

## HUD-5380 Notice of Occupancy Rights under VAWA

### ARLINGTON HOUSING AUTHORITY

4 Winslow Street, Arlington, MA 02474 • Main: (781) 646-3400 • [www.arlingtonhousing.org](http://www.arlingtonhousing.org)

#### Federal Housing Programs Administered by AHA:

#### Section 8 Housing Choice Voucher Program (HCV) – 24 CFR Part 982

**AHA VAWA Contact / Coordinator: Jack Nagle, Executive Director • (781) 646-3400 x160 • [jnagle@arlingtonhousing.org](mailto:jnagle@arlingtonhousing.org)**

*This federal HUD form is for AHA participants and applicants in the Section 8 Housing Choice Voucher (HCV) program. AHA does not administer federal public housing.*

### 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 **the Arlington Housing Authority, 4 Winslow Street, Arlington, MA 02474, Main: (781) 646-3400, or Jack Nagle, Executive Director, at (781) 646-3400 x160 ([jnagle@arlingtonhousing.org](mailto:jnagle@arlingtonhousing.org))** or go to **[www.arlingtonhousing.org](http://www.arlingtonhousing.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*.
- *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

<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>.

- 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.

**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, **contact Jack Nagle, Executive Director, at the Arlington Housing Authority, 4 Winslow Street, Arlington, MA 02474, by phone at (781) 646-3400 x160, by email at [jnagle@arlingtonhousing.org](mailto:jnagle@arlingtonhousing.org), or by visiting [www.arlingtonhousing.org](http://www.arlingtonhousing.org). You may also request a copy of the AHA's VAWA Emergency Transfer Plan (Form HUD-5383 is available to use as a written request).** 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)	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.  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.
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	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.  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.
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.
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**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 **Jack Nagle, Executive Director, Arlington Housing Authority, 4 Winslow Street, Arlington, MA 02474; phone (781) 646-3400 x160; email [jnagle@arlingtonhousing.org](mailto:jnagle@arlingtonhousing.org); [www.arlingtonhousing.org](http://www.arlingtonhousing.org)**. 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 the **U.S. Department of Housing and Urban Development (HUD), Office of Fair Housing and Equal Opportunity (FHEO), Region 1 – Boston Regional Office, Federal Building, 10 Causeway Street, Room 553, Boston, MA 02222; phone (617) 994-8300 or toll-free (800) 827-5005; TTY (800) 877-8339**. 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, you may contact **Greater Boston Legal Services (GBLS) at 617-371-1234 ([www.gbls.org](http://www.gbls.org))**, **Massachusetts Law Reform Institute (MLRI) at 617-357-0700 ([www.mlri.org](http://www.mlri.org))**, or the **Harvard Legal Services Center Housing Law Clinic at 617-390-2500**. See the local VAWA Resources list at the end of this notice for additional hotlines and survivor services serving Arlington, MA and the surrounding Middlesex County area.

#### LOCAL VAWA RESOURCES – ARLINGTON, MA AND SURROUNDING AREA (MIDDLESEX COUNTY)

If you are in immediate danger, call 911.

#### Crisis Hotlines (24/7):

- **REACH Beyond Domestic Violence** (serves Arlington and surrounding Middlesex County towns) – 24/7 Hotline: 1-800-899-4000 • [www.reachma.org](http://www.reachma.org)
- **SafeLink – Massachusetts Statewide Domestic Violence Hotline** – 1-877-785-2020 (TTY 1-877-521-2601)
- **Boston Area Rape Crisis Center (BARCC)** – Sexual Assault 24/7 Hotline: 1-800-841-8371 • [www.barcc.org](http://www.barcc.org)
- **National Domestic Violence Hotline** – 1-800-799-7233 (SAFE) • Text “START” to 88788 • [www.thehotline.org](http://www.thehotline.org)
- **National Sexual Assault Hotline (RAINN)** – 1-800-656-4673 (HOPE) • [www.rainn.org](http://www.rainn.org)

#### Shelter, Counseling & Survivor Services:

- **REACH Beyond Domestic Violence** (Waltham) – Emergency shelter, safety planning, counseling, and legal advocacy; serves Arlington residents • 781-891-0724 (business) • 1-800-899-4000 (24/7 hotline)
- **RESPOND, Inc.** (Somerville) – Shelter and survivor advocacy • 617-623-5900 (24-hour hotline) • [www.respondinc.org](http://www.respondinc.org)
- **Casa Myrna** (Boston) – Shelter and bilingual advocacy • 1-800-992-2600 (SafeLink) • [www.casamyrna.org](http://www.casamyrna.org)
- **Transition House** (Cambridge) – Shelter, counseling, youth programs • 617-661-7203 (hotline) • [www.transitionhouse.org](http://www.transitionhouse.org)

