

Presbyterian Villas of Lehigh, Inc.

1301 Woodward Court
Lehigh Acres, Florida 33936
Phone: (239) 369-1414 • Fax: (239) 369-5006
TTY: (800) 955-8771

VAWA POLICY

OWNER:

Presbyterian Villas of Lehigh, Inc.

MANAGEMENT AGENT:

Presbyterian Homes and Housing Foundation of Florida, Inc.

This VAWA Policy has been prepared in accordance with Rural Development program requirements and the Violence Against Women Reauthorization Act of 2013. Revisions shall be made to the Policy as required by Rural Development or as needed by the Management Agent.

Revised on February 22, 2017

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Violence Against Women Act (VAWA) Policy

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Violence Against Women Act (VAWA) Policy

I. Protections Provided Under The VAWA

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault and/or stalking – collectively referred to as VAWA crimes – who are applicant to, or beneficiaries of, assistance under any housing program covered by the VAWA, regardless of sex, gender identity, or sexual orientation. The Owner understands that, regardless of whether state or local laws protect victims of VAWA crimes, people who have been victims of VAWA crimes have certain rights under federal fair housing regulation. As a result, the Owner will not discriminate against VAWA victims or any other individuals on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age and the Owner will ensure that its housing is made available to all otherwise eligible individuals and families regardless of actual or perceived sexual orientation, gender identity, or marital status.

This VAWA policy is intended to support or assist victims of VAWA crimes and protect victims, as well as affiliated persons, from being denied housing or from losing their assisted housing as a consequence of their status as a victim of a VAWA crime.

VAWA protections are provided to affiliated persons which are defined as follows:

1. A spouse, parent, brother, sister, or child of the victim, or a person to whom the victim stands in the place of a parent or guardian (for example, the affiliated individual is a person in the care, custody, or control of the victim); **or**
2. Any individual, resident/applicant, or lawful occupant living in the household of that individual.

Other than what is described above, VAWA protections are not provided to guests, unauthorized residents or service providers (including live-in aides) hired by the resident.

VAWA ensures that victims are not denied housing and housing assistance is not terminated solely because the person is a victim of a VAWA crime. However, being a victim of a VAWA crime is not reason to change the eligibility or applicant screening requirements set forth in the Resident Selection Plan unless such requirements interfere with protections provided under the VAWA.

For example: The Owner may waive the requirement to review landlord history for an applicant if the victim has provided necessary documentation to certify their status as a victim and if contacting a previous landlord would put the applicant's location at risk of exposure to the accused perpetrator.

Being a victim of a VAWA crime is not reason to waive requirements set forth in the RD approved Lease or in any lease attachment or RD approved lease addendum unless such requirements interfere with protections provided under the VAWA.

For example: The Owner may waive the requirement for a 30-day notice to vacate if the victim has provided necessary documentation to certify their status as a victim and the resident wishes to move to elude the accused perpetrator.

The Owner will not assume that any act is a result of abuse covered under the VAWA. In order to receive the protections outlined in the VAWA, the resident/applicant must specify that he/she wishes to exercise these protections. If any applicant or resident wishes to exercise the protections provided in the VAWA, he/she should contact the Owner immediately. The Owner is committed to ensuring that the Privacy Act is enforced in this and all other situations.

II. Confidentiality

The **Notice of Occupancy Rights under the Violence Against Women Act** provides notice to the resident/applicant of the confidentiality of information about a person seeking to exercise VAWA protections and the limits thereof. The identity of the victim and all information provided to the Owner relating to the incident(s) of abuse covered under the VAWA will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is:

1. Requested or consented to by the victim in writing; or
2. Required for use in an eviction proceeding or termination of assistance; or
3. Otherwise required by applicable law.



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The Owner will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault and/or stalking in a separate file that is kept in a separate secure location from other applicant or resident files.

III. Requests & Certification

The person seeking VAWA protections may make a request for a VAWA accommodation in any reasonable manner. The resident/applicant may:

- Complete a VAWA Request Form provided by the Owner
- Submit a written request (*including email but not texting*)
- Make a personal (oral) request either in person or via phone

Once a request is made, the Owner requires that the resident/applicant certify their status as a victim of a VAWA crime or as a person affiliated with a victim of a VAWA crime using one of the following methods. Applicants and residents decide which of the following methods is used to certify their status as a victim of a VAWA crime or as someone affiliated with a victim of a VAWA crime.

