



SAN FRANCISCO HOUSING AUTHORITY

Section 8 Housing Department

Any individual with a disability or other medical need who needs accommodation with respect to this correspondence should inform the Department.

San Francisco RAD Emergency Referral Policy

Under certain emergency circumstances, RAD participant households may need to move immediately to other assisted housing units to ensure their safety. This emergency referral policy is designed to be used when processing emergency referral requests from current RAD participant households who are requesting to move to another RAD unit outside of their current property. While this policy is available to all RAD participant households in good standing who have a verified reason for an emergency referral (and any required documentation, as described below), it is a policy of last resort, meaning that it is available only after a RAD property manager, or RAD developer staff, as appropriate (hereafter, “RAD Property Manager”) has exhausted all other reasonable options, including an internal transfer or temporary relocation as described below. Good standing means that RAD participant households are not currently involved in an unlawful detainer action or have not been served with a summons and complaint for eviction. Criminal activity directly relating to violence or abuse engaged in by a RAD participant household member or any guest or other person under the RAD participant household’s control, shall not be cause for termination of assistance, tenancy, or occupancy rights if a RAD participant household member is the victim or threatened victim of that violence or abuse. The procedures and timelines to implement this policy are detailed in separate procedures to be maintained by the SFHA and RAD Property Managers, respectively.

RAD Property Management

For any referral request implicating emergency circumstances, the RAD Property Manager will, within 2 business days of receipt of the request from the RAD participant household, evaluate whether the emergency referral request meets one or more of the definitions of emergency and whether that request is supported by the required documentation, as defined below. The RAD Property Manager will work with the requesting RAD participant household (and SFHA and other agencies, as applicable) to ensure that all RAD participant household emergency referral requests include the necessary documentation. The RAD Property Manager will keep confidential any information that any household member submits in requesting an emergency referral. The information about the emergency referral cannot be entered into a shared database or disclosed to another entity or individual, unless the household member gives the RAD Property Manager written permission to release the information, disclosure of the information is required by law, or disclosure is required for use in an eviction or termination proceeding. This includes keeping confidential the new location of the dwelling unit of the RAD participant household, if one is provided, from the person(s) that committed an act(s) of abuse against the RAD participant household member.

For any referral request implicating emergency circumstances, the RAD Property Manager will also assess whether: 1) an internal transfer (transfer from one unit at the property to another unit at the same property) is possible and would resolve the emergency that the tenant is facing, 2) it is possible to temporarily relocate (less than one year, as defined by the Uniform Relocation Act) the tenant off-site in order to



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avoid immediate harm to the tenant’s household, or 3) the tenant’s emergency requires a referral to another assisted housing unit outside of the current property.

If the RAD Property Manager determines that the RAD participant household’s situation meets one or more of the definitions of emergency defined below, is supported by any required documentation as defined below, and the RAD participant household’s emergency cannot be resolved by an internal transfer or temporary relocation, the RAD Property Manager will certify and send the Certified RAD Participant Household Emergency Referral Form to SFHA for placement.

Type of Emergency	Description	Required Documentation
Emergency Personal Safety	<p>There are three types of situations that constitute emergency personal safety circumstances:</p> <ol style="list-style-type: none"> 1. The head of household or other household member is a target of any physical harassment and/or extreme or repeated verbal harassment, intimidation, or coercion, which places the household member(s) in imminent danger¹; 2. The household needs to be relocated because of a household member’s participation in a witness protection program or in order to avoid reprisal as a result of providing information about a crime to a law enforcement agency or participation in a witness protection program; or 	<p>For the first two types of emergency personal safety referrals (survivor of physical/verbal harassment or participation in a witness protection program), the applicable circumstances giving rise to the emergency must be verified in writing. This verification can be obtained through documents such as:</p> <ul style="list-style-type: none"> • a federal, state, tribal, territorial, local police or court document, or administrative record (including but not limited to a restraining order, letter from a law enforcement agency, or court order); or • documentation signed by a professional from whom the resident has sought assistance in addressing the physical or extreme or repeated verbal harassment, including but not limited to an employee or agent of a tenant services provider; an attorney; or a medical or mental health professional; or • incident report(s) and/or notices of lease violation by the RAD Property Manager (or member of the RAD Property Manager’s staff as appropriate).

¹ Imminent danger is defined as the household member’s reasonable belief of the threat or danger, with his or her particular experiences and responses to violence, threats, and trauma that he or she faces without the transfer. This definition is distinct and different from the definition of “actual and imminent threat” used in the eviction context at 24 C.F.R. 5.2005.



