
Arkansas Balance of State Continuum of Care

Emergency Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, Stalking, and/or Human Trafficking

2023

Emergency Transfers

The Arkansas Balance of State Continuum of Care (AR BoS CoC) along with the CoC funded agencies are concerned about the safety of their tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking. In accordance with the Violence Against Women Act (VAWA),¹ AR BoS CoC homeless assistance programs receiving Continuum of Care (CoC) funding and providing housing or rental assistance must allow participants who are victims of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking to request an emergency transfer from the participant's current unit to another unit.

The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.² The ability of the housing program to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking, and on whether the housing program has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

¹ Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking, 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.



This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan established by the U. S. Department of Housing and Urban Development (HUD), the Federal Agency that oversees that AR BoS CoC's CoC funded housing programs are in compliance with VAWA.

Eligibility for Emergency Transfers

A tenant who is a victim of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if, the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer. A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan. Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify their case manager at the housing program and submit an oral or written request to the provider. The provider must provide reasonable accommodations to this policy for individuals with disabilities. The AR BoS CoC has developed the attached sample form, which was adopted from Form HUD-5383. The tenant's written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under the housing provider's program; OR
2. 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.

Confidentiality

The housing provider will keep confidential any information that the tenant submits in requesting an emergency transfer and information about the emergency transfer unless the tenant 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 or assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or/or human trafficking against the tenant. See the



Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about housing provider's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking.

Emergency Transfer Timing and Availability

The housing provider cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. Housing provider will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking to another unit, subject to 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. The housing provider may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If the housing provider does not have safe and available units eligible for a tenant who needs an emergency transfer, the housing provider 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, the housing provider will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking that are attached to this plan.

Safety and Security of Tenants

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233 or a local domestic violence shelter for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse, & Incest National Network's National Sexual Assault Hotline at 1-800-656-HOPE (4673) or visit the online [hotline](#).

Tenants who are or have been victims of stalking seeking help may visit the [National Center for Victims of Crime's Stalking Resource Center](#).

Tenants who have been victims of human trafficking may call the National Human Trafficking Hotline at 1-888-373-7888, 711 (TTY), Text *233733 or [chat](#).

Attachment 1: HUD Form 5383 Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, Stalking, and/or Human Trafficking

Attachment 2: Organizations in the state of Arkansas offering assistance to victims.



Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, Stalking, and/or Human Trafficking (*Form HUD-5383*)

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, stalking, and/or human trafficking. 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, stalking, and/or human trafficking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking, your housing provider may ask you for such documentation, as described in the documentation section below.
- (2) You expressly request the emergency transfer.** Your housing provider may choose to require that you submit a form, or may accept another written or oral request.
- (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 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 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? ___Yes ___ No

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)** _____



Victim Service Providers: ([ACADV](#)) ([ACASA](#))

	Hotline	City
Family Violence Prevention, Inc.	870-793-8111	Batesville
Taylor House for Men	870-569-8024	Batesville
Saline County Safe Haven	501-315-7233	Benton
The Haven of Northeast Arkansas	800-474-1064	Blytheville
Lonoke County Safe Haven	501-941-4357	Cabot
Women's Crisis Center of South Arkansas	888-836-0325	Camden
Rise House	866-358-2265	Conway
Turning Point	800-980-0929	El Dorado
Peace at Home Family Shelter	877-442-9811	Fayetteville
Fort Smith Crisis Intervention Center	800-359-0056	Fort Smith
Sanctuary	870-741-2121	Harrison
Margie's Haven House	501-362-6757	Heber Springs
Angels of Grace	877-572-9530	Helena
Ouachita Children, Youth, and Family Services	501-865-3939	Hot Springs
Family Crisis Center, Inc.	870-933-9449	Jonesboro
Hope Found of NEA	877-688-4673	Jonesboro
Partners Against Trafficking Humans	501-301-4357	Little Rock
Women and Children First	800-332-4443	Little Rock
Compassion's Foundation	870-235-1414	Magnolia
Options, Inc.	870-367-3488	Monticello
The Safe Place	888-554-2501	Morrilton
Serenity, Inc.	870-424-7233	Mountain Home
Stone County Abuse Prevention, Inc.	800-924-5356	Mountain View
White River Women's Shelter	870-523-5000	Newport
CASA	870-535-2955	Pine Bluff
Northwest Arkansas Women's Shelter	800-775-9011	Rogers
River Valley Shelter for Women and Children	800-690-4219	Russellville
White County Domestic Violence Prevention	501-278-4673	Searcy
Restoration of Hope	866-884-4637	Stuttgart
Domestic Violence Prevention and Sexual Assault Services	903-793-4357	Texarkana
Families in Transition	870-732-4077	West Memphis
Second Chance DV/SA Shelter	870-587-8044	Wynne
Ozark Rape Crisis Center (Clarksville)	800-818-1189	Clarksville
Rise House	866-358-2265	Conway
SWA Crisis and Resource Center	870-584-3441	DeQueen
Ozark Rape Crisis Center (Harrison)	870-741-4141	Harrison
Delta Family Crisis Center	866-855-3442	Helena
Prosecuting Attorney, Rape Crisis Coordinator, Victim Witness	870-267-8878	Pine Bluff
Ozark Rape Crisis Center (Russellville)	800-818-1189	Russellville
NWA Center for Sexual Assault	800-794-4175	Springdale