Option 1: When the Owner responds to a request to exercise protections provided under the VAWA, the Owner will request, in writing, that an individual provide RD approved form *Certification as a Victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking* to certify status as a VAWA victim or as a person affiliated with a VAWA victim. The person seeking VAWA protections may obtain this certification form from the Owner or from HUD's web site.

The Owner understands that the delivery of the certification form to the resident/applicant via mail may place the victim at risk, (e.g., the accused perpetrator may monitor the mail). The Owner will work with the resident/applicant in making acceptable delivery arrangements. Alternatively, if the resident/applicant has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the resident/applicant may submit written proof of this outreach in lieu of the certification form.

Option 2: The Owner will accept a Federal, State, tribal, territorial, or local law enforcement agency, court, or other official administrative agency record documenting status as a victim of a VAWA crime or a person affiliated with a victim of a VAWA crime as defined in this policy.

Option 3: The Owner will also accept a document signed by the victim and a professional (employee, agent, or volunteer of a victim service provider, an attorney, medical professional, or a mental health professional) from whom the individual seeking VAWA protections has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking or the effects of the abuse in which the professional attests under penalty of perjury that he/she believes that the incident(s) of domestic violence, dating violence, sexual assault, or stalking are grounds for protection under the VAWA, and that the incident meets the applicable definition of "domestic violence", "dating violence", "sexual assault", or "stalking" in the VAWA regulations at 24 CFR 5.2003.

Based on the above instructions, the written statement must be signed, dated, and notarized or witnessed, and must include the following language:

Name of person seeking protections has worked with me to receive assistance in addressing domestic violence, dating violence, sexual assault and/or stalking or the effects of the abuse.

Name of professional providing documentation believe it is the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under the VAWA, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking.

Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government, HUD, the PHA and any owner (or any employee of HUD, the PHA or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form. Use of the information collected based on this verification form is restricted to the purposes cited above. Any person who knowingly or willfully requests, obtains or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or participant affected by negligent disclosure of information may bring civil action for damages, and seek other relief, as may be appropriate, against the officer or employee of HUD, the PHA or the owner responsible for the unauthorized disclosure or improper use. Penalty provisions for misusing the social security number are contained in the Social Security Act at 208 (a) (6), (7) and (8). Violation of these provisions are cited as violations of 42 U.S.C. 408 (a) (6), (7) and (8).



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The information provided above is true and is based on my knowledge of incidents involving domestic violence, dating violence, sexual assault or stalking.

Signed and dated by person providing certification: _____

I acknowledge that submission of false information is a basis for denial of admission, termination of assistance, or eviction. In addition, providing false information may prompt the owner to notify RD and pursue civil action related to fraud based on RD requirements. I am requesting to exercise protections provided through the VAWA because I am a victim of domestic violence, dating violence, stalking and/or sexual assault (VAWA crimes) or I am a person affiliated with someone who is a victim of a VAWA crime as defined by the VAWA regulations at 24 CFR 5.2003.

Signed and dated by person seeking VAWA protections: _____

Option 4: If the resident/applicant is currently living in a shelter established to protect victims of violence covered under the VAWA, the Owner will accept verification of such living arrangement in lieu of certification methods described above.

Option 5: If the person seeking VAWA protections cannot provide any of the documents described above, the person should contact the Owner to discuss acceptable alternatives. If the documents above cannot be provided, the Owner will be the final decision maker regarding acceptable alternatives. The victim is not required to name his/her accused perpetrator if doing so would result in imminent threat or if the victim does not know the name of his/her accused perpetrator.

Certification Submission: The person seeking VAWA protections will have thirty (30) calendar days from the date of the written request to provide certification using one of the above methods. This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

If the individual fails or refuses to provide certification using one of the above methods within the thirty (30) calendar days, the Owner does not have to provide you with the protections contained in the VAWA.

If the Owner receives documentation that contains 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 Owner will require the resident/applicant to submit third-party documentation, as described above, within thirty (30) calendar days of the date of the request for the third-party documentation.

Owner's Review and Response: To ensure that a person is not wrongly accused of committing an act covered under the VAWA, the Owner will carefully evaluate all claims in order to avoid denial, termination of assistance, termination of tenancy or eviction based on false or unsubstantiated accusations.

