METROPOLITAN DEVELOPMENT AND HOUSING AGENCY

Housing Choice Voucher (HCV) Program and Project-Based Voucher (PBV) Program

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

The Metropolitan Development and Housing Agency ("MDHA") is concerned about the safety of its tenants and program participants, and that concern extends to individuals 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"),[1] MDHA 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.[2]

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 MDHA's compliance with VAWA under the Housing Choice Voucher (HCV) Program and the Project-Based Voucher (PBV) Program.

This plan applies to all households assisted through MDHA's HCV Program (including tenant-based assistance and portability moves) and PBV Program (including PBV units at any MDHA-owned or partner-owned property).

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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.

Statement of Non-Discrimination: The Metropolitan Development and Housing Agency (MDHA) does not discriminate on the basis of age, race, sex, sexual orientation, gender identity, genetic information, color, national origin, religion, disability or any other legally protected status in admission to, access to, or operations of its programs, services, or activities. If you need assistance with language interpretation or other accommodations, please call 615-252-6500 or TTY at 615-252-8599 or email at section8@nashville-mdha.org .

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. Under this plan, external emergency transfers include: (1) admission to MDHA's public housing program; (2) a move to PBV assistance at a development not owned by MDHA; and (3) any other MDHA program requiring a new application (e.g., LIHTC or HOME-assisted units, if applicable).
- 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 undergoing a new application process. Under this plan, internal emergency transfers include: (1) a move using tenant-based HCV assistance (including a household's existing voucher or, for a PBV household, an available tenant-based voucher); (2) a move to a vacant unit at the same PBV development that the tenant determines is safe; and (3) a move to PBV assistance at another development owned by MDHA.
- Safe unit: A unit that the victim of VAWA violence/abuse believes is safe.
- VAWA violence/abuse: An incident or incidents of domestic violence, dating violence, sexual assault, or stalking, as those terms are defined in 24 CFR 5.2003 and the "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). MDHA will provide a copy of this Emergency Transfer Plan upon request. MDHA may ask a tenant to submit a written request for an emergency transfer using 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**
- The tenant reasonably believes there is a threat of imminent harm from further violence, including trauma, if they (or their household member) stay in the same dwelling unit; OR
- If the tenant (or household member) is a victim of sexual assault, either the tenant reasonably believes there is a threat of imminent harm from further violence or trauma if they remain 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 the assault occurred.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements above. MDHA will not evaluate whether a tenant is in good standing as part of the assessment or provision of an emergency transfer.

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Emergency Transfer Policies

MDHA cannot guarantee that a transfer request will be approved or predict how long it will take to process a transfer request, since this depends on unit availability. MDHA will, however, act as quickly as possible to move a tenant who qualifies for an emergency transfer, subject to the availability and safety of a unit. If a tenant reasonably believes a proposed transfer 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. MDHA may be unable to transfer a tenant to a particular unit if the tenant has not, or cannot, establish eligibility for that unit.

Housing Choice Voucher (HCV) Program — tenant-based assistance

If a household holds a tenant-based Housing Choice Voucher and requests an emergency transfer as described in this plan, MDHA will assist the household to move to a safe unit as quickly as possible using its existing voucher assistance. MDHA will make exceptions to program regulations restricting moves required. At a household request, MDHA will also refer the household to organizations that may be able to provide further assistance.

Project-Based Voucher (PBV) Program

A household assisted under the PBV Program may request an emergency transfer under either of the following categories:

Transfer options that do not require a new application (priority over waiting list admissions):

- Tenant-based voucher assistance, if a voucher is available;
- Project-based assistance in the same PBV development, if a vacant unit is available and the tenant determines that unit is safe; or
- Project-based assistance in another PBV development owned by MDHA.

Emergency transfers under VAWA will take priority over waiting list admissions for these three types of assistance.

Transfer options that require a new application (no priority over waiting list admissions):

- MDHA's public housing program;
- PBV assistance in a development not owned by MDHA; or

Emergency transfers will not take priority over waiting list admissions for these programs. At the household's request, MDHA will refer the household to organizations that may be able to provide further assistance.

If no safe unit is available

If MDHA has no safe and available unit for which a tenant needing an emergency transfer is eligible, MDHA 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, MDHA will also assist the tenant in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking listed under "Safety and Security of Tenants" below.

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VAWA provisions do not supersede eligibility or other occupancy requirements that apply under the HCV or PBV Program. MDHA may be unable to transfer a tenant to a particular unit if the tenant cannot establish eligibility for that unit (for example, the unit does not meet the household's voucher size, or the household does not meet a property's income or occupancy requirements).

