

APPENDIX VII. VERIFICATION FACTORS

The chart below outlines the factors that may be verified and gives common examples of verifications.

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
General Eligibility Items		
Social Security number	An original Social Security issued document, which contains the name and SSN of the individual or an original document issued by a federal, state, or local government agency , which contains the name and SSN of the individual	An original Social Security card issued by the social security administration
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation number	INS card
Disability	Letter from medical professional, SSI, etc	Proof of SSI or Social Security disability payments
Full time student status if student is 18 years or <u>under older</u>	Letter from school	For high school students, any document evidencing enrollment

See Page 118 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

1. In deciding whether to deny or terminate assistance because of action or failure to act by members of the family, the HACN has discretion to consider all of the circumstances in each case, including the seriousness of the case. The HACN will use its discretion in reviewing the extent of participation or culpability of individual family members and the length of time since the violation occurred. The HACN may also review the family's recent history and record of program compliance and the effects that denial or termination of assistance may have on other family members who were not involved in the action or failure to act.

2. The HACN may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in, or were culpable for the action or failure to act, will not reside in the unit. The HACN may permit the other members of a family to continue in the program.

G. ENFORCING FAMILY OBLIGATIONS

1. In each case of a breach of family obligations, the HACN will consider which family members were involved, the circumstances, and any hardship that might be caused to innocent family members before determining denial or termination of assistance. Denial or termination of assistance is optional except where this Plan or the regulations state otherwise. The term "promptly" when used with the family obligations always means "within fourteen (14) calendar days."

2. Under HUD guidelines, at its discretion, the HACN may deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

- a. if any member of the family has been evicted from federally assisted housing in the last five years;
- b. if HACN has ever terminated assistance under the program for any member of the family;
- c. if any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program;
- d. if the family currently owes rent or other amounts to the HACN or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act;
- e. if the family has not reimbursed the HACN for amounts paid to an Owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;
- f. if the family breaches an agreement with the HACN to pay amounts owed to HACN, or amounts paid to an Owner by a HACN. (The HACN may offer a family the opportunity to enter an agreement to pay amounts owed);
- g. if a family participating in the Family Self-Sufficiency (FSS) Program fails to comply, without good cause, with the family's FSS contract of participation;
- h. if a Welfare-to-Work (WTW) family fails, willfully and persistently, to fulfill its obligations under the Welfare-to-Work Voucher Program;
- i. if any member of the household is shown by a preponderance of evidence to be currently engaged in or has engaged in during a reasonable (reasonable shall be

determined to be ~~two one (2) (1) years~~ time before admission: ~~(see Appendix IV) for~~ 1) drug-related criminal activity; and two (2) years time for

- 1) violent criminal activity; or
 - 2) other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or
 - 3) other criminal activity which may threaten the health or safety of the Owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the HACN (including an HACN employee, contractor, subcontractor, or agent);
- j. If the family has engaged in or threatens abusive or violent behavior toward HACN personnel.

3. HQS Breach - The HACN will determine if an HQS breach as identified in 24 CFR 982.404 (b) is the responsibility of the family. Families may be given extensions to cure HQS breaches.

4. Lease Violations - The following criteria will be used to decide if a serious or repeated violation of the lease will result in termination of assistance:

- a. if the Owner terminates tenancy through court action for serious or repeated violation of the lease;
- b. if the Owner notifies the family of termination of tenancy assistance for serious or repeated lease violations, and the family moves from the unit prior to the completion of the court action; and
- c. if there are police reports, neighborhood complaints or other third party information that have been verified by the HACN.

5. Notification of Eviction - If the family requests assistance to move and they did not notify the HACN of an eviction, the move will be denied.

6. Family Member Moves Out - Families are required to notify the HACN if any family member leaves the assisted household. When the family notifies the HACN, they must furnish the following information:

- a. the date the family member moved out;
- b. the new address, if known, of the family member;
- c. a statement as to whether the family member is temporarily or permanently absent.

7. Limitation on Profit-Making Activity in Unit - Members of the household may engage in legal profit making in the unit if such activities are incidental to primary use of the unit. If the HACN determines that the use of the unit as a business is not incidental to its use as a dwelling unit, it will be considered a program violation. If the HACN determines the business is not legal, it will be considered a program violation.

