

Western PA CoC Written Standards Training 2025 – Part 2: VAWA Housing Protections and Emergency Transfer Plan

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What are the Written Standards?

- Required by HUD
- Provide guidance for CoC and ESG programs related to service delivery
- Ensure that all programs are operating in a consistent, coordinated way that is compliant with HUD and CoC requirements

What's new in the 2025 version of Written Standards?

- VAWA Section in Standards for All Project Types
- Hyperlinks to and explanations of HUD's VAWA Forms
 - Appendix E - includes cover sheets to summarize and explain HUD's VAWA forms in plain language
- New language on lease bifurcation and removal
- Appendix D - Emergency Transfer Plan and Process updated


Overview

- Historical Context of VAWA
- Requirements for Compliance with VAWA
- How to best support survivor safety

Pulse Check 1

How would you describe your level of knowledge about VAWA and its associated Housing Protections?

- 4 - Very knowledgeable
- 3 – Somewhat/ fairly knowledgeable
- 2 – Minimally knowledgeable
- 1 - Not at all knowledgeable



Overview of Violence Against Women Act (VAWA)

What is the Violence Against Women Act?

- The Violence Against Women Act (VAWA) is a federal law that
 - provides housing protections for people applying for or living in units subsidized by the federal government who have experienced domestic violence, dating violence, sexual assault, or stalking, to help keep them safe and reduce their likelihood of experiencing homelessness.

What is the Violence Against Women Act?

- Passed in 1994 in response to increase in DV, showing federal level commitment to supporting survivors
- Included both funding and protections for survivors of DV
- Reauthorized in 2005, recognizing link between DV and homelessness

What is the Violence Against Women Act?

- Reauthorized in 2013 with significantly expanded housing protections, included coverage of sexual assault survivors (also dating violence and stalking), and mandated compliance from federally subsidized housing programs
- Reauthorized in 2022 with revised HUD's Category 4 definition for CoC and ESG Program eligibility, added definitions of economic abuse and technological abuse, prohibits retaliation against persons who access their VAWA rights, provided survivors the opportunity to file a complaint with HUD if they feel their VAWA rights have been violated, and created HUD's Office on Gender Based Violence

What CoC and ESG programs are covered by VAWA?

- CoC Program
 - Permanent Supportive Housing
 - Rapid Re-Housing
 - Transitional Housing
- ESG Program
 - Homelessness Prevention
 - Rapid Re-Housing

What other housing programs are covered by VAWA?

- Public Housing
- Housing Choice Voucher
- Project-based Section 8 and Section 8 Moderate Rehabilitation Single Room Occupancy
- Section 202 Supportive Housing for the Elderly, including Section 202 Direct Loan
- Section 811 Supportive Housing for Persons with Disabilities
- Housing Opportunities for Persons with AIDS (HOPWA)
- HOME Investment Partnerships (HOME)
- Multifamily rental housing under Section 221(d)(3) of the National Housing Act with a below-market interest rate (BMIR) pursuant to Section 221(d)(5);
- Multifamily rental housing under Section 236 of the National Housing Act
- Housing Trust Fund program



Housing Protections under VAWA

Housing Protections under VAWA 2005 Reauthorization

- Survivors can report DV/SA without fear of inability to obtain or maintain housing.
- Status as a victim cannot result in denial of tenancy or assistance, if the individual would otherwise qualify.
- Incidences of abuse cannot result in eviction of a unit rented by the survivor, nor can the criminal behavior of the abusive partner result in eviction for the survivor.
- Programs and PHAs have the right to evict an abusive partner.
- Leases may be bifurcated in order to keep the survivor housed.
- If the abusive partner is person who is eligible for subsidy and is evicted, the survivor will be given the opportunity to establish eligibility. If the survivor cannot, they should be given reasonable time to find new housing or establish eligibility under another program.

Housing Protections under VAWA 2013 Reauthorization

- Maintained protections from previous authorizations
- Expanded to cover all VAWA crimes (DV, SA, dating violence and stalking)
- Expanded to protect affiliated individuals (children, siblings, spouses, parents and anyone residing in the household)
- Expanded to apply protections to all survivors consistent with non-discrimination and fair housing requirements
- Expanded protections to all federally subsidized housing programs
- Clarified that tenants must receive notice of rights under VAWA
- Included Emergency Transfer Plan (ETP) requirement

Housing Protections under VAWA 2022 Reauthorization

- Maintained protections from previous authorizations
- Revised HUD Category 4 Homeless Definition for CoC and ESG Program eligibility
- Added definitions of economic abuse and technological abuse to the definition of DV
- Prohibits retaliation against persons who exercise their VAWA rights
- Right to report crime and emergencies from one's home
- Provides survivors and others the opportunity to file a complaint with HUD

Housing Protections under VAWA 2022 Reauthorization

- Added the CoC Program VAWA BLI and related eligible activities/ costs
- Authorized HUD Funding for VAWA Training and Technical Assistance
- Created HUD's Office on Gender Based Violence and VAWA Director
- Requires HUD to establish a compliance review process
- Study on Housing and Service Needs of Survivors of Trafficking

HUD's VAWA Final Rule

Intent of the Rule:

- All individuals have a right to a home without fear of violence.
- Expansion of housing protections increases safe housing.
- Safe housing reduces the risk of homelessness.
- Seeks to decrease evictions, denials of housing assistance, and instances of fleeing for survivors experiencing violence in their homes


(from HUD Exchange)

HUD's VAWA Final Rule

History of the Rule:

- HUD implemented the VAWA Final Rule in November 2016 - housing programs administered by HUD required to follow VAWA 2013
 - Regulations were effective in December 2016.
 - Implementation, including notices and documentation, expected as of December 5, 2017.
- HUD issued a VAWA 2022 Notice in January 2023 to describe how the VAWA 2022 amendments affect HUD's programs.
 - The majority of VAWA 2022 Amendments went into effect in October 2022, and implementation is expected immediately.

(from HUD Exchange and HUD)



VAWA Requirements for ESG and CoC Housing Programs

VAWA Requirements for ESG and CoC Housing Providers

- [HUD's VAWA Page](#)
- [HUD SNAPS June 2023 VAWA Letter to CoC and ESG Grantees](#)
- [HUD Guidance: VAWA Requirements for CoCs, CoC Recipients and ESG Recipients](#)
- [The Violence Against Women Act Reauthorization Act of 2022: Overview of Applicability to HUD Programs](#)

Notification of VAWA Rights

- Participants must receive [HUD-5380](#) Notice of Occupancy Rights Under the Violence Against Women Act*, along with [HUD-5382](#) Self-Certification Form, at 4 points in time:
 - at the time an applicant is denied admission to a permanent or transitional housing program (CoC) or denied rental assistance (ESG);
 - At the time an applicant is admitted to a permanent or transitional housing program (CoC) or begins receiving rental assistance (ESG);
 - When they receive a notification of eviction; or
 - When they are notified their assistance is ending/ being terminated.

Denial and Termination of Assistance

- Participants cannot be denied and cannot lose/ be evicted from housing or housing assistance because:
 - they (or a household member) are or were a victim of VAWA violence/ abuse;
 - because of problems (poor rental or credit history, criminal record, noise complaints, property damage) that have been documented are a direct result of being or having been a victim;
 - for someone else's criminal actions that are directly related to abuse/violence against the victim.

VAWA Lease Addendum

- [HUD-91067](#) Section 8 VAWA Lease Addendum*
- Leases, subleases, or occupancy agreements must include addendums detailing the relevant VAWA protections.
 - These addendums may (but are not required to) be written to expire when the participant is no longer receiving the assistance (CoC and ESG).
 - Most Leases, subleases, and occupancy agreements that secure housing for a CoC Program tenant must allow the agreement to be terminated without penalty as part of an emergency transfer.

Lease Bifurcation

- A housing provider may bifurcate a lease in order to remove the abuser or perpetrator from the lease in order to evict or terminate assistance to that household member.
- If the perpetrator of violence/abuse was the person who made the household eligible for the program, the remaining household members must be given a reasonable period of time to establish that they are eligible to remain in the program, establish they are eligible for another housing program, or to find alternative housing.

Emergency Transfer Plan

- Participants have the right, even if they are behind on rent/ not in good standing, to request an emergency transfer from their current housing unit to another housing unit for safety reasons related to violence/abuse if:
 - The participant believes that there is imminent harm from further violence or trauma if they stay in the same housing unit; OR
 - a victim of sexual assault, either reasonably believes that there is a threat of imminent harm from further violence or trauma if they stay in the same unit, or the sexual assault occurred on the premises and the victim requests an emergency transfer within 90 days (including holidays and weekend days) of when the assault occurred.

Emergency Transfer Plan

- Every CoC must have an Emergency Transfer Plan.
- Allows for survivors to report abuse/ violence without risk of becoming homeless.
- The ETP process must be survivor centered - report and transfer should be easy for the survivor, not (necessarily) the program.
- It is important to assure that the ETP process works within the local Coordinated Entry system.
- Internal transfers (within program) and external transfers (outside of program) prioritize safety and confidentiality of survivor information.

Prohibition on Retaliation

- It is illegal for a landlord or housing provider to coerce, intimidate, threaten, interfere with, or retaliate against any person who exercises or assists or encourages a person to exercise any rights or protections under VAWA's housing provisions.

The Right to Report Crime and Emergencies from One's Home

- Landlords, homeowners, tenants, residents, occupants, guests of, or applicants for, any housing have the right to seek law enforcement or emergency assistance on their own behalf or on behalf of another person in need of assistance.
- They may not be penalized based on their requests for assistance, based on criminal activity for which they are a victim, or based on activity for which they are otherwise not at fault.

The Right to File a Claim with HUD


- Participants may find information on filing VAWA complaints at <https://www.hud.gov/VAWA> and <https://www.hud.gov/fairhousing/fileacomplaint>
- If a participant believes that the housing provider has violated their VAWA rights, they may seek help by contacting their local HUD Fair Housing and Equal Opportunity Field Office.
- Participants who feel they have experienced discrimination can file a Housing & Commercial Property Discrimination Complaint with the Pennsylvania Housing Relations Commission (PHRC) at <https://www.pa.gov/en/services/phrc/file-a-housing---commercial-property-discrimination-complaint.html> or by calling a regional PHRC office: <https://www.pa.gov/en/agencies/phrc/contact-us.html>

Housing Protections under VAWA: Prohibition Against Entering PII in Shared Databases

- Victim Service Providers can not enter PII in shared databases/ HMIS.
- Any information about a participant accessing their VAWA Rights, such as requesting an Emergency Transfer, must be kept confidential and not entered into HMIS.

Pulse Check 2

- Does your project provide participants [HUD-5380](#) Notice of Occupancy Rights Under the Violence Against Women Act at 4 points in time (admission denial, admission into the project, notice of eviction, and notice of termination of assistance)?
 - Yes, consistently (with every participant at applicable 4 points in time)
 - Yes, inconsistently (with some participants or at some of the 4 points in time)
 - No
 - Unsure



Western PA CoC Emergency Transfer Plan (ETP) and Process

ETP: Eligibility for an emergency transfer

- Participants have the right, even if they are behind on rent/ not in good standing, to request an emergency transfer from their current housing unit to another housing unit for safety reasons related to violence/abuse against any member of the household if:
 - The participant believes that there is imminent harm from further violence or trauma if they stay in the same housing unit; OR
 - a victim of sexual assault, either reasonably believes that there is a threat of imminent harm from further violence or trauma if they stay in the same unit, or the sexual assault occurred on the premises and the victim requests an emergency transfer within 90 days (including holidays and weekend days) of when the assault occurred.

ETP Step 1: Participants must request an emergency transfer

- Participants who are not in good standing/ behind on rent may still request an emergency transfer if they meet the eligibility requirements in this section.
- A participant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in the ETP.
- To request an emergency transfer, the participant shall notify their housing provider/ case manager and submit [HUD Form-5383](#), a written request for an emergency transfer, to that provider.