**Legal Aid (free/low-cost civil legal help for survivors):**

- **Greater Boston Legal Services (GBLS)** – Housing and family law for survivors • 617-371-1234 • [www.gbbs.org](http://www.gbbs.org)
- **Harvard Legal Services Center Housing Law Clinic** – Jamaica Plain • 617-390-2500 • [www.legalservicescenter.org](http://www.legalservicescenter.org)
- **MetroWest Legal Services** (Framingham) – 508-620-1830 • [www.mwlegal.org](http://www.mwlegal.org)

**Law Enforcement & District Attorney:**

- **Arlington Police Department** – 112 Mystic Street, Arlington, MA 02474 • Emergency: 911 • Non-emergency: 781-643-1212 • [www.arlingtonma.gov/departments/police-department](http://www.arlingtonma.gov/departments/police-department)
- **Middlesex County District Attorney – Victim Witness Services** – 781-897-8300 • [www.middlesexda.com/victim-services](http://www.middlesexda.com/victim-services)

**HUD Fair Housing & VAWA Rights Violation Complaints:**

- **HUD FHEO Region 1 – Boston Regional Office** – Federal Building, 10 Causeway St., Room 553, Boston, MA 02222 • 617-994-8300 • 1-800-827-5005 • TTY 1-800-877-8339 • [www.hud.gov/VAWA](http://www.hud.gov/VAWA)

**Massachusetts Protections (In Addition to VAWA):**

Under Massachusetts law (M.G.L. c. 186, §§ 24–29), tenants who are victims of domestic violence, rape, sexual assault, or stalking have additional rights, including the right to terminate a lease early with written notice and the right to request a change of locks at their own expense. Ask Jack Nagle, AHA Executive Director (781) 646-3400 x160 or [jnagle@arlingtonhousing.org](mailto:jnagle@arlingtonhousing.org), for more information.

**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.

**HUD-5381 Model Emergency Transfer Plan for Victims of Domestic Violence,  
Dating Violence, Sexual Assault or Stalking**

**ARLINGTON HOUSING AUTHORITY**

4 Winslow Street, Arlington, MA 02474 • Main: (781) 646-3400 • [www.arlingtonhousing.org](http://www.arlingtonhousing.org)

**Federal Housing Programs Administered by AHA:**

**Section 8 Housing Choice Voucher Program (HCV) – 24 CFR Part 982**

**AHA VAWA Contact / Coordinator: Jack Nagle, Executive Director • (781) 646-3400 x160 •  
[jnagle@arlingtonhousing.org](mailto:jnagle@arlingtonhousing.org)**

*This form is for AHA participants and applicants in the Section 8 Housing Choice Voucher (HCV) program. AHA does not administer federal public housing.*

**The Arlington Housing Authority “AHA”** is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act of 1994, as amended (“VAWA”), **AHA** allows any tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant’s current unit to another unit. VAWA protections are not limited to women. Victims cannot be discriminated against on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance regarding safety and security. The plan is based on Federal regulations at 24 Code of Federal Regulations (CFR) part 5, subpart L, related program regulations, and the model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD). HUD is the Federal agency that oversees the Arlington Housing Authority’s compliance with VAWA in its Section 8 Housing Choice Voucher (HCV) Program (24 CFR Part 982). AHA plans to launch a Section 8 Project-Based Voucher (PBV) program in 2027; this Emergency Transfer Plan will be updated to cover that program when it becomes operational.

**Definitions**

- **External emergency transfer** refers to an emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is, the tenant must undergo an application process in order to reside in the new unit.
- **Internal emergency transfer** refers to an emergency relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process. Example: an Arlington Housing Authority HCV participant moving with continued tenant-based voucher assistance to a different unit within or outside the AHA jurisdiction.
- **Safe unit** refers to a unit that the victim of VAWA violence/abuse believes is safe.

- **VAWA violence/abuse** means an incident or incidents of domestic violence, dating violence, sexual assault, or stalking, as those terms are defined in 24 CFR 5.2003 and “Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking” (Form HUD-5382).

