Emergency Transfers

DMMHA-Section 8 is concerned about the safety of its participants, and such concern extends to participants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA), DMMHA allows Section 8 program participants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the participant’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 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.

This plan identifies participants 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 participants 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-Section 8 is in compliance with VAWA.

Eligibility for Emergency Transfers

A participant 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 participant 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 participant remains within the same unit. If the participant is a victim of sexual assault, the participant 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.

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

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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.
However, if a participant 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

In order to request the emergency relocation, the requestor must submit an emergency transfer request form (HUD-5383) unless the DMMHA in its sole discretion elects to waive this requirement in order to expedite the relocation process.

To request an emergency transfer, the participant shall notify the DMMHA management office and submit a written request for a transfer (HUD Form 5383) to DMMHA – Section 8, 2309 Euclid, Des Moines, IA  50310.

DMMHA will provide reasonable accommodations to this policy for individuals with disabilities.

The participant’s written request for an emergency transfer should include either:

1. A statement that the participant requests an emergency transfer because the participant reasonably believes that there is a threat of imminent harm from further violence if the participant were to remain in the same dwelling unit assisted under DMMHA’s program; OR
2. A statement that the participant requests an emergency transfer because the participant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the participant’s request for an emergency transfer.

Confidentiality

DMMHA will keep confidential any information that the participant submits in requesting an emergency transfer, and information about the emergency transfer, unless the participant 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 participant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the participant. See the Notice of Occupancy Rights under the Violence Against Women Act For All participants 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 approve an emergency transfer request for a participant who is a victim of domestic violence, dating violence, sexual assault, or stalking. The DMMHA will make exceptions as required to policies restricting moves. DMMHA may be unable to transfer a participant to a particular unit if the participant or DMMHA has not or cannot establish eligibility for that unit.
At the participant’s request, DMMHA will also assist participants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

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At a participant’s written request, the DMMHA will refer the participant to organizations that may be able to further assist you in locating available units.

**Project-based assistance:** A participant assisted under the project-based voucher (PBV) program may request an emergency transfer under the following programs for which the participant is not required to apply:

- Tenant-based voucher, if available
- Project-based assistance in the same project (if a vacant unit is available and the participant determines that the vacant unit is safe)

For all Section 8 Programs the DMMHA will refer the victim to other housing opportunities in the community if:

Tenant-based assistance is not immediately available; or
Another safe PBV unit is not immediately available.

**Safety and Security of Participants**

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

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).

Participants 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/.

Participants 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.