

Housing York Inc. Transfer Policy and Guidelines

Housing York Inc. (HYI)

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PURPOSE

To ensure transfers are flexible, fair and equitably administered to:

- give priority to tenants who are special priority due to abuse or overhoused, and
- allow HYI tenants to transfer, in limited circumstances, from one unit to another.

Authority

The *Social Housing Reform Act, 2001* (SHRA) gives Housing Providers the responsibility of establishing policies and procedures for rent-geared-to-income (RGI) internal transfers.

Related References

SHRA, Regulations 298/01 and 339/01

York Region Social Housing Program Instruction (PI) 2002-05

York Region Social Housing Program Instruction (PI) 2004-04

INTERNAL TRANSFERS

Reg. 339/01 defines internal transfers as:

- (a) the transfer of the household from one rent-geared-to-income (RGI) unit to another RGI unit in the same or another housing project of the provider, or
- (b) the transfer of the household from one special needs housing to another special needs housing in the same or another housing project of the provider.

Both RGI and Market Rent tenants may move to another HYI unit or property by completing an application and having their name added to the regular waiting list along with external applicants. However, there may be circumstances that warrant an internal transfer and HYI will consider such requests. Internal transfer requests should be submitted by completing the Request for Internal Transfer form (Appendix 1). Tenants who are denied an internal transfer have the right to request an appeal. An appeal request must be submitted in writing within 10 business days. Once the appeal is reviewed and the decision is made, it will be provided to the tenant in writing.

PRIORITY RANKINGS for APPROVED TRANSFERS

Approved transfers will be assigned one of three priority rankings:

1. Special Priority
2. Overhoused
3. Health, Transportation and Underhoused

Approved transfers will be offered vacancies on a chronological basis, within categories, unless otherwise stated in the following category definitions.

Priority 1: Special Priority (Domestic Abuse) - RGI Only

The RGI household is seeking to escape family violence from another member of their household. The intent of Special Priority is to assist those who must permanently separate from an abusing individual.

If a household requests Special Priority, they must complete the Request for Internal Transfer form, York Region's Request for Special Priority and Verification of Abuse forms and submits all information to the HYI management office. All information will be forwarded to the Housing Access Unit (HAU) to determine Special Priority eligibility.

If a household is approved for Special Priority, the tenant's request for internal transfer will be placed in the Priority 1 category. Placement on the waiting list is determined using chronological date of Special Priority transfer request.

If the household is not eligible for Special Priority, they will be given the opportunity to request an internal review of the decision.

In the event the household is not eligible for Special Priority, HYI may still consider the household for an internal transfer in the Priority 3 category.

Priority 2: Overhoused – RGI Only

The RGI household requires a transfer due to a change in family size resulting in fewer bedrooms being required. The Property Manager (PM) will send a letter to the household informing them of their requirement to move to an appropriately sized unit (Appendix 4). Sensitivity on approach and timing should be given based on individual tenant circumstances, e.g. spouse passing away.

The letter will explain that they may be able to remain in their community (town, city), must move to a smaller bedroom size to continue receiving RGI subsidy, may receive up to three different transfer offers and are entitled to an internal review of the overhoused decision.

Priority 2: Overhoused – RGI Only (continued)

If no appropriately sized unit exists in the community (whether occupied or unoccupied), then the Property Manager notifies the Service Manager in writing that the household is overhoused and needs to be added to the central waiting list (CWL).

If an overhoused household has not been transferred to an appropriate sized unit within 12 months, HYI will give the household notice that their name will be placed on the CWL for an appropriate sized unit. The waitlist date will be the original application date for RGI accommodation. The household will also remain on the internal transfer list, unless they request that they be removed.

The overhoused household continues to receive RGI while on the internal transfer and/or the CWL. After turning down a second transfer offer, the tenant will receive at least one letter explaining that they must accept their third transfer offer to continue receiving RGI. HYI will notify the HAU of any refusals for units. Given the significance of a loss of subsidy, documented personal contact is also encouraged in addition to the letter.

Overhoused transfers will rank below Priority 1 transfers.

Priority 3: Health, Transportation or Underhoused – RGI & Market

Both RGI and Market Rent households may request a Priority 3 transfer which will be considered chronologically from the date of transfer request, after Priority 1 and Priority 2 transfers are considered. Priority 3 transfer requests include:

- Tenant(s) applying for transfers based on factors that could affect their health in the following areas:
 - mental health
 - physical disability
 - general health

The tenant(s) is required to substantiate the request by providing the Medical Verification Form (Appendix 2), completed by a qualified health care professional.