### **Eligibility for Emergency Transfers**

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

#### **A Tenant is eligible for an emergency transfer if:**

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

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

### **Emergency Transfer Policies**

The Arlington Housing Authority (AHA) administers only the Section 8 Housing Choice Voucher (HCV) Program (24 CFR Part 982). AHA does not operate any Federal or state public housing units. AHA plans to launch a Section 8 Project-Based Voucher (PBV) program in 2027; this Emergency Transfer Plan will be updated to cover that program when it becomes operational. Because tenant-based voucher assistance is inherently mobile, most VAWA emergency transfers from AHA will involve a move with continued tenant-based voucher assistance to another safe unit within Arlington or elsewhere (including by portability to another jurisdiction under 24 CFR 982.353). Once a complete emergency transfer request is received, AHA will approve or deny the request within 10 business days. AHA will communicate with the tenant using only the safe contact method the tenant has identified (phone, email, mail, or in person). If documentation is required, AHA will give the tenant at least 14 business days to submit it, with extensions granted on a case-by-case basis for safety reasons. The following specific emergency transfer policies apply:

#### **Internal transfers:**

For Section 8 HCV participants, an “internal” emergency transfer means a move with continued tenant-based voucher assistance to another safe, HQS-compliant, rent-reasonable unit within AHA’s

jurisdiction. When a safe unit has been identified and a Request for Tenancy Approval has been submitted, the AHA will expedite the HQS inspection and rent reasonableness determination process. AHA will generally waive any otherwise applicable moving restrictions (including restrictions on timing and number of moves under 24 CFR 982.354(c)(2)(iii)) for VAWA victims. AHA will expedite administrative processes for the move and will not disclose the victim's new unit to any person who committed or threatened to commit the VAWA violence/abuse. Tenants who qualify for a VAWA emergency transfer are given priority over all other categories of HCV participants seeking transfers and over all applicants on AHA's HCV waiting list.

During this time AHA will work with the tenant to maintain confidentiality and support interim safety planning in coordination with a victim service provider of the tenant's choice (see Resources section).

### **External transfers:**

An external emergency transfer refers to a move to housing assistance administered by a different covered housing provider (CHP). For HCV participants, AHA will process a portability move under 24 CFR 982.353 and PIH Notice 2016-09 on an expedited basis, including issuing the portability packet immediately upon the tenant's request and coordinating directly with the receiving PHA on confidentiality and priority placement. AHA does not currently have any Memoranda of Understanding (MOUs) or formal transfer agreements with neighboring PHAs. However, AHA will assist victims in identifying other covered housing providers with available units, including by providing a list of partnering providers and community referrals (REACH Beyond Domestic Violence, Metro Housing|Boston, and other organizations listed at the end of this plan).

For tenants already participating in AHA's Section 8 Housing Choice Voucher (HCV) Program who qualify for a VAWA emergency transfer, AHA will: (1) waive any required minimum lease term before moving with continued voucher assistance when safety is at risk (24 CFR 982.354(c)(2)(iii)); (2) not restrict timing or number of moves because of the VAWA incident; (3) apply AHA's family break-up policy (24 CFR 982.315) to ensure that the victim retains voucher assistance when the perpetrator is a household member; (4) issue an emergency move voucher with an expedited HQS inspection and rent-reasonableness determination; (5) provide a portability packet to any jurisdiction where portability is permitted; (6) provide referrals to local housing search assistance (including REACH Beyond Domestic Violence, MetroWest Legal Services, and Metro Housing|Boston); and (7) coordinate with any receiving PHA on confidentiality and priority placement. AHA will not disclose the tenant's new address to the perpetrator or to any person the tenant has identified as unsafe.

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

### **Emergency Transfer Request Documentation**

To request an emergency transfer, the tenant shall notify Jack Nagle, Executive Director, at the Arlington Housing Authority, 4 Winslow Street, Arlington, MA 02474; phone (781) 646-3400 x160; website [www.arlingtonhousing.org](http://www.arlingtonhousing.org). The request may be made in writing (using Form HUD-5383) or verbally in person, by phone, or by secure email. AHA will also accept a request submitted on behalf of the tenant by a victim service provider, attorney, or other advocate with the tenant's consent. If AHA does not already have documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, AHA may ask for this documentation in accordance with 24 CFR 5.2007. Unless AHA receives documentation that contains conflicting information, as described in 24 CFR 5.2007(b)(2), AHA cannot require third-party documentation to determine status as a VAWA victim for

emergency transfer eligibility. **AHA** will provide reasonable accommodations to this policy for individuals with disabilities.

**IF CHP REQUIRES A WRITTEN REQUEST FOR AN EMERGENCY TRANSFER**

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

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

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

**Priority for Transfers**

Tenants who qualify for an emergency transfer under VAWA will be given the following priority over other categories of tenants seeking transfers and individuals seeking placement on waiting lists. AHA places tenants who qualify for an emergency transfer under VAWA in the highest priority category for internal transfers. For external emergency transfers requiring placement on the HCV waiting list, AHA applies an Emergency VAWA Preference ahead of all other preferences. If more than one VAWA emergency transfer request is pending at the same time, requests are addressed in the order they are received, with expedited placement offered to the tenant whose documented circumstances present the most immediate risk of harm.

**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, **AHA** must keep any information they provide concerning the VAWA violence/abuse, their request for an emergency transfer, and their or a household member's status as a victim strictly confidential. This information should be securely and separately kept from tenant files. All the information provided by or on behalf of the tenant to support an emergency transfer request, including information on the Certification Form (HUD-5382) and the Emergency Transfer Request Form (HUD-5383) (collectively referred to as "Confidential Information") may only be accessed by **AHA** employees or contractors if explicitly authorized by **AHA** for reasons that specifically call for those individuals to have access to that information under applicable Federal, State, or local law.

Confidential information must not be entered into any shared database or disclosed to any other entity or individual, except if:

- Written permission by the victim in a time-limited release;
- Required for use in an eviction proceeding or hearing regarding termination of assistance; or
- Otherwise required by applicable law.

In addition, HUD's VAWA regulations require emergency transfer plans to provide strict confidentiality measures to ensure that the location of the victim's dwelling unit is never disclosed to a person who committed or threatened to commit the VAWA violence/abuse. Accordingly, Specifically, the Arlington Housing Authority will: (1) maintain all VAWA-related documentation in a locked, access-restricted file

at AHA's main office, separate from the tenant's regular housing file, accessible only to the AHA VAWA Coordinator (Jack Nagle) and other staff with a legitimate need to know; (2) never enter VAWA-related information into shared databases or HUD systems in a way that can be accessed by the perpetrator or any third party; (3) communicate with the tenant only through the safe communication methods identified on Form HUD-5382 or HUD-5383; (4) redact the tenant's new address (for HCV tenant-based transfers) from any documents shared with owners of the tenant's prior unit and from any responses to reference requests; (5) provide a confidential safe mailing address upon the tenant's request; (6) train all AHA staff regularly on VAWA confidentiality requirements; and (7) clearly explain any legal limits to confidentiality to the tenant at intake, including mandated reporting laws and use in eviction or termination proceedings.

### **Emergency Transfer Procedure**

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

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

### **Making the Emergency Transfer Plan Available**

The Arlington Housing Authority makes this VAWA Emergency Transfer Plan publicly available on the AHA website at [www.arlingtonhousing.org](http://www.arlingtonhousing.org) and in hard copy at the AHA main office, 4 Winslow Street, Arlington, MA 02474 (Monday–Friday, 8:30 a.m.–4:30 p.m.). A copy will be provided free of charge upon request in any of the following ways: in person, by phone at (781) 646-3400, by email, or by mail. AHA will also provide the plan in accessible formats (large print, screen-reader-compatible, etc.) and in translated languages upon request, at no cost to the tenant.

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

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

See the comprehensive “Local VAWA Resources” below for contact information for local organizations serving Arlington, MA and the surrounding area.

#### **LOCAL VAWA RESOURCES – ARLINGTON, MA AND SURROUNDING AREA (MIDDLESEX COUNTY)**

**If you are in immediate danger, call 911.**

**Crisis Hotlines (24/7):**

**REACH Beyond Domestic Violence** (serves Arlington and surrounding Middlesex County towns) – 24/7 Hotline: 1-800-899-4000 • [www.reachma.org](http://www.reachma.org)

- **SafeLink – Massachusetts Statewide Domestic Violence Hotline** – 1-877-785-2020 (TTY 1-877-521-2601)
- **Boston Area Rape Crisis Center (BARCC)** – Sexual Assault 24/7 Hotline: 1-800-841-8371 • [www.barcc.org](http://www.barcc.org)
- **National Domestic Violence Hotline** – 1-800-799-7233 (SAFE) • Text “START” to 88788 • [www.thehotline.org](http://www.thehotline.org)
- **National Sexual Assault Hotline (RAINN)** – 1-800-656-4673 (HOPE) • [www.rainn.org](http://www.rainn.org)

#### **Shelter, Counseling & Survivor Services:**

- **REACH Beyond Domestic Violence** (Waltham) – Emergency shelter, safety planning, counseling, and legal advocacy; serves Arlington residents • 781-891-0724 (business) • 1-800-899-4000 (24/7 hotline)
- **RESPOND, Inc.** (Somerville) – Shelter and survivor advocacy • 617-623-5900 (24-hour hotline) • [www.respondinc.org](http://www.respondinc.org)
- **Casa Myrna** (Boston) – Shelter and bilingual advocacy • 1-800-992-2600 (SafeLink) • [www.casamyrna.org](http://www.casamyrna.org)
- **Transition House** (Cambridge) – Shelter, counseling, youth programs • 617-661-7203 (hotline) • [www.transitionhouse.org](http://www.transitionhouse.org)

#### **Legal Aid (free/low-cost civil legal help for survivors):**

- **Greater Boston Legal Services (GBLS)** – Housing and family law for survivors • 617-371-1234 • [www.gbls.org](http://www.gbls.org)
- **Harvard Legal Services Center Housing Law Clinic** – Jamaica Plain • 617-390-2500 • [www.legalservicescenter.org](http://www.legalservicescenter.org)
- **MetroWest Legal Services** (Framingham) – 508-620-1830 • [www.mwlegal.org](http://www.mwlegal.org)

#### **Law Enforcement & District Attorney:**

- **Arlington Police Department** – 112 Mystic Street, Arlington, MA 02474 • Emergency: 911 • Non-emergency: 781-643-1212 • [www.arlingtonma.gov/departments/police-department](http://www.arlingtonma.gov/departments/police-department)
- **Middlesex County District Attorney – Victim Witness Services** – 781-897-8300 • [www.middlesexda.com/victim-services](http://www.middlesexda.com/victim-services)

#### **HUD Fair Housing & VAWA Rights Violation Complaints:**

**HUD FHEO Region 1 – Boston Regional Office** – Federal Building, 10 Causeway St., Room 553, Boston, MA 02222 • 617-994-8300 • 1-800-827-5005 • TTY 1-800-877-8339 • [www.hud.gov/VAWA](http://www.hud.gov/VAWA)

**Massachusetts Protections (In Addition to VAWA):** Under Massachusetts law (M.G.L. c. 186, §§ 24–29), tenants who are victims of domestic violence, rape, sexual assault, or stalking have additional rights, including the right to terminate a lease early with written notice and the right to request a change of locks at their own expense. Ask Jack Nagle, AHA Executive Director (781) 646-3400 x160 or [jnagle@arlingtonhousing.org](mailto:jnagle@arlingtonhousing.org), for more information.

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

## HUD-5382 Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking, and Alternate Documentation

### ARLINGTON HOUSING AUTHORITY

4 Winslow Street, Arlington, MA 02474 • Main: (781) 646-3400 • [www.arlingtonhousing.org](http://www.arlingtonhousing.org)

#### Housing Programs Administered by AHA:

#### Section 8 Housing Choice Voucher Program (HCV) – 24 CFR Part 982

AHA VAWA Contact / Coordinator: Jack Nagle, Executive Director • (781) 646-3400 x160 •  
[jnagle@arlingtonhousing.org](mailto:jnagle@arlingtonhousing.org)

*This HUD form is for AHA participants and applicants in the Section 8 Housing Choice Voucher (HCV) program. AHA does not administer federal public housing.*

**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, 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 **the Arlington Housing Authority, 4 Winslow Street, Arlington, MA 02474, Main: (781) 646-3400, or Jack Nagle, Executive Director, at (781) 646-3400 x160 ([jnagle@arlingtonhousing.org](mailto:jnagle@arlingtonhousing.org)) or go to [www.arlingtonhousing.org](http://www.arlingtonhousing.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).

**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, you may contact **Greater Boston Legal Services (GBLS) at 617-371-1234 (www.gbls.org)**, **MetroWest Legal Services at 508-620-1830 (www.mwlegal.org)**, or the **Harvard Legal Services Center Housing Law Clinic at 617-390-2500**. For 24/7 survivor advocacy, call **REACH Beyond Domestic Violence at 1-800-899-4000**.