The Owner will review and respond to requests to exercise protections provided under the VAWA as quickly as possible but within no more than ten (10) business days of receiving all required documentation. The Owner may provide the response in any manner acceptable to the victim and the Owner. Responses include:

- Approval of the Request for a specific VAWA accommodation
- Denial of the Request for a specific VAWA accommodation
- Request for additional information or Request to Meet

If the request is denied, the person seeking VAWA protections will have the right to appeal. Requests to appeal must be received within ten (10) business days of the date of the denial. When requested, the appeal will be held with someone who was not involved in the original decision to deny. The Owner will grant a reasonable accommodation when there is the presence of a disability.

IV. Lease Bifurcation

If the Owner determines that physical abuse caused by a resident is clear and present, the law provides the Owner the authority to bifurcate a lease in order to evict, remove, terminate occupancy rights, or terminate assistance of the offending household member, while allowing the victim, who lawfully occupies the home, to maintain tenancy.

The Owner may attempt to evict the accused perpetrator, but residents should know that state/local tenant/landlord laws prevail and the Owner must comply with such laws. The Owner cannot guarantee that a court will award or enforce an eviction. The resident must keep in mind that eviction of or termination action must be in accordance with the procedures prescribed by federal, state, and local law as well as the procedures outlined in the HB-2-3560. The



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Owner is committed to attempting to assist the victim and persons affiliated with the victim, however, evictions are generally carried out through the court system and the Owner cannot override or circumvent a legal decision.

In the event that one household member is removed from the apartment because of engaging in acts of domestic violence, dating violence, sexual assault and/or stalking against another household member, an appropriate certification will be processed reflecting the change in household composition. Special consideration will be given if the remaining household members are not qualified to remain in the apartment as a “remaining household member”. Please refer to the Resident Selection Plan for eligibility requirements.

Continued Eligibility: If the accused perpetrator leaves the apartment or is terminated and was the eligible/qualifying member of a resident household, the Owner will provide to any remaining household members that were not already eligible a period of ninety (90) calendar days from the date of bifurcation of the lease or until the lease expires, whichever is first, to:

- Establish eligibility for the same covered housing program under which the evicted or terminated tenant was the recipient of assistance at the time of bifurcation of the lease; or
- Establish eligibility under another covered housing program; or
- Find alternative housing.

The Owner may extend the ninety (90) calendar day period up to an additional sixty (60) calendar days, unless the time period would extend beyond expiration of the lease.

When remaining household members are unable to establish eligibility, such as when the removal of the abuser leaves the family with no member who can qualify, a qualified adult may be added to the household to serve as the head of household using procedures outlined in HB-2-3560, Chapter 6.30 D.

V. Legal Action

Victims are encouraged to seek police/legal protection from their accused perpetrator. In some cases, the Owner may file a restraining order against the accused perpetrator to prevent the accused perpetrator from entering the property. VAWA does not limit the authority of the Owner, when notified of a court order, to comply with a court order with respect to:

- The rights of access or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, and/or stalking; **or**
- The distribution or possession of property among members of a household.

VI. Termination of Tenancy or Termination of Assistance

VAWA does not limit the Owner’s authority to deny, terminate assistance to or evict a resident/applicant for any violation that is not the result of an act of domestic violence, dating violence, sexual assault, and/or stalking.

The Owner will not subject the resident/applicant, who is or has been a victim of domestic violence, dating violence, sexual assault, and/or stalking, or is affiliated with an individual who is or has been a victim of domestic violence, dating violence, sexual assault and/or stalking, to a more demanding standard than other resident/applicant in determining whether to evict or terminate assistance.

VAWA does not limit an Owner’s authority to deny, terminate assistance to or evict a resident/applicant under a covered housing program when the Owner can demonstrate that an actual and imminent threat to others (residents, applicants, or those employed at or providing services to the community) would be present if that resident/applicant or lawful occupant is not evicted or terminated from assistance. In this context, words, gestures, actions, or other indicators will be considered an “actual and imminent threat” if they meet the standards provided by the definition of “actual and imminent threat” in the VAWA regulations at 24 CFR 5.2003.

“Actual and imminent threat refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: The duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.”



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Note: Determinations made about the presence of an “actual and imminent threat” will not be based on stereotypes, but will be tailored to particularized concerns about individual applicants or residents.

The Owner will take into account individual circumstances when making a determination to terminate tenancy; such circumstances might include, among other things, the seriousness of the offending action, the extent of participation by the leaseholder in the offending action, and whether the leaseholder, if not the wrongdoer, took all feasible steps to prevent the offending action from occurring and has removed the offending person from the lease or otherwise banned the offending person from the premises in the future.

