

**SCHWENCKFELD MANOR
EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE, DATING
VIOLENCE, SEXUAL ASSAULT, AND STALKING**

Schwenckfeld Manor 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”), Schwenckfeld Manor allows any tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant’s current unit to another unit. VAWA protections are not limited to women. Victims cannot be discriminated against on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age.

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 regarding safety and security. The 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 Schwenckfeld Manor is in compliance with VAWA.

Definitions

- **External emergency transfer** refers to 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 in order to reside in the new unit.
- **Internal emergency transfer** refers to 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** refers to a unit that the victim of VAWA violence/abuse believes is safe.
- **VAWA violence/abuse** means an incident or incidents of domestic violence, dating violence, sexual assault, or stalking, as those terms are defined in 24 CFR 5.2003 and “Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking” (Form HUD-5382).

Eligibility for Emergency Transfers

A tenant may seek an emergency transfer to another unit if they or their household member is a victim of VAWA violence/abuse, as outlined in the “Notice of Occupancy Rights Under the Violence Against Women Act,” Form HUD-5380. This emergency transfer plan provides further information on emergency transfers, and Schwenckfeld Manor must provide a copy if requested. Schwenckfeld Manor may ask for submission of a written request for an emergency transfer, such as form HUD-5383, to certify eligibility for the emergency transfer.

A Tenant is eligible for an emergency transfer if:

1. The tenant (or their household member) is a victim of VAWA violence/abuse;
2. The tenant expressly requests the emergency transfer; **AND**
3. **EITHER**

- a. The tenant reasonably believes that there is a threat of imminent harm from further violence, including trauma, if they or (their household member) stays in the same dwelling unit; **OR**
- b. If the tenant (or their household member) is a victim of sexual assault, either the tenant reasonably believes that there is a threat of imminent harm from further violence, including trauma, if the tenant (or their household member) were to stay in the unit, or the sexual assault occurred on the premises and the tenant requested an emergency transfer within 90 days (including holidays and weekend days) of when that assault occurred.

Schwenckfeld Manor, in response to an emergency transfer request, should not evaluate whether the tenant is in good standing as part of the assessment or provision of an emergency transfer. Whether or not a tenant is in good standing does not impact their ability to request an emergency transfer under VAWA.

Emergency Transfer Policies

If a tenant of Schwenckfeld Manor requests an emergency transfer as described in this plan, Schwenckfeld Manor will assist the tenant to move to a safe unit as quickly as possible (if a vacant unit is available and the tenant determines that the vacant unit is safe.) Schwenckfeld Manor cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. Schwenckfeld Manor may make exceptions to program policies restricting moves as required. At the tenant's request, Schwenckfeld Manor will refer the tenant to organizations that may be able to further assist.

Internal transfers when a safe unit is immediately available:

Upon receipt of a completed VAWA transfer request and absent any conflicting or missing information, Schwenckfeld Manor will immediately process the request for transfer submitted by the tenant due to domestic violence, dating violence, sexual assault, stalking, or human trafficking.

Schwenckfeld Manor will make the maximum effort to approve or deny internal transfer requests as soon as accurate and complete information is received, but no later than fourteen (14) business days. However, approval of an emergency transfer does not guarantee a safe and appropriate unit is available. If one is not available at the time, Schwenckfeld Manor will refer the tenant to organizations that may be able to further assist.

Schwenckfeld Manor will allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available if the resident believes that there is a threat of further imminent harm if they remain in the current unit. Schwenckfeld Manor defines immediately available as a vacant unit, that is ready for move-in within a reasonable period, not to exceed 90 days.

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. Schwenckfeld Manor may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit. The tenant, except when the transfer is due to the need of Schwenckfeld Manor, will pay all moving costs related to the transfer.

When a family transfers from one unit within Schwenckfeld Manor to another, Schwenckfeld Manor will transfer the family's security deposit to the new unit. The resident will be billed for any maintenance or others charges due for the original unit.