- Tenant(s) who has frequent travel to employment, school or support service appointments and a transfer would significantly save travel time and/or cost.
- Tenant(s) who requires a transfer due to a change in family size resulting in an additional bedroom(s) being required. They will be placed on the waiting list chronologically using the date that they applied for a larger unit. RGI households must meet occupancy standards as defined by the Service Manager.

Transfer Eligibility Criteria (Priority 3)

A Priority 3 internal transfer will be considered when the criterion listed below is met:

- have lived in their current rental unit for at least one year
- continue to meet rent-geared-to-income (RGI) eligibility criteria (if applicable)
- tenant is in good standing

A tenant in good standing is defined as:

- **not** have been given a current eviction notice
- have been up-to-date with their rent for a minimum of six months
- **not** owe any other money to HYI or, if they do, they are up to date on their payment agreement
- keeps current rental unit clean and damage-free as defined under the landlord/tenant law

HYI has the discretion to wave any of the above transfer criteria pending extenuating circumstances.

Transfer Requests (Priority 3)

When a tenant requests a Priority 3 internal transfer, staff will advise the tenant to:

- submit the Request for Internal Transfer (Appendix 1)
- supply supporting documentation

When a completed Priority 3 request is received, staff will complete a package for the Internal Transfer Committee. The package will include:

- Cover Sheet for Internal Transfer Committee (Appendix 7)
- Application for Internal Transfer
- Supporting documentation as provided by tenant

Transfer Committee (Priority 3)

The Internal Transfer Committee meets regularly to review transfer requests that relate to Priority 3 - Health, Transportation and Underhoused. After a transfer decision is made, the committee either sends the tenant(s) a Transfer Request Approved letter (Appendix 5) or Transfer Request Denied letter (Appendix 6), along with the appeal information. Copies of all decisions are made for the tenant file and internal transfer log (filed chronologically).

Appeal or Internal Review of Decisions

Tenants denied an internal transfer have the option of requesting a review of the decision by submitting either an Appeal Request or an Internal Review (IR) Request. An IR process is used where the decision is based on RGI eligibility or related to overhoused. All other decisions receive an appeal.

Tenants denied transfers are notified that they may apply to one of the waiting lists - CWL for RGI and HYI wait list for market.

Offering Vacant Units

When a unit becomes vacant, staff will:

- Determine if the vacant unit is RGI or market.
- If unit is market, then refer to internal transfer list and select longest waiting market rent household that is in “good standing”. If there are no market rent household transfers, then refer to market rent waiting list.
- If unit is RGI, then refer to the internal transfer list and review the next RGI tenant on the list to ensure the following eligibility criteria is met:
 - If the tenant is in the Priority 1 or Priority 2 category, staff will verify that the tenant is not in receipt of a current eviction notice.
 - If the tenant is in the Priority 3 category, staff will verify that they are a tenant in good standing.
 - If there is no appropriate tenant on the transfer wait list, then refer to the CWL next appropriate applicant.

Once a tenant is selected, staff will make three attempts to contact the tenant within a three day period. If staff is unable to contact the tenant in the given time period, the next highest priority tenant will be contacted.

After a unit offer is made, tenants will have 24 hours to accept or decline the unit.

If a tenant from Priority 1 (Special Priority) or Priority 3 (Health, Transportation & Underhoused) declines three reasonable offers, they will cease to qualify for a transfer and will receive a letter informing them of the decision and opportunity for an appeal or internal review. The tenant may not re-apply for a transfer on the same grounds for a minimum period of one year. If the reasons for transfer change, a new Request for Internal Transfer will be completed with the new date.

If a Priority 2 (Overhoused) household refuses a transfer offer, the Property Manager will notify the Housing Access Unit.

Rent Supplement Transfer Requests

Housing and Long Term Care Branch, Housing Administration Group, administers a rent supplement program for applicants eligible for RGI assistance.

A HYI tenant receiving RGI assistance is eligible for internal transfer to the Region's Rent Supplement program with private sector landlords. Likewise, a private sector tenant receiving RGI assistance through the Region's Rent Supplement program is eligible for an internal transfer to the HYI portfolio.

When HYI determines a tenant eligible for transfer, the tenant is added to the HYI internal transfer list and a transfer package is prepared and forwarded to the Housing Administration Group. The Housing Administration Group will add the tenant to the rent supplement internal transfer list under the appropriate priority category.

When the Housing Administration Group determines a tenant eligible for transfer within the Rent Supplement program, the tenant is added to the rent supplement internal transfer list and a transfer package is prepared and forwarded to HYI. HYI will add the tenant to the internal transfer list under the appropriate priority category.