Any eviction or termination of assistance, will be initiated only when there are no other actions that could be taken to reduce or eliminate the threat. Examples of such action include, but are not limited to:

- Transferring the victim to a different apartment when doing so would reduce or eliminate the threat
- Barring the perpetrator from the property
- Contacting law enforcement to increase police presence
- Developing other plans to keep the property safe
- Seeking other legal remedies to prevent the perpetrator from acting on a threat

VII. Required Forms & Notices

The RD approved VAWA Lease Addendum will be implemented and provided in accordance with RD guidance. In addition, the **Notice of Occupancy Rights under the Violence Against Women Act** and the associated **Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation** will be implemented and provided:

- At the time an applicant is denied
- At the time an individual is admitted
- With any notification of eviction
- With any notification of termination

VIII. Ensuring Equal Access

If you are disabled or have difficulty understanding English, please request our assistance and we will ensure that you are provided with meaningful access based on your individual needs.

(Estimado inquilino, si está usted discapacitado o necesita asistencia en su idioma, por favor déjenos saber sus necesidades. Con mucho gusto le daremos acceso a servicios individualizados basados en su pedido.)

IX. Addendum A: VAWA Emergency Transfer (VET) Plan

The Owner is concerned about the safety of residents and applicants, and such concern extends to residents and applicants who are victims of domestic violence, dating violence, sexual assault, or stalking – collectively referred to as VAWA crimes.

In accordance with the Violence Against Women Act (VAWA), the Owner allows “tenants” who are victims of VAWA crimes to request a VAWA Emergency Transfer from the resident’s current apartment to another apartment. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. The resident is responsible for paying for any expenses associated with the move.

The ability of the Owner to honor such request for residents currently receiving assistance may depend upon a preliminary determination that the resident is or has been a victim of a VAWA crime or is a person affiliated with a victim of a VAWA crime, and on whether the Owner has another apartment that is available and is safe to offer the resident for temporary or more permanent occupancy.

This VAWA Emergency Transfer Plan identifies:

- Residents who are eligible for an emergency transfer,
- Applicants who are eligible for an emergency transfer,
- The documentation needed to request or receive an emergency transfer,
- Confidentiality protections,
- How an emergency transfer may occur, **and**



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- Guidance about safety and security.

This plan is based on the **Model Emergency Transfer Plan** published by the United States Department of Housing and Urban Development (HUD) and the **Rural Development Emergency Transfer Plan** published by Rural Development.

A. Eligibility for VAWA Emergency Transfers

A resident/applicant who is a victim of a VAWA crime is eligible for a VAWA Emergency Transfer when:

1. The person making the request is a victim of a VAWA crime or is a person affiliated with a victim of a VAWA crime;
2. There is a request for a VAWA Emergency Transfer; **and**
3. The resident reasonably believes that there is a threat of imminent harm if the resident remains within the same apartment; **or**
If the resident is a victim of sexual assault, the resident 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.

This is true even if the resident is not a resident in good standing.

A resident/applicant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

B. Emergency Transfer Request Documentation

Victims of VAWA crimes (resident/applicant or someone representing the resident/applicant) must submit a request for a VAWA Emergency Transfer (VET) in accordance with HUD regulations and the community VAWA policy.

To request a VET, the victim of the VAWA crime (resident/applicant or someone representing the resident/applicant) must notify the Owner and:

1. Submit a written request for a transfer using a form provided by the Owner; or
2. Request and participate in a meeting during which the victim of the VAWA crime (resident/applicant or someone representing the resident/applicant) may verbally request a VAWA Emergency Transfer which will be documented on a form signed by the person seeking the VAWA Emergency Transfer.

The person requesting VAWA protections may also submit their own written request for an emergency transfer. Such a request must include either:

1. A statement expressing that the resident reasonably believes that there is a threat of imminent harm from further violence if the resident were to remain in the same apartment; or
2. A statement that the resident was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the resident's request for an emergency transfer.

The Owner will accept the VET request in an equally effective format as a reasonable accommodation when there is the presence of a disability.

Victims of VAWA crimes or people affiliated with victims must certify their status in accordance with VAWA requirements and the Owner's VAWA Policy. Please refer to the **Notice of Occupancy Rights under the Violence Against Women Act** or the Owner's VAWA Policy for additional information regarding certification.

