



2244 NW Bucklin Hill Road  
Silverdale, WA 98383

Phone: (360) 535-6100  
Fax: (360) 535-6169

[www.HousingKitsap.org](http://www.HousingKitsap.org)

## **Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

**Confidentiality Note:** Any personal information you share will be maintained by Housing Kitsap according to the confidentiality provisions below.

**Housing Kitsap Policy Statement:** Housing Kitsap (HK) is committed to ensuring the safety and housing stability of its tenants, including individuals who are victims of domestic violence, dating violence, sexual assault, or stalking. This Emergency Transfer Plan (ETP) applies to the following HK housing programs:

- Low-Income Housing Tax Credit (LIHTC).
- HOME Investment Partnerships Program (HOME).
- Project-Based Rental Assistance (PBRA).
- USDA Rural Development (USDA RD) properties.
- Any additional HK-owned or HK-managed affordable housing units.

In accordance with the Violence Against Women Act (VAWA),<sup>1</sup> tenants who are victims of domestic violence, dating violence, sexual assault, or stalking (“VAWA violence/abuse” ) may request an emergency transfer to relocate to a safe unit or jurisdiction. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.<sup>2</sup>

HK will take all reasonable steps to support emergency transfers to another unit within the resident's current property when necessary to address an emergency transfer request and when an appropriate unit is available, consistent with applicable program requirements. These protections are not limited to women and are available regardless of the victim's age, sex, sexual orientation, gender expression, or marital status. Tenants cannot be discriminated against on the basis of any protected characteristic, including race, color, national origin,

---

<sup>1</sup> VAWA has been reauthorized four times since its original enactment; most recently, through the Violence Against Women Act Reauthorization Act of 2022 (VAWA 2022).

<sup>2</sup> The Washington State Law Against Discrimination additionally provides that housing providers cannot discriminate based on race, color, national origin, creed (religion), sex, sexual orientation/gender identify, veteran/military status, disability, marital status and familial status.

religion, sex (including perceived or actual sexual orientation or gender expression), familial status, disability, or age.

An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as a serious or repeated lease violation by the tenant/victim, nor as good cause to terminate assistance or occupancy rights.

This plan outlines eligibility criteria for emergency transfers within the resident's current property, documentation procedures, confidentiality protections, transfer procedures, and guidance on safety and security. The plan is based on VAWA's implementing regulations at 24 CFR Part 5, Subpart L, related program requirements, and the model emergency transfer plan published by the U.S. Department of Housing and Urban Development.

HK voluntarily extends VAWA emergency transfer protections to its entire housing portfolio, including programs not directly covered under the federal VAWA statute, to ensure consistent, survivor-centered practices and equitable protections across all properties. HK applies the most protective applicable standard when multiple funding sources govern a property.

### Definitions

- 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, stalking, or related conduct covered under the Violence Against Women Act, including its 2022 reauthorization. These terms include acts that occur in person or through electronic, digital, or other technological means, and encompass behaviors intended to intimidate, threaten, harm, control, or coerce the victim.

Domestic violence, dating violence, sexual assault, and stalking are defined in 24 CFR 5.2003, as amended, and further described in HUD's "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking" (Form HUD-5382) and in applicable statutory updates under the VAWA 2022 Reauthorization Act.

### 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 HK must provide a copy if requested. HK 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. One of the following is true:
  - a. The tenant reasonably believes that there is a threat of imminent harm from further violence, including trauma, if they or (a household member) remains in the current unit; or
  - b. 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 request is made within 90 calendar days of the assault.

Good standing, program compliance, or existing lease requirements cannot be used to deny an emergency transfer.

Adverse Factors / “Direct Result” Rule: HK will not deny admission, terminate assistance, evict, or deny an emergency transfer because of an adverse factor (such as rental history, credit, criminal history, or lease violations) when that adverse factor is a direct result of domestic violence, dating violence, sexual assault, or stalking.

In assessing whether an actual and imminent threat exists, HK will consider factors including the duration, nature and severity of the risk, the likelihood that harm will occur, the length of time before harm would occur, and whether actions could be taken to reduce the risk.

### **Emergency Transfer Policies**

Emergency transfers will be carried out in accordance with the following policies and procedures, which apply across all HK programs unless otherwise specified.

#### **Emergency transfers when a safe unit is immediately available:**

When a safe unit is available at the same property, HK will:

- Prioritize the transfer above all non-emergency transfers.
- Confirm eligibility upon receiving a complete transfer request.
  - Eligibility Determination: Management confirms that the tenant qualifies programmatically for the new unit (e.g., income limits, household size).
    - If applicable, HK may require income certification and submit supporting income documentation (e.g., paystubs, benefits, tax returns) only where necessary to comply with program rules (e.g., LIHTC, HOME, RD), and such requirements will not delay or prevent transfer where a compliant unit is available.
- Offer the safe unit without requiring a new application.
- Provide expedited briefing or unit approval steps.
- Permit the tenant to decline any unit they determine to be unsafe.
- Prepare and make the unit move-in ready as quickly as possible.
- Transfer Coordination:
  - Move-in logistics are coordinated (e.g., MI/MO dates, unit walkthroughs)

- New lease is signed
  - Locks and safety measures (if needed) are addressed
- Execute a new lease or lease addendum, as applicable.
- Support Services: Tenant may be referred to outside support agencies for safety planning or other services.
- For LIHTC units, place survivors into any safe available unit if doing so does not create program noncompliance.
- Tenant Responsibilities:
  - Cooperate fully with Management during the eligibility and leasing process.
  - Submit all required documentation within the timeline requested.