H. PROCEDURES FOR NON-CITIZENS [24 CFR 5.514, 5.516, 5.518]

See Pages 53-54 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

participant requests to add a new household member, who is under the age of six and does not have an assigned Social Security number, the participant must disclose the assigned SSN and provide the Housing Authority with the required documentation within 90 calendar days of the child being added to the household.

G. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS [24 CFR PART 5, SUBPART E]

1. In order to receive assistance, a family member must be a U.S. citizen or eligible immigrant. Individuals who are neither may elect not to contend their status. Eligible immigrants are persons who are in one of the immigrant categories as specified by HUD. For the citizenship/eligible immigration requirement, the status of each member of the family is considered individually before the family's status is defined.

2. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed." Such applicant families will be given notice that their assistance will be pro-rated based on eligible family members and that they may request a hearing if they contest this determination.

3. Applicant families that include no eligible members are ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing. For this eligibility requirement only, the applicant is entitled to a hearing exactly like those provided for participants.

4. It is the policy of the HACN not to provide assistance to families prior to the verification of eligibility for the individual or at least one member of the family pursuant to this section.

H. CRITERIA FOR DENIAL OF ADMISSIONS [24 CFR 982.552(B)]

1. The HACN will deny admission to the program for an applicant, if any member of the family fails to sign and submit consent forms required by HUD and/or the HACN, including Form HUD-9886.

2. The HACN will deny assistance if any family member fails to meet the eligibility requirements concerning individuals enrolled at an institution of higher education as specified in (24 CFR 5.612).

3. A family will not be admitted to the program if any member of the family has been evicted from federally assisted housing in the last ~~five~~ three ~~(5)~~ (3) years.

4. A family will be denied assistance for a two (2) year period from the occurrence if any family member has violated the family obligations under (24 CFR 982.551) by engaging in ~~any drug-related or~~ violent criminal activity. A family will be denied assistance for a one (1) year period from the occurrence for drug related criminal activity. The only

See Pages 19-20 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

exceptions to this will be for persons currently in recovery from substance abuse problems who ~~must have been drug free and sober for a minimum period of the last thirteen months and be involved in an ongoing and verifiable program of treatment and support or provide a certificate of completion from~~ have completed a recognized treatment program.

5. It is a policy of the HACN that the application may be denied if the family has violated any family obligation during previous participation in a Section 8 program for ~~five~~ three ~~(5)~~ (3) years prior to final eligibility determination. The HACN will make an exception, if the family member who violated the family obligation is not a current member of the household on the application and there is evidence that they will not reside with the family in the future.

6. The family must pay any outstanding debt owed the HACN or another Public Housing Authority as a result of prior participation in any federal housing program within thirty (30) days of HACN notice to repay or will be denied assistance.

I. TENANT SCREENING [24 CFR 982.307]

1. The HACN will not screen family behavior or suitability for tenancy. The HACN will not be liable or responsible to the Owner or other persons for the family's conduct in tenancy.

2. The Owner is responsible for screening and selection of the family to occupy the Owner's unit. At or before HACN approval of the tenancy, the HACN will inform the Owner that screening and selection for tenancy is the responsibility of the Owner. The HACN will give the Owner the family's current and prior address as shown in the HACN's records, the name and address (if known by the HACN) of the landlord at the family's current and prior address; and information known to the HACN about damages caused by the tenant, lease violations, or unpaid rent.

J. INELIGIBLE FAMILIES

Families who are determined to be ineligible will be notified in writing of the reason for denial and given an opportunity to request an informal review. The family would be eligible for an informal hearing only if they were denied assistance due to non-citizen status.

CHAPTER 18. MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

[24 CFR 982.314, 982.353, 982.355(a)]

A. ALLOWABLE MOVES

1. A family may move to a new unit with continued assistance if:
 - a. the assisted rental agreement or lease for the former unit was terminated because the HACN terminated the HAP contract for Owner breach, or the lease was terminated by mutual agreement of the Owner and the family;
 - b. the Owner has given the family a notice to vacate, or has commenced an action to evict the tenant, or has obtained a court judgment or other process allowing the Owner to evict the family (unless assistance to the family will be terminated);
 - c. the family has given proper notice to terminate the lease (and if the family has a right to terminate the lease with notice to Owner).

