

Philadelphia Housing Authority
Public Housing Admissions & Continued Occupancy Policy Appendix
Emergency Transfer Plan for
Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

Emergency Transfers:

The Philadelphia Housing Authority (PHA) is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA), PHA allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency public safety transfer from the tenant's current unit to another unit. Tenants are able to request a VAWA emergency public safety transfer regardless of sex, gender identity, or sexual orientation. Tenants must provide certification showing that they are a victim of domestic violence, dating violence, sexual assault, or stalking in order for PHA to make a determination regarding a request for a VAWA emergency public safety transfer. PHA's determination may also depend on whether there is another dwelling unit that is available and is safe to offer to the tenant.

This plan includes information on eligibility for a VAWA emergency public safety transfer, the VAWA transfer request and unit offer process, VAWA victim safety, and confidentiality. Guidance on VAWA tenant rights and VAWA certification requirements is contained in the VAWA Notice of Occupancy Rights and related transfer request forms.

Eligibility for Emergency Transfers:

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking and who provides certification of same is eligible for an emergency public safety transfer if the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains in their current unit. If the tenant is a victim of sexual assault, the tenant may be eligible for a VAWA emergency public safety transfer if the tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains in their current unit or if the sexual assault occurred on the premises within the 90-calendar-day period preceding the tenant's request for a VAWA emergency public safety transfer. Tenants who are not in good standing may still request a VAWA emergency public safety transfer if they meet the VAWA emergency transfer eligibility requirements.

Emergency Transfer Request Documentation:

To request a VAWA emergency public safety transfer, the tenant shall complete and submit to PHA a VAWA Emergency Public Safety Transfer Request Form and also provide certification that the tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. PHA will provide reasonable accommodations for individuals with disabilities.

Emergency Transfer Timing and Availability:

PHA cannot guarantee that a VAWA emergency public safety transfer request will be approved or how long it will take to process a VAWA emergency public safety transfer request. PHA will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, subject to PHA's transfer policies and the availability of a safe unit.

If a tenant reasonably believes that a proposed transfer would not be safe, the tenant may request a transfer to a different unit. The tenant will be required to provide a good cause reason for refusing the unit and documentation supporting their good cause reason for refusing the unit. See Sections 7.17 and 3.8.6 of PHA's Admissions and Continued Occupancy Policy ("ACOP"), Good Cause for Unit Refusal and Victim Documentation, for information on good cause and documentation of good cause.

If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the new unit. PHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If PHA has no safe and available units to offer a tenant who needs a VAWA emergency public safety transfer, PHA may refer the tenant to other housing providers. See Section 15.11 of the ACOP. At the tenant's request, PHA will also assist the tenant in contacting local organizations that offer assistance to victims of domestic violence, dating violence, sexual assault, or stalking.

Public Housing Transfer Hierarchy:

Transfers made pursuant to VAWA are considered emergency public safety transfers. Tenants in PHA's Public Housing program who request and are approved for a VAWA emergency public safety transfer will be processed for the transfer in accordance with PHA's hierarchy of transfers as established in PHA's ACOP Section 15.5.

Housing Choice Voucher Program Issuance of Voucher:

Participants in PHA's Housing Choice Voucher Program who request and are approved for a VAWA-related transfer will be processed for a transfer voucher in accordance with PHA's emergency transfer policies as established in PHA's Administrative Plan.

Safety and Security of Participants:

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, Women Against Abuse's 24-hour domestic violence hotline at 1-866-723-3014 or a local domestic violence shelter for assistance in creating a safety plan. For persons with hearing impairments, the Women Against Abuse's hotline can be accessed by calling 215-456-1529 (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>.

Confidentiality:

PHA will keep confidential any information that the tenant submits in connection with requesting VAWA protections, including keeping confidential the location of the tenant's new unit, 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. PHA may disclose information related to a tenant's request for VAWA protections if the tenant gives PHA 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 housing program.