



## Exhibit 16-1

### Michigan State Housing Development Authority (MSHDA)

### Emergency Move Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking\*

#### Emergency Moves

MSHDA is concerned about the safety of its participants, and such concern extends to participants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA)<sup>1</sup>, MSHDA allows participants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency move from the participant's current unit to another unit. The ability to request a move is available regardless of sex, gender identity, or sexual orientation<sup>2</sup>. However, the ability of MSHDA to honor such requests for participants currently receiving assistance may depend upon:

1. a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and
2. whether MSHDA has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies participants who are eligible for an emergency move, the documentation needed to request an emergency move, confidentiality protections, how an emergency move may occur, and guidance to participants 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 Housing Choice Voucher Program, Moderate Rehabilitation Program, and Single Room Occupancy Program comply with VAWA.

#### Eligibility for Emergency Moves

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 move, if: the participant reasonably believes that there is a threat of imminent harm from further violence if the participant remains within the same unit. If the participant is a victim of sexual assault, the participant may also be eligible to move if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency move.

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<sup>1</sup> Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

<sup>2</sup> MSHDA cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

A participant requesting an emergency move must expressly request the move in accordance with the procedures described in this plan. Participants who are not in good standing may still request an emergency move if they meet the eligibility requirements in this section.

### **Emergency Move Request Documentation**

To request an emergency move, the participant shall notify the assigned MSHDA Housing Agent and submit a written request for a move to the MSHDA Housing Agent. A verbal request for an emergency move is not sufficient documentation. The participant must submit a written request within 14 business days of the date MSHDA's requests documentation MSHDA will provide reasonable accommodations to this policy for individuals with disabilities. The participant's written request for an emergency move should include either:

1. Submission of the Emergency Transfer Request (HUD 5383); OR
2. A statement expressing that the participant reasonably believes that there is a threat of imminent harm from further violence if the participant were to remain in the same dwelling unit assisted under one of MSHDA's rental assistance programs; OR
3. A statement that the participant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the participant's request for an emergency move.

Note: MSHDA may request additional documentation from the participant only when:

1. There is more than one participant providing documentation to show they are victims of domestic violence, sexual assault, or stalking, and the information in one person's documentation conflicts with the documentation in another person's documentation; OR
2. Documentation submitted contains information that conflicts with existing information already available to MSHDA.

### **Confidentiality**

MSHDA will keep confidential any information that the participant submits in requesting an emergency move, and information about the emergency move, unless the participant gives MSHDA 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 participant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the participant. See the Notice to Applicants and Tenants Regarding the Violence Against Women Act (MSHDA 1631) for more information about MSHDA's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

### **Emergency Move Timing and Availability**

MSHDA cannot guarantee that a move request will be approved and those qualifying for an emergency transfer are not guaranteed continued assistance under the HCV program or transfer to another covered housing program. The emergency transfer requirements do not supersede any eligibility or occupancy requirements that may apply to the HCV program. For example, if a participant qualifies for an emergency transfer to escape an abusive partner, but the participant

would not meet the program eligibility requirements, the participant cannot be rehoused under the program.

At the participant's request, for all covered programs, MSHDA will assist participants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are included in this plan.

Once all requested documentation for an emergency move has been received from the participant, MSHDA will make a determination of eligibility for an emergency move within 5 business days.

### **1. HCV Participants**

When an HCV participant invokes their rights under VAWA and requests an emergency move, upon review and approval of the documentation provided, MSHDA will issue the participant a voucher to move along with a Mover's Briefing Packet. When determining the voucher size for the emergency move, MSHDA will take into consideration minor children, elderly or disabled family members associated with the move.

If the perpetrator is a member of the household, MSHDA will review its criminal policies to determine if the actions of the perpetrator warrant program termination. In addition, MSHDA will issue the remaining family members the voucher if there is a Family Break-Up. The participant family has the right to locate a safe unit within MSHDA's jurisdiction, or exercise their portability rights outside of the state of Michigan. MSHDA will not determine "good standing" nor require the participant family to provide a 30-day notice to MSHDA or the current owner, for an approved emergency move request.

### **2. PBV Participants**

When a PBV participant invokes their rights under VAWA and requests an emergency move, upon review and approval of the documentation provided, MSHDA will issue the participant a tenant-based voucher (HCV) to move along with a Mover's Briefing Packet, regardless if the participant has been living in the unit for less than a year. When determining the voucher size for the emergency move, MSHDA will take into consideration minor children, elderly or disabled family members associated with the move.

**NOTE:** If the participant requests a move to a different unit within the development and the proper-sized unit is available for the move, MSHDA will approve the move to the new PBV unit.

If the perpetrator is a member of the household, MSHDA will review its criminal policies to determine if the actions of the perpetrator warrant program termination. In addition, MSHDA will issue the remaining family members the voucher if there is a Family Break-Up. The participant family has the right to locate a safe unit within MSHDA's jurisdiction, or exercise their portability rights outside of the state of Michigan. MSHDA will not determine "good standing" nor require the participant family to provide a 30-day notice to MSHDA or the current owner, for an approved emergency move request.

### 3. MRP/SRO Participants

When an MRP or SRO participant invokes their rights under VAWA and requests an emergency move, upon review and approval of the documentation provided, MSHDA and the owner/management company will offer the participant another unit within the development (if available). If the participant reasonably believes the proposed move within the development would not be safe, the participant can decline the move. If there are no available units within the development or the participant declines the move within the development due to safety concerns, MSHDA and the owner/management company, will assist the participant with identifying other housing providers who may have safe and available housing for the participant to move to.

In addition, MSHDA and the owner/management company will conduct outreach to local domestic violence service agencies and/or the Housing Assessment Resource Agency (HARA) to locate safe housing and/or housing services for the family. If necessary, the family will be encouraged to apply through the HARA for the homeless preference on the applicable MSHDA HCV County Waiting List.

#### Safety and Security of Participants

Pending processing and approval of the move and the actual move, the participant is urged to take all reasonable precautions to be safe.

Participants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233 for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY). Participants may also contact Michigan 211 for local resources.

Participants 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/>.

Participants 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>. Participants may also contact the Victim Connect Resource Center at 1-855-484-2846.

Participants who are in need of moving assistance and/or homeless assistance services may contact the Housing Assessment and Resource Agency (HARA) in their county. A list of HARA's can be located at <http://www.michigan.gov/mshda/0,4641,7-141-5515---,00.html>.

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\* Adapted from form HUD-5381 – Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking