

Housing Transfer Policy

1. Purpose

This policy explains how HOME in PLACE (Australia) Limited will manage social housing tenant applications for transfer due to a change in their circumstances or when HOME in PLACE needs to relocate a tenant for management purposes.

2. Scope

This policy applies to all HOME in PLACE social housing tenants in New South Wales.

3. Policy Statement

HOME in PLACE is committed to providing social housing appropriate to the needs of tenants and other household members. Transfers can occur when:

- At the request of a tenant when their circumstances change;
- At the request of HOME in PLACE for management purposes

HOME in PLACE will assess applications for transfer in a fair and transparent manner and applications will be managed in accordance with this policy and Housing Pathways policies. As part of the assessment process, HOME in PLACE will also consider options other than transfer, for example, if undertaking minor modifications to the property would allow the tenant and other household members to stay in the current property.

HOME in PLACE will review all transfer applications every 6 – 12 months to make sure they are still current. Applicants may be asked to provide up to date information to ensure the transfer is still required. Based on the information, HOME in PLACE may change the priority of the application or close the application.

Eligibility

The following eligibility criteria applies to tenant initiated transfers, a tenant must:

- Be eligible for social housing at the time they make the application;
- Be eligible at the time of offer;
- Have fully repaid any outstanding accounts from any former tenancy at the time of being offered a property;
- Be up to date with their current tenancy accounts at the time of applying and when a property is offered; and
- Have no recorded issues with property care/damage or antisocial behaviour.

Tenant Initiated Transfer Applications

When a tenant wants to transfer to another property they are required to:

- Complete an Application for Transfer Community Housing Tenants form. This form is available from any HOME in PLACE office;
- Meet the eligibility criteria for social housing;
- Show their circumstances have changed and that their current property or location is no longer suitable for their housing needs;
- Show that relocating will resolve or improve their current situation; and
- Provide the required documentation or evidence to support their application.

Assessing Applications for Transfer

HOME in PLACE will assess all tenant applications for transfer fairly and transparently.

A tenant can apply for transfer if they owe money on their accounts, including money owed on a former tenancy. However, if a tenant owes money on their current or previous tenancy, the transfer application will be assessed, but, if approved, the application will be suspended until such time as any outstanding money is paid in full or the tenant enters into a repayment plan and the debt reduces to less than \$500.

In assessing applications HOME in PLACE will review the current tenancy, if there have been incidents of antisocial behaviour or property care/damage, the application will be declined. A tenant may lodge a fresh application for transfer when all breaches have been remedied.

Application for Transfer Approved

When an application for transfer is approved, the tenant will be notified in writing, tenants are advised to notify HOME in PLACE of any changes in their circumstances that impact on their approved application. The approved application will be listed on the Housing Pathways Register. Due to the high demand for social housing, HOME in PLACE is unable to provide a timeframe on the availability of an alternative property.

Application for Transfer Declined

If HOME in PLACE declines the application for transfer, the tenant will be notified in writing and provided reasons for declining the application. Tenants will be advised of the review/appeal process if they are dissatisfied with the outcome.

Transfer Given Priority

HOME in PLACE will give priority to transfer applications where the tenant or a household member can demonstrate:

- Being at risk;
- A serious medical condition or disability;
- Serious or on-going harassment;
- Severe overcrowding;
- Family breakdown;

- Tenancy reinstatement;
- Gaining employment or changes to current employment; or
- Compassionate grounds

Applications seeking to be listed as priority for transfer must be provide documentation that supports the application.

Wait Turn Transfer

Applications that are not approved for priority transfer will be placed on the NSW Housing Pathways Register and will be offered alternative accommodation when a suitable property becomes available. HOME in PLACE cannot provide a timeframe on the availability of suitable alternate accommodation.

Number of Offers to Approved Transfer Applicants

A tenant approved for a transfer will receive an offer, provided:

- They are still eligible for social housing at the time of the offer;
- The reasons for approving the transfer still apply; and
- The tenant has no outstanding rent or non-rent charges owing to HOME in PLACE at the time of the offer.

If a tenant declines the offer of a transfer, the reasons for declining must be in writing. A second offer will only be made if the Executive Manager - Housing Access Team decides the reasons for declining the offer are valid and the offer was not appropriate.

If a tenant declines the offer of transfer, and the offer is deemed suitable, their social housing transfer application will be closed.

The offer of rehousing may be approved outside of this policy in exceptional circumstances.

Management Transfers

A management transfer is a transfer that is initiated by HOME in PLACE. HOME in PLACE may ask a tenant to transfer to another property if the current property is:

- Under occupied – where a property has more bedrooms that the tenant needs;
- Hand back of leasehold property – property owner has given notice to return the property;
- Property is being redeveloped;
- Property is being sold;
- The property has disability modifications and the occupants do not need these modifications; or
- The tenant is no longer eligible for the type of property.

HOME in PLACE will relocate tenants of such properties where it is deemed to be in the interest of HOME in PLACE. HOME in PLACE will act fairly and comply with the requirements of the Residential Tenancies Act 2010.

HOME in PLACE will assist tenants to complete a transfer application and, once processed, may be listed on the NSW Housing Pathways Register.

Leasehold Handback

A leasehold handback occurs where a tenant of a leasehold property can no longer continue in the tenancy because the property owner has given HOME in PLACE a notice of termination to return the property. HOME in PLACE will make every effort to relocate the tenant prior to the expiration of the notice of termination. The tenant must:

- Be eligible for social housing;
- Have good property care and no property damage issues; and
- Not be in arrears with their rent or non-rent accounts or making consistent payments to pay off the debt.

Transfer for Other Management Purposes

When HOME in PLACE requires a tenant to transfer for other reasons, HOME in PLACE will endeavour to relocate the tenant within their current allocation zone.

HOME in PLACE will always comply with the requirements of the Residential Tenancies Act 2010 when requiring a tenant to transfer for management purposes.

Number of Offers

Tenants approved for transfer due to leasehold handback will be eligible for one (1) reasonable offer of alternative housing. If a tenant declines the offer, their reasons for declining must be in writing. A second offer will only be made if the Housing Access Team Executive Manager decides the reasons for declining the offer are valid and the offer was inappropriate.

If the tenant declines the offer, and the offer is deemed suitable, their social housing transfer application will be closed, and the tenant must resolve their own housing requirements.

Tenants required to relocate for management purposes will be eligible for one (1) reasonable offer of alternative housing. If a tenant declines the offer, this will be managed in accordance with the provisions of the *Residential Tenancies Act 2010*.

The offer of rehousing may be approved outside of this policy in exceptional circumstances.

Review of Decisions

This is a reviewable decision. If an applicant is not satisfied with the decision HOME in PLACE has made, they should first speak with a Tenancy Relations Officer. If the tenant is still dissatisfied, they have the right to lodge an Appeal Request which will be assessed in accordance with HOME in PLACE Appeals Policy.

4. Definitions and Acronyms Glossary

For clarification of any definitions or acronyms contained within this document, please click on the [Glossary](#) for information.

'End of Document.'

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