HK strives to complete emergency transfers within 5 business days, when feasible and consistent with safety needs.

### **Emergency Transfers in Cases Where a Safe Unit Is Not Immediately Available**

If the tenant's current community does not have a safe unit immediately available for an emergency transfer, HK will take all reasonable steps to support the tenant's safety and relocation.

HK will maintain the tenant's emergency transfer request through an internal tracking process (such as an Emergency Transfer Waitlist). Tenants with approved emergency transfer requests will receive priority consideration for available units within the current property, consistent with applicable program requirements.

HK will take the following steps to assist the tenant:

- HK will maintain regular communication with the tenant regarding unit availability and transfer options.
- HK will notify the tenant as soon as possible regarding the availability of safe units or changes in status.
- Offer reasonable interim safety measures, where feasible (e.g., lock changes, enhanced lighting, safety planning communication).

If a safe unit becomes available, the tenant must meet applicable income and eligibility requirements for that unit under governing program rules. Updated income verification may be required at that time; however, such requirements will be applied in a manner that does not unreasonably delay or prevent a transfer where a compliant unit is available.

### **Assistance for Tenants with Housing Choice Vouchers**

If a tenant holds a Housing Choice Voucher administered by HK, HK property management will:

- Notify the HK HCV program staff immediately.
- Provide a written Emergency Transfer Letter.
- Submit any required landlord forms for HCV processing.

- Waive lease-break fees.
- Provide move-out verifications.

HK will prioritize coordination with HCV staff to ensure continuity of assistance and minimize disruption to the tenant's housing stability. HK HCV staff will follow the full HCV Emergency Transfer Plan (expedited voucher issuance, portability, HQS prioritization, etc.).

### **Emergency Transfer Request Documentation**

To request an emergency transfer, the tenant shall notify HK's management office and request for a transfer to any safe unit or alternative housing. HK will provide reasonable accommodations to this policy for individuals with disabilities. The tenant may request an emergency transfer:

- By phone, email, or in person.
- Through an advocate or service provider.
- Through a written request, including HUD Form 5383 (optional).

Tenants may request an emergency transfer orally or in writing. HK will not require a tenant to submit a written request as a condition of receiving VAWA protections; however, HK may document the request in writing to ensure clarity and to support expedited processing.

When HK documents a written request, whether completed by the tenant or assisted by HK, it will include one of the following statements:

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) were to remain in the same dwelling unit; OR
2. In the case of a tenant (or a household member) who is a victim of sexual assault, either:
  - a. 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
  - b. A statement that the sexual assault occurred on the premises and the tenant requested an emergency transfer within 90-calendar-days of when the assault occurred.

The tenant may choose which form of documentation to provide. As cited above, tenants may choose to use Form HUD-5383 to provide this written request but it is not required; HK will not require a specific form of documentation. HK will provide assistance in completing written documentation upon request.

If HK does not already have documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, HK may ask for this documentation in accordance with 24 CFR 5.2007.

HK accepts self-certification unless documentation already received contains conflicting information (24 CFR 5.2007). Unless HK receives documentation that contains conflicting information, as described in 24 CFR 5.2007(b)(2), HK cannot require third-party documentation to determine status as a VAWA victim for emergency transfer eligibility.

HK will provide reasonable accommodations to this policy for individuals with disabilities, including communication assistance and extended deadlines.

The tenant has 14 business days to provide HK with the requested documentation of VAWA victim status. HK may extend this deadline where necessary to accommodate the tenant's circumstances.

### **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, HK 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. Information will be stored 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 HK employees or contractors if explicitly authorized by HK 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.

HK will never disclose the tenant's address or new location to the perpetrator. 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, HK adopts the following measures to ensure that all VAWA-related information is safeguarded to the highest degree possible and handled in a manner that prioritizes tenant safety, privacy, and choice:

#### *[EXAMPLES:*

*Role-based access controls for digital files.*

*Segregated confidential folders.*

*VAWA-safe case notes using neutral language.*

*Secure communication protocols (encrypted email, safe contact verification).*

*No discussions in shared or public spaces.  
Confidentiality requirements for interpreters.  
No negative use of VAWA information in eligibility or tenancy decisions.]*

HK will ensure secure destruction of confidential VAWA records in accordance with required retention requirements.

