



## **Transfer Policy**

### **Introduction**

A tenancy transfer is when an existing customer of Squared is offered another property by Squared, thus keeping the same landlord.

### **Policy Statement**

Squared recognises that the ability to transfer is an important means for customers to be able to find a home more suitable for their needs.

Customers do not have a statutory or contractual right to transfer but Squared will attempt to move customers to a more suitable property wherever possible.

Due to low turnover of our stock, customers will be encouraged to explore other means of being rehoused such as via mutual exchange, private accommodation or Choice Based Lettings.

This Policy will be implemented in line with Squared's Fairness Policy and associated legislation. Consideration will be made with regard to all protected characteristics under the Equalities Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations. The policy and associated documents can be made available in different languages and formats on request.

### **Eligibility**

All transfer offers will be made on the basis that an applicant must pay two weeks rent in advance for the new property upon sign up in all cases. If this is not agreed to then the transfer offer will be withdrawn.

### ***General Needs and Sheltered Housing Customers***

All customers living in Squared general needs and sheltered housing properties are eligible to be accepted on to the transfer waiting list provided that they:

- Have held a tenancy for at least 12 months (e.g. it is not an introductory/assured shorthold tenancy)
- Are not in rent arrears, unless they are underoccupying. In these cases, the arrear must be less than £500 and the customer must have maintained a repayment plan for at least 6 months.
- If customer is under occupying and wants to downsize the money that is given under the downsize scheme will be used to off set any rent arrears.
- Are not in breach of their tenancy terms e.g. anti-social behavior
- Are not subject to a Possession Order or Notice of Seeking Possession, unless for rent arrears that have now have been cleared.

There may be exceptional circumstances where these conditions may be relaxed or modified, eg if the customer has suffered from domestic violence or cannot access their current home any more due to ill health. Cases such as these will be assessed by Housing officers who will seek final approval from the Senior Management Team.

### ***Supported Housing Residents***

Residents in Squared hostels or HMO's have the right to apply for our transfer list as and when they are ready to move on into general needs accommodation.

They must have fully completed their support plans, have maintained a clear rent account for a minimum of six months, have not have caused any ASB within the last six months and be fully signed off by their support worker.

### ***Private Leasing Customers***

Where a customer is in temporary accommodation supplied through Luton Borough Council and has an Assured Shorthold Tenancy, generally they will be registered on Bedfordshire Homefinder and be able to bid on properties within the Luton and Central Bedfordshire boroughs. However in some circumstances Private Leasing Customers are unable to bid. In these circumstances we will work with the customer and the local authority to resolve this matter and in exceptional circumstances will allow them to apply to the Squared transfer list.

### **Prioritisation of transfers**

The priority given to individual transfer applicants is determined by a points system to ensure that all transfer applications are treated fairly. All eligible transfer applicants will be given points depending

on their circumstances and their reasons for wanting to move. Evidence will be required in order to give points for circumstances such as health or ASB. Separate lists are maintained for different sizes of property as well as sheltered housing.

### **Categories of points:-**

#### **Over-occupation**

- Applicants who currently occupy a property with too few bedrooms in accordance with the size criteria in the social rented sector are eligible to move to a larger property. A child is usually counted as living in the home of the person who receives their child benefit.

#### **Under-occupation**

- Applicants who currently occupy a property with more bedrooms than they need, in accordance with the size criteria in the social rented sector are eligible to move to a smaller property. Squared operates a Downsize Scheme as an incentive designed to encourage customers who under-occupy to move to one which is more suitable size for their current needs.

The size criteria has restricted housing benefit to allow one bedroom for each person or couple living as part of the household, with the following exceptions:-

1. Two children under 16 of the same gender are expected to share
2. Two children under 10 are expected to share regardless of gender
3. A disabled customer or partner who needs non-resident carer overnight will be allowed an extra bedroom
4. Approved foster carers will be allowed an additional room so long as they have fostered a child or become an approved foster carer in the last 12 months
5. Disabled children who are unable to share a bedroom with a sibling because of their severe disabilities are allowed their own room.
6. An adopted child or children are counted for the room allowance once an adoption order is made. If children are placed with the applicant before adoption, the applicant is allowed one room only for them.
7. For students away from home, a room is counted providing they are away for less than 52 weeks and intend to return home.

