



Violence Against Women's Act (VAWA) Emergency Transfer Plan

Sinnissippi Centers (SCI) 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 of 1994, as amended (VAWA), SCI allows any tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from their current unit to another unit. Despite this law's name, VAWA protections are not limited to women, and are available regardless of a victim's sex, actual or perceived gender identity or sexual orientation, or marital status. Victims cannot be discriminated against based on any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must also be made available to all otherwise eligible individuals and families regardless of actual or perceived gender identity, sexual orientation, or marital status.

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 Federal regulations at 24 Code of Federal Regulations (CFR) part 5, subpart L, related program regulations, and the model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD). HUD is the Federal agency that oversees that SCI complies with VAWA.

Definitions

- **External emergency transfer:** an emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is, the tenant must undergo an application process to reside in the new unit.
- **Internal emergency transfer:** an emergency relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process.
- **Safe unit:** a unit that the victim of VAWA violence/abuse believes is safe.
- **VAWA violence/ abuse:** an incident or incidents of:
 - **Domestic violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim, as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws, of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. The term "spouse or intimate partner of the victim" includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interactions between persons involved in the relationship.
 - **Dating violence:** Violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim.
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interactions between the persons involved in the relationship
- **Sexual Assault:** Any nonconsensual sexual act prescribed by federal, tribal, or state law, including when the victim lacks capacity to consent.
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - Fear for the person's individual safety or the safety of others
 - Suffer substantial emotional distress

Eligibility for Emergency Transfers

A tenant may seek an emergency transfer to another unit if the tenant or a household member is a victim of VAWA violence/ abuse, as explained in the Notice of Rights for VAWA (Form 127) . This Emergency Transfer Plan provides further information on emergency transfers, and SCI will provide a copy if requested. Before allowing an emergency transfer, SCI may ask for submission of a VAWA Transfer Request (Form 128) or a VAWA certification form (Form 126) to certify eligibility.

A Tenant is eligible for an emergency transfer if:

- (1) Tenant (or a household member) is a victim of VAWA violence/ abuse.
- (2) Tenant specifically requests the emergency transfer, and
- (3) Tenant reasonably believes they will soon face more violence if they stay in their housing or tenant is a victim of sexual assault that occurred on the premises and has requested an emergency transfer within 90 days (including holidays and weekend days) after the date of that assault.

SCI, in response to the emergency transfer request, will not evaluate whether the tenant is in good standing as part of the assessment or provision of an emergency transfer.

Emergency Transfer Policies

Internal Transfers when a Safe Unit is Immediately Available: SCI cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. SCI 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 the proposed transfer unit 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. SCI may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

Internal Transfers when a Safe Unit is Not Immediately Available and External Transfers: If SCI has no available units but has identified a unit will become available in a manner that allows for safe transfer,

SCI will move the tenant who is a victim to the top of the waiting list and prioritize their transfer over moving in a different tenant. A tenant who is seeking transfer based on VAWA protections will take priority over other tenants requesting transfer.

External Transfers: If SCI has no safe and available units for which a tenant who needs an emergency transfer is eligible, SCI will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move:

- Carroll County Housing Authority: 815-273-7081
- Lee County Housing Authority: 815-284-2759
- Ogle County Housing Authority: 815-732-1301
- Whiteside County Housing Authority: 815-625-0581

At the tenant's request, SCI will also assist the tenant in contacting the local organizations helping victims of domestic violence, dating violence, sexual assault, or stalking listed below.

- **H.O.P.E. of Ogle County**
Domestic Violence Victim Services
PO Box 131
Rochelle, IL 61068
Phone: (815) 562-4323
TTY: None
Fax: (815) 562-5756
Provides on-site emergency shelter, counseling, and support services to domestic violence victims.
24- hour hotline: (815) 562-8890
- **YWCA of the Sauk Valley (Lee/Whiteside Counties)**
Domestic Violence Victim Services
412 First Ave. Sterling, IL 61081
Phone: (815) 625-0333
TTY: (815) 625-6870
Fax: (815) 625-5308
Website: www.ywca.org/saukvalley
Provides on-site emergency shelter, counseling, and support services to domestic violence victims.
24- hour hotlines: (815) 626-7277 or (815) 288-1011.
- **Lutheran Social Services of Illinois (LSSI)**
1901 1st Avenue, Sterling, IL 61081
815-626-7333
www.lssi.org
- **Rockford Sexual Assault and Counseling (Ogle County)**
4990 E State St. Rockford IL 61108
815-636-9811
www.rockfordsexualassaultcounseling.org

- **Riverview Center (Carroll County)**

Domestic Violence Victim Services

705 South Dodge Street

Galena, IL 61036

Phone: 815-777-8167

TTY: None

Fax: 815-777-2717

Website: www.riverviewcenter.org

Provides off-site emergency shelter, counseling, and support services to domestic violence victims. 24- hour hotlines: (815) 777-3680 or (815) 244-1320.