### **Emergency Transfer Procedure**

HK 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. HK will, however, act as quickly as possible to assist a tenant who qualifies for an emergency transfer. If HK identifies an available unit and the tenant believes that unit would not be safe, the tenant may request a transfer to a different unit. HK may be unable to transfer a tenant and their household to a particular unit if the tenant and their household have not or cannot establish eligibility for that unit.

If HK has no safe and available units for which a tenant who needs an emergency is eligible, HK 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, HK will also assist tenants in contacting the local organizations offering assistance to victims VAWA violence/abuse that are identified below [and attached to this plan].

### **Availability of the Plan**

HK will make this Emergency Transfer Plan available:

- Upon request.
- On the HK website, when feasible.
- In accessible formats for individuals with disabilities.
- In languages required by HK's Language Access Plan.

### **Emergency Transfers: All Programs**

Emergency transfers will be implemented consistent with the requirements of each applicable program:

#### **Emergency Transfers: Project Based Rental Assistance (PBRA) Program**

If you are a Project Based Rental Assistance tenant, emergency transfers will be administered in accordance with this plan:

- Approved emergency transfers may occur within the same property when a safe and appropriate unit is available and the transfer is consistent with applicable program requirements.
- HK will take all reasonable steps to support transfer as quickly as possible, including making exceptions to policies restricting moves where required under VAWA.

Emergency transfers to other programs that require a separate application (e.g., HCV tenant-based program) are subject to those programs' eligibility program rules, and waiting

list requirements; however, HK will assist the tenant in identifying and pursuing available options

### **Emergency Transfers: Low Income Housing Tax Credit (LIHTC) Program**

If you are a Low-Income Housing Tax Credit tenant, emergency transfers will be administered in accordance with this plan:

- Approved emergency transfers may occur within the same property when a safe and appropriate unit is available and the transfer is consistent with applicable program requirements.
- HK will take all reasonable steps to support transfer as quickly as possible, including making expectations to policies restricting moves where required under VAWA.

Emergency transfers must comply with LIHTC requirements and unit eligibility rules. HK will identify safe units that maintain the property's LIHTC requirements.

Emergency transfers to other programs that require a separate application (e.g., HCV tenant-based program) are subject to those programs' eligibility program rules, and waiting list requirements; however, HK will assist the tenant in identifying and pursuing available options.

### **Emergency Transfers: USDA – Rural Development Program**

If you are an USDA – Rural Development tenant, emergency transfers will be administered in accordance with this plan:

- Approved emergency transfers may occur within the same property when a safe and appropriate unit is available and the transfer is consistent with applicable program requirements.
- HK will take all reasonable steps to support transfer as quickly as possible, including making expectations to policies restricting moves where required under VAWA.

### **Priority of VAWA Emergency Transfers over Other Categories of Emergency Transfer**

In general, tenants who qualify for a VAWA Emergency Transfers will receive priority over:

- All non-emergency transfers.
- All voluntary transfers.
- Applicants on waiting list for HCV assistance or HK-controlled units.

VAWA emergency transfers are processed immediately and ahead of all other transfer categories. VAWA emergency transfer requests receive, at a minimum, the highest priority HK assigns to any other type of emergency transfer.

### **Policies for Tenants with Tenant Based Assistance**

The measures and priorities covered under this Emergency Transfer Plan apply to households with tenant-based housing assistance in the same manner that they apply to other households



covered by this plan. Under 24 CFR 982.353 and 354, PHAs must issue a victim VAWA violence/abuse a voucher allowing the participant to search for another unit in its jurisdiction or begin the portability process if the participant wishes to move outside of the PHA's jurisdiction.

If a tenant holds a Housing Choice Voucher administered by HK, HK property management will:

- Notify the HK HCV program staff immediately.
- Provide a written Emergency Transfer Letter.
- Submit any required landlord forms for HCV processing.
- Waive lease-break fees.
- Provide move-out verifications.

HK HCV staff will then follow the full HCV Emergency Transfer Plan (expedited voucher issuance, portability, HQS prioritization, etc.).

HK will apply the same priorities for Emergency Transfer to place tenants with tenant-based vouchers as quickly as possible, and wherever possible, prior to the expiration of any deadlines for using the voucher that may be imposed by the PHA.

HK separately maintains an Emergency Transfer Plan for its Housing Choice Voucher (HCV) Program that is made available upon request, on HK's website (as feasible), in accessible formats, and in accordance with HK's Language Assistance Plan.

### **Safety and Security of Tenants**

When HK receives any inquiry or request regarding an emergency transfer, HK 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.

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

HK will provide tenant referrals to the following organizations and resources:

### **National Resources:**

- National Domestic Violence Hotline at 1-800-799-7233. For persons with hearing impairments at 1-800-787-3224 (TTY)
- 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/>
- National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/ourprograms/stalking-resource-center>

### **Metro Resources:**

- Kitsap County Domestic Violence Task Force 360-479-5392  
Provides information on domestic violence services available in our community

Tenants are not required to engage with a victim service provider as a condition of receiving VAWA protections.