## Medical grounds

- Applicants for medical priority points will only be considered where a move will significantly improve their physical and/or mental health or would effectively limit hardship resulting from any physical disability. To be eligible for consideration under this category, applicants are required to submit written proof e.g. letter from a GP or suitably qualified person. Squared cannot reimburse applicants for any expenses incurred for obtaining medical information and the applicant is responsible for any fees charged by a doctor to provide a supporting letter.

## Social grounds

- Priority on social grounds may be awarded where there is documented evidence which shows an individual or family is vulnerable in their present home. This could be because of harassment or domestic violence (but the customers' personal safety is not at immediate serious risk). Supporting information would be sought from Social Services, the Police or other recognised statutory and voluntary organizations to confirm the level of housing need.
- The final decision of agreeing social priority will be made by the Housing officer.
- A social priority will not be granted on the grounds of overcrowding alone, except if a household is deemed as statutorily overcrowded by Environmental Health and a supporting letter is provided.

## Management Transfer

Management transfers are only for those situations where there is an **immediate** serious risk to the personal safety of the customer or their household if they remain in their current home and the only solution is an emergency move. In this situation, a management transfer may be agreed with the Local Authority.

Examples of exceptional circumstances include, but are not limited to:

- Threat to life.
- Emergency cases where a customer's home is damaged by fire, flood or other disaster may be provided with another tenancy if it is not possible to repair the existing home, or if any repair work will take such a long period of time that there will be serious disruption to family life.

- Households who, on police advice, must be moved immediately due to serious threats to one or more members of the household, or whose continuing occupation would pose a threat to the community.
- An applicant who has an exceptional need, for example, where child or public protection issues require rehousing or for severe domestic abuse where all other options to remain in the home have been considered.

## **Suspension**

Customers who fall into rent arrears will be suspended from the transfer list whilst their account remains in arrears, apart from any exceptions agreed with the Senior Management Team. They will be written to confirming this and advised that their case will be reviewed in three months. The customer can appeal against this suspension. A customer will also be suspended from the transfer list if Squared starts action against them for any breach of tenancy conditions. The customer will only be re-instated if the breach has been remedied for a period of six months.

## **Refusal of an offer**

Squared will make two offers of suitable housing that meets the customer's needs and stated preference in terms of areas and house type. Unreasonable refusal of both offers will result in their application being suspended for a period of 12 months. At the end of the suspension period the customer can request that the suspension be lifted. However, they will be asked to complete a new transfer application form to ensure that their details are up-to-date.

A refusal of an offer will be considered to be unreasonable unless:

- The property is shown to be unsuitable for the customer's medical or physical needs or for a member of their household

Or

- The reason for their refusal is directly linked to a factor of housing need as stated in their transfer application form (e.g. the house offered is in close proximity to the perpetrator of harassment against them)

The decision as to the reasonableness of refusals will be at the discretion of the Housing officer. Where a refusal is deemed reasonable, the offer will not be counted.

## Appeal

If the customer feels there are special factors which have not been taken into account in regard to their suspension or refusal, they should put this in writing to their Housing officer. If they are still unhappy with the decision, then the matter will be addressed through Squared's normal complaints procedure.

## Points scheme

Points will be awarded as follows:

<b>Current housing situation</b>	
Living in temporary Housing, eg Hostel, HMO or PSL	75
<b>Underoccupying</b>	
Occupying a property with more bedrooms than needed	50
<b>Overcrowding</b>	
<p>The size criteria in the social rented sector allows one bedroom for:-</p> <ul style="list-style-type: none"><li>• Every adult couple (married or unmarried)</li><li>• Any other adult aged 16 or over</li><li>• Any 2 children of the same sex aged 10 but under 16</li><li>• Any 2 children aged under 10 (boys and girls are expected to share)</li><li>• Any other child (other than a foster child or child whose main home is elsewhere)</li><li>• An approved foster carer who has fostered a child or become an approved foster carer in the last 12 months.</li><li>• A child who can't share because of a disability or medical condition</li></ul>	10 for each bedroom short

<b>Family needs</b>	
You need new accommodation to escape harassment/violence (written proof required)	30
Your current housing is in disrepair and subject to a Repairs Notice (written proof required)	20
You have health problems made worse by your present housing	Up to 30
You are registered disabled and your present accommodation is unsuitable.	40
<b>Time on list</b>	
For each full month on the waiting list	1