Internal transfers when a safe unit is not immediately available:

If a unit within Schwenckfeld Manor is not immediately available, Schwenckfeld Manor will place the tenant on the emergency transfer waiting list. At the request of the tenant, Schwenckfeld Manor will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, Schwenckfeld Manor will also refer the tenant to organizations that may be able to further assist.

External transfers:

If a tenant requests an external transfer and has returned HUD-5383 and it is absent of any conflicting or missing information, Schwenckfeld Manor will assist the tenant in seeking an emergency transfer either within Advanced Living Communities or elsewhere without requiring a move-out notice. The tenant will also be provided with all available information on current unit availability known to Schwenckfeld Manor and Advanced Living Communities.

VAWA provisions do not supersede eligibility or other occupancy requirements that may apply under a covered housing program. Schwenckfeld Manor may be unable to transfer a tenant to a particular unit if the tenant cannot establish eligibility for that unit.

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify **Schwenckfeld Manor, 1290 Allentown Road, Lansdale, PA 19446, or call the East Office at 215-362-0227**. If Schwenckfeld Manor does not already have documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, Schwenckfeld Manor may ask for this documentation in accordance with 24 CFR 5.2007. Unless Schwenckfeld Manor receives documentation that contains conflicting information, as described in 24 CFR 5.2007(b)(2), Schwenckfeld Manor cannot require third-party documentation to determine status as a VAWA victim for emergency transfer eligibility. Schwenckfeld Manor will provide reasonable accommodations to this policy for individuals with disabilities.

IF Schwenckfeld Manor REQUIRES A WRITTEN REQUEST FOR AN EMERGENCY TRANSFER

The tenant's written request for an emergency transfer must include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence, including trauma, if the tenant (or household member) stays in the same dwelling unit; OR
2. In the case of a tenant (or household member) who is a victim of sexual assault, **either** a statement that the tenant reasonably believes there is a threat of imminent harm from further violence or trauma if the tenant (or household member stays in the same dwelling unit), **or** a statement that the sexual assault occurred on the premises and the tenant requested an emergency transfer within 90 days (including holidays and weekend days) of when the assault occurred.

Form HUD-5383 may be used for making a written request for a VAWA emergency transfer.

All documentation must be provided by the tenant within fourteen (14) business days of the request for documentation from Schwenckfeld Manor. Unless Schwenckfeld Manor receives documentation that contains conflicting information, (including certification forms from two or more household members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator, as described in 24 CFR 5.2007(b)(2)), Schwenckfeld Manor cannot require third-party documentation to determine status as a VAWA victim for emergency transfer eligibility. If a third-party request is made by Schwenckfeld Manor, the tenant shall have 30 calendar days from the date of the request to provide the information.

Schwenckfeld Manor will provide reasonable accommodations to this policy for individuals with disabilities, which may include the option to provide a request orally.

Priority for Transfers

Tenants who qualify for an emergency transfer under VAWA will be given the following priority over other categories of tenants seeking transfers and individuals seeking placement on waiting lists:

- Schwenckfeld Manor waitlists do not give waitlist preference for VAWA emergency transfers.
- Current tenants who qualify for a VAWA emergency transfer will be given first priority if and when a safe and appropriate unit is available. Emergency transfers under VAWA will take priority over waiting list admissions.
- Internal emergency transfers of current tenants under VAWA will receive priority over any other types of emergency transfer requests.

Confidentiality

If a tenant inquires about or requests any VAWA protections or represents that they or a household member are a victim of VAWA violence/abuse entitled to VAWA protections, Schwenckfeld Manor must keep any information they provide concerning the VAWA violence/abuse, their request for an emergency transfer, and their or a household member's status as a victim strictly confidential. This information should be securely and separately kept from tenant files. 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) and the Emergency Transfer Request Form (HUD-5383) (collectively referred to as "Confidential Information") may only be accessed by Schwenckfeld Manor employees or contractors if explicitly authorized by Schwenckfeld Manor 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:

- Written permission by the victim 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. Under the Violence Against Women Act (VAWA), Schwenckfeld Manor protects your housing and requires strict confidentiality. Your information cannot be released without your explicit written consent, unless required by a court order or federal law.