**Attachments:**

- HUD Form 5380 – Notice of Occupancy Rights
- HUD Form 5382 – Self-Certification
- HUD Form 5383 – Emergency Transfer Request

**Revision History**

| Revision Date | Section(s) Revised      | Description of Change                                                                                                                                                                                                                                   | Approved By            |
|---------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 6/13/2017     | Initial Policy Adoption | Housing Kitsap has adopted a standardized framework for the Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking) to ensure consistent, fair, and transparent leasing practices across its portfolio. | Board of Commissioners |
| 6/23/2026     | Policy Review           | Comprehensive update applying VAWA 2022 requirements, the updated HUD model 5381, and review to ensure compliance.                                                                                                                                      | Board of Commissioners |

**Protections for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

**When should I receive this form?** A covered housing provider must provide a copy of the Notice of Occupancy Rights Under The Violence Against Women Act (Form HUD-5380) and the Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (Form HUD-5382) when you are admitted as a tenant, when you receive an eviction or termination notice and prior to termination of tenancy, or when you are denied as an applicant. A covered housing provider may provide these forms at additional times.

**What is the Violence Against Women Act (“VAWA”)?** This notice describes protections that may apply to you as an applicant or a tenant under a housing program covered by a federal law called the Violence Against Women Act (“VAWA”). VAWA provides housing protections for victims of domestic violence, dating violence, sexual assault or stalking. VAWA protections must be in leases and other program documents, as applicable. VAWA protections may be raised at any time. You do not need to know the type or name of the program you are participating in or applying to in order to seek VAWA protections.

**What if I require this information in a language other than English?** To read this information in Spanish or another language, please contact **Kitsap County Consolidated Housing Authority dba Housing Kitsap Section 504 Coordinator, Freddy Linares, 2244 NW Bucklin Hill Road, Silverdale, WA 98383 Phone: (360) 535-6128; FOR** HOPWA PROVIDERS **N/A** or go to **www.housingkitsap.org**. You can read translated VAWA forms at [https://www.hud.gov/program\\_offices/administration/hudclips/forms/hud5a#4](https://www.hud.gov/program_offices/administration/hudclips/forms/hud5a#4). If you speak or read in a language other than English, your covered housing provider must give you language assistance regarding your VAWA protections (for example, oral interpretation and/or written translation).

**What do the words in this notice mean?**

- *VAWA violence/abuse* means one or more incidents of domestic violence, dating violence, sexual assault, or stalking.
- *Victim* means any victim of *VAWA violence/abuse*, regardless of actual or perceived sexual orientation, gender identity, sex, or marital status.
- *Affiliated person* means the tenant’s spouse, parent, sibling, or child; or any individual, tenant, or lawful occupant living in the tenant’s household; or anyone for whom the tenant acts as parent/guardian.
- *Covered housing program*<sup>1</sup> includes the following HUD programs:
  - Public Housing
  - Tenant-based vouchers (TBV, also known as Housing Choice Vouchers or HCV) and Project-based Vouchers (PBV) Section 8 programs
  - Section 8 Project-Based Rental Assistance (PBRA)
  - Section 8 Moderate Rehabilitation Single Room Occupancy
  - Section 202 Supportive Housing for the Elderly
  - Section 811 Supportive Housing for Persons with Disabilities
  - Section 221(d)(3)/(d)(5) Multifamily Rental Housing
  - Section 236 Multifamily Rental Housing
  - Housing Opportunities for Persons With AIDS (HOPWA) program
  - HOME Investment Partnerships (HOME) program
  - The Housing Trust Fund
  - Emergency Solutions Grants (ESG) program
  - Continuum of Care program
  - Rural Housing Stability Assistance program
- *Covered housing provider* means the individual or entity under a covered housing program that is responsible for providing or overseeing the VAWA protection in a specific situation. The covered housing provider may be a public housing agency, project sponsor, housing owner, mortgagor, housing manager, State or local government, public agency, or a nonprofit or for-profit organization as the lessor.

---

<sup>1</sup> For information about non-HUD covered housing programs under VAWA, see Interagency Statement on the Violence Against Women Act’s Housing Provisions at <https://www.hud.gov/sites/dfiles/PA/documents/InteragencyVAWAHousingStmnt092024.pdf>.

**What if I am an applicant under a program covered by VAWA?** You can't be denied housing, housing assistance, or homeless assistance covered by VAWA just because you (or a household member) are or were a victim or just because of problems you (or a household member) had as a direct result of being or having been a victim. For example, if you have a poor rental or credit history or a criminal record, and that history or record is the direct result of you being a victim of VAWA abuse/violence, that history or record cannot be used as a reason to deny you housing or homeless assistance covered by VAWA.

