



**VIOLENCE AGAINST WOMEN ACT  
(VAWA) EMERGENCY  
TRANSFER PLAN**

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

SLHA is concerned about the safety of the participants<sup>1</sup> in its programs, and such concern extends to residents who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),<sup>2</sup> SLHA allows program participants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from their current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.<sup>3</sup> The ability of SLHA to honor such request for participants currently receiving assistance, however, may depend upon a preliminary determination that the participant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether SLHA has another dwelling unit that is immediately available<sup>4</sup> tenant for temporary or more permanent occupancy.

There are five parts to this emergency plan:

- Part 1: Eligibility for Emergency Transfers**
- Part 2: Emergency Transfer Request Documentation**
- Part 3: Confidentiality**
- Part 4: Emergency Transfer Timing and Availability**
- Part 5: Safety and Security of Program Participants**

---

<sup>1</sup> For purposes of this Emergency Transfer Plan, the terms “participant,” “tenant,” “resident,” and “individual” are interchangeable.

<sup>2</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>3</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.

<sup>4</sup> For the purposes of this emergency transfer plan, SAHA defines “immediately available” as a vacant unit ready for move-in within a reasonable period of time.

## **Part 1: Eligibility for Emergency Transfers**

As provided in HUD regulations at 24 CFR 5.2005(e)(2), a program participant is eligible for an emergency transfer if **one** of the following applies:

1. The participant is a victim of domestic violence, dating violence, sexual assault, or stalking; or
2. The participant reasonably believes that there is a threat of imminent harm from further violence if the participant remains within the same unit; or
3. If the participant is a victim of sexual assault, and the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

An applicant or participant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this Plan and submit it to:

**Attn: VAWA Coordinator  
St. Louis Housing Authority  
3520 Page Blvd.  
St. Louis MO 63106**

or

**VAWA@slha.org**

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

Eligibility for an emergency transfer does not guarantee continued assistance under the program or a transfer to another covered housing program.

The emergency transfer requirements do not supersede any eligibility or occupancy requirements that may apply under a covered housing program [24 CFR 5.2005(e)(13)].

## Part 2: Emergency Transfer Request Documentation

If an applicant or tenant represents to SLHA that they or a member of their household is a victim of domestic violence, dating violence, sexual assault, or stalking entitled to the protections or remedies under VAWA, SLHA may request (but is not required to request), in writing, that the applicant or participant submit to SLHA the documentation described in Section B of this Part 2.

However, SLHA may choose to provide benefits to an individual based solely on the individual's verbal statement or other corroborating evidence. In cases where SLHA decides to rely on such information, SLHA will document, in a confidential manner, the individual's verbal statement or other corroborating evidence.

### **A. Written Request for Documentation [24 C.F.R. 5.2007(a)(1)]**

If SLHA chooses to request an individual to document their claim of domestic violence, dating violence, sexual assault, or stalking, SLHA must make such request in writing and include the following:

- a deadline of fourteen (14) business days following receipt of the request;
- description of the three forms of acceptable documentation, and
- instructions on where and to whom the documentation must be submitted.

SLHA may choose to extend the 14-day period. [24 C.F.R. 5.2007(a)(2)(ii)] In determining whether to do so, SLHA will consider factors that may contribute to the individual's inability to provide the documentation in a timely manner. These factors may include, but are not limited to the following:

- cognitive limitations
- disabilities
- limited English proficiency
- absence from the unit due to hospitalization or time in an emergency shelter
- administrative delays in obtaining police or court records,
- danger of further violence, and
- the individual's need to address health or safety issues.

SLHA will also grant reasonable accommodation for persons with disabilities.

During the 14-day period and any granted extensions, SLHA may not take any adverse actions, such as eviction, termination, or denial against the individual requesting VAWA protection.

However, if an applicant or participant does not provide the documentation requested by SLHA within the 14-day period and any granted extensions, SLHA may:

- Deny admission by the applicant or tenant to the covered housing program;
- Deny assistance under the covered housing program to the applicant or tenant;
- Terminate the participation of the tenant in the covered housing program; or
- Evict the tenant, or a lawful occupant that commits a violation of a lease.

