B - CERTIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

U.S. Department of Housing  
and Urban Development

Form HUD50066 - OMB Approval No. 2577-0249  
Exp. (07/31/2017)

**Purpose of Form:** The Violence Against Women Reauthorization Act of 2013 (“VAWA”) protects qualified tenants, participants, and applicants, and affiliated individuals, who are victims of domestic violence, dating violence, sexual assault, or stalking from being denied housing assistance, evicted, or terminated from housing assistance based on acts of such violence against them.

**Use of Form:** This is an optional form. A Public Housing Authority (PHA), owner or manager presented with a claim for continued or initial tenancy or assistance based on status as a victim of domestic violence, dating violence, sexual assault, or stalking (herein referred to as “Victim”) has the option to request that the victim document or provide written evidence to demonstrate that the violence occurred. The Victim has the option of either submitting this form or submitting third-party documentation, such as:

- (1) A record of a Federal, State, tribal, territorial, or local law enforcement agency (e.g. police), court, or administrative agency; or
- (2) Documentation signed by the Victim and signed by an employee, agent or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom the Victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, in which the professional attests under penalty of perjury (28 U.S.C. 1746) that he or she believes that the incident of domestic violence, dating violence, sexual assault, or stalking is grounds for protection under 24 Code of Federal Regulations (CFR) § 5.2005 or 24 CFR § 5.2009.

If this form is used by the Victim, the Victim must complete and submit it within 14 business days of receiving it from the PHA, owner or manager. This form must be returned to the person and address specified in the written request for the certification. If the Victim does not complete and return this form (or provide third-party verification) by the 14th business day or by an extension of the date provided by the PHA, manager or owner, the Victim cannot be assured s/he will receive VAWA protections.

If the Victim submits this form or third-party documentation as listed above, the PHA, owner or manager cannot require any additional evidence from the Victim.

**Confidentiality:** All information provided to a PHA, owner or manager concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking relating to the Victim (including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking) shall be kept confidential by the PHA, owner or manager, and such information shall not be entered into any shared database. Employees of the PHA, owner, or manager are not to have access to these details unless to afford or reject VAWA protections to the Victim; and may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) requested or consented to by the Victim in writing; (ii) required for use in an eviction proceeding; or (iii) otherwise required by applicable law.

**APPENDIX B**

**TO BE COMPLETED BY THE VICTIM OF DOMESTIC VIOLENCE,  
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING:**

Date Written Request Received by Victim: \_\_\_\_\_

Name of Victim: \_\_\_\_\_

Names of Other Family Members Listed on the Lease: \_\_\_\_\_

Name of the Perpetrator\*: \_\_\_\_\_

\*Note: The Victim is required to provide the name of the perpetrator only if the name of the perpetrator is safe to provide, and is known to the victim.

Perpetrator's Relationship to Victim: \_\_\_\_\_

Date(s), time(s), and location(s) of the incident(s) of Domestic Violence, Dating Violence, Sexual Assault, or Stalking Occurred: \_\_\_\_\_

Description of Incident(s) (This description may be used by the PHA, owner or manager for purposes of evicting the perpetrator. Please be as descriptive as possible.):


I hereby certify that the information that I have provided is true and correct and I believe that, based on the information I have provided, that I am a victim of domestic violence, dating violence, sexual assault or stalking. I acknowledge that submission of false information is a basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Executed on (Date) \_\_\_\_\_

*Information provided is to be used by PHAs and Section 8 owners or managers to request a tenant to certify that the individual is a victim of domestic violence, dating violence or stalking. The information is subject to the confidentiality requirements of the HUD Reform Legislation. This agency may not collect this information, and you are not required to complete this form.*

## EMERGENCY TRANSFER REQUEST FOR CERTAIN VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

**Purpose of Form:** If you are a victim of domestic violence, dating violence, sexual assault, or stalking, and you are seeking an emergency transfer, you may use this form to request an emergency transfer and certify that you meet the requirements of eligibility for an emergency transfer under the Violence Against Women Act (VAWA). Although the statutory name references women, VAWA rights and protections apply to all victims of domestic violence, dating violence, sexual assault or stalking. Using this form does not necessarily mean that you will receive an emergency transfer. See your housing provider's emergency transfer plan for more information about the availability of emergency transfers.

**The requirements you must meet are:**

**(1) You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation. In response, you may submit Appendix B – Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (Form HUD50066), or any one of the other types of documentation listed on that Form.

**(2) You expressly request the emergency transfer. Submission of this form confirms that you have expressly requested a transfer.** Your housing provider may choose to require that you submit this form, or may accept another written or oral request. Please see your housing provider's emergency transfer plan for more details.

**(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future. **OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you submit this form or otherwise expressly request the transfer.

**Submission of Documentation:** If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you should submit that documentation to your housing provider if it is safe for you to do so. Examples of third party documentation include, but are not limited to: a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom you have sought assistance; a current restraining order; a recent court order or other court records; a law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts.

**Confidentiality:** All information provided to your housing provider concerning the incident( s) of domestic violence, dating violence, sexual assault, or stalking, and concerning your request for an emergency transfer shall be kept confidential. Such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections or an emergency transfer to you. Such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**APPENDIX C**

**TO BE COMPLETED BY OR ON BEHALF OF THE PERSON REQUESTING A TRANSFER**

1. Name of victim requesting and emergency transfer: \_\_\_\_\_
2. Your name (if different from victim's): \_\_\_\_\_
3. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_  
\_\_\_\_\_
4. Name(s) of other family member(s) who would transfer with the victim: \_\_\_\_\_  
\_\_\_\_\_
5. Address of location from which the victim seeks to transfer: \_\_\_\_\_  
\_\_\_\_\_
6. Victim's phone number: \_\_\_\_\_
7. Name of the accused perpetrator (if known and can be safely disclosed):  
\_\_\_\_\_
8. Relationship of the accused perpetrator to the victim: \_\_\_\_\_
9. Date(s), time(s), and location(s) of the incident(s): \_\_\_\_\_  
\_\_\_\_\_
10. Is the person requesting the transfer a victim of a sexual assault that occurred in the past 90 days on the premises of the property from which the victim is seeking transfer?  NO  YES *If yes, skip question 11.*
11. Describe why the victim believes they are threatened with imminent harm from further violence if they remain in their current unit. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
12. If voluntarily provided, list any third-party documentation you are providing along with this notice:  
\_\_\_\_\_

This is to certify that the information provided on this form is true and correct to the best of my knowledge, and that the individual named above in Item 1 meets the requirement laid out on this form for an emergency transfer. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination or assistance, or eviction.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_