**What if I am a tenant under a program covered by VAWA?** You cannot lose housing, housing assistance, or homeless assistance covered by VAWA or be evicted just because you (or a household member) are or were a victim of VAWA violence/abuse. You also cannot lose housing, housing assistance, or homeless assistance covered by VAWA or be evicted just because of problems that you (or a household member) have as a direct result of being or having been a victim. For example, if you are a victim of VAWA abuse/violence that directly results in repeated noise complaints and damage to the property, neither the noise complaints nor property damage can be used as a reason for evicting you from housing covered by VAWA. You also cannot be evicted or removed from housing, housing assistance, or homeless assistance covered by VAWA because of someone else's criminal actions that are directly related to VAWA abuse/violence against you, a household member, or another affiliated person.

**How can tenants request an emergency transfer?** Victims of VAWA violence/abuse have the right to request an emergency transfer from their current unit to another unit for safety reasons related to the VAWA violence/abuse. An emergency transfer cannot be guaranteed, but you can request an emergency transfer when:

1. You (or a household member) are a victim of VAWA violence/abuse;
2. You expressly request the emergency transfer; **AND**
3. **EITHER**
  - a. you reasonably believe that there is a threat of imminent harm from further violence, including trauma, if you (or a household member) stay in the same dwelling unit; **OR**
  - b. if you (or a household member) are a victim of sexual assault, either you reasonably believe that there is a threat of imminent harm from further violence, including trauma, if you (or a household member) were to stay in the unit, or the sexual assault occurred on the premises and you request an emergency transfer within 90 days (including holidays and weekend days) of when that assault occurred.

You can request an emergency transfer even if you are not lease compliant, for example if you owe rent. If you request an emergency transfer, your request, the information you provided to make the request, and your new unit's location must be kept strictly confidential by the covered housing provider. The covered housing provider is required to maintain a VAWA emergency transfer plan and make it available to you upon request. To request an emergency transfer or to read the covered housing provider's VAWA emergency transfer plan, **Kitsap County Consolidated Housing Authority dba Housing Kitsap 2244 NW Bucklin Hill Road, Silverdale, WA 98383 (360) 535-6100, [www.housingkitsap.org](http://www.housingkitsap.org) or any Housing Kitsap property management office to request an emergency transfer or a copy of the applicable VAWA emergency transfer plan.** The VAWA emergency transfer plan includes information about what the covered housing provider does to make sure your address and other relevant information are not disclosed to your perpetrator.

**Can the perpetrator be evicted or removed from my lease?** Depending on your specific situation, your covered housing provider may be able to divide the lease to evict just the perpetrator. This is called "lease bifurcation."

**What happens if the lease bifurcation ends up removing the perpetrator who was the only tenant who qualified for the housing or assistance?** In this situation, the covered housing provider must provide you and other remaining household members an opportunity to establish eligibility or to find other housing. If you cannot or don't want to establish eligibility, then the covered housing provider must give you a reasonable time to move or establish eligibility for another covered housing program. This amount of time varies, depending on the covered housing program involved. The table below shows the reasonable time provided under each covered housing programs with HUD. Timeframes for covered housing programs operated by other agencies are determined by those agencies.

| Covered Housing Program(s)                                                                                                                                                                                      | Reasonable Time for Remaining Household Members to Continue to Receive Assistance, Establish Eligibility, or Move.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME and Housing Trust Fund, Continuum of Care Program (except for permanent supportive housing), ESG program, Section 221(d)(3) Program, Section 221(d)(5) Program, Rural Housing Stability Assistance Program | Because these programs do not provide housing or assistance based on just one person's status or characteristics, the remaining tenant(s), or family member(s) in the CoC program, can keep receiving assistance or living in the assisted housing as applicable.                                                                                                                                                                                                                                                                                                                                                                                                        |
| Permanent supportive housing funded by the Continuum of Care Program                                                                                                                                            | The remaining household member(s) can receive rental assistance until expiration of the lease that is in effect when the qualifying member is evicted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Housing Choice Voucher, Project-based Voucher, and Public Housing programs (for Special Purpose Vouchers (e.g., HUD-VASH, FUP, FYI, etc.), see also program specific guidance)                                  | <p>If the person removed was the only tenant who established eligible citizenship/immigration status, the remaining household member(s) must be given 30 calendar days from the date of the lease bifurcation to establish program eligibility or find alternative housing.</p> <p>For HUD-VASH, if the veteran is removed, the remaining family member(s) can keep receiving assistance or living in the assisted housing as applicable. If the veteran was the only tenant who established eligible citizenship/immigration status, the remaining household member(s) must be given 30 calendar days to establish program eligibility or find alternative housing.</p> |
| Section 202/811 PRAC and SPRAC                                                                                                                                                                                  | The remaining household member(s) must be given 90 calendar days from the date of the lease bifurcation or until the lease expires, whichever is first, to establish program eligibility or find alternative housing.                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Section 202/8                                                                                                                                                                                                   | <p>The remaining household member(s) must be given 90 calendar days from the date of the lease bifurcation or when the lease expires, whichever is first, to establish program eligibility or find alternative housing.</p> <p>If the person removed was the only tenant who established eligible citizenship/immigration status, the remaining household member(s) must be given 30 calendar days from the date of the lease bifurcation to establish program eligibility or find alternative housing.</p>                                                                                                                                                              |
| Section 236 (including RAP); Project-based Section 8 and Mod Rehab/SRO                                                                                                                                          | The remaining household member(s) must be given 30 calendar days from the date of the lease bifurcation to establish program eligibility or find alternative housing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| HOPWA                                                                                                                                                                                                           | The remaining household member(s) must be given no less than 90 calendar days, and not more than one year, from the date of the lease bifurcation to establish program eligibility or find alternative housing. The date is set by the HOPWA Grantee or Project Sponsor.                                                                                                                                                                                                                                                                                                                                                                                                 |