Residents who are actual or imminent victims of domestic violence, dating violence, sexual assault, or stalking and are requesting an emergency transfer under this plan may receive a Letter of Priority Entitlement (LOPE), from the USDA, as RD considers this to be a situation beyond the resident's control under 7 CFR 3560.159(c). The Owner shall immediately contact their Multi-Family Housing (MFH) RD servicing office, who shall provide the LOPE along with a letter to the resident indicating at a minimum, that the resident may receive priority placement in an available RD apartment and the given timeframes. Residents who receive a LOPE and are beneficiaries of Rental Assistance (RA) may not transfer the RA to another RD community. The RA will remain with the original RD community.



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C. Confidentiality

Any information that the victim of the VAWA crime (resident/applicant or someone representing the resident/applicant) submits in requesting an emergency transfer, and information about the emergency transfer will remain confidential and will be maintained in a file separate from the resident/applicant file. This includes keeping the new location of the apartment confidential, if one is provided.

This information will not be disclosed unless the resident/applicant gives the Owner 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.

Refer to the ***Notice of Occupancy Rights under the Violence Against Women Act*** for more information about the Owner's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

D. Internal and External VET

Please be aware of the following definitions:

Internal emergency transfer refers to an emergency relocation of a resident to another apartment where the resident would not be categorized as a new applicant; that is, the resident may reside in the new apartment without having to undergo an application process. If an apartment is available, the resident must be eligible for the apartment based on the requirements set forth by the governing agency. The resident should discuss apartment transfer eligibility requirements with the Owner to fully understand the requirements.

External emergency transfer refers to an emergency relocation of a resident to another apartment where the resident would be categorized as a new applicant; that is the resident must undergo an application process in order to reside in the new apartment. The applicant may be required to meet the eligibility and/or screening requirements set forth by the agencies that govern the housing program and/or by the Owner/Agent responsible for the other community.

Safe unit refers to an apartment that the victim of domestic violence, dating violence, sexual assault, or stalking believes is safe.

Regardless of whether the resident/applicant is applying for an internal emergency transfer or an external emergency transfer, residents/applicants requesting a VET must qualify for the new apartment based on the requirements set forth by the governing agency. When requesting an external emergency transfer, the resident/applicant should understand that they may also be subject to other screening requirements set forth by the Owner/Agent responsible for the other community.

Internal emergency transfer: If an existing resident qualifies for an internal VET, and when there are no other requests for apartment transfers, the first available apartment that the requestor deems safe will be offered to the resident. If a "safe unit" is not immediately available, the resident will be added to the community waiting list.

When an appropriate apartment is not available at this community, the Owner will work with the resident to identify alternative housing under this or other federally funded programs.

External emergency transfers: If an existing resident qualifies for an external VET, and the resident wishes to move to another community also managed by the Management Agent, and when the community's waiting list is open the Owner of the other community will:

- Accept a completed application,
- Determine eligibility based on the requirements of the governing agency and the community's resident selection plan and,
- If appropriate, add the resident to their waiting list with a preference

When there are no other requests for apartment transfers or applications with appropriate preference, the first available apartment that the requestor deems safe will be offered. If a "safe unit" is not immediately available, the resident will be added to the community waiting list.

In a cases where the resident/applicant requests and qualifies for an internal transfer or an external transfer and when the new community is also managed by the Management Agent, the resident/applicant will be given an "Imminent Threat" preference. See Section E below for a more detailed description of preferences.



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If a resident/applicant reasonably believes a proposed transfer would not be safe, the resident may request a transfer to a different apartment. When the new apartment is offered and accepted, the resident will have thirty (30) calendar days to complete the appropriate paperwork, take possession of the new apartment and move out of the current apartment.

If an existing resident qualifies for an external VET, and the resident wishes to move to another property that **is not** managed by the Management Agent, the Owner will work closely with the resident and will take all reasonable measures to assist with the victim's efforts to find alternative housing and to ensure strict confidentiality. The resident/applicant is required to meet the eligibility and/or screening requirements set forth by the agencies that govern the other community's housing program.

If the Owner has no safe and available apartments for which a resident who needs an emergency transfer is eligible, the Owner will assist the resident in identifying other housing providers who may have safe and available apartments. If the community is not managed by the Management Agent, the Owner cannot guarantee that the resident will receive priority placement based on the resident's status as a victim of a VAWA crime or the resident's status as a person affiliated with a victim of a VAWA crime. The resident should contact the staff at the new community and ask for information about applicant selection and placement preference. The Owner will work with the resident to ensure that the new location is not disclosed except as specified in the VAWA Policy. The Owner will also meet with the resident to discuss provision of information needed to establish eligibility or to screen household members.

When an applicant applies to this community and requests preference based on their status as a victim of a VAWA crime or a person affiliated with a victim of a VAWA crime, the Owner will require appropriate paperwork as described in the VAWA policy. Such paperwork may include a LOPE. A LOPE entitles the victim to receive priority for available housing at any Section 515 Rural Rental Housing (RRH) community, anywhere in the United States, as long as the victim otherwise meets the normal RD program eligibility criteria. Applications will be processed based on eligibility for the program and eligibility for the preference as described in the Resident Selection Plan and the VAWA Policy.

Regardless, before any transfer or move-in is granted, the resident/applicant must agree to abide by the terms and conditions that govern occupancy in the new apartment.

E. Emergency Transfer Timing and Availability

The Owner cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The Owner will, however, act as quickly as possible to move a resident who is a victim of a VAWA crime to another apartment, subject to availability and safety of an apartment.

The Owner may be unable to transfer a resident to a particular apartment if the resident has not or cannot establish eligibility for that apartment.

When a person seeking VAWA protections requests a VAWA Emergency Transfer and when that resident qualifies for the emergency transfer and qualifies for a proposed apartment within the Owner's community, an apartment will be offered according to the following priorities:

1. First priority – Current residents that need:
 - a) to move to a larger or smaller apartment size due to occupancy standards
 - b) to move to a larger, smaller or other apartment due to reasonable accommodations.
 - c) an accessible apartment when one becomes available
 - d) a safe apartment due to imminent threat.
2. Second priority – Applicants in need of the features of an accessible apartment on the waiting list receive priority for an accessible apartment over others on the waiting list as long as there is no current resident in need of the accessible apartment.
3. Third priority – Applicants with a Letter of Priority Entitlement (LOPE), applicants that were displaced from Agency-financed housing but never issued a LOPE, applicants displaced in a Federally declared disaster area, or applicants that qualify for an External VAWA Emergency Transfer due to imminent threat.
4. Fourth priority – Current residents will have priority to transfer to a vacant apartment over applicants from the waiting list.
5. Finally, if no other priority exists, applicants are selected according to their income level in the following order:
 - a) Very low-income applicants
 - b) Low-income applicants
 - c) Moderate-income applicants



This company does not discriminate on the basis of disabled status in the admission or access to, or treatment or employment in, its federally assisted programs and activities. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

Violence Against Women Act (VAWA) Policy

Imminent Threat Preference (VAWA Emergency Transfer): In some cases, persons that qualify for an Internal VAWA Emergency Transfer may receive preference over other residents who have requested an apartment transfer. Additionally, persons that qualify for an External Emergency Transfer may receive preference over other applicants. Please see the VAWA Policy, the VAWA Emergency Transfer Plan and/or contact the Owner for additional information.

Accessible apartments will always be offered to residents and then applicants who need the features of the accessible apartment before they are offered to residents and then applicants who do not need the features of the accessible apartment. Please refer to the Resident Selection Plan for additional information.

As part of this plan, the Owner has identified resources, including temporary housing alternatives, that are available to residents and applicants. At the resident's request, the Owner may assist in contacting local organizations offering assistance to victims of VAWA Crimes.

F. Tenant-Based Rental Assistance

In situations where residents/applicants receiving tenant-based rental assistance, such as housing choice vouchers, request and qualify for a VET, the Owner will work closely with the applicable Housing Authority or other covered housing provider in an effort to move or transfer those individuals as quickly as possible without the loss of their assistance.

G. Safety and Security of Residents

Victims of VAWA crimes and/or any person affiliated with a victim of a VAWA crime are urged to take all reasonable precautions to be safe. Residents/applicants 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).

Residents/applicants who are or have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 1-800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>.

Residents/applicants who are or have been victims of stalking seeking help may call the National Center for Victims of Crime's Stalking Resource Center at 1-855-484-2846 or visit <https://www.victimsofcrime.org/ourprograms/stalking-resource-center>.

