



Emergency Transfer Program Frequently Asked Questions



(UPDATED 10.12.23)

What is the Violence Against Women Act (VAWA)?

The Violence Against Women Act (VAWA) is a federal law that protects victims of domestic violence, dating violence, sexual assault, and stalking whether they are men or women.

The U.S. Department of Housing and Urban Development (HUD) issued specific regulations regarding the Violence Against Women Act which simplify the emergency transfer process for VAWA victims.

Even though not technically covered in HUD's VAWA regulations, as of June 14, 2017 NYCHA changed its emergency transfer process for public housing residents to include categories such as intimidated witnesses (IW), intimidated victims (IV), and victims of traumatic incidents (VTI).

What is changing?

Residents who are VAWA victims may, though are no longer required to, submit third-party documentation to support their emergency transfer request.

Conversely, Intimidated victims, intimidated witnesses, and victims of a traumatic incident must submit third-party documentation to show their eligibility for an emergency transfer. Each of these transfer categories requires different documents, please refer to the *"What forms have to be completed to apply for an emergency transfer?"* section below.

Residents who are eligible for emergency transfers as a VAWA victim, intimidated witness, intimidated victim, or a victim of a traumatic incident have now more flexibility in deciding where to transfer: They can choose to be put on a NYCHA-wide waiting list (all five boroughs) or select a particular borough. In addition, residents can exclude up to two ZIP codes in locations where they do not feel safe.

Who is eligible for VAWA protection?

VAWA protections cover victims of domestic violence, dating violence, sexual assault, or stalking who are tenants and assisted families, as defined under applicable program regulations. The same protections also cover applicants when they are applying for admission to a covered housing program.

VAWA protections are not limited to victimized women but extends to individuals irrespective of their sex, gender identity, or sexual orientation.

Who is ineligible for VAWA?

Guests, unassisted members, and live-in aides of the resident/applicant family are ineligible for VAWA protections which, as mentioned, are available only to tenants/applicants and their household members.

What rights do victims have under VAWA?

A housing authority cannot deny admission or terminate a person from public housing because of their status as VAWA victim and must have an emergency transfer process in place for them. VAWA provisions allow, but do not require, a housing authority to bifurcate a lease to protect the victim and other innocent household members while, concurrently, terminating the rights of the abuser.



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What is an emergency transfer?

Emergency transfer allows a tenant to relocate from their present development to another unit in accordance with NYCHA's emergency transfer plan.

Lessees and co-lessees and authorized household members can apply for an emergency transfer if they believe they, or other individuals covered under the definitions below, qualify as victim under one of the four emergency transfer categories.

Furthermore, an authorized household member can also apply for a VAWA transfer.

Emergency Transfer Categories:

- Victim under the Violence Against Women Act (VAWA): Victim of domestic violence, dating violence, sexual assault or stalking
- Intimidated Victim (IV)
- Intimidated Witness (IW)
- Victim of Traumatic Incident (VTI)

How and where can a tenant apply for an emergency transfer?

At any time, a tenant can apply for an emergency transfer or obtain any form by visiting the local Property Management Office or the NYCHA Self-Service Portal (<https://selfserve.nycha.info>).

What forms have to be completed to apply for an emergency transfer?

Tenants can obtain below forms from the local Property Manager's Office or on the NYCHA Self-service portal (<https://selfserve.nycha.info>).

- VAWA Victim: Tenants must complete the Emergency Transfer Request for VAWA Victims, NYCHA Form 040.923. This form can also be found on NYCHA's Self Service Portal (<https://selfserve.nycha.info>).
- Intimidated Victim: Tenants must work with Safe Horizon who will assist in submitting the emergency transfer application, NYCHA Form 040.920, and an advocacy letter supporting the request. Further documentation to be submitted include a police report or an order of protection documenting the criminal offense of physical violence or threat of violence against the victim (tenant or household member).
- Intimidated Witness: Tenant must be referred by the U.S. Attorney's Office, DA's Office, Corporation Counsel (for minors) or NYPD, which will also submit NYCHA Form 040.921. The referring agency should also submit an advocacy letter stating that the tenant or household member is cooperating in the arrest or prosecution of the perpetrator, that there has been an arrest or an anticipated arrest, and that as a result of the cooperation the family faces a threat.
- Victim of Traumatic Incident: Tenant must submit three items: (1) a transfer request form, NYCHA Form 040.922; (2) NYCHA Form 088.165, completed by the tenant and by a psychologist, psychiatrist, or licensed social worker, explaining the nature of traumatic incident, its effects and why a transfer is needed; (3) a police report showing the tenant or an authorized household member was the victim of a violent felony at the development no more than six months prior to the date the emergency transfer request was submitted.

How can a tenant check on the status of their emergency transfer request?

Tenants can check the status of their request online (<https://selfserve.nycha.info>) at any time. Furthermore, they will receive a letter advising if their emergency transfer request was approved or disapproved. NYCHA will also notify the tenant once they are selected for an apartment.



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Can a tenant appeal if NYCHA denies their request for an emergency transfer?

Yes, a tenant can appeal. If the transfer request has been disapproved and the tenant would like to challenge the determination, they may request a hearing at the development's Property Management Office within 14 days of the date of the denial.

If a tenant's emergency transfer request is approved, how long will the tenant have to wait to receive an apartment offer?