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	<p>3. Any member of the household is a survivor of domestic violence, dating violence, stalking, sexual assault, human trafficking, child abuse, or elder/dependent adult abuse, and either (1) reasonably believes that there is a threat of imminent danger if the tenant remains in the same development, or (2) if the household member was a survivor of sexual assault, the sexual assault occurred on or near the development.</p>	<p>For the third type of an emergency personal safety referral (survivor of domestic violence, dating violence, stalking, sexual assault, human trafficking, child abuse, or elder/dependent adult abuse), the survivor may be required to document or provide written evidence to demonstrate that the abuse occurred. The survivor can submit as documentation:</p> <ul style="list-style-type: none"> • the U.S. Department of Housing and Urban Development’s Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (the survivor can use either HUD Form 50066 or HUD Form 91066, both of which are attached to this document); • a federal, state, tribal, territorial, local police, or court document, or administrative record (including but not limited to a restraining order, letter from a law enforcement agency, or court order); or • documentation signed by the survivor and a professional from whom the resident has sought assistance in addressing the domestic violence, dating violence, stalking, sexual assault, human trafficking, child abuse, or elder/dependent adult abuse, or the effects of abuse, including but not limited to an employee or agent of a victim services provider; an attorney; or a medical or mental health professional.
<p>Uninhabitable Conditions</p>	<p>Uninhabitable condition referrals are necessary when conditions exist in the tenant’s unit, building, or at the property that pose an immediate, verifiable threat to the life, health, or safety of the tenant or family members that cannot be abated by internal transfer or temporary relocation of the tenant. In these instances, the current unit has become uninhabitable and immediate relocation is required as a result of the following:</p> <ul style="list-style-type: none"> • Destruction by fire or other disaster (including, but not limited to, a flood, earthquake, or other natural or man-made disaster); or 	<p>Residents are not required to submit any specific documentation of the emergency maintenance conditions, but the requesting resident will need to allow a SFHA representative and RAD Property Manager to access the resident’s unit to verify the uninhabitable condition.</p>



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	<ul style="list-style-type: none"> The existence of a major maintenance or defect problem that constitutes a serious danger to health and safety. 	<p>Note: In addition to a tenant-initiated referral request, this referral request may also be submitted by the RAD Property Manager, SFHA, or other city department, as needed.</p>
	<p>Reasonable accommodation emergency referrals are necessary when a household member has a verifiable medical condition that requires an accommodation that cannot be reasonably provided in their existing development. Examples of the types of reasonable accommodation requests warranting a referral may include, but are not limited to: the need to be in a ground floor unit or a unit with an accessible path if a household member is unable to climb stairs; the need for a fully accessible unit; transportation barriers; or the need for a live-in aide. All such referrals shall be subject to existing federal, state, and local laws.</p>	<p>If a resident claims a physical or mental impairment that limits his or her ability to occupy their existing unit, the resident should first request an on-site reasonable accommodation by contacting the RAD Property Manager or SFHA. If the resident is requesting a reasonable accommodation that cannot be reasonably provided in their existing development, they may submit an emergency referral request.</p> <p>If a person’s disability is obvious or otherwise known to the SFHA or RAD Property Manager, and if the need for the requested emergency referral is also readily apparent or known, no further verification will be required. [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].</p> <p>If the requester’s disability is known or readily apparent to the provider, but the need for the emergency transfer is not readily apparent or known, the RAD Property Manager may request only information that is necessary to evaluate the disability-related need for the emergency referral. [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].</p> <p>If a resident indicates that an emergency transfer is required for a disability that is not obvious or otherwise known to the SFHA or RAD Property Manager, the SFHA may request reliable disability-related information that (1) is necessary to verify that the person meets the California Fair Employment and Housing Act’s definition of disability (i.e., has a physical or mental impairment that limits one or more of a person’s major life activities, or a record of having, or being perceived as having, a physical or mental impairment), (2) describes the needed emergency transfer, and (3) shows the relationship between the person’s disability and the need for the requested emergency referral.</p>



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		<p>Depending on the individual's circumstances, information verifying that the person meets the definition of disability can usually be provided by the requesting resident. A doctor or other medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual's disability may also provide verification of a disability. In most cases, an individual's medical records or detailed information about the nature of a person's disability are <i>not</i> necessary for this inquiry. [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].</p>
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SFHA

Once the Certified Emergency Referral Form is received by SFHA, SFHA will determine the location of available units at other RAD properties (based on the RAD properties selected by the RAD participant household on the Certified Emergency Referral Form). Emergency referrals take priority over new admissions and all other types of referrals, and are contingent upon the availability of the appropriately sized and located unit. SFHA will give preference to emergency referral requests in the following order: emergency personal safety requests, uninhabitable condition requests, and reasonable accommodation requests.

Certified RAD Participant Household Emergency Referrals shall be offered the first available unit from the properties selected by the RAD participant household on the Certified Emergency Referral Form. RAD participant households may refuse to accept an emergency referral for “good cause.” Good cause for refusal of an emergency referral is limited to the following:

- The RAD participant household documents to the SFHA’s satisfaction that accepting the offer will place a household member’s life, health or safety in jeopardy. The RAD participant household should offer specific and compelling documentation such as restraining orders, other court orders, risk assessments related to witness protection from a law enforcement agency, or other certifications or attestations. Reasons offered must be specific to the household.
- A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (as listed on final application) or live-in aide necessary to the care of the principal household member within a RAD participant household.

SFHA will require documentation of good cause for unit refusals.

If the RAD participant household rejects a unit for good cause, they will remain in queue for the next available unit at the properties selected by the RAD participant household on the Certified Emergency Referral Form. Should the household fail to affirmatively accept the offer within 10 business days, including denial of an offer without good cause, the RAD participant household will be deemed to have rejected the offer and the RAD participant household shall lose its emergency referral preference on all site-based waiting lists.