**Domestic Violence Policy & Procedure**

The CACFC recognizes the importance of connecting domestic violence survivors with the necessary interventions, supports, and educational resources to stabilize them during and following an incident of homelessness. Domestic violence survivors often face significant barriers to housing, developing support networks, and employment/income maintenance. Through community planning, policy, and process the CACFC will reduce the barriers homeless domestic violence survivors and their dependents face while accessing services and increase their ability to escape the cycle of violence and poverty. It is because of these barriers we have established the following policies and procedures. Please note that these policies also protect victims of sexual assault, dating violence, and stalking.

The CACFC is concerned about the safety of participants in homeless assistance programs, and such concern extends to participants who are victims of domestic violence, dating violence, sexual assault, human trafficking, or stalking. As stated by HUD, CoCs should be able to provide individuals and families fleeing violence access to housing and trauma-informed, victim-centered services that prioritize the survivor’s safety needs, accommodates their unique circumstances, and maximizes client choice.

*Philosophy*The survivor knows best. Advocates should recognize that the survivor is the expert on their own situation, knows the abuser better than anyone, and is already doing safety planning on a regular basis as part of their survival, though they may not label it as such. Simply accessing services has required safety planning. CACFC housing programs utilize empowerment methods and begin by asking what they have already done to stay safe, and validating their efforts. The survivor should take the lead in developing their housing plan; our job is to facilitate the process and offer information. Each situation is different, and different things work for different people. Be flexible in how you plan with survivors in order to accommodate a range of differences. Recognize the impact that cultural background, experiences, trauma, and/or values may play.

*Objectives*• Survivors escaping domestic abuse are able to access a range of housing, financial assistance, and case management services;
• Survivors receive consistent and comprehensive services;
• Survivors are able to make an informed choice about the choices available to them to enable a safe and sustainable solution to their housing stability.

*Scope*

This protocol will apply to all survivors of domestic violence accessing emergency shelter, rapid re-housing, or permanent supportive housing.

*Domestic Violence Screening*

The question to be asked for every person accessing housing services should be asked as follows: Have you ever been pushed, kicked, hit, or otherwise hurt by an intimate partner or family member? If the question is answered affirmatively, the next questions are:

Can you tell me a little more about the situation?

When did this/these occur? Data is to be recorded via the HMIS system. All domestic violence survivors must be entered as anonymous clients. Domestic Violence shelters receiving VAWA funds do not use HMIS and homeless programs must record these individuals as anonymous clients.

The CACFC has a domestic violence addendum form. This form is available on the internal homeless programs page. These should be added to the file as appropriate, as this form contains information that will aid in participant safety. Visit <https://www.cacfayettecounty.org/internalhomeless/>

 *Assessment*The assessment process for the programs is designed to be minimally intrusive and focuses primarily on rental history, income, and other potential barriers to housing. The Coordinated Intake Documents should be mailed or hand delivered. Faxing or email such information could pose a threat the safety of the survivor and their children.

*Services*
CACFC provides an array of services to the households in its homeless/prevention programs, including, case management, financial assistance, and landlord mediation. All of the services provided by CACFC are “participant-driven.” This service philosophy is driven by the premise that, given choices and opportunities, participants will work to ensure their own safety and success. CACFC believes that, if services are meaningful to participants’ goals, they will actively remain engaged in services. Services begin with the first contact with homeless program in the form of a crisis intervention addressing the immediate pressing needs of the household. This includes ensuring household safety and a possible placement in permanent housing.

A housing search begins immediately. Short-term goals are developed, and CACFC provides direct financial assistance and advocacy with landlords to help households access housing. Financial assistance can range from short-term rental assistance to assistance with accessing permanent housing subsidies. CACFC has built strong relationships with area apartment management companies and landlords. Because CACFC is there to support its participants, the landlords are more likely to rent to the participants, even when they have spotty rental histories or as yet insecure income.

Once housing is obtained, a case manager begins to work with the household on issues that will promote housing retention. Services offered during this phase include home visits, job search and job training referrals, case coordination with other systems, linkages to legal services, and help with budgeting and goal planning. Eventually, work begins on long-term goals, including increasing household income and helping survivors navigate public and community-based services independently. CACFC has worked with mainstream and community-based social service providers to make it easier for its participants to access assistance. The relationship with mainstream providers also helps facilitate referrals of households in crisis to CACFC services. Financial subsidy is commonly provided for 3 months to 12 months, but other supportive services offered to families may last permanently if client qualifies. All of the aforementioned services should be offered, but cannot be required.