Even if NYCHA finds the tenant is eligible for an emergency transfer, it cannot guarantee that they will be transferred. While NYCHA will act as quickly as possible in moving eligible individuals to a new apartment, its ability to do so depends on several variables including availability of a unit that matches the tenant's family composition, transfer preferences and priority as well as the size of NYCHA's waiting list, turnover rate, and availability of vacant apartments.

The Emergency Transfer Program is not intended to be a witness protection program and NYCHA cannot guarantee the safety or security of individuals and families who choose to apply to and/or who are transferred under this program. Pending the review and/or processing of the emergency transfer request, tenants should be urged to take reasonable precautions to be safe.

Where can a tenant move if eligible for an emergency transfer?

A tenant can choose to be placed on a NYCHA-wide waiting list (all five boroughs) or, alternatively, on the waiting list for a single borough.

A tenant can exclude up to two ZIP codes if they do not feel safe transferring to those areas. However, such exclusion is not mandatory if they feel that they can safely transfer to an apartment in any area, including the ZIP code where they currently reside.

How many apartment offers will an eligible tenant receive?

To facilitate safe emergency transfers, an eligible tenant is entitled to two apartment offers which can be rejected due to perceived safety reasons. If the tenant wishes to be considered for a third apartment offer a signed statement, explaining in detail why the first two offers were not safe, must be submitted. NYCHA will evaluate the submissions and determine whether tenant qualifies for a third offer.

Of particular note, a tenant that applied as a VAWA victim can submit the signed statement independently, either on NYCHA Self-Service Portal (<https://selfserve.nycha.info>) or in person at the Property Management Office. If a tenant applied as an intimidated victim, they or Safe Horizon can submit the statement. If a tenant applied as an intimidated witness, the tenant or the Referring Agency can submit the statement. If a tenant applied as a victim of traumatic incident, they or the advocate and/or mental health provider must submit the statement on their behalf.

What if I need to leave my apartment for safety reasons?

If, while waiting for a transfer, a tenant must leave their apartment for safety reasons and find temporary residence elsewhere they should not hand in their keys or sign a "Notice of Intent to Vacate". To maintain legal residency they should, instead, advise NYCHA about their temporary relocation and if any family member still resides in the apartment. If a tenant who is a VAWA victim provides documentary proof that they have vacated for safety reasons, NYCHA will not pursue proceedings for a non-payment of rent or administrative termination-of-tenancy based on unpaid rent for the period between: (1) the date the tenant has, both, been approved for a domestic violence transfer and submitted the supporting evidence verifying they vacated the apartment for safety reasons, and (2) when they are selected for a new NYCHA apartment. Domestic violence victims may submit any documentary proof to VAWATempRelo@nycha.nyc.gov. NYCHA will not nullify the domestic violence transfer request based on any legal action taken against any household members remaining in the original apartment.



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How will the tenant be notified if selected for an apartment?

NYCHA will send a letter to the tenant's current address, unless the tenant lists a preferred alternate address on the emergency transfer form. Tenant can also check status on the Self-Service Portal (<https://selfserve.nycha.info>). NYCHA will also send an apartment notification email to the referring agency if the tenant applied for transfer as an intimidated victim or intimidated witness.

Where can the tenant get more information about VAWA and emergency transfers?

- NYCHA will send a letter to the tenant's current address, unless the tenant lists a preferred alternate address on the emergency transfer form. Tenant can also check status on the Self-Service Portal (<https://selfserve.nycha.info>). NYCHA will also send an apartment notification email to the referring agency if the tenant applied for transfer as an intimidated victim or intimidated witness.
- For more information and resources about NYCHA's Emergency Transfer Policy please visit <https://www1.nyc.gov/site/nycha/residents/domestic-violence.page>. Tenants also receive more information about VAWA with their annual review packet.

Tenants can check the status of their request online (<https://selfserve.nycha.info>) at any time.

For any questions about the Emergency Transfer process, please call NYCHA's Customer Contact Center: 718-707-7771, Monday through Friday from 8:00am to 5:00pm.

Need further help?

- For advice about an abusive relationship, call the *National Domestic Violence Hotline* at 1-800-799-7233 or 1-800-787-3224 (TTY).
- For advice about sexual assault, call the *National Sexual Assault Hotline* at 1-800-656-4673.
- For advice about stalking, visit *Victim Connect Resource Center* (<https://victimconnect.org>) or call 1855-4VICTIM (1-855-484-2846).
- For multidisciplinary centers providing social services, civil legal, and criminal justice assistance to survivors of domestic and gender-based violence and their children, visit The Mayor's Office to End Domestic and Gender Based Violence (ENDGBV) (<https://www.nyc.gov/site/ocdv/index.page>) and its NYC *Family Justice Centers (FJC's)* (<https://www.nyc.gov/site/ocdv/programs/family-justice-centers.page>)

Additional resources:

- The Official Website of the City of New York ([Kacategory · NYC311](#))
- For support for individuals and families in need of affordable housing or homelessness Prevention resources visit *Human Resources Administration (HRA)* website (<https://www.nyc.gov/site/hra/help/affordable-housing.page>).
- For information about housing assistance from various New York City agencies visit the *Affordable Housing Resource Center* (<http://www1.nyc.gov/nyc-resources/service/1021/affordable-housing>)