**Are there any reasons that I can be evicted or lose assistance?** VAWA does not prevent you from being evicted or losing assistance for a lease violation, program violation, or violation of other requirements that are not due to the VAWA violence/abuse committed against you or an affiliated person. However, a covered housing provider cannot be stricter with you than with other tenants, just because you or an affiliated person experienced VAWA abuse/violence. VAWA also will not prevent eviction, termination, or removal if other tenants or housing staff are shown to be in immediate, physical danger that could lead to serious bodily harm or death if you are not evicted or removed from assistance. **But only if no other action can be taken to reduce or eliminate the threat** should a covered housing provider evict you or end your assistance, if the VAWA abuse/violence happens to you or an affiliated person. A covered housing provider must provide a copy of the Notice of Occupancy Rights Under The Violence Against Women Act (Form HUD-5380) and the Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (Form HUD-5382) when you receive an eviction or termination notice and prior to termination of tenancy.

**What do I need to document that I am a victim of VAWA abuse/violence?** If you ask for VAWA protection, the covered housing provider may request documentation showing that you (or a household member) are a victim. BUT the covered housing provider must make this request in writing and must give you at least 14 business days (weekends and holidays do not count) to respond, and you are free to choose any one of the following:

1. A self-certification form (for example, Form-HUD 5382), which the covered housing provider must give you along with this notice. Either you can fill out the form or someone else can complete it for you;
2. A statement from a victim/survivor service provider, attorney, mental health professional or medical professional who has helped you address incidents of VAWA violence/abuse. The professional must state “under penalty of perjury” that he/she/they believes that the incidents of VAWA violence/abuse are real and covered by VAWA. Both you and the professional must sign the statement;
3. A police, administrative, or court record (such as a protective order) that shows you (or a household member) were a victim of VAWA violence/abuse; OR
4. If allowed by your covered housing provider, any other statement or evidence provided by you.

It is your choice which documentation to provide and the covered housing provider must accept any one of the above as documentation. The covered housing provider is prohibited from seeking additional documentation of victim status or requiring more than one of these types of documentation, unless the covered housing provider receives conflicting information about the VAWA violence/abuse.

If you do not provide one of these types of documentation by the deadline, the covered housing provider does not have to provide the VAWA protections you requested. If the documentation received by the covered housing provider contains conflicting information about the VAWA violence/abuse, the covered housing provider may require you to provide additional documentation from the list above, but the covered housing provider must give you another 30 calendar days to do so.

**Will my information be kept confidential?** If you share information with a covered housing provider about why you need VAWA protections, the covered housing provider must keep the information you share strictly confidential. This information should be securely and separately kept from your other tenant files. No one who works for your covered housing provider will have access to this information, unless there is a reason that specifically calls for them to access this information, your covered housing provider explicitly authorizes their access for that reason, and that authorization is consistent with applicable law.

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

1. If you give the covered housing provider written permission to share the information for a limited time;
2. If the covered housing provider needs to use that information in an eviction proceeding or hearing; or
3. If other applicable law requires the covered housing provider to share the information.

**How do other laws apply?** VAWA does not limit the covered housing provider's duty to honor court orders about access to or control of the property, or civil protection orders issued to protect a victim of VAWA abuse/violence.

Additionally, VAWA does not limit the covered housing provider's duty to comply with a court order with respect to the distribution or possession of property among household members during a family break up. The covered housing provider must follow all applicable fair housing and civil rights requirements.

**Can I request a reasonable accommodation?** If you have a disability, your covered housing provider must provide reasonable accommodations to rules, policies, practices, or services that may be necessary to allow you to equally benefit from VAWA protections (for example, giving you more time to submit documents or assistance with filling out forms). You may request a reasonable accommodation at any time, even for the first time during an eviction. If a provider is denying a specific reasonable accommodation because it is not reasonable, your covered housing provider must first engage in the interactive process with you to identify possible alternative accommodations. To request a reasonable accommodation, please contact **Kitsap County Consolidated Housing Authority dba Housing Kitsap Section 504 Coordinator, Freddy Linares, 2244 NW Bucklin Hill Road, Silverdale, WA 98383 Phone: (360) 535-6128**. Your covered housing provider must also ensure effective communication with individuals with disabilities.