Emergency Transfer Procedure

Schwenckfeld Manor cannot specify how long it will take from the time a transfer request is approved until the tenant can be placed in a new, safe unit. Schwenckfeld Manor will, however, act as quickly as possible to assist a tenant who qualifies for an emergency transfer. If Schwenckfeld Manor identifies an available unit and the tenant believes that unit would not be safe, the tenant may request a transfer to a different unit. Schwenckfeld Manor may be unable to transfer a tenant and their household to a particular unit if the tenant and their household has not established or cannot establish eligibility for that unit.

If Schwenckfeld Manor does not have any safe and available units for which the tenant is eligible, Schwenckfeld Manor will assist the tenant in identifying other covered housing providers who may have safe and available units to which the tenant could move. At the tenant's request, Schwenckfeld Manor will also assist the tenant in contacting the local organizations offering assistance to victims of VAWA violence/abuse that are attached to this plan.

Making the Emergency Transfer Plan Available

Schwenckfeld Manor's VAWA Emergency Transfer Plan may be found on the Advanced Living website at: <https://advancedliving.org/> and can be provided upon request. VAWA information is also available in alternative languages and accessible formats by at: <https://www.hud.gov/vawa#close>

Safety and Security of Tenants

When Schwenckfeld Manor receives any inquiry or request regarding an emergency transfer, Schwenckfeld Manor will encourage the person making the inquiry or request to take all reasonable precautions to be safe, including seeking guidance and assistance from a victim service provider. However, tenants are not required to receive guidance or assistance from a victim service provider.

Resource Information

For additional information on VAWA and to find help in your area, visit <https://www.hud.gov/vawa>.

If you are in danger, please call 911. Other organizations offering assistance:

- For help regarding an abusive relationship, you may contact A Woman's Place, awomansplace.org, 24-hour hotline: 1-800-220-8116.
- If you are a victim of sexual assault and need immediate assistance, please contact the Pennsylvania Coalition Against Rape (PCAR), toll free hotline: 1-888-772-7227, or for general assistance, call 1-800-692-7445 or email at info@pcar-respecttogether.org.
- You may also contact your local rape crisis center at Victim Services Center of Montgomery County, Inc., 325 Swede Street, 2nd Floor, Norristown, PA 19401-4805, Phone: (610) 277-5200, or toll free: (888) 521-0983 or email at <http://www.victimservicescenter.org/>

- To talk with a housing advocate, contact Legal Aid of Southeastern PA, <https://www.lasp.org/housing>. LASP helps people in Bucks, Chester, Delaware and Montgomery counties who face the threat of eviction, mortgage foreclosure, and/or other housing problems. Renters in Bucks, Chester, Delaware and Montgomery counties can contact the LASP Helpline at 877-429-5994 Monday-Friday, from 9 a.m.-1 p.m.

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| National Domestic Violence Hotline https://www.thehotline.org/ 1-800-799-SAFE (7233) TTY: 1-800-787-3224 Text “START” to 88788 | National Human Trafficking Hotline https://humantraffickinghotline.org/en 1-888-373-7888 711 (TTY) Text: 233733 |
| National Sexual Assault Hotline https://rainn.org/ 1-800-656-HOPE (4673) Text HOPE to 64673 | National Teen Dating Abuse Helpline https://www.loveisrespect.org/ 1-866-331-9474 Text LOVEIS to 22522 |
| National Runaway Safeline https://www.1800runaway.org/ 1-800-RUNAWAY (800-786-2929) (call or text) | National Center for Victims of Crime https://victimconnect.org/ 1-855-VICTIM (1-855-484-2846) (call or text) |

Public reporting burden for this collection of information is estimated to range from four to eight hours per each covered housing provider’s response, depending on the covered housing program. This includes the time to develop program and project-specific emergency transfer policies and develop contacts with local service providers. Comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to the Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street, SW, Washington, DC 20410. This is a model plan and covered housing providers in programs covered by VAWA may, at their discretion, use it to develop their own emergency transfer plans, as required under 24 CFR 5.2005(e). While HUD does not intend to collect emergency transfer plans, HUD may access these plans to ensure compliance with the regulations. A Federal 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.