**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?

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**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.

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**Signature**

**Date**

**LOCAL VAWA RESOURCES – ARLINGTON, MA AND SURROUNDING AREA (MIDDLESEX COUNTY)**

**If you are in immediate danger, call 911.**

**Crisis Hotlines (24/7):**

- **REACH Beyond Domestic Violence** (serves Arlington and surrounding Middlesex County towns) – 24/7 Hotline: 1-800-899-4000 • [www.reachma.org](http://www.reachma.org)
- **SafeLink – Massachusetts Statewide Domestic Violence Hotline** – 1-877-785-2020 (TTY 1-877-521-2601)
- **Boston Area Rape Crisis Center (BARCC)** – Sexual Assault 24/7 Hotline: 1-800-841-8371 • [www.barcc.org](http://www.barcc.org)

- **National Domestic Violence Hotline** – 1-800-799-7233 (SAFE) • Text “START” to 88788 • [www.thehotline.org](http://www.thehotline.org)
- **National Sexual Assault Hotline (RAINN)** – 1-800-656-4673 (HOPE) • [www.rainn.org](http://www.rainn.org)

#### Shelter, Counseling & Survivor Services:

- **REACH Beyond Domestic Violence** (Waltham) – Emergency shelter, safety planning, counseling, and legal advocacy; serves Arlington residents • 781-891-0724 (business) • 1-800-899-4000 (24/7 hotline)
- **RESPOND, Inc.** (Somerville) – Shelter and survivor advocacy • 617-623-5900 (24-hour hotline) • [www.respondinc.org](http://www.respondinc.org)
- **Casa Myrna** (Boston) – Shelter and bilingual advocacy • 1-800-992-2600 (SafeLink) • [www.casamyrna.org](http://www.casamyrna.org)
- **Transition House** (Cambridge) – Shelter, counseling, youth programs • 617-661-7203 (hotline) • [www.transitionhouse.org](http://www.transitionhouse.org)

#### Legal Aid (free/low-cost civil legal help for survivors):

- **Greater Boston Legal Services (GBLS)** – Housing and family law for survivors • 617-371-1234 • [www.gbls.org](http://www.gbls.org)
- **Harvard Legal Services Center Housing Law Clinic** – Jamaica Plain • 617-390-2500 • [www.legalservicescenter.org](http://www.legalservicescenter.org)
- **MetroWest Legal Services** (Framingham) – 508-620-1830 • [www.mwlegal.org](http://www.mwlegal.org)

#### Law Enforcement & District Attorney:

- **Arlington Police Department** – 112 Mystic Street, Arlington, MA 02474 • Emergency: 911 • Non-emergency: 781-643-1212 • [www.arlingtonma.gov/departments/police-department](http://www.arlingtonma.gov/departments/police-department)
- **Middlesex County District Attorney – Victim Witness Services** – 781-897-8300 • [www.middlesexda.com/victim-services](http://www.middlesexda.com/victim-services)

#### HUD Fair Housing & VAWA Rights Violation Complaints:

- **HUD FHEO Region 1 – Boston Regional Office** – Federal Building, 10 Causeway St., Room 553, Boston, MA 02222 • 617-994-8300 • 1-800-827-5005 • TTY 1-800-877-8339 • [www.hud.gov/VAWA](http://www.hud.gov/VAWA)

#### Massachusetts Protections (In Addition to VAWA):

Under Massachusetts law (M.G.L. c. 186, §§ 24–29), tenants who are victims of domestic violence, rape, sexual assault, or stalking have additional rights, including the right to terminate a lease early with written notice and the right to request a change of locks at their own expense. Ask Jack Nagle, AHA Executive Director (781) 646-3400 x160 or [jnagle@arlingtonhousing.org](mailto:jnagle@arlingtonhousing.org), for more information.

