

## PURPOSE

The purpose of this policy is to outline Salvation Army Housing (Victoria) [SAHV] approach to:

- transferring existing tenants to alternative accommodation; and
- transferring a tenancy to a partner or other family member

due to changes in circumstances.

## SCOPE

This policy applies to all SAHV staff responsible for providing tenant and housing services.

## TRANSFER POLICY

Once a tenant occupies SAHV accommodation, occasions may arise in which a tenant may wish to transfer to alternate accommodation. There are three ways by which a tenant may make an application for a transfer, if eligible. These are:

1. Date Order Transfer
2. Priority Transfer

A tenant of good standing, provided they fulfil all the criteria described in this policy and their accommodation is no longer adequate for their needs, will be eligible for a transfer.

Transfers can occur across SAHV regions but only within the same housing program. For example, a THM tenant can only transfer to a THM property and a general tenant can only transfer to a general property.

### 1. Transfer Eligibility Criteria

In order to qualify for a transfer a tenant must:

- Have resided in their present SAHV property for a minimum of 12 months
- Fulfil income eligibility criteria
- Not have a debt with SAHV (no rent arrears)
- Have maintained acceptable property standards
- Not have been subject to substantiated complaints about anti-social behaviour.
- Had no substantial breaches of their Tenancy Agreement for a period of at least one-year

Some or all of the above criteria can be negotiated where a Priority Transfer is applicable. Such cases are to be negotiated with the State Manager or Housing Services Manager.

In any transfer, SAHV requires that accommodation type eligibility requirements are met e.g. number of bedrooms.

## 2. Date Order Transfer

A Date Order Transfer is applicable to tenants whose accommodation is no longer adequate for their needs. There may be various reasons. For example:

- Over-occupation: A family, comprising two adults and one child who are expecting another child, living in a two-bedroom unit. Please refer to Occupancy Rate Guidelines.
- Under-occupation e.g. single person, whose children have left home, living in a three-bedroom house. Please refer to Occupancy Rate Guidelines.
- A tenant wishes to be closer to family and support networks.

In recognition of these factors, a tenant may apply for a transfer to more suitable accommodation.

This will be on a 'wait turn' basis – that is, the application is listed in order of date of lodgement in a 'queue' order and an allocation will be received when the applicant's turn on the Housing Register has been reached for his/her most preferred choices.

As vacancies arise, applicants on the Date Order Transfer List shall be considered at the same time as those on the mainstream Housing Register.

## 3. Priority Transfer

SAHV generally allocates housing to applicants in the date order in which they apply, this is termed the 'Housing Register'. How long an applicant will wait depends upon the area and type of accommodation required. Waiting times vary in different areas and for different accommodation types within the same area, depending on the demand from applicants and the amount of rental stock that SAHV maintains in a given area.

A transfer applicant with an urgent housing need which cannot be met by waiting for an offer of accommodation through the usual Date Order Transfer process may make application for a transfer on a **priority basis**. This means that they by-pass the date order process and will be offered accommodation as soon as possible, after approval has been granted, depending upon the applicants special needs.

Examples of situations, which may require a priority transfer, include:

- Medical conditions in which the medical condition is being caused or aggravated by the applicants existing housing,
- Domestic violence and harassment.
- Applicants with a disability, where significant housing modifications are required.

Any discretionary decisions in assessing priority transfers will be made by State Managers and Housing Services Managers.

Any claims must be substantiated by any relevant and appropriate documentation such as statements from medical practitioners or community support and advocacy agencies or governmental agencies.

The tenancy history of an applicant is also a factor in assessing an applicant for a priority transfer and issues such as a debt and/or previous breaches of tenancy must be addressed to Salvation Army Housing's satisfaction before the application will be considered. (See Transfer Eligibility Criteria).

Accommodation allocated on a priority basis must be considered to be secure and long term and an applicant will not be transferred to alternate SAHV accommodation at a later date unless he/she is eligible.

While every effort will be made to locate accommodation for a priority applicant which is of their most preferred location and accommodation choices, given the limited time available this is not always possible. Applicants should be aware that they might need to compromise.

A priority transfer applicant declining an offer without a valid and substantial reason **will be removed** from the priority transfer list. The State Manager is authorised to determine the validity of decline of offer.

#### 4. Transfer Costs

Tenants who initiate transfers will be required to pay all costs associated with the transfer.

Where tenants are relocated at the request of SAHV, for example where a dwelling becomes uninhabitable, all costs incurred will be met by SAHV.

#### 5. Right of Appeal

Transfer applicants are eligible to appeal a decision regarding their application for transfer through the SAHV Appeals Procedure.

## TRANSFER PROCEDURES

### Date Order and Priority Transfer Procedure

The following procedures apply when a tenant wishes to transfer:

1. Complete a Transfer Application Form and return it to their Housing Worker.
2. SAHV will assess the application:

**Date Order Transfers:** Housing Worker will assess general tenant applications

**Priority Transfer:** State Manager and Housing Services Manager will assess the application

3. Applicants will be notified whether their application was successful or not within 28 days of SAHV receiving the application.
4. If a tenant seeking transfer breaches conditions of the Tenancy Agreement or *Residential Tenancies Act 1986*, a letter will be sent to the tenant advising of the breach and its consequences on a transfer application and giving an opportunity to rectify the breach, if appropriate. If the breach has not been rectified within a reasonable amount of time, the transfer application may be withdrawn.
5. The listing date of a transfer application is the date that the application is received by Salvation Army Housing.
6. A property inspection will be carried out when a property has been offered to a transfer applicant. Tenant liability ie. Rent arrears and payment for any tenant damage (if any) must be agreed to be paid by the tenant before the transfer occurs.
7. Rent for the new property will be assessed in accordance with the SAHV Rent Setting Policy at transfer.

## PROPERTY SUCCESSION

SAHV approves transferring the tenancy to the tenant's partner or family member if all of the below conditions are met:

1. the tenant dies or leaves the property
2. the person was the tenant's partner or child living at the property when the tenant died or left
3. the partner's or child is verified as living in the property when the tenant died or left
4. no one in the household owns or partly owns any residential property.

If it is an Aboriginal housing property, the partner must also either verify they are of Aboriginal and/ or Torres Strait Islander descent, or meet all of the additional conditions below:

1. they have custodial care of at least one of the tenant's children
2. the tenant's child will live in the house as a permanent household member from the time the tenancy's transferred to the partner
3. the tenancy will be transferred to the tenant's child when they receive an independent income.