[24 C.F.R. 5.2007(a)(2)(i)]

**B. Permissible Documentation [24 C.F.R. 5.2007(b)(1)(i)-(iii)]**

The individual may satisfy SLHA's request for documentation by providing any **one** of the following permissible forms of documentation. It is at the discretion of the applicant or participant which one of the forms of documentation to submit:

1. A completed and signed Form HUD-5382, *Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking* that:
  - States the applicant or tenant is a victim of domestic violence dating violence, sexual assault or stalking;
  - States the incident of domestic violence, dating violence, sexual assault, or stalking meets the applicable definition under VAWA; and
  - Includes the name of the individual who committed the domestic violence, dating violence, sexual assault or stalking **if** the name is known **and** safe to provide.
2. A document that:
  - is signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively "professional") from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of such abuse;
  - is signed by the applicant or tenant; and
  - specifies, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under VAWA, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking under VAWA.

3. A record of a Federal, State, tribal, territorial or local law enforcement agency, court or administrative agency.

If the applicant or participant submits a completed and signed *Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking* (Form HUD-5382), additional third-party documentation is not required, **unless** for the reasons specified below under "Conflicting Documentation." [24 CFR 5.2005(e)(10)]

**C. Conflicting Documentation [24 CFR 5.2007(b)(2)]**

If SLHA receives documentation under the above section that contains conflicting information, SLHA may require an applicant or participant to submit third-party documentation, as described in Section B (2) and (3) above, within thirty (30) calendar days of the date of the request for the third-party documentation.

Conflicting information includes, but is not limited to:

1. More than one applicant or participant provides documentation to show they are victims of domestic violence, dating violence, sexual assault or stalking, and the information in one person's documentation conflicts with the information in another person's documentation; or
2. Submitted documentation contains information that conflicts with existing information already available to SLHA.

In the circumstance that an individual has submitted conflicting documentation, SLHA may request the individual submit any one of the following to meet the third-party documentation request:

1. A document that:
  - is signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively "professional") from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of such abuse;
  - is signed by the applicant or tenant; and
  - specifies, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under VAWA, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking under VAWA.

2. A record of a Federal, State, tribal, territorial or local law enforcement agency, court or administrative agency.

SLHA must grant the individual thirty (30) calendar days from the date of the request to provide such third-party documentation.

If the individual submits third-party documentation that meets the above criteria and supports the individual's VAWA request, SLHA will **not** require further documentation of the individual's status as a victim of domestic violence, dating violence, sexual assault, or stalking.

If the individual does not submit any third-party documentation within the required time period or submits documentation that does not meet the above criteria, SLHA may, but is not required to, accept that individual's assertion of victim status for the purpose of VAWA protection.

### **Part 3: Confidentiality**

SLHA will keep confidential any information related to the exercise of the applicant's or participant's rights under VAWA, including the fact that they are exercising their rights under VAWA. [24 CFR 5.2007(c)]

SLHA will not allow any individual administering assistance or other services on its behalf (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.

SLHA will not enter information provided under this Plan into any shared database or disclose information to any other entity or individual. SLHA, however, may disclose the information provided if:

- The victim gives written permission to SLHA to release the information on a time limited basis.
- SLHA needs to use the information in an eviction or termination proceeding, such as to evict the abuser or perpetrator or terminate the abuser or perpetrator from assistance under this program.
- A law requires SLHA or a landlord to release the information.

SLHA will not disclose the location of the dwelling unit of the tenant to a person who committed or threatened to commit an act of domestic violence, dating violence, sexual assault, or stalking against the tenant. [24 CFR 5.2005(e)(4)]



## **Part 4: Emergency Transfer Timing and Availability**

SLHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. SLHA will, however, act as quickly as possible to move a resident who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit.

The emergency transfer requirements do not supersede any eligibility or occupancy requirements that may apply under a covered housing program [24 CFR 5.2005(e)(13)]; therefore, the emergency transfer plan does not guarantee an external transfer to another covered housing program.

At the applicant or participant's request, SLHA will assist with contacting local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this Plan.