ETP Step 1: Participants must request an emergency transfer

- The participant's written request for an emergency transfer should include either:
 - A statement expressing that the participant reasonably believes that there is a threat of imminent harm from further violence if the participant were to remain in the same dwelling unit assisted under the provider's program; OR
 - A statement that the participant, or a member of the participant's household, was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the participant's request for an emergency transfer

ETP Step 2: Documentation of VAWA Abuse / Violence

- **Providers are not required to ask for documentation when a person presents a claim for VAWA protections.**
- Providers may provide VAWA protections for a person based solely on their verbal statement.
- The housing provider may request documentation; this request must be in writing and must give the participant at least 14 business days (weekends and holidays do not count) to submit documentation.
- Participants must submit documentation by the deadline in order to be afforded their VAWA housing protections. Providers must accept whatever documentation the person provides.

ETP Step 2: Documentation of VAWA Abuse/ Violence

Participants **may** submit any one of the following as documentation:

- [HUD-5382](#) Self-Certification Form: The housing provider is required to supply the participant with this form; either the victim or someone else can complete the form; OR
- A statement from a victim/survivor service provider, attorney, mental health professional or medical professional who has helped the victim address incidents of VAWA violence/abuse. Both the victim and the professional must sign the statement; OR
- A police, administrative, or court record (such as a protective order) that shows a person was a victim of VAWA violence/abuse; OR
- If allowed by the housing provider or landlord, any other statement/ evidence provided by the victim.

ETP Step 3: Prioritize internal transfer

- Providers should first attempt to transfer the participant through resources operated by/ available through their own organization.
- If internal transfer is not possible, the housing provider/case manager and appropriate Coordinated Entry Team member will follow the protocol outlined in the ETP with the goal of moving the participant to a new unit within 10 business days.

ETP Step 4: Housing Provider Reaches Out to Coordinated Entry System Team

- Housing Provider/ case manager will obtain written consent from the participant using the CoC's ETP Release of Information Form for Coordinated Entry (Appendix D) to release the following information to the appropriate Coordinated Entry Team member:
 - county(ies)/ community(ies) where the participant wishes to live/ deems safe;
 - The type of unit needed by the household (# of bedrooms, ADA accessibility, etc.); and
 - Information necessary to establish eligibility (e.g, disability status, history of homelessness, etc.)

ETP Step 4: Housing Provider reaches out to Coordinated Entry System Team

- The housing provider shall contact the appropriate Coordinated Entry Team member to request an Emergency Transfer for the participant within 48 business hours of receiving the Emergency Transfer Request from the participant.
- Within the Coordinated Entry Team, the housing provider should:
 - first contact the DV CE Specialist;
 - if the DV CE Specialist is unavailable, the housing provider should contact the appropriate Regional Coordinated Entry Specialist; and
 - if neither the DV CE Specialist nor the Regional Coordinated Entry Specialist are available, the housing provider should contact the Coordinated Entry Manager.

ETP Step 5: Coordinated Entry System Team Reaches Out to Housing Providers to Accept the Transfer

- The appropriate Coordinated Entry team member will reach out to housing providers that serve the county(ies)/ community(ies) where the participant has expressed interest in living within 48 business hours of receiving the Emergency Transfer Request from the housing provider.
- The Coordinated Entry team member will limit information shared with prospective providers to the information listed in the CoC's ETP ROI Form and request that any provider with an opening in their program accept the transferring participant.

Emergency Transfer Plan Protocol: Timing and Availability

- While the provider cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request, the provider must act as quickly as possible/ with urgency to move a participant who is a victim to another unit, subject to availability and safety of a unit.
- The goal is to move the participant to a new unit within 10 business days.

HUD VAWA Forms and Appendix E Recap

- [HUD's VAWA Page](#)
- [HUD-5380](#) Notice of Occupancy Rights Under the Violence Against Women Act
- [HUD-91067](#) Section 8 VAWA Lease Addendum
- [HUD Form-5383](#) written request for an emergency transfer
- [HUD-5382](#) Self-Certification Form
- Written Standards Appendix E

Supporting Survivors through Emergency Transfer: Confidentiality

- Confidentiality
 - Make sure the survivor knows that you will not share their disclosure and/or story with anyone
 - Do not record any information regarding the ET in HMIS
 - If a survivor feels uncomfortable sharing, don't press for information.