**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.

**HUD 5383 Emergency Transfer Request for Certain Victims of Domestic Violence,  
Dating Violence, Sexual Assault or Stalking**

**ARLINGTON HOUSING AUTHORITY**

4 Winslow Street, Arlington, MA 02474 • Main: (781) 646-3400 • www.arlingtonhousing.org

**Housing Programs Administered by AHA:**

**Section 8 Housing Choice Voucher Program (HCV) – 24 CFR Part 982**

**AHA VAWA Contact / Coordinator: Jack Nagle, Executive Director • (781) 646-3400 x160 • jnagle@arlingtonhousing.org**

*This form is for AHA participants and applicants in the Section 8 Housing Choice Voucher (HCV) program. AHA does not administer federal public housing.*

**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 housing assisted under a covered housing program, or if you are receiving transitional housing or rental assistance under a covered housing program, you may use this form to request an emergency transfer and certify that you qualify for an emergency transfer under the Violence Against Women Act (“VAWA”). This form refers to domestic violence, dating violence, sexual assault, or stalking as “VAWA violence/abuse.”

**VAWA protects individuals and families regardless of a victim’s age, sex, or marital status.**

**You may 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 there is a threat of imminent harm from further violence, including trauma, if you (or a household member) 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.

A covered housing provider, in response to an emergency transfer request, should not evaluate whether you are in good standing as part of the assessment or provision of an emergency transfer. Whether or not you are in good standing does not impact your ability to request an emergency transfer under VAWA.

However, submitting this form does not necessarily mean that you will receive an emergency transfer. See your covered housing provider’s VAWA Emergency Transfer Plan for more information about VAWA emergency transfers and see “Notice of Occupancy Rights Under the Violence Against Women Act,” Form HUD-5380, for additional housing rights you may be entitled to.

**Am I required to submit any documentation to my covered housing provider?** Your covered housing provider may request documentation proving that you, or a household member, are a victim of VAWA violence/abuse, in addition to completing this emergency transfer request form. The request can be met by completing and submitting the VAWA Self-certification Form (Form HUD-5382), unless the covered housing provider receives conflicting information about the VAWA violence/abuse. If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you may, instead, choose to submit that documentation to your covered housing provider. See “Notice of Occupancy Rights Under the Violence Against Women Act,” Form HUD-5380, for more information.

**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 need this information in a language other than English?** To read this in Spanish or another language, please contact **the Arlington Housing Authority, 4 Winslow Street, Arlington, MA 02474, Main: (781) 646-3400, or Jack Nagle, Executive Director, at (781) 646-3400 x160 (jnagle@arlingtonhousing.org)** or go to **www.arlingtonhousing.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).

**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, you may contact **Greater Boston Legal Services (GBLS) at 617-371-1234 (www.gbls.org)**, **MetroWest Legal Services at 508-620-1830 (www.mwlegal.org)**, or the **Harvard Legal Services Center Housing Law Clinic at 617-390-2500**. For 24/7 survivor advocacy, call **REACH Beyond Domestic Violence at 1-800-899-4000**.

**TO BE COMPLETED BY OR ON BEHALF OF THE TENANT REQUESTING AN EMERGENCY TRANSFER**

1. **Name(s) of victim(s):** \_\_\_\_\_
2. **Your name (if different from victim's):** \_\_\_\_\_
3. **Name(s) of other household member(s):** \_\_\_\_\_  
\_\_\_\_\_
4. **Name(s) of other household member(s) who would transfer with the victim:** \_\_\_\_\_  
\_\_\_\_\_
5. **Name of the perpetrator (if known and can be safely disclosed):** \_\_\_\_\_
6. **Address of location from which the victim seeks to transfer:** \_\_\_\_\_  
\_\_\_\_\_
7. **Current Unit Size (# of bedrooms):** \_\_\_\_\_
8. **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: \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**10. What features are requested for a safe unit?** You may list here any information that would facilitate a suitable transfer, such as accessibility needs, and a description of where it is safe or unsafe for you to live.  
 (Please note that the ability to provide an emergency transfer is based on unit availability.)

New Neighborhood  New Building

First Floor unit  Second Floor unit (and above)

Near an Exit  Well-lit hallways/walkways

24-hour Security  Accessible unit

Other: \_\_\_\_\_

\_\_\_\_\_

**11. To approve your request for an emergency transfer, your covered housing provider may require that you provide written documentation that you (or a household member) are a victim of VAWA violence/abuse. Your covered housing provider must make this request for documentation in writing. You can choose to submit any one of the following types of documentation:**

- Form HUD-5382 *Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation*, which asks your name and the perpetrator’s name (if known and safe to provide);
- A document signed by a victim service provider, attorney, mental health professional, or medical professional who has helped you address the VAWA violence/abuse. The professional must state “under penalty of perjury” that he/she/they believe in the occurrence of the incident of VAWA violence/abuse and that it is covered by VAWA. Both you and the professional must sign the statement;
- A police, administrative, or court record (such as a protective order) that shows you (or a household member) are a victim of VAWA violence/abuse; OR
- If permitted by your covered housing provider, a statement or other evidence provided by you.