Residents/applicants who are or have been victim of VAWA crimes may visit the Office for Victims of Crime (OVC), part of the Department of Justice (DOJ) at <https://www.ovc.gov>. The OVC administers the Crime Victims Fund, which provides direct reimbursement to crime victims for financial losses from crimes including medical costs, mental health counseling, and lost wages or loss of support. This provide reimbursement for victims during a time when they may be facing financial constraints. The Crime Victims Fund may also be used to fund transitional housing and shelter for victims of VAWA crimes who need the transitional housing or shelter because they were a victim of a VAWA crime, and to fund relocation expenses for those who need to move because they were a victim of a VAWA crime.

Residents/applicants who have any questions should contact Barbara Chism, Multi-Family Housing Portfolio Management Division, at (202) 690-1436.



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Violence Against Women Act (VAWA) Policy

X. Addendum B: Local Organizations Offering Assistance to Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

ACT (Abuse Counseling & Treatment, Inc.)

Phone: (239) 939-2553 or TTY: (239) 939-3112 or Fax: (239) 939-4741

P.O. Box 60401

Fort Myers, FL 33906

Lee County Domestic Violence Unit

Phone: (239) 533-2884

1700 Monroe St.

Fort Myers, FL 33901

Florida Domestic Violence Hotline

Phone: (800) 500-1119 or TTY: (800) 621-4202

Organizations providing additional assistance or information regarding the Violence Against Women Act:

HUD - Miami Field Office

Phone: (305) 520-5026

909 S.E. First Ave., Room 500

Miami, FL 33131

USDA Rural Development Florida State Office

Phone: (352) 338-3400

4440 NW 25th Place, Suite 200

Gainesville, FL 32606



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Violence Against Women Act (VAWA) Policy

XI. Addendum C: Other Local Affordable Housing Communities Potentially Subject to the Rules Provided by the Violence Against Women Reauthorization Act 2013

Sister Communities: The following communities have the same Management Agent as the Owner, but they are not Rural Development communities.

PRESBYTERIAN HOMES OF LEHIGH

1291 Broad St W
Lehigh Acres, FL 33936-6541
Phone: (239) 369-1414
TTY: (800) 955-8771

WOODWARD MANOR INC.

1301 Woodward Court
Lehigh Acres, FL 33936-6548
Phone: 239-369-1414
TTY: (800) 955-8771

PRESBYTERIAN HOMES OF SOUTH FL

1200 Broad St W
Lehigh Acres, FL 33936-6541
Phone: (239) 369-1414
TTY: (800) 955-8771

FT. MYERS PRESBYTERIAN COMMUNITY

1925 Virginia Ave
Fort Myers, FL 33901-3318
Phone: (239) 332-1050
TTY: (800) 955-8771

Unrelated Communities: According to the USDA RD Multi-Family Housing Rentals Search tool (see link below), Presbyterian Villas of Lehigh is the only Rural Development Multi-Family Housing community available in Lee County. There are, however, many other affordable housing communities available in Lee County. The following communities were found using HUD's Affordable Apartment Search tool. These communities are unrelated to the Owner or to the Management Agent and as such, the Owner cannot guarantee eligibility or availability. Please contact each community directly for more specific details about their eligibility requirements and/or their availability.

PALM CITY GARDEN APARTMENTS

1625 Marsh Ave
Fort Myers, FL 33905-4586
Phone: (239) 334-1303

ST JOHN XXIII VILLAS

13060 Palomino Lane
Fort Myers, FL 33912
Phone: (239) 561-2245

SANDPIPER RUN

2075 Collier Ave
Fort Myers, FL 33901-8186
Phone: (239) 931-0220

VILLA VINCENTE

13031 Palm Beach Blvd
Fort Myers, FL 33905-1937
Phone: (239) 693-1333

HATTON B. ROGERS APARTMENTS

4250 Hatton B Rogers
North Fort Myers, FL 33903-7806
Phone: (239) 995-6100

PALM HARBOR APARTMENTS

1081 Palm Ave
North Fort Myers, FL 33903-4339
Phone: (239) 995-2600

Other Tools:

USDA RD's Multi-Family Housing Rentals Search tool provides a nationwide listing of available rental properties and it can be found on the USDA website by visiting:

https://rdmfhrentals.sc.gov.usda.gov/RDMFHRentals/select_state.jsp

HUD's Affordable Apartment Search tool can be found on their website by visiting:

<http://www.hud.gov/apps/section8/>

HUD's PHA Contact Information tool provides a complete listing of all local Public Housing Agencies and it can also be found on HUD's website by visiting:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/pha/contacts



This company does not discriminate on the basis of disabled status in the admission or access to, or treatment or employment in, its federally assisted programs and activities. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.