B. RESTRICTIONS ON MOVES [24 CFR 982.314, 982.552(A)]

1. The HACN may deny permission to move if:
 - a. the move is within the HACN's jurisdiction during the initial year of assisted occupancy;
 - b. the move is outside the HACN's jurisdiction under Portability procedures during the initial year of assisted occupancy unless the family's move relates to a family member's opportunity for education, job training or employment;
 - c. the family has moved more than once in a twelve (12) month period;
 - d. if there is insufficient funding for continued assistance;
 - e. if the move would result in a higher Housing Assistance Payment (HAP);
 - f. the family has violated a family obligation;
 - g. the family owes the HACN money unless the family has entered into a repayment agreement and is current on said agreement.

2. If a family's request to move is denied due to insufficient funding the family will be notified by mail at the time the move is denied. The family's request to move will remain open for consideration until such time as sufficient funding is available. Families with open requests to move will be notified by mail when funds become available which will be no later than January 1st of the following calendar year.

Formatted: Superscript

C. PROCEDURE FOR MOVES [24 CFR 982.314]

1. Notice Requirements - The family must give the Owner the required number of days of written notice of intent to vacate the unit specified in the rental agreement or lease and must give a copy to the HACN simultaneously.
2. Time of Contract Change - Assistance stops at the former unit at the end of the month unless proper notice was given to end a lease at any time during the month. Assistance will start on the new unit on the effective date of the HAP contract. Assistance payments may overlap during the month in which the family moves.

See Page 67 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

children, to the family from out of home care. FUP vouchers will also be used for a period not to exceed 36 months, otherwise eligible youths who have attained at least 18 years and not more than 24 years of age and who have left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless at age 16 or older.

The participants for the program are referred by Napa County Health & Human Services Agency Child Welfare Services who screens and ranks referrals from community agencies that currently provide case management services to the families.

The HACN will identify and ensure the certification of FUP-eligible families and/or FUP-eligible youth that are on the waiting list and ensure that the family and/or youth will maintain their original position on the waiting list after they are certified. The HACN will also place all FUP-eligible families and/or FUP-eligible youth that have been referred from the Child Welfare Services Division (CWS) of Napa County Health & Human Services Agency on the HACN waiting list in the order of first come, first served.

3. Mainstream Vouchers

Mainstream program vouchers enable families having a person with disabilities to lease affordable private housing of their choice. Mainstream program vouchers also assist persons with disabilities who often face difficulties in locating suitable and accessible housing on the private market.

The HACN administers thirty (30) Mainstream vouchers for qualifying participants. Community agencies that have referred clients to this program will provide ongoing case management as needed.

4. Homeless Admissions Preference

The HACN administers a limited homeless preference of 15 (fifteen) Housing Choice Vouchers. The preference is limited to 15 (fifteen) Housing Choice Vouchers and the preference is restricted to referrals from a partnering homeless service agency.

The HACN will prioritize households in two ways. First, when appropriate support services are available for clients, the HACN will prioritize households that are assessed as being the highest need for permanent supportive housing using the Vulnerability Index Service Prioritization Assessment Tool (VI-SPDAT). The VI-SPDAT is the community adopted housing assessment tool for the Continuum of Care coordinated entry system. Referrals to the HACN for Housing Choice Vouchers will come directly from the coordinated entry system. Secondly, the HACN will prioritize for households who are currently living in permanent supportive housing but who no longer need intensive case management, the HACN will transition permanent supportive housing households onto Housing Choice Vouchers only when

See Page 24 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

children, to the family from out of home care. FUP vouchers will also be used for youths 18 to 21 years old who left foster care at age 16 or older and lack adequate housing.

The participants for the program are referred by Napa County Health & Human Services Agency Child Welfare Services who screens and ranks referrals from community agencies that currently provide case management services to the families.

The HACN will identify and ensure the certification of FUP-eligible families and/or FUP-eligible youth that are on the waiting list and ensure that the family and/or youth will maintain their original position on the waiting list after they are certified. The HACN will also place all FUP-eligible families and/or FUP-eligible youth that have been referred from the Child Welfare Services Division (CWS) of Napa County Health & Human Services Agency on the HACN waiting list in the order of first come, first served.

