

Relocation

18 P.S. §11.103 and 37 Pa code §411.11 & §411.42

WHO?

A direct victim and individuals living in their households who as a result of an eligible crime or who is threatened by any change of circumstances or indicator of danger needs to immediately relocate to protect their health and safety. The relocation can be either temporary or permanent.

Immediate Need is 120 days from the date of the crime or 120 days from the date the victim is threatened by any change of circumstance or indicator of danger.

Please Note: VCAP may consider a delay past the prescribed immediate need time period to be justified when the direct victim or claimant is mentally or physically incapacitated, there is fear of retaliation, or other circumstances where good cause is shown by the claimant and is deemed appropriate by VCAP. These claims are reviewed on a case-by-case basis. ***If you believe good cause exists to consider the claim, attach a letter on your letterhead outlining the justification(s) for the relocation past 120 days.***

WHAT?

The maximum payable is up to \$1,000 per direct victim per household.

1. New Rent Cost.
2. Storage.
3. Professional Moving Company Charges and Van Rental at cost.
4. Mileage — Mileage reimbursed at the rate Pennsylvania state employees were reimbursed in effect at the time of travel.
5. Common Carrier Fares.
6. Lodging while in transit — up to \$75 per night.
7. Utility Connection Fees.
8. P.O. Box set-up and Monthly Rental Fees up to one year.
9. Childcare.
10. Tolls/Parking.
11. Rental of passenger vehicle — up to \$30 per day.
12. Gas Reimbursement for Official Rental Vehicles, i.e., U-Haul.

13. Rental Application Fee.

HOW?

1. Copy of New Lease listing victim/claimant as the Lessee.
2. Copies of all itemized bills and receipts related to the relocation in the name of the claimant that include the name, address and telephone number of the provider, the date of service and the type of service provided.
3. A verification letter explaining the immediate need for relocation from a representative of a *human service agency, law enforcement, or medical provider*. If a letter cannot be furnished, identify an individual and the agency they are from so VCAP may contact to verify this need.

Law enforcement includes a district attorney or other prosecutorial agency and eligible *human service agencies* include social workers, children and youth caseworkers, area agency on aging, victim service providers (system and community based advocates), and other social service professionals, including mental health, substance abuse and medical social work.

4. If relocation is needed as a result of a homicide, and the claimant received monies because of the death of the victim, such as life insurance, a copy of the benefit statement must be included. The statement must include the name, address and telephone number of the provider, the policy number, and the amount of the benefit and to whom the benefit was paid.
5. If the claimant has homeowner's or renter's insurance which covers this type of expense, documentation indicating the amount covered or paid must be included.

Relocation Q&A

Q Are other crimes besides domestic violence eligible for this benefit?

A Yes, any Title 18 Crime (e.g., arson and homicide) or other eligible crime where the safety and health of the victim is threatened.

Q Does the relocation have to be permanent?

A No, a claim may be filed for temporary or permanent relocation expenses for the victim and individuals residing in their household. For instance, a victim and his family stay in a motel while the offender is on the run. When the offender is apprehended, the family goes back to their home. This temporary relocation to the motel would be eligible.

Q Can a victim receive payment in advance for any of the benefits?

A *No, VCAP will not advance payments for any eligible benefit; out-of-pocket expenses must have been incurred, meaning the victim has already paid for the services, or the service has been provided and payment is due.*

Q Are security deposits reimbursable by VCAP?

A *No. However, VCAP may consider the security deposit if the victim lost the deposit due to the breaking of the lease in order to relocate to become safe. Verification is required, most often in the form of letter from prior landlord.*

Q Is a victim who first goes into a domestic violence shelter for a period of time before moving into a new apartment eligible for relocation expenses?

A *Yes. As long as the victim moves into his/her new apartment within 120 days from the crime.*

Q Are P.O. box rental charges covered?

A *Yes. VCAP does cover the cost to set up a P.O. box as well as the monthly fees up to one year.*

Q What utility hook-ups are included?

A *Telephone, electric, heating, cooling and other utilities that are needed to maintain and sustain a family are included. Luxury utilities such as cable, satellite dishes, and newspaper/ magazine subscriptions are not included.*

Q Does a victim need to apply to TANF (Temporary Aid to Needy Families) first and are these benefits taken off as an offset if a victim receives TANF funds?

A *No, to both questions. The two relocation programs can work together. For instance, a family facing a relocation bill of about \$2,000 could apply to VCAP after receiving \$1,000 from TANF (or vice versa).*

Q In the case where a PFA is filed and a report is not made to the police, when does the 120 days start?

A *It is the same for crimes reported to the police, so 120 days from the date of the crime or 120 days from the date the victim is threatened by any change of circumstances or indicator of danger and a move or relocation is necessary to become or remain safe. The date a PFA is filed or granted does not affect the 120 days.*

Q An intruder broke into an apartment shared by two women. Both screamed and the intruder ran away. Both women are scared for their safety and want to relocate. Are they both eligible for relocation, and for how much?

A *They are both a direct victim of the break-in and would therefore each be eligible for \$1,000 to relocate.*

Q A husband and wife were robbed and assaulted one evening in their home. They are in fear and want to put their home up for sale and relocate. They owned their home, which was paid off. Will the Program consider rental for new apartment? Will the sale of the home be an offset?

A *Yes, the Program will consider rental costs for victims to relocate. No, the Program will not use any proceeds from the sale of the home as an offset.*

Q A woman invited a male over for an evening. Later in the evening, this male assaulted the woman. Her two children were upstairs sleeping and were unaware of the assault. Who is eligible for relocation and for how much?