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify MDHA's Rental Assistance office at 302 Foster St., Nashville Tn 37207 and submit a written request for a transfer to the MDHA Rental Assistance office. MDHA will provide reasonable accommodations to this policy for individuals with disabilities, including assistance completing a written request. The tenant's written request for an emergency transfer should include either:

- A statement expressing that the tenant reasonably believes there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under MDHA's program; OR
- A statement that 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.

Form HUD-5383 may be used to make a written request for an emergency transfer.

If MDHA does not already have documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, MDHA may ask the tenant to provide documentation in accordance with 24 CFR 5.2007. Any such request will be in writing and will specify a deadline of 14 business days following receipt of the request, describe the three forms of acceptable documentation, provide explicit instructions on where and to whom the documentation must be submitted, and state the consequences of failing to submit the documentation or request an extension in writing by the deadline. MDHA may, in its discretion, extend the deadline by up to 10 business days, considering factors such as cognitive limitations, disabilities, limited English proficiency, absence from the unit, administrative delays, the danger of further violence, and the tenant's need to address health or safety issues; any extension will be granted in writing. Once the tenant provides documentation, MDHA will acknowledge receipt within 10 business days. Unless MDHA receives documentation containing conflicting information, as described in 24 CFR 5.2007(b)(2)/(e), MDHA will not require third-party documentation to determine a tenant's status as a VAWA victim for emergency transfer eligibility.

Priority for Transfers

Emergency transfers under VAWA will take priority over waiting list admissions for the following types of assistance, which do not require a new application: tenant-based voucher assistance; project-based assistance in the tenant's current PBV development (vacant, safe unit); and project-based assistance in another PBV development owned by MDHA.

Emergency transfers will not take priority over waiting list admissions for assistance that requires a new application, including MDHA's public housing program, PBV assistance in a development not owned by MDHA, and any other MDHA program requiring an application.

Confidentiality

MDHA will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives MDHA 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

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eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the tenant's dwelling unit, if one is provided, from the person or persons who committed an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

MDHA will not enter this information into any shared database, will not allow employees or others to access the information unless they are explicitly authorized to do so and have a need to know it for purposes of their work, and will not provide the information to any other entity or individual except as described above. MDHA will keep confidential records of all emergency transfers requested under this plan, and the outcomes of such requests, for a period of at least three years.

Making the Emergency Transfer Plan Available

MDHA will post this Emergency Transfer Plan, Form HUD-5380 (Notice of Occupancy Rights under VAWA), Form HUD-5382 (Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), and Form HUD-5383 (Emergency Transfer Request) in its offices and on its website, and will make this information readily available to anyone who requests it, free of charge.

MDHA will provide all applicants with information about VAWA at the time of application for housing assistance, as part of the written briefing packet, and at the time the family is admitted to the program. MDHA will also include information about VAWA in all notices of denial of assistance. MDHA will provide all participants with information about VAWA at the time of admission and at annual reexamination and will include information about VAWA in notices of termination of assistance.

The plan and related VAWA forms will be made available in alternative accessible formats for individuals with disabilities, and in other languages as requested.

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 are not required to receive guidance or assistance from a victim service provider in order to request or receive an emergency transfer.

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

Local and National Resources (See The Attached MDHA VAWA Advocate Resource Sheet)

How to Request an Emergency Transfer

Tenants may request an emergency transfer, ask questions about this plan, or request a copy of Form HUD-5380, Form HUD-5382, or Form HUD-5383 at the MDHA Rental Assistance office, or by contacting:

Metropolitan Development and Housing Agency

For HCV/PBV Rental Assistance matters: 302 Foster Street, Nashville, TN 37210, (615) 252-6500, section8@nashville-mdha.org
Website: www.nashville-mdha.org

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Advocate Resource Sheet

Call 911 for emergencies; the numbers below are the local, state, and national contacts advocates most often need for victims of domestic violence, dating violence, sexual assault, stalking, and trafficking.

Line	Number	Serves
Emergency	911	Immediate danger
Tennessee Domestic Violence Helpline	1-800-356-6767	Statewide DV; language line available
YWCA Nashville 24-Hour Crisis & Support Helpline	1-800-334-4628; local 615-242-1199; text 615-983-5170	Davidson County DV, shelter access
Morning Star Sanctuary (AGAPE) 24/7 line	615-860-0003	DV survivors seeking shelter
Tennessee Sexual Assault Hotline (Sexual Assault Center)	1-866-811-7473	Sexual assault, statewide
National Domestic Violence Hotline	1-800-799-7233; TTY 1-800-787-3224	DV, any location
National Sexual Assault Hotline (RAINN)	1-800-656-4673 or online at ohl.rainn.org/online	Sexual assault, any location
National Dating Abuse Helpline	1-866-331-9474	Dating violence
Stalking Resource Center	victimsofcrime.org/our-programs/stalking-resource-center	Stalking (web resource)
988 Suicide & Crisis Lifeline	988	Mental health crisis
National Center for Victims of Crime, Stalking Resource Center	1-855-484-2846 or online at victimsofcrime.org/our-programs/stalking-resource-center	