- **Statewide Automated Victim Notification Center (VINE)**

www.vinelink.com

1-866-566-8439

Emergency Transfer Request Documentation

To request an emergency transfer, a tenant must follow the below guidelines:

- If a tenant asks for VAWA protection, SCI may request documentation showing that the tenant (or a household member) is a victim, but SCI must make this request in writing and must give the tenant at least 14 business days (weekends and holidays do not count) to respond, and the tenant is free to choose any one of the following:
 - A self-certification form (for example, Form-HUD 5382/SCI Form 126), which SCI must give the tenant. The tenant can complete the form, or someone can complete it for them.
 - A statement from a victim/survivor service provider, attorney, mental health professional or medical professional who has helped the tenant address incidents of VAWA violence/abuse. The professional must state “under penalty of perjury” that they believe that the incidents of VAWA violence/abuse are real and covered by VAWA. Both the tenant and the professional must sign the statement.
 - A police, administrative, or court record (such as a protective order) that shows the tenant (or a household member) was a victim of VAWA violence/abuse, **OR**
 - If allowed by SCI, any other statement or evidence provided by the tenant.
- It is the tenant’s choice which documentation to provide, and SCI will accept any one of the above as documentation. SCI is prohibited from seeking additional documentation of victim status or requiring more than one of these types of documentation unless SCI receives conflicting information about the VAWA violence/abuse.
- If the tenant does not provide one of these types of documentation by the deadline, SCI does not have to provide the VAWA protections requested. If the documentation received by SCI contains conflicting information about the VAWA violence/abuse, SCI may require the tenant to provide additional documentation from the list above, and SCI will give the tenant another 30 calendar days to do so.

Confidentiality

If a tenant asks about or requests any of the protections described in this Notice or represents that they are a victim of VAWA violence/abuse entitled to the protections under this Notice, SCI must keep any information they provide concerning the VAWA abuse and their status as a victim strictly confidential. All the information provided by or on behalf of the tenant to support an emergency transfer request, including information on the Certification form, HUD-5382/SCI Form 126, and the Emergency Transfer

Request form, HUD-5383/SCI Form 128, (collectively referred to as “Confidential Information”) may only be accessed by SCI employees or contractors if explicitly authorized by SCI for reasons that specifically call for those individuals to have access to that information under applicable Federal, State, or local law. Confidential information must not be entered into any shared database or disclosed to any other entity or individual, except if:

- Requested or consented to in writing by the tenant in a time-limited release.
- Required for use in an eviction proceeding or hearing regarding termination of assistance, or
- Otherwise required by applicable law.

In addition, HUD’s VAWA regulations require Emergency Transfer Plans to provide strict confidentiality measures to ensure that the location of the victim’s dwelling unit is never disclosed to a person who committed or threatened to commit the VAWA violence/abuse. Accordingly:

- If a tenant shares information with SCI about why they need VAWA protections, SCI will keep the information they share strictly confidential. This information will be securely and separately kept from other tenant files. No one who works for SCI will have access to this information, unless there is a reason that specifically calls for them to access this information, SCI explicitly authorizes their access for that reason, and that authorization is consistent with applicable law.

The information **will not be disclosed** to anyone else or put in a database shared with anyone else, except in the following situations:

- If the tenant gives SCI written permission to share the information for a limited time.
- If SCI needs to use that information in an eviction proceeding or hearing; or
- If other applicable law requires SCI to share the information.

Making Plan Available

SCI’s VAWA Emergency Transfer Plan will be available to all tenants upon request. The Plan will also be posted to the agency’s external website and internal intranet site.

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 RAINN website at <https://rainn.org/news/resources-survivors-stalking-and-cyberstalking> or call 800-656-HOPE (4673).