



## Tenancy Transfer Policy

Document Details	
Document ID	AHL-178
Version	1.0
Status	<a href="#">[Approved / Under Review / Superseded / Cancelled]</a>
Status Date	December 2021
Next Review Date	November 2023

### Purpose

Advance Housing (AHL) may require a tenant to move to another property managed by AHL or a tenant may apply for a transfer to another property. This policy outlines the criteria used by AHL to determine when a tenancy is transferred to another property. AHL has developed this policy so that it can manage its tenancies and property portfolio effectively to maximise the benefit social housing can provide to people in housing need.

### Scope

This policy applies to tenancies managed by AHL, including social housing, affordable housing, transitional housing and supported housing tenancies. This policy outlines the specific circumstances where AHL will require the tenant to move or when AHL will approve a transfer of a tenancy to another property.

### Policy Statement

AHL will change tenancies in accordance with its responsibilities under the Residential Tenancies Act (1987) and Regulations, and in accordance with AHL policy. AHL will only require a tenant to relocate for valid reasons related to the management of a tenancy or the property portfolio.

## Transfers

AHL undertakes transfers in the following circumstances:

- Under occupancy
- Severe overcrowding
- The property configuration is not suitable for the tenant or has specific modifications that are no longer required by those living in the property
- Neighbourhood disputes
- Portfolio management purpose relating to the management of a particular tenancy or AHL's property portfolio e.g. sale, substantial upgrade or redevelopment of a property.

## What areas can AHL relocate a tenant to?

Wherever possible and appropriate, AHL will relocate tenants in the current allocation zone.

## What is a reasonable offer?

An offer is reasonable if it will meet the client's known housing and locational needs, and allows continued access to services, based on the merits of the information provided by the tenant during the relocation process.

## Evidence to support request to live in a high demand area

A client/tenant must provide adequate evidence to support their request to live in a high demand area. The documentation will vary according to the nature of the client's disability or medical condition, but can be provided by one or more of the following:

- A specialist
- A health worker such as a community nurse, occupational therapist or physiotherapist.
- A psychiatrist or mental health worker.
- Support organisations such as the Home Care Service, Home Nursing Service, Aged Care Assessment Team, community centre or neighbourhood centre.
- Family and friends who provide care.

Letters or reports from health professionals and support services should include:

- The length of time the client has been utilising the service or receiving treatment from a specific doctor, support agency, health service or hospital, and
- How often the client utilises these services, and

- How long will the client need to continue to access these services, and
- The possible impact on the client if they were required to access similar services in an alternative area.

Support letters from family or friends should include:

- Contact details, and
- A description of the type of care or support provided, and
- The length of time the care or support has been provided, and
- The frequency of care or support, and
- The length of time the family member or friend has been continuously living in the area.

### Affinity with an area

A client with an ongoing medical condition or disability may have lived in the requested area for at least ten years and developed an extensive range of social and support networks. In this situation, locational need is demonstrated by the client's affinity with the area.

### Rejection of a reasonable offer for relocation

If an AHL tenant rejects a reasonable offer of alternative social housing, AHL will undertake a final check to confirm that the offer made to the tenant took into account all of their known housing needs and were consistent with the entitlements set out in the tenant's Application for Transfer.

AHL uses the same criteria under Department of Communities - Housing to guide its approach to reasonable offers and rejection of offers in relation to transfers for management reasons. For more information about the criteria AHL applies to decide if an offer is reasonable, see the AHL Allocation policy.

Tenants who have been approved for a tenant initiated transfer will receive two reasonable offers of alternative accommodation. If all reasonable offers of alternative housing are rejected Advance Housing will remove the applicant from the transfer waitlist.

For management transfers, only one offer of alternative housing will be made. If a reasonable offer of alternative housing is rejected, AHL will issue a sixty (60) day Notice of Termination.

## Assistance with the relocation process

AHL will provide practical assistance to relocating tenants where it is appropriate and necessary for helping the tenant and their household to relocate. AHL will assess each tenant's situation on a case-by-case basis and make a decision based on the individual circumstances of the tenant. AHL's aim is to help the tenant establish a tenancy in the new location that is likely to be successful.

## Tenure

Where AHL permanently relocates a tenant to an alternative property managed by a different housing provider, the tenant will be offered and must agree to the type and length of lease in accordance with the individual provider's policy.

## Paying rent after relocation

Tenants of AHL who are relocated to another property managed by AHL will be charged rent in accordance with the AHL Eligibility and Rent Setting Policy. Where a tenant relocates to an alternative property managed by a different housing provider, the tenant's rent will be assessed in accordance with the policy of the individual provider.

## Appeals and review of decision

This policy is appealable. If a tenant is not satisfied with a service provided by AHL or does not agree with a decision it has made, they can ask for a formal review. Advance Housing's Housing Management Grievance and Appeals Policy outlines the way for tenants to make an appeal. Tenants cannot appeal a decision to decline a transfer to a specific property.

## Responsibilities

It is the responsibility of:

**Employees** to ensure they comply with this policy.

**Employees** to identify and report potential issues to Management.

**Employees with related tasks** to ensure they have a comprehensive understanding of this Policy, related Legislation and Documents as it relates to their roles.

**Team Leaders and Management** to oversee compliance, monitoring and review of this Policy.

## Related Legislation and Documents

[Privacy Act 1988](#)

[Residential Tenancies Act 1987](#)

[Housing Authority Rental Policy Manual](#)

[Housing Management Grievance and Appeals Policy](#)

[Allocation Policy](#)

## Approval and Review Details

Approval and Review	Details
Approval Authority	CEO
Administrator(s) – overall responsibility for compliance, monitoring & review	Housing Services Manager
Next Review Date	01/11/2023

## Policy History

Review Date	Doc. Version	Details	Reviewed by	Date Approved
29/10/2019	1.0	New policy	Tamara Belfield, Housing Services Manager	1/11/2019
13/12/2021	1.0	Review by CEO and HSM	T Belfield and J Lysaught	13/12/2021