Advocacy and crisis centers

Center	Address	Phone	Hours	Notes
Family Safety Center (Metro	610 Murfreesboro	615-880-1100	Mon–Fri 8 a.m.–5 p.m.; order of	DV, sexual assault, trafficking, child abuse; partners

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Center	Address	Phone	Hours	Notes
Office of Family Safety)	Pike, Nashville, TN 37210		protection help 24/7	on site include YWCA, Mary Parrish Center, Sexual Assault Center, MNPD Family Intervention Program, Nashville Children's Alliance
Jean Crowe Advocacy Center	100 James Robertson Pkwy, Suite 114, Nashville, TN 37201	615-862-4767	Mon–Fri 8 a.m.–4 p.m.; walk-ins welcome	Court-based; safety planning, court accompaniment, orders of protection
Sexual Assault Center	101 French Landing Dr, Nashville, TN 37228	615-259-9055 Statewide 24-hour crisis & support line 1-866-811-7473	Office hours not verified	
MNPD Family Intervention Program	Inside Family Safety Center	615-862-7773	Not verified	Mental health services and criminal justice advocacy for violent crime victims
Tennessee Coalition to End Domestic & Sexual Violence	404 BNA Dr, Suite 210, Nashville, TN 37217	615-386-9406	Not verified	Statewide referrals; free legal services for sexual assault, immigrant, and trafficked survivors

Shelter and transitional housing

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Provider	Type	Contact	Notes
YWCA Weaver Domestic Violence Center	Emergency shelter, 70 beds, undisclosed location	24/7 helpline 1-800-334-4628 or text 615-983-5170; office 615-269-9922, 1608 Woodmont Blvd, Nashville, TN 37215	Survivors and their children;
AGAPE formerly Morning Star Sanctuary	Emergency shelter	24/7 line 615-860-0003; office 615-860-0188 (Mon–Fri 8:30 a.m.–4:30 p.m.)	Women and children; no pet accommodations; legal advocacy and orders of protection help
The Mary Parrish Center	Transitional housing and rapid rehousing	615-256-5959; housing specialists 615-955-0620; PO Box 60009, Nashville, TN 37206	Free; no service requirements; covers DV, dating violence, sexual assault, and stalking

Legal help and housing rights

Organization	Contact	Notes
Legal Aid Society of Middle Tennessee and the Cumberlands	Intake 1-800-238-1443; Nashville office 615-244-6610, 1321 Murfreesboro Pike, Suite 400, Nashville, TN 37217	Free civil help including domestic violence, protection orders, and housing; call first, no walk-in lawyer meetings; open Mon–Fri 8 a.m.–4:30 p.m.; no criminal cases
Tennessee Coalition to End Domestic & Sexual Violence	615-386-9406	Free legal services for sexual assault survivors and for immigrant and trafficked victims
Tennessee Human Rights Commission	1-800-251-3589	State housing discrimination complaints
HUD Fair Housing & Equal Opportunity	1-800-669-9777	Federal housing discrimination complaints; HUD allows up to one year from the act
HUD Nashville Field Office	615-736-5600	Serves Middle Tennessee

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Law enforcement, courts, and orders of protection

Contact	Number	Notes
Metro Nashville Police, non-emergency	615-862-8600	Reports and violations of orders of protection when not in immediate danger
MNPD Domestic Violence Division	615-880-3000	
MNPD Sex Crimes	615-862-7540	
Metro Nashville District Attorney	615-862-5500	
Family Safety Center, order of protection help	615-880-1100	Available 24/7 at 610 Murfreesboro Pike
Jean Crowe Advocacy Center	615-862-4767	Where petitioners go on the day of the court hearing

Child abuse and human trafficking

Line	Number	Notes
Tennessee Child Abuse Hotline (DCS)	1-877-237-0004; online at apps.tn.gov/carat	Every Tennessean is a mandated reporter
Nashville Children's Alliance	615-327-9958	At the Family Safety Center; free forensic interviews and therapy
Our Kids	615-341-4911	Exams and intervention for child sexual abuse
Tennessee Human Trafficking Hotline (TBI)	1-855-558-6484 (1-855-55-TNHTH)	24/7, confidential
National Human Trafficking Hotline	1-888-373-7888; text 233733	TTY 711

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