**Have your protections under VAWA been denied?** If you believe that the covered housing provider has violated these rights, you may seek help by contacting [INSERT LOCAL HUD FHEO FIELD OFFICE & CONTACT INFORMATION]. You can also find additional information on filing VAWA complaints at <https://www.hud.gov/VAWA> and [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/VAWA](https://www.hud.gov/program_offices/fair_housing_equal_opp/VAWA). To file a VAWA complaint, visit <https://www.hud.gov/fairhousing/fileacomplaint>.

**Need further help?**

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

To talk with a housing advocate, contact:

- **Domestic Violence Hotline 1-800-562-6025**
  - **Provides 24-hour, toll-free information about shelter and alternatives to domestic violence.**
- **Kitsap County Domestic Violence Task Force 360-479-5392**
  - **Provides information on domestic violence services available in our community**

**Public reporting burden** for this collection of information is estimated to range from 45 to 90 minutes per each covered housing provider's response, depending on the program. This includes time to print and distribute the form. 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, D.C. 20410. This notice is required for covered housing programs under section 41411 of VAWA and 24 CFR 5.2003. Covered housing providers must give this notice to applicants and tenants to inform them of the VAWA protections as specified in section 41411(d)(2). This is a model notice, and no information is being collected. 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.

**CERTIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING**

**Confidentiality Note:** Any personal information you share in this form will be maintained by your covered housing provider according to the confidentiality provisions below.

**Purpose of Form:** If you are a tenant of or applicant for housing assisted under a covered housing program, or if you are applying for or receiving transitional housing or rental assistance under a covered housing program, and ask for protection under the Violence Against Women Act ("VAWA"), you may use this form to comply with a covered housing provider's request for written documentation of your status as a "victim". This form is accompanied by a "Notice of Occupancy Rights Under the Violence Against Women Act," Form HUD-5380.

**VAWA protects individuals and families regardless of a victim's age or actual or perceived sexual orientation, gender identity, sex, or marital status.**

You are not expected **and cannot be asked or required** to claim, document, or prove victim status or VAWA violence/abuse other than as stated in "Notice of Occupancy Rights Under the Violence Against Women Act," Form HUD-5380.

This form is **one of your available options** for responding to a covered housing provider's written request for documentation of victim status or the incident(s) of VAWA violence/abuse. If you choose, you may submit one of the types of third-party documentation described in Form HUD-5380, in the section titled, "What do I need to document that I am a victim?". Your covered housing provider must give you at least 14 business days (weekends and holidays do not count) to respond to their written request for this documentation.

**Will my information be kept confidential?** Whenever you ask for or about VAWA protections, your covered housing provider must keep any information you provide about the VAWA violence/abuse or the fact you (or a household member) are a victim, including the information on this form, strictly confidential. This information should be securely and separately kept from your other tenant files. This information can only be accessed by an employee/agent of your covered housing provider if (1) access is required for a specific reason, (2) your covered housing provider explicitly authorizes that person's access for that reason, **and** (3) the authorization complies with applicable law. This information will not be given to anyone else or put in a database shared with anyone else, unless your covered housing provider (1) gets your written permission to do so for a limited time, (2) is required to do so as part of an eviction or termination hearing, **or** (3) is required to do so by law.

In addition, your covered housing provider must keep your address strictly confidential to ensure that it is not disclosed to a person who committed or threatened to commit VAWA violence/abuse against you (or a household member).

**What if I require this information in a language other than English?** To read this in Spanish or another language, please contact **Kitsap County Consolidated Housing Authority dba Housing Kitsap 2244 NW Bucklin Hill Road, Silverdale, WA 98383 (360) 535-6100 or any Housing Kitsap property management office**; FOR HOPWA PROVIDERS – N/A or go to **www.housingkitsap.org**. You can read translated VAWA forms at **https://www.hud.gov/program\_offices/administration/hudclips/forms/hud5a#4**. If you speak or read in a language other than English, your covered housing provider must give you language assistance regarding your VAWA protections (for example, oral interpretation and/or written translation).

**Can I request a reasonable accommodation?** If you have a disability, your covered housing provider must provide reasonable accommodations to rules, policies, practices, or services that may be necessary to allow you to equally benefit from VAWA protections (for example, giving you more time to submit documents or assistance with filling out forms). You may request a reasonable accommodation at any time, even for the first time during an eviction. If a provider is denying a specific reasonable accommodation because it is not reasonable, your



covered housing provider must first engage in the interactive process with you to identify possible alternative accommodations. Your covered housing provider must also ensure effective communication with individuals with disabilities.