### **A. Housing Choice Voucher (HCV) Program [24 CFR 5.2005(e)(9)]**

When a participant communicates an emergency transfer request due to reasons that fall under VAWA, the VAWA Coordinator will handle the request as follows:

1. The VAWA Coordinator will ask the participant to provide contact information at which the victim feels safe receiving communication and the manner of communication (e.g. phone call, email, U.S. Mail).
2. The VAWA Coordinator will provide the individual with the *Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking* form (Form HUD-5382) and *Notice of Occupancy Rights* attached to this Plan [24 CFR 5.2005], along with a written request for documentation that includes the following:
  - a deadline of fourteen (14) business days following receipt of the request;
  - description of the three forms of acceptable documentation, and
  - instructions on where and to whom the documentation must be submitted.
3. The VAWA Coordinator will review the request once the completed Form HUD-5382 or other acceptable documentation has been submitted and determine whether the case falls under VAWA definitions.
4. If the case falls under VAWA definitions, the VAWA Coordinator will send an e-mail to the assigned Housing Specialist instructing that the individual should be issued a voucher to move, and that issuance of the voucher is time-sensitive.
5. Participants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

6. The assigned Housing Specialist will expedite completing the recertification (if recertification is necessary) and issue the voucher to the participant.
7. The VAWA Coordinator will inform the participant that local victim service providers may be able to assist them with identifying temporary shelter or other services, such as safety planning, counseling, and emergency funding. The VAWA Coordinator will provide the list of resources in this Plan.
8. When the participant's Request for Tenancy Approval is submitted SLHA will expeditiously inspect the unit, conduct a rent reasonableness determination, and prepare the HAP contract.
9. **Family Break-Up.** The VAWA Coordinator may instruct the Housing Specialist to issue a voucher to facilitate the emergency transfer of the victim without first terminating assistance to the perpetrator. [24 CFR 982.315(a)(2)]
10. SLHA will not enter information provided under this Plan into any shared database or disclose information to any other entity or individual. However, the VAWA Coordinator will retain VAWA documentation in a separate case file for a period of three (3) years after completion of the request, including a record of each request made under this Plan and the outcomes of each request. [24 CFR 5.2005(e)(12)]

**No restrictions on moves.** SLHA's policies on restricting timing and number of moves **do not** apply when the family or a member of the family is or has been the victim of domestic violence, dating violence, sexual assault, or stalking and the move is needed to protect the health and safety of the family or family member. [24 CFR 982.354(c)(2)(iii)]

**Porting.** If the participant requests to move outside of SLHA's jurisdiction, the portability regulations will still apply [PIH Notice 2016-09].

#### **B. Project-Based Voucher (PBV) Program<sup>5</sup>**

Unlike families receiving tenant-based assistance under the HCV program, PBV families cannot move with their project-based assistance as the assistance is tied to the unit. However, if a participant makes an emergency transfer request and SLHA's VAWA Coordinator determines the case falls under VAWA definitions, SLHA will offer the participant a transfer to an available Project-Based Voucher unit provided the participant meets any tenant screening or eligibility requirements of the property.

---

<sup>5</sup> PHAs administering Public Housing, HCV (including PBV), and Section 8 Mod Rehab must ensure that their Emergency Transfer Plan covers these programs. PIH Notice 2017-08.

Participants will not be denied admission on the basis or as a direct result that the applicant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.

If there is no safe Project-Based Voucher unit immediately available, SLHA will offer the family a tenant-based voucher in accordance with the procedures outlined in this Plan.

### **C. Public Housing Program**

For purposes of this Section:

- *Internal emergency transfer* refers to an emergency relocation of a tenant to another unit where the tenant would not be considered a new applicant, meaning the tenant may reside in a new unit without having to undergo an application process. [24 CFR 5.2005(1)(e)(i)]
- *External emergency transfer* refers to an emergency relocation of a tenant to another unit where the tenant would be considered a new applicant, meaning the tenant must undergo an application process in order to reside in the new unit. [24 CFR 5.2005(1)(e)(ii)]
- *Safe unit* refers to a unit that the victim of domestic violence, dating violence, sexual assault, or stalking believes is safe. [24 CFR 5.2005(1)(e)(iii)]