**Certification of 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 I meet the conditions described on this form to qualify for an emergency transfer.

\_\_\_\_\_ **Signature**

**LOCAL VAWA RESOURCES – ARLINGTON, MA AND SURROUNDING AREA (MIDDLESEX COUNTY)****If you are in immediate danger, call 911.**

- **REACH Beyond Domestic Violence** (serves Arlington and surrounding Middlesex County towns) – 24/7 Hotline: 1-800-899-4000 • [www.reachma.org](http://www.reachma.org)
- **SafeLink – Massachusetts Statewide Domestic Violence Hotline** – 1-877-785-2020 (TTY 1-877-521-2601)
- **Boston Area Rape Crisis Center (BARCC)** – Sexual Assault 24/7 Hotline: 1-800-841-8371 • [www.barcc.org](http://www.barcc.org)
- **National Domestic Violence Hotline** – 1-800-799-7233 (SAFE) • Text “START” to 88788 • [www.thehotline.org](http://www.thehotline.org)
- **National Sexual Assault Hotline (RAINN)** – 1-800-656-4673 (HOPE) • [www.rainn.org](http://www.rainn.org)

**Shelter, Counseling & Survivor Services:**

- **REACH Beyond Domestic Violence** (Waltham) – Emergency shelter, safety planning, counseling, and legal advocacy; serves Arlington residents • 781-891-0724 (business) • 1-800-899-4000 (24/7 hotline)
- **RESPOND, Inc.** (Somerville) – Shelter and survivor advocacy • 617-623-5900 (24-hour hotline) • [www.respondinc.org](http://www.respondinc.org)
- **Casa Myrna** (Boston) – Shelter and bilingual advocacy • 1-800-992-2600 (SafeLink) • [www.casamyrna.org](http://www.casamyrna.org)
- **Transition House** (Cambridge) – Shelter, counseling, youth programs • 617-661-7203 (hotline) • [www.transitionhouse.org](http://www.transitionhouse.org)

**Legal Aid (free/low-cost civil legal help for survivors):**

- **Greater Boston Legal Services (GBLS)** – Housing and family law for survivors • 617-371-1234 • [www.gbls.org](http://www.gbls.org)
- **Harvard Legal Services Center Housing Law Clinic** – Jamaica Plain • 617-390-2500 • [www.legalservicescenter.org](http://www.legalservicescenter.org)
- **MetroWest Legal Services** (Framingham) – 508-620-1830 • [www.mwlegal.org](http://www.mwlegal.org)

**Law Enforcement & District Attorney:**

- **Arlington Police Department** – 112 Mystic Street, Arlington, MA 02474 • Emergency: 911 • Non-emergency: 781-643-1212 • [www.arlingtonma.gov/departments/police-department](http://www.arlingtonma.gov/departments/police-department)
- **Middlesex County District Attorney – Victim Witness Services** – 781-897-8300 • [www.middlesexda.com/victim-services](http://www.middlesexda.com/victim-services)

**HUD Fair Housing & VAWA Rights Violation Complaints:**

- **HUD FHEO Region 1 – Boston Regional Office** – Federal Building, 10 Causeway St., Room 553, Boston, MA 02222 • 617-994-8300 • 1-800-827-5005 • TTY 1-800-877-8339 • [www.hud.gov/VAWA](http://www.hud.gov/VAWA)

**Massachusetts Protections (In Addition to VAWA):**

Under Massachusetts law (M.G.L. c. 186, §§ 24–29), tenants who are victims of domestic violence, rape, sexual assault, or stalking have additional rights, including the right to terminate a lease early with written notice and the right to request a change of locks at their own expense. Ask Jack Nagle, AHA Executive Director (781) 646-3400 x160 or [jnagle@arlingtonhousing.org](mailto:jnagle@arlingtonhousing.org), for more information.

**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. Covered housing providers in programs covered by VAWA may ask for a written request for an emergency transfer for a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking. Housing providers may distribute this form to tenants and tenants may use it to request an emergency transfer. The information is subject to the confidentiality requirements of VAWA. 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.