A *In most cases, the woman would be determined the only "direct" victim of the assault. However, there may be rare instances where others may be eligible as well. Reimbursement would be dependent on VCAP determination of direct victims."*

Q Are costs for gasoline eligible for reimbursement associated with Relocation?

A *For official rental vehicles, the VCAP may reimburse gas expenses. For personal vehicles, VCAP may reimburse mileage.*

NOTE: *If a victim you are working with does not qualify for relocation benefits from VCAP or has expenses exceeding \$1,000, check with the domestic violence program in your county about applying for TANF. If you don't know who the domestic violence program is in your county, please go to www.pccd.pa.gov. The Pennsylvania Coalition Against Domestic Violence also maintains a listing at their web site (www.pcadv.org).*

CRIME SCENE CLEANUP

(18 P.S. §11.103 & 18 P.S. §11.107 and 37 Pa Code §411.11)

Who?

Anyone, including a landlord or a property manager, who assumes the responsibility to pay for the cleanup of the crime scene.

NOTE: The person who assumes the obligation for crime scene clean up may not seek reimbursement from the direct victim's family.

What?

The award amount is \$500 for each crime-scene. This amount is over and above the \$35,000 maximum award. Multiple crime scenes could be considered for crime-scene cleanup if each of the sites are identified in the police report.

This benefit is intended to compensate for the reasonable and necessary costs for cleaning a *private residential crime scene*. A private residence includes a house, apartment, condominium, mobile home or other personal living space.

Cleaning means to remove or attempt to remove blood and stains caused by bodily fluids, food, paint or other materials used to deface property within a private residence, or other dirt and debris caused by the processing of the crime scene. **NOTE: It does not include costs to replace damaged property.**

Eligible expenses:

- The cost of cleaning supplies purchased for cleaning the scene.
- The cost of any necessary equipment purchased or rented.
- The cost of professional labor for cleaning the crime scene. The Program cannot compensate to reimburse a friend, family member, or other individual for clean-up labor.
- Painting may only be considered if it is used to “remove” bloodstains. Reviewed on a case by case basis.

Ineligible expenses:

- Motor vehicles and locations other than a private residence are not eligible.
- Repair or replacement of damaged property is not reimbursable.

How?

If the claimant is filing for crime scene cleanup the following information must be provided:

1. Copies of all itemized bills and receipts related to the crime-scene cleanup. These must be in the name of the claimant and include the date(s) of service, the name, address and telephone number of the provider of the services and/or products.
2. In a homicide, if the claimant received any benefits as a result of the death of the victim, such as life insurance, a copy of the benefit statement must be included. The statement must include the name, address, and telephone number of the company, the policy number, and the amount of the benefit and to whom the benefit was paid. Such benefits may be offset from an award.

Please Note: A victim or claimant filing for crime scene cleanup is *no longer required to file with their homeowners or renters insurance.*

Crime Scene Cleanup Q & A

- Q** A man is stabbed in his apartment. The landlord agrees to take care of the cleaning of the crime scene. Can he file with VCAP for crime scene clean up?
- A** *Yes. A landlord or any other individual who assumes the obligation or who pays for the crime-scene cleanup may be eligible for reimbursement. Since a person who assumes the obligation for crime scene cleanup may not seek reimbursement from the direct victim's family, they must accept VCAP's payment as payment in full. However, if the claim was denied by the Program, then they could seek reimbursement from the victim or family.*
- Q** A husband and wife are murdered in their home. Is the claimant eligible to apply for the \$500 crime scene cleanup for each victim?
- A** *No. The entire residence is considered one crime scene. Therefore, the VCAP would pay a maximum of \$500.*
- Q** A woman is stabbed in her home and runs across the street to her neighbor's home for help. Both homes require crime-scene cleanup to remove blood stains. Are the victim and the neighbor eligible for crime-scene cleanup expenses?
- A** *Yes. Both homes are considered crime scenes. Each would be eligible for the reimbursement for crime scene expenses up to \$500 per crime scene, given that both scenes were listed in the police report.*
- Q** A victim is raped in her car. Is she eligible for crime-scene cleanup benefits?
- A** *No. This benefit is intended to compensate for the reasonable and necessary costs for cleaning a private residential crime scene. A car is not considered a private residence, even if the victim is homeless.*
- Q** A man's mailbox was vandalized and defaced with racial epitaphs. Is the man eligible to file a claim for compensation?
- A** *No. The crime scene clean up benefit is intended to compensate for the costs of cleaning a private residential crime scene. The mail box is considered personal property, which is not covered under VCAP and it is not within the private residential residence.*
- Q** A family's house is egged. Can the owner apply to VCAP for the costs to have the house power washed by a professional?
- A** *No. The crime scene clean up benefit is only to clean the inside of a private residential crime scene.*
- Q** A woman is raped and assaulted in her apartment by her ex-boyfriend. After committing this crime, the offender goes into the victim's kitchen and smears food on the walls, cabinets, and floors. Is the cost to clean the kitchen of the food stains an eligible expense under crime scene clean up?
- A** *Yes.*

Q A man's home is burglarized. Before leaving the home, the offender spray paints derogatory words on the victim's living room walls. Can the victim apply to VCAP for the costs of paint he purchased to paint over the words?

A *Most likely, yes. Claims submitted for the purchase of paint to "clean" a stain are reviewed on a case by case basis.*