When a SLHA public housing resident communicates an emergency transfer request due to reasons that fall under VAWA, the resident may make an internal emergency transfer under VAWA when a safe unit is immediately available. The VAWA Coordinator will process the request as follows [24 CFR 5.2005(e)(6)]:

1. The VAWA Coordinator will ask the participant to provide contact information at which the victim feels safe receiving communication and the manner of communication (e.g. phone call, email, U.S. Mail).
2. The VAWA Coordinator will provide the participant with the *Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking* form (Form HUD-5382) and *Notice of Occupancy Rights* attached to this Plan, along with a written request for documentation that includes the following:
  - a deadline of fourteen (14) business days following receipt of the request;
  - description of the three forms of acceptable documentation; and
  - instructions on where and to whom the documentation must be submitted.

3. The VAWA Coordinator will give the resident the list of domestic violence advocacy organizations attached to this Emergency Transfer Plan.
4. The VAWA Coordinator will review the request once the completed Form HUD-5382 or other acceptable documentation has been submitted and determine whether the case falls under VAWA definitions.
5. Participants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.
6. If the case falls under VAWA definitions, the VAWA Coordinator will email SLHA's Contract and Compliance Specialist and request a list of available units for which the household is eligible.
7. The Contract and Compliance Specialist will identify all units that may be available in SLHA's database and contact each property to confirm unit availability. Once confirmed, the Contract and Compliance Specialist will email the list of available units (if any) to the VAWA Coordinator.
8. If a safe unit is immediately available, the VAWA Coordinator will contact the participant by phone (and confirm in writing by email or U.S. Mail if safe to do so), the address for the first available unit.
9. The VAWA Coordinator will contact the public housing site of the available unit to arrange a date and time for the resident to view the unit and complete any paperwork necessary to complete the transfer.
10. If the resident accepts the unit offered, the VAWA Coordinator will confirm by obtaining the resident's signature of acceptance on a unit offer letter. The VAWA Coordinator will then email the signed unit acceptance to both public housing sites (former unit and new unit) to SLHA's Contract and Compliance Specialist.
11. Upon receipt of the signed unit acceptance, the new public housing site will send an email to the old public housing site and SLHA's Contract and Compliance Specialist, stating the exact move-in date.
12. The resident must agree to abide by the terms and conditions that govern occupancy in the unit to which the resident has been transferred.
13. SLHA may be unable to transfer a resident to a particular unit if the resident has not or cannot establish eligibility for that unit. For example, a non-elderly individual will not be eligible to transfer to an elderly only property.

14. If the resident reasonably believes a proposed transfer would not be safe, the resident may request a transfer to a different unit subject to unit availability and the following:
  - a. SLHA will limit emergency unit transfer offers to three (3) unit offers unless the individual submits supporting documentation of "good cause" to reject the unit offer.
  - b. "Good cause" is defined as a situation in which an individual is willing to move but is unable to do so at the time of the unit offer, or the individual demonstrates that acceptance of the offer would cause undue hardship not related to considerations of the individual's race, color, national origin, etc.
15. If the resident declines a unit offered, the VAWA Coordinator will confirm by obtaining the resident's signature declining on the unit offer letter. The VAWA Coordinator will then email the signed unit decline to both public housing sites (former unit and new unit) and to SLHA's Contract and Compliance Specialist.
16. SLHA will not enter information provided under this Plan into any shared database or disclose information to any other entity or individual. However, the VAWA Coordinator will retain VAWA documentation in a separate case file for a period of three (3) years after completion of the request, including a record of each request made under this Plan and the outcomes of each request. [24 CFR 5.2005(e)(12)]

***If a Safe Unit Is Not Immediately Available [24 CFR 5.2005(e)(6)]:*** If SLHA does not have a safe unit immediately available for an Internal Emergency Transfer, the resident will be placed on the Emergency Transfer Waitlist. Residents on the Emergency Transfer Waitlist will take precedence over non-VAWA transfers and new applicants. The resident may also request an External Emergency Transfer. A resident may choose to pursue both an Internal and an External Transfer at the same time. [24 CFR 5.2005(e)(8)]