3. Mainstream Vouchers

Mainstream program vouchers enable families having a person with disabilities to lease affordable private housing of their choice. Mainstream program vouchers also assist persons with disabilities who often face difficulties in locating suitable and accessible housing on the private market.

The HACN administers thirty (30) Mainstream vouchers for qualifying participants. Community agencies that have referred clients to this program will provide ongoing case management as needed.

4. Homeless Admissions Preference

The HACN administers a limited homeless preference of 15 (fifteen) Housing Choice Vouchers and five (5) Project Based Vouchers. The preference is limited to 15 (fifteen) Housing Choice Vouchers and five (5) Project Based Vouchers, ~~and five (5) Project Based Vouchers~~. The preference is restricted to referrals from a partnering homeless service agency.

The HACN will prioritize households in two ways. First, when appropriate support services are available for clients, the HACN will prioritize households that are assessed as being the highest need for permanent supportive housing using the Vulnerability Index Service Prioritization Assessment Tool (VI-SPDAT). The VI-SPDAT is the community adopted housing assessment tool for the Continuum of Care coordinated entry system. Referrals to the HACN for Housing Choice Vouchers will come directly from the coordinated entry system. Secondly, the HACN will prioritize for households who are currently living in permanent supportive housing but who no longer need intensive case management, the HACN will transition permanent supportive housing households onto Housing Choice Vouchers only when

a) households have appropriate supports to succeed in less service intensive housing and

See Page 24 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

If the HACN has determined from an annual or interim inspection that the unit did not meet the HQS requirements, the HACN may allow the unit to pass upon verification that the HQS deficiency has been corrected. A re-inspection is not necessary if the HACN can obtain verification through other means – including photos, receipts, invoices, work orders, or owner/tenant certifications.

In the case of initial inspections, the HACN is required to conduct a follow-up inspection if the unit does not pass HQS.

HQS INSPECTION 24 HOUR FAIL ITEMS

1. Missing or Non-Operable Smoke Detectors OR Carbon Monoxide Detectors
2. Electrical Hazards: any condition that poses a serious threat of electrocution or fire
3. No Gas Leaks OR Gas Fumes OR Improper/Damaged or Missing Ventilation for Gas Appliances
4. Means of exiting in case of fire are blocked or blocked egress
5. Lack of security for a unit
6. Any part of the building is in danger of collapse
7. Major plumbing/sewage leaks or flooding
8. No running hot water
9. Utilities are not in service
10. No heat when outside temp is below 32 degrees F and/or the inside of the unit is below 50 degrees F
11. Lack of functioning toilet
12. Broken glass where someone could be injured
13. IF a Fire Extinguisher is Required:
Missing/damaged/overcharged/discharged/expired fire extinguisher

CHAPTER 15. HOUSING QUALITY STANDARDS AND INSPECTIONS

[24 CFR 982.401]

A. HOUSING QUALITY STANDARDS

1. All program housing must meet the Housing Quality Standards (HQS) performance requirements both at commencement of assisted occupancy, and throughout the assisted tenancy.
2. The following are HUD's and HACN's acceptability criteria that are the key aspects of housing quality:
 - a. sanitary facilities;
 - b. food preparation and refuse disposal;
 - c. space and security;
 - d. thermal environment;
 - e. illumination and electricity;
 - f. structure and materials;
 - g. interior air quality;
 - h. water supply;
 - i. lead-based paint;
 - j. access;
 - k. site and neighborhood;
 - l. sanitary condition; and
 - m. smoke detectors.

HACN's additional housing quality standards:

The heating system must be capable of maintaining an interior temperature of 68 degrees Fahrenheit.

One screened window per room; screen doors constitute a screened window. Bathrooms must have either one screened window or an exhaust fan.

All exterior doors must be weather-tight to avoid any air or water infiltration, be lockable with single key, single lever deadbolt, have no holes, have all trim intact, and have a threshold.

Carpet must be secured to the floor and not cause a tripping hazard.

Water heaters must be secured to wall or floor and must have a pressure relief valve and discharge line.

In accordance with state law carbon monoxide detectors are required to be present in all units.

~~In units where the tenant must pay for utilities, each unit must have separate metering services for measuring actual usages for utilities. All utility charges billed to the tenant must be consumed by only the tenant.~~

3. There are five types of inspections the HACN will perform:
 - a. Initial/Move-in: conducted upon receipt of Request for Tenancy Approval;
 - b. Annual: conducted within twelve months of the last annual inspection;
 - c. Move-Out/Vacate: conducted within three (3) days of a family vacating a unit;

See Page 59 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

2. When a family requests to move outside of the HACN's jurisdiction, the request must specify the area to which the family wants to move.
3. HACN will advise the family how to contact and request assistance from the receiving Housing Authority.
4. HACN will promptly notify the receiving Housing Authority to expect the family.
5. HACN will give the receiving Housing Authority the most recent HUD Form 50058 for the family, and related verification information.
6. If neither the head of household nor spouse had a domicile (legal residence) in the HACN's jurisdiction at the date of their initial application for assistance, the family will not be permitted to exercise portability upon initial issuance of a voucher, unless the HACN approves such move.
7. For a new applicant portable family that was not already receiving assistance in the HACN's jurisdiction, the HACN will determine whether the family is eligible for admission under the receiving Housing Authority's income limits.
8. If the HACN does not have the financial ability to provide assistance for families that move out of the HACN's jurisdiction, and the receiving Housing Authority does not plan to absorb the family, portability requests will be denied in accordance with HUD Notice PIH 2011-3. Portability requests must be accompanied by written verification that the receiving Housing Authority will absorb the family.
9. The HACN will not provide portable assistance for a participant if:
 - a. the family has moved out of its assisted unit in violation of the lease;
 - b. if the family is in violation of a family obligation;
 - c. if the family owes money to the HACN.

E. POLICIES AND PROCEDURES FOR INCOMING PORTABILITY [24 CFR 982.355]

1. When the portable family (a family that moves into the jurisdiction of the HACN from another Housing Authority) requests assistance from the HACN, it will promptly inform the initial Housing Authority whether the HACN will bill the initial Housing Authority for assistance on behalf of the portable family, or will absorb the family.
2. HACN will issue a voucher to the family. The term of the voucher may not expire before 30 calendar days from the expiration date of the initial PHA's voucher ~~the expiration date of the initial Housing Authority voucher~~. HACN will administer the voucher in accordance with HUD regulations and this Administrative Plan.
3. The HACN will determine the family unit size for the portable family. The family unit size is determined in accordance with the HACN subsidy standards.

See Page 68 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

B. RENT REASONABLENESS DETERMINATIONS [24 CFR 982.507]

1. The HACN will not approve a lease until the HACN determines that the initial rent to Owner is a reasonable rent. The HACN will re-determine the reasonable rent before any increase in the rent to Owner, and if there is a five (5) percent decrease in the published FMR in effect sixty (60) days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect one year before the contract anniversary. At all times during the assisted tenancy, the rent to Owner may not exceed the reasonable rent as most recently determined or re-determined by the HACN.

2. As required by HUD, the HACN will consider the location, quality, size, unit type, and age of the contract unit; and any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease to determine if a unit rent is reasonable.

~~3. The HACN will conduct a Rent Reasonableness Survey in accordance with HUD regulations to establish a viable database that will be used to meet the rent reasonableness test. This data base will represent units that are comparable to affordable housing within the Napa County incorporated and unincorporated areas and will be maintained in the HACN computer software program and also on file as source documents available for review.~~

~~4. The market survey will include single family homes, townhouses and apartments with representative samplings of Studio, 1, 2, 3, 4, 5 and 6 bedroom units. The study will include a variety of amenities in each bedroom size identified as they are available. This survey will also include mobile home space rents. The study will focus on units that are currently vacant or units that have been leased within the past two years. These comparables will be used to document rent reasonableness in each tenant file.~~

~~5. The HACN will maintain a data base that is representative of the cross section of units subsidized and will have a minimum total of 200 viable surveys that will be updated annually. This data base will not include any units that receive any type of subsidy. The HACN will update one hundred percent (100%) of these surveys each July and add additional samples as necessary to maintain a data base that is comparable to a minimum of fifteen percent (15%) of the total subsidies available.~~

The HACN will use the GoSection 8 program software database for rent reasonableness determinations. GoSection 8 is a national internet based rent reasonableness service that gathers, organizes and maintains a database of market-based comparable units. The service captures all of the HUD required key elements for rent reasonableness determinations.

