Emergency Transfers

DMMHA-Public Housing 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), DMMHA allows public housing 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 an emergency transfer is available regardless of sex, gender identity, or sexual orientation. The ability of DMMHA 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 DMMHA 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 oversees that DMMHA-Public Housing is 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, qualifies for an emergency transfer if the tenant expressly requests the transfer in accordance with the procedures described in this plan, and 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 also qualifies for an emergency transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section. However, if a tenant qualifies for an emergency transfer to escape an abusive partner, but the tenant would not meet the program eligibility requirements, the tenant cannot be rehoused under that program.

Emergency Transfer Request Documentation

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1 Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

2 Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.
In order to request an emergency transfer, the requestor must submit an emergency transfer request form (HUD 5383) unless the DMMHA on a case-by-case basis, waives this requirement in order to expedite the transfer process.

To request an emergency transfer, the tenant shall notify DMMHA’s administrative office and submit a written request for a transfer (HUD form 5383) to Des Moines Municipal Housing Agency, 2309 Euclid Ave, Des Moines, IA, 50310.

DMMHA 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 that the tenant requests an emergency transfer because 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 DMMHA’s program; OR
2. A statement that the tenant requests an emergency transfer because the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant’s request for an emergency transfer.

Confidentiality

DMMHA will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives DMMHA written permission to release the information on a time limited basis, or disclosure of the information is required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program or is otherwise required by applicable law as determined by DMMHA following consultation with DMMHA legal counsel. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about DMMHA’s responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

Emergency Transfer Timing and Availability

DMMHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. DMMHA 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 unit is available when an emergency transfer request is made, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred.

The DMMHA will immediately process requests for emergency transfers due to domestic violence, dating violence, sexual assault, or stalking. The DMMHA will allow a tenant to make an internal emergency transfer under VAWA to another unit assisted under the same program, where the tenant would not be categorized as a new applicant, when a safe unit is immediately available. The DMMHA defines “immediately available” as a vacant unit that is ready for move-in within a reasonable period of time, not to exceed 90 days.
DMMHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If an internal transfer to a safe unit is not immediately available, the DMMHA will assist the resident in seeking an external emergency transfer to another unit or form of assistance, where the tenant would be categorized as a new applicant, either within or outside the DMMHA’s programs. Tenants will be referred to DMMHA’s Section 8 Program Supervisor for assistance with Section 8 Program applications.

Tenants may seek internal and external emergency transfers concurrently if an internal safe unit is not immediately available. At the tenant’s request, DMMHA will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

**Emergency Transfers: Public Housing**

If you are a public housing resident and request an emergency transfer as described in this plan, the DMMHA will attempt to assist you in moving to a safe unit quickly.

Emergency transfers for which you are required to apply for assistance include the following:

- Public housing unit in a different development
- Public housing unit in the same development, if you determine the unit is safe

At your request, the DMMHA will refer you to organizations that may be able to further assist you.

**Safety and Security of Tenants**

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

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network’s National Sexual Assault Hotline at 800-656-HOPE, or visit the online hotline at https://ohl.rainn.org/online/.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime’s Stalking Resource Center at https://www.victimsofcrime.org/our-programs/stalking-resource-center.

**Attachment:** Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.