***If External Emergency Transfer is Requested [24 CFR 5.2005(e)(7)]:*** The VAWA Coordinator will take the following steps to assist the tenant with an External Emergency Transfer:

1. Provide the resident with a list of other SLHA-assisted properties. The list will include unit sizes, preferences, and contact information.
2. At the tenant's request, SLHA will also provide a list of non-SLHA assisted properties and/or housing providers that includes unit size, preferences, and contact information obtained from <https://hopeforseniorsstl.org/case-management/senior-housing-list/>

3. At the tenant's request, the VAWA Coordinator will assist the resident by contacting one or more of the housing providers.
4. At the tenant's request, the VAWA Coordinator will share documentation from the resident's current file in order to expedite the application process to a new unit, as long as the resident provides written consent to do so, and applicable confidentiality requirements are met.

**Priority of VAWA Emergency Transfers in Public Housing [24 CFR**

**5.2005(e)(3)]:** The order for priority of VAWA Emergency Transfers will be as follows (subject to the requirements of HUD Section 504 discussed below):

- **First priority:** Internal Emergency Transfers. Priority among Internal Emergency Transfers will be evaluated on a case-by-case basis if any conflicts arise.
- **Second priority:** External Emergency Transfers.
- **Third priority:** Internal Special Transfers (i.e. non-VAWA).

**Accessible Units in Public Housing:** In order to meet the requirements of HUD Section 504 to maximize use of accessible units by those who need accessibility features, SLHA will apply the following order of priority for Accessible Units only:

- **First priority:** current occupant of the property who needs the accessibility features of the vacant unit.
- **Second priority:** eligible qualified individual on the waiting list who needs accessible features.
- **Third priority:** individuals without disabilities who need an emergency transfer under VAWA.

## Part 5: Safety and Security of Program Participants

Pending processing of the transfer and the actual transfer, if it is approved and occurs, applicants and participants are urged to take all reasonable precautions to be safe. SLHA will provide information to applicants and participants to obtain assistance for their security and safety with the following disclaimer:

**St. Louis Housing Authority is not responsible for and does not operate, control, or endorse, any of the below listed providers or websites. The information is provided merely as a resource.**

Applicants and participants 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).

Applicants and participants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 1-800-656-HOPE or visit the online hotline at <http://ohl.rainn.org/online/>.

Applicants and participants who are or have been victims of stalking seeking help may visit the National Center of Victims of Crime's Stalking Resources Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

### Local Resources:

#### Domestic/Sexual Violence Crisis Hotlines

<b>ALIVE</b>	314.993.2777
<b>Safe Connections</b>	314.531.2003
<b>YWCA Metro St. Louis</b>	314.531.7273

#### Domestic Violence Shelters

<b>A Safe Place</b>	636.232.2301 (Jefferson County)
<b>Bridgeway Behavioral Health</b>	636.224.1800 (St. Charles)
<b>Kathy J. Weinman Shelter</b>	314.423.1117 (St. Louis County)
<b>Saint Martha's Hall</b>	314.533.1313
<b>The Women's Safe House</b>	314.772.4535

#### Legal Assistance and Courts

<b>St. Louis City Adult Abuse Office</b>	314.622.4434
<b>St. Louis County Adult Abuse Office</b>	314.615.4725
<b>Jefferson County Courthouse</b>	636.797.5060
<b>St. Charles County Courthouse</b>	636.949.3080
<b>Legal Assistance of Eastern Missouri</b>	314.532.4200

**Other support services and programs**

<b>Crime Victim Center</b>	314.652.3623
<b>Family Forward – ROW Programs</b>	314.588.8300
<b>Life Source Consultant</b>	314.524.0686
<b>Lydia’s House</b>	314.771.4411
<b>Missouri Coalition Against Domestic &amp; Sexual Violence (MCADSV)</b>	573.634.4161
<b>Pathways to Brightness</b>	314.328.4348



**St. Louis Housing Authority**

**Notice of Occupancy Rights under the Violence Against Women Act<sup>6</sup>**

**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.<sup>7</sup> The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that **Public Housing** is 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 Public Housing, 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 Public Housing, 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 Public Housing** 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.