**Domestic Violence during the Program – Emergency Transfer Plan**

In accordance with the Violence Against Women Act (VAWA), CACFC homeless programs providing housing or rental assistance must allow participants who are victims of domestic violence, dating violence, sexual violence, human trafficking, or stalking 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. The ability of HP 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, or stalking, and on whether CACFC has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

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 published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that the CACFC is in compliance with VAWA.

**Eligibility for Emergency Transfers**

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, 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 and submit a written request for a transfer to 1400 US Route 22 NW, Washington Court House, Ohio 43160. CACFC will provide reasonable accommodations to this policy for individuals with disabilities. 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 CACFC’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.

CACFC may request documentation of the domestic or sexual violence. If requested, the participant may provide any one of the following forms of documentation: 1. HUD model form located on the homeless crisis response program page 2. Signed documentation from a victim service provider, an attorney, a medical professional, or a mental health professional from whom the participant has sought assistance relating to domestic violence, dating violence, sexual violence, or stalking, or the effects of abuse; or 3. A police report or court record.

If a housing provider receives reports or documentation of domestic or sexual violence that contain conflicting information (including certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator), the housing provider may require a participant to submit third-party documentation, as described in 2 & 3 above and in 24 C.F.R. 5.2007(b), within 30 calendar days of the date of the request for the third-party documentation. If third party documentation is not received or third party documentation presents conflicting information, the housing provider must contact the City’s Office of Domestic Violence Strategies for case consultation.

 **Confidentiality**

CACFC will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives CACFC 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 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 stalking against the tenant. See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about CACFC’s responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

**Emergency Transfer Timing and Availability**

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

If CACFC has no safe and available units for which a tenant who needs an emergency is eligible, CACFC 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, CACFC will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan. CACFC staff should connect victims to the Ohio Domestic Violence Network at 1-800-934-9840. ODVN, when funding is available, has up to $1,200 in relocation assistance funding that can be tapped if CACFC resources cannot feasibly cover the costs. This program also pays for moving expenses or utilities that CAC programs may not have the funding to cover.

**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, 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 800-656-HOPE, or visit the online hotline at https://ohl.rainn.org/online/.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime’s Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding human trafficking, you may visit the National Human Trafficking Hotline website at https://humantraffickinghotline.org/ or contact the National Human Trafficking Hotline–available 24 hours a day, 7 days a week, in more than 200 languages–by calling 1-8883737-888 or texting HELP to BEFREE (233722). Callers can dial 711 to access the Hotline using TTY. Additional options include live chat at https://humantraffickinghotline.org/chat or email to help@humantraffickinghotline.org.

**Non-transferring Household Member(s) & Lease Bifurcation**
If a family separates in order to affect an emergency transfer and the non-transferring household member is engaged in criminal activity directly relating to domestic violence, sexual violence, dating violence, human trafficking, or stalking, the housing provider may bifurcate the lease, or remove said household member from the lease in order to evict, remove, terminate occupancy rights, or terminate assistance to the non-transferring member. In terminating assistance or occupancy rights of the non-transferring household member, the housing provider must follow its written termination policy and grievance procedure, including formal due process. In removing the abuser or perpetrator from the unit, the housing provider must follow Federal, State, and local eviction procedures.

When a household receiving assistance separates, the household’s assistance shall continue for the household member(s) who are not evicted or removed in a program for which the remaining household member(s) are eligible.

**Perpetrator in the Home**

If the abuser returns to the home at the request of the survivor, home visitors may choose to conduct off-site home visits. Clients will not be judged for their decision to return to the abuser. Case Managers must understand the dynamics of abuse.

**Suspicions of Violence**

If it is suspected that violence is taking place in the home, the case manager should educate the survivor when they are alone of resources in the community to assist victims of domestic violence and conduct safety planning. Case Managers should remain non-judgmental and empower the survivor.

**Prior Domestic Violence Charges**

Prior domestic violence charges do not bar a household from entering housing programs. CACFC believes all individuals have the right to access housing. Facility-based CACFC programs may place violent offenders at alternative shelter for safety reasons. The emergency shelter is the county’s domestic violence shelter. However, housing first requires that no one be denied homeless assistance due to criminal history unless there is a clear and imminent threat to staff or program participant safety. The emergency shelter should utilize flexible funding sources to place these individuals at hotel/motel or, if they will accept services, at a singles shelter in a neighboring county.