Formatted: Font: (Default) Arial, Highlight

Formatted: Font: (Default) Arial, Highlight

Formatted: Font: (Default) Arial, Highlight

Formatted: Font: (Default) Arial

See Pages 62-63 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

APPENDIX IX. VAWA

NOTIFICATION REGARDING APPLICABLE PROVISIONS OF THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)

HACN will post the information regarding VAWA in its offices and on its Web site. It will also make the information readily available to anyone who requests it.

A. NOTIFICATION TO PARTICIPANTS

HACN will provide all participants notification of their protections and rights under VAWA at the time of ~~admission and is available to participants at their~~ annual reexamination by giving them a copy of the Notice of Occupancy Rights under the Violence Against Women Act. Notification will also be provided when a tenant is notified of eviction or termination of housing benefits. This notice will explain the protections afforded under the law, and inform the participant of HACN confidentiality requirements. HACN provides contact information for local victim advocacy groups or service providers. HUD-~~50066~~ 5382 form will also be provided with the notification.

B. NOTIFICATION TO APPLICANTS

HACN will provide all applicants notification of their protections and rights under VAWA at the time they receive their Housing Choice Voucher by giving them a copy of the Notice of Occupancy Rights under the Violence Against Women Act and in any notice of denial of assistance. The notice will explain the protections afforded under the law, and inform applicants of HACN confidentiality requirements. HACN provides contact information for local victim advocacy groups or service providers. HUD-~~50066~~ 5382 form will also be provided with the notification.

C. NOTIFICATIONS TO OWNERS AND MANAGERS

HACN will inform property owners and managers of their screening and termination responsibilities related to VAWA. HACN will utilize any or all of the following means to notify owners of their VAWA responsibilities:

- As appropriate in day to day interactions with owners and managers.
- Inserts in HAP payments, 1099s, owner workshops, classes, orientations, and/or newsletters.
- Signs in the HACN lobby and/or mass mailings which include model VAWA certification forms.

D. EMERGENCY TRANSFERS

See Pages 144-145 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

The HACN 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 (VAWA), HACN allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant'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 HACN 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.

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.

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 HACN's office and submit a written request for a transfer to HACN's office. HACN 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 HACN'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

HACN will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives HACN 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.

See Pages 144-145 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

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 HACN'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

HACN cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. HACN will, however, act as quickly as possible to reissue a Housing Choice Voucher to an eligible tenant, assisted under the Housing Choice Voucher program, who is a victim of domestic violence, dating violence, sexual assault, or stalking. HACN will not prohibit Voucher tenants from moving during the first year of their lease, or from moving more than once during a 12 month period. HACN will assist the tenant in identifying other landlords and housing providers who may have safe and available units to which the tenant could move.

Families assisted under project-based vouchers will not be required to notify the HACN before they leave a unit if they are leaving because a member of the family is the victim of a VAWA crime and the move is needed to protect the health and safety of a family member, or a family member was a victim of sexual assault that occurred on the premises during the 90 calendar day period before the family requests to move. In such a case the family will have to notify the HACN as soon as possible after they leave the unit, and the HACN will offer the family assistance to a different unit, or offer the family a Housing Choice Voucher if the family has been in the unit for at least a year or offer the victim a Housing Choice Voucher if a family breaks up as a result of domestic violence, dating violence, sexual assault, or stalking. 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. HACN may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If HACN has no safe and available units for which a tenant who needs an emergency is eligible, HACN 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, HACN 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.

Safety and Security of Tenants

See Pages 144-145 of Section 8 Housing Choice Voucher Program Administrative Plan dated June 21, 2016.

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 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>.

Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking:

Nurturing Empowerment Worth Safety (NEWS) (707) 255-6397

Napa County Victim Services (707) 299-1414