Ref. Form HUD-5380  
(12/2016)

---

<sup>6</sup> Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

<sup>7</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.

## Removing the Abuser or Perpetrator from the Household

St. Louis Housing Authority 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 St. Louis Housing Authority chooses to remove the abuser or perpetrator, St. Louis Housing Authority 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, St. Louis Housing Authority 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, St. Louis Housing Authority must follow Federal, State, and local eviction procedures. In order to divide a lease, St. Louis Housing Authority 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, St. Louis Housing Authority 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, HP 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, St. Louis Housing Authority 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 St. Louis Housing Authority does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, St. Louis Housing Authority may ask you for such documentation, as described in the documentation section below.
- (2) You expressly request the emergency transfer.** St. Louis Housing Authority may choose to require that you submit a form or may accept another written or oral request.
- (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 expressly request the transfer.

St. Louis Housing Authority 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.

St. Louis Housing Authority's emergency transfer plan provides further information on emergency transfers, and St. Louis Housing Authority 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**

St. Louis Housing Authority 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 St. Louis Housing Authority must be in writing, and St. Louis Housing Authority 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. St. Louis Housing Authority 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 St. Louis Housing Authority as documentation. It is your choice which of the following to submit if St. Louis Housing Authority asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by St. Louis Housing Authority 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.

Ref. Form HUD-5380  
(12/2016)

- 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.
- 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.
- Any other statement or evidence that St. Louis Housing Authority has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, St. Louis Housing Authority does not have to provide you with the protections contained in this notice. If St. Louis Housing Authority 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), St. Louis Housing Authority 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, St. Louis Housing Authority does not have to provide you with the protections contained in this notice.

### **Confidentiality**

St. Louis Housing Authority 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.

St. Louis Housing Authority must not allow any individual administering assistance or other services on behalf of St. Louis Housing Authority (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. St. Louis Housing Authority must not enter your information into any shared database or disclose your information to any other entity or individual. St. Louis Housing Authority, however, may disclose the information provided if:

- You give written permission to St. Louis Housing Authority to release the information on a time limited basis.

Ref. Form HUD-5380  
(12/2016)

- St. Louis Housing Authority 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.
- A law requires St. Louis Housing Authority or your landlord to release the information.

VAWA does not limit St. Louis Housing Authority'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, St. Louis Housing Authority 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 St. Louis Housing Authority 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 St. Louis Housing Authority can demonstrate the above, St. Louis Housing Authority 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 the **St. Louis FHEO Field Office, 1222 Spruce Street, Room 3.203, St. Louis, MO 63103, (314)418-5400.**

## **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, St. Louis Housing Authority must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact St. Louis Housing Authority General Counsel at (314) 286-4231.

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). You may also contact Legal Services of Eastern Missouri, 4232 Forest Park Avenue, St. Louis, MO 63108, (314) 534-4200 or 1-800-444-0514.

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 sexual assault, you may contact RAINN (Rape, Abuse & Incest National Network) at 1-800-656-HOPE (1-800-656-4673).

Victims of stalking seeking help may contact the Stalking Resource Center at 1-855-4-VICTIM (1-855-484-2846).

**Attachment:** Certification form HUD-5382

**CERTIFICATION OF  
DOMESTIC VIOLENCE,  
DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING,  
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing  
and Urban Development**

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**Purpose of Form:** The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

**Use of This Optional Form:** If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

**Submission of Documentation:** The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and 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 to you, and 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.

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

1. Date the written request is received by victim: \_\_\_\_\_

2. Name of victim: \_\_\_\_\_

3. Your name (if different from victim's): \_\_\_\_\_

4. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_

5. Residence of victim: \_\_\_\_\_

6. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_

7. Relationship of the accused perpetrator to the victim: \_\_\_\_\_

8. Date(s) and times(s) of incident(s) (if known): \_\_\_\_\_

10. Location of incident(s): \_\_\_\_\_

In your own words, briefly describe the incident(s): _____ _____ _____
---

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Public Reporting Burden:** The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.