



TUNTUM HOUSING ASSOCIATION

DOCUMENT CONTROL		
Policy name:	Transfer Policy	
Version:	1	
Author:	Nkosana Mthimkhulu - Housing Services Manager	
	15 March 2023	Customer Experience Committee (CEC)
Effective date:	15 March 2023	
Date of next review:	15 March 2026	
Customer facing:	Yes	

1. Introduction

- 1.1 This policy outlines how Tuntum will manage applications for transfer by customers. Most housing organisations have policies that explain how they meet the needs of tenants wishing to move within their stock. This policy follows the industry and best practice pattern; it is fair, transparent and meets all current statutory obligations.
- 1.2 This policy offers tenants who wish to transfer properties a user-friendly system in order to meet their housing needs and aspirations. Tuntum housing will set aside a percentage of voids for priority transfers. This is capped at five properties per year as guidance, and there is flexibility to increase the number to meet cases of exceptional need.

2. Policy Statement and Aims

- 2.1 This policy aims to:
 - 2.1.1 Assist people to move to meet Tuntum's obligations for customers facing urgent or emergency housing situations.
 - 2.1.2 Ensure Tuntum customer's needs are met, including those affected by maintenance issues.
 - 2.1.3 Meet the requirements of the Equality Act 2010.
 - 2.1.4 Meet the objectives of other Tuntum policies relating to the provision of accommodation to existing customers.
 - 2.1.5 Tuntum customers seeking rehousing due to an urgent need will be:
 - Expected to increase their rehousing options by registering with a local authority choice-based lettings system that may in turn directly nominate the customer for Tuntum property.
 - Encouraged to explore rehousing options on the Homeswapper website (free of charge) for a mutual exchange.
- 2.2 This policy establishes the framework under which Tuntum's customers can transfer internally to alternative Tuntum accommodation due to an urgent rehousing need.

3. Legislation or Regulatory Requirements

- 3.1 This policy adheres to the provisions of: s. 158 Localism Act 2011, s. 92 Housing Act 1985, s. 159 Housing Act 1996 and the Domestic Abuse Act 2021 in facilitating transfers.

4. Scope

- 4.1 This policy applies to tenants that apply for transfer under the eligibility criteria set out in section 2.6 above and in instances of transfers initiated by Tuntum for lawful reasons of housing management. Following this policy will reduce the risk of failure to meet legal and regulatory requirements and customers being treated unfairly or inconsistently.
- 4.2 **Transfers may be limited by the following:**
- 4.2.1 Location and type of property.
 - 4.2.2 Maximum quotas for transfer targets set by Tuntum and/or local authorities which may be revised in line with policy changes.
 - 4.2.3 Properties adapted for people with mobility requirements.
 - 4.2.4 The terms and conditions of Tuntum's tenancy agreements.
 - 4.2.5 Where section 106 agreements apply (usually in rural areas) or Community Lettings Plans are in place.
- 4.3 A transfer may be considered if customer circumstances change and their current property is no longer suitable where:
- 4.3.1 There is independent substantiated evidence that the customer is at risk of physical or emotional harm by continuing to reside in a property. In such circumstances, we may restrict areas of choice to ensure we are satisfied that we are minimising future risk.
 - 4.3.2 The customer has a medical need for a more suitable property with evidence supported by a current professional recommendation.
 - 4.3.3 The impact of Welfare Reform puts a tenancy at risk of failure and the customer moves to a home more suited to their needs. In most cases, this will be a move to a smaller home where they are not subject to an under-occupancy charge.
 - 4.3.4 The Asset Management Team confirm that due to the condition, the property will be sold once vacant.
- 4.4 Tuntum will aim to meet the needs and wishes of the tenant/family in preferred choice of area for rehousing, whilst ensuring the safety of the tenants is paramount. However, in assessing a transfer application, consideration will also be given to other related policies, including Anti-Social Behaviour, Domestic Violence and Abuse, Downsizing and Rent Arrears.
- 4.5 **Transfer eligibility and applications**
- 4.5.1 Customers with an Assured or Secure tenancy can apply for a transfer if their circumstances meet Tuntum's criteria. Customers with an Assured Shorthold tenancy do not have the right to apply for a transfer, but Tuntum may consider requests where there is an identified need for an urgent move.
 - 4.5.2 A transfer application form with supporting documentation is required for all requests.
 - 4.5.3 A transfer application may be considered if a customer has rent arrears if there is a payment plan in place which has been maintained for four months in line with Tuntum's Allocations Policy. The Housing Service Manager can approve applications from customers with less than £1,000 arrears. Cases above £1,000 should be approved by the Director of Community Services.
 - 4.5.4 Transfer requests will be approved subject to the customer meeting Tuntum's eligibility criteria and a satisfactory property inspection by the building surveyor.
 - 4.5.5 Approved transfer requests will have management transfer status.
- 4.6 **Transfer conditions**

- 4.6.1 The building surveyor will undertake an inspection of the customer's current property. If the property inspection proves to be unsatisfactory, the customer will be given the opportunity to put right any issues identified and can reapply for a transfer once the works have been completed.
- 4.6.2 Where rechargeable repairs or damage to the property have been identified, the transfer application date will only commence following the completion of the works by the customer and further inspection by the building surveyor as meeting the required standard.
- 4.6.3 If a period of more than three months follows the initial property inspection and an offer of alternative accommodation, then a further property inspection will be required.

4.7 Reasonable offer of alternative accommodation

- 4.7.1 One reasonable offer of alternative accommodation will be made. A reasonable offer is one that is suitable in terms of size, property type and location. Any transfer of tenancy within social rent letting will have the same security of tenure. Refusal of an offer which meets all of the applicant's criteria/needs in terms of property specification, facilities or area is defined as unreasonable.

4.8 Appeal

- 4.8.1 Customers have the right of appeal where they disagree with the findings of the property inspection and a decision to refuse the transfer. Appeals should be referred to the Housing Services Manager for discussion with the customer. If the customer is still unhappy, they may make a complaint which will be managed in line with Tuntum's complaints policy.

4.9 Transfer status reviews

- 4.9.1 All applications with management transfer status will be reviewed on an annual basis.
- 4.9.2 Management transfer status may be removed where supporting evidence is over six months old and applicants are assessed as no longer being at risk or, if an applicant has not bid on suitable choice-based lettings available during that time.
- 4.9.3 Management transfer applicants with medical grounds will not need to provide additional medical evidence unless there has been a substantial change in circumstances but will be required to make Tuntum aware of any change over the last six months.

5. