
HOUSING AUTHORITY OF THE CITY OF SEATTLE
MANUAL OF OPERATIONS

SUBJECT: Resident Transfers - Domestic Violence, Medical and Other Emergency Transfers

POLICY:

Approved emergency transfer requests shall be given priority over the chronological transfer waiting list. The resident shall be offered the first available unit of appropriate size which meets the household's needs. Medical emergencies and emergency ADA-504 accommodations which represent a health-limiting or life-threatening situation and which necessitate a relocation accommodation shall be processed as an emergency transfer.

An emergency transfer shall not be denied because of the resident's adverse tenant history unless the problems that constitute that history both are likely to recur after the transfer and would defeat the purpose for which the transfer is requested.

A resident requesting an emergency transfer shall permit the Community Manager to conduct a housekeeping and damage inspection of the unit prior to approval of the transfer, if time permits. SHA shall determine if the resident is responsible for rent owing, additional deposits or other charges. If the resident is found to owe money to SHA, the transfer shall not be delayed but the resident and the receiving Community Manager shall arrange a payment schedule.

A resident requesting a transfer to escape domestic violence may not be charged for damage caused by the abuser, and provided further, if the abuser is a co-tenant, SHA will seek payment of any rent and/or damage owing from the abuser before seeking it from the resident requesting the transfer.

A. Domestic Violence Transfers.

Domestic violence accounts for fear, injury, death and torment of many victims. It is a widespread and serious affliction in every community, including the public housing community. An effective response to domestic violence can require the speedy and confidential move of the victim's residence. This policy is intended to provide this option to victims who reside in public housing and who, by virtue of their economic dependence on public housing, would otherwise be unable to escape their abusers.

A resident who requests a transfer under this provision shall be entitled to a transfer when the following circumstances are present:

1. The resident or a present member of his or her household has a reasonable basis to fear domestic violence from a related person, as shown by reliable evidence including but not limited to the following:
 - a. a court order in effect at the time of the transfer request that restrains the related person from contact with either the resident or the endangered member of his or her household;
 - b. knowledge of a third party about the circumstances, including the knowledge of a staff member or counselor of a shelter or other service provider;

- c. knowledge of a SHA employee about the circumstances; or,
- d. medical or police records or information.

A related person is defined as a parent, spouse or former spouse, adult person related by blood or marriage, past or present co-tenant, parent of a common child or acquaintance with whom the resident has or has had a relationship.

2. There is a reasonable basis to believe that a transfer of the resident's residence will reduce the possibility of future domestic violence.
3. SHA shall take reasonable precautions to reduce the possibility of domestic violence pending the transfer, including rekeying the locks on the unit's doors, and cooperating with police officers; provided that locks shall be changed only at the resident's expense and upon his or her request.
4. If a resident flees his or her unit in order to escape the threat of domestic violence upon which a transfer request is based, he or she remains liable for any rent due on the unit until the transfer is made. If, after requesting a transfer based upon domestic violence, it is necessary for the resident to abandon the unit and terminate the tenancy for their safety and if the resident wishes to re-establish their tenancy elsewhere in another SHA unit, SHA will treat the transfer request as a new application and will honor the date of the transfer request as the date of the new application. Such an application would be processed as quickly as possible and in a manner consistent with the priority given to emergency transfers. In order to qualify for this consideration, the resident shall both inform the management office of their intent to abandon the unit and return the keys.
5. Without the written consent of the resident, SHA shall neither reveal the address of a transferred resident nor acknowledge his or her tenancy or participation in a SHA housing project or program, except to a duly authorized law enforcement authority.
6. A resident who is responsible for the domestic violence that justified SHA's approval of a transfer request under this provision shall not be counted as a member of the household that includes the resident who requested the transfer. SHA shall reevaluate his or her independent eligibility for further SHA housing. Nothing in this policy shall restrict the ability of SHA to terminate his or her tenancy based upon the domestic violence that justified the approval of the transfer request.
7. A resident who is the victim of domestic violence may qualify for a federal preference and may wish to make a new application for a Section 8 Certificate or Voucher if the waiting list for those programs is open. Such an application is not a transfer in the sense of the word as it is used in this section and should not be confused with the transfer policies and procedures contained herein. Section 8 policies and procedures are covered in the Administrative Plan and while housing assistance for those who suffer from domestic violence may be another option, it is a limited option because of HUD definitions, and the demand for the Section 8 Program.

B. Medical and Other Emergency Transfers

In this category, a life-threatening or health-limiting situation ***must*** exist that compels the Community Manager to act swiftly and respond immediately to protect and/or preserve the life, health or safety of a resident.

1. Health or Medical Related Reasons:

ADA-504 Emergency Medical Transfer - If a resident or a member of the household is handicapped or disabled and requests a transfer as an accommodation, the request shall be considered under the definitions as described in L17.1-1.

Emergency Medical Transfer - Emergency Medical Transfers may be requested in a life-threatening or health limiting situations.

Appropriate verification of need from a physician or other health care provider is required for approval of all health or medical related transfer requests.

2. Barrier Free Units - When an accessible unit accumulates 60 days vacancy loss, and no family requiring such a unit can be located, the unit may be offered to a family whom may not require these accessible features. The family may accept the unit with the understanding that when a family requiring these accessible features is identified, they must agree to transfer to another appropriate unit, making the accessible unit available for a family in need. (See L17.1-2)
3. Damage To The Unit. The unit is uninhabitable due to fire, water or other damage and cannot be put back into habitable condition within five (5) working days. The tenant may not be considered for a transfer to another unit if the damage is a result of intentional, reckless or negligent acts.
4. Protection of Resident Who Testifies in a Legal Proceeding for SHA, the Seattle Police Department or other law enforcement agency. If a resident testifies in a legal proceeding to assist the Seattle Housing Authority, Seattle Police Department or other law enforcement agency; and if there is reason to believe that having done so would put the resident and/or any of the members of the household at risk and if it is also reasonable to believe that a new location would remove such a threat, then a transfer may be approved.
5. Requests by SHA. Modernizations, extensive rehabilitation of a unit(s) or other good cause shall be sufficient reason for the Seattle Housing Authority to transfer residents given that adequate notice and other criteria are met.