**Need further help?** For additional information on VAWA and to find help in your area, visit <https://www.hud.gov/vawa>. To speak with a housing advocate, contact

- **Domestic Violence Hotline 1-800-562-6025**
  - **Provides 24-hour, toll-free information about shelter and alternatives to domestic violence.**
- **Kitsap County Domestic Violence Task Force 360-479-5392**
  - **Provides information on domestic violence services available in our community**

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Name(s) of victim(s): \_\_\_\_\_

2. Your name (if different from victim's): \_\_\_\_\_

3. Name(s) of other member(s) of the household: \_\_\_\_\_

\_\_\_\_\_

4. Name of the perpetrator (if known and can be safely disclosed): \_\_\_\_\_

5. What is the safest and most secure way to contact you? (You may choose more than one.)

If any contact information changes or is no longer a safe contact method, notify your covered housing provider.

☐ Phone Phone Number: \_\_\_\_\_

Safe to receive a voicemail: ☐ Yes ☐ No

☐ E-mail E-mail Address: \_\_\_\_\_

Safe to receive an email: ☐ Yes ☐ No

☐ Mail Mailing Address: \_\_\_\_\_

Safe to receive mail from your housing provider: ☐ Yes ☐ No

☐ Other Please List: \_\_\_\_\_

6. Anything else your housing provider should know to safely communicate with you?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Applicable definitions of domestic violence, dating violence, sexual assault, or stalking:**

*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 lives with or has lived 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, 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.

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 the relationship, and the frequency of interaction between the persons involved in the relationship.

*Dating violence* means violence committed by a person:

- (1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; **and**
- (2) Where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; and (iii) The frequency of interaction between the persons involved in the relationship.

*Sexual assault* means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

*Stalking* means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (1) Fear for the person's individual safety or the safety of others **or**
- (2) Suffer substantial emotional distress.

**Certification of Applicant or Tenant:** By signing below, I am certifying that the information provided on this form is true and correct to the best of my knowledge and recollection, and that one or more members of my household is or has been a victim of domestic violence, dating violence, sexual assault, or stalking as described in the applicable definitions above.

---

**Signature**

---

**Date**

**Public Reporting Burden** for this collection of information is estimated to average 20 minutes per response. This includes the time for collecting, reviewing, and reporting. 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. Housing providers in programs covered by VAWA may request certification that the applicant or tenant is a victim of VAWA violence/abuse. 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.

**EMERGENCY TRANSFER  
REQUEST FOR CERTAIN  
VICTIMS OF DOMESTIC  
VIOLENCE, DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING**

**U.S. Department of Housing  
and Urban Development**

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**Purpose of Form:** If you are a victim of domestic violence, dating violence, sexual assault, or stalking, and you are seeking an emergency transfer, you may use this form to request an emergency transfer and certify that you meet the requirements of eligibility for an emergency transfer under the Violence Against Women Act (VAWA). Although the statutory name references women, VAWA rights and protections apply to all victims of domestic violence, dating violence, sexual assault or stalking. Using this form does not necessarily mean that you will receive an emergency transfer. See your housing provider's emergency transfer plan for more information about the availability of emergency transfers.

**The requirements you must meet are:**

**(1) You are a victim of domestic violence, dating violence, sexual assault, or stalking.**

If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation. In response, you may submit Form HUD-5382, or any one of the other types of documentation listed on that Form.

**(2) You expressly request the emergency transfer.** Submission of this form confirms that you have expressly requested a transfer. Your housing provider may choose to require that you submit this form, or may accept another written or oral request. Please see your housing provider's emergency transfer plan for more details.

**(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you submit this form or otherwise expressly request the transfer.

**Submission of Documentation:** If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you should submit that documentation to your housing provider if it is safe for you to do so. Examples of third party documentation include, but are not limited to: a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom you have sought assistance; a current restraining order; a recent court order or other court records; a law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking, and concerning your request for an emergency transfer shall be kept confidential. Such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections or an emergency transfer to you. Such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE PERSON REQUESTING A TRANSFER**

1. Name of victim requesting an emergency transfer: \_\_\_\_\_

2. Your name (if different from victim's) \_\_\_\_\_

3. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_

4. Name(s) of other family member(s) who would transfer with the victim: \_\_\_\_\_

5. Address of location from which the victim seeks to transfer: \_\_\_\_\_

6. Address or phone number for contacting the victim: \_\_\_\_\_

7. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_

8. Relationship of the accused perpetrator to the victim: \_\_\_\_\_

9. Date(s), Time(s) and location(s) of incident(s): \_\_\_\_\_

10. Is the person requesting the transfer a victim of a sexual assault that occurred in the past 90 days on the premises of the property from which the victim is seeking a transfer? If yes, skip question 11. If no, fill out question 11. \_\_\_\_\_

11. Describe why the victim believes they are threatened with imminent harm from further violence if they remain in their current unit.

12. If voluntarily provided, list any third-party documentation you are providing along with this notice: \_\_\_\_\_

This is to certify that the information provided on this form is true and correct to the best of my knowledge, and that the individual named above in Item 1 meets the requirement laid out on this form for an emergency transfer. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_