Supporting Survivors through Emergency Transfer: Confidentiality

- The housing provider staff and Coordinated Entry Team member shall not share information about the participant requesting the Emergency Transfer with anyone internal or external to their organization without the express written consent of the participant.
- Any information that the participant submits in requesting an emergency transfer, and information about the emergency transfer, including the location of the new housing unit, must be kept confidential.
- Exception: the participant gives the housing provider 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 eviction proceeding or hearing regarding termination of assistance from the program.

Supporting Survivors through Emergency Transfer: Safety and Security

- Pending processing of the transfer and the actual transfer, if it is approved and occurs, the participant is urged to take all reasonable precautions to be safe.
- Connect with your local DV/SA provider for support.
- If the survivor is interested, refer to National Domestic Violence Hotline (The Hotline) at 1-800-799-7233.
- Participants who have been victims of sexual assault may call the National Sexual Assault Hotline (RAINN) at 800-656-HOPE.
- [Additional support hotline resources](#)

In the West CoC, there are different types of Victim Service Providers (VSPs) that support survivors of Gender Based Violence.

- Domestic Violence (DV) service providers - serve only survivors of DV
- Sexual Assault (SA or SV) service providers - serve only survivors of SA
- Human Trafficking (HT) service providers - serve only survivors of HT
- Dual service providers - serve survivors of DV, SA and HT (if they are also experiencing DV or SA)
- Comprehensive service providers - serve DV, SA, HT survivors and survivors of other crimes
- Statewide Coalitions
 - PCADV support all DV, dual and comprehensive VSPs (housing@pcadv.org)
 - PCAR supports all SA, dual and comprehensive VSPs

Supporting Survivors through Emergency Transfer: Safety and Security

- Safety planning is a process, not a one-time event or check list.
- Safety planning is tailored to the survivor's life and daily activities—each day may even be a little different.

Safety	Safer
<ul style="list-style-type: none">•No violence•Basic human needs met•Social and emotional well-being achieved	<ul style="list-style-type: none">•Less violence•Economic stability and/or resources increased•Well-being strengthened

Supporting Survivors through Emergency Transfer: Trauma Informed

- Interact with kindness and compassion.
- Ask questions (even uncomfortable ones) slowly and clearly.
- Focus on strengths if survivor needs further support.
- If a survivor feels uncomfortable sharing, don't press for information.

Pulse Check 3

How would you describe your level of knowledge about VAWA and its associated Housing Protections?

- 4 - Very knowledgeable
- 3 – Somewhat/ fairly knowledgeable
- 2 – Minimally knowledgeable
- 1 - Not at all knowledgeable

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Next Steps

Next Steps

All program staff should watch recording for their specific project type no later than April 30th (links will be sent out after WS trainings are completed and posted on website: <https://pennsylvaniacoc.org/western-pa-coc-written-standards>).

- Includes project-level standards around:
 - ✓ Access
 - ✓ Eligibility
 - ✓ Prioritization
 - ✓ Documentation
 - ✓ Duration and Amounts
 - ✓ Minimum Standards
 - ✓ Case Management
 - ✓ Performance Measures

Next Steps

- All CoC- and ESG- funded programs sign off by April 30, 2025 that their program(s) have reviewed the WS (including appendices), understand them, will implement them, have watched the WS Trainings, and will ensure that all new hires review the standards and recorded CoC trainings within 60 days of hire:

<https://survey.alchemer.com/s3/8216721/Western-PA-CoC-Written-Standards-Acknowledgment-Form-2025>

- If there are standards that programs are not implementing, make a plan to implement those standards by June 30, 2025.

- Feedback on the standards is welcome year-round:

<https://survey.alchemer.com/s3/7127925/Western-PA-CoC-Written-Standards-Annual-Feedback>

Questions?

- Email westerncoc@pennsylvaniacoc.org
- All Written Standards materials will be posted here:
<https://pennsylvaniacoc.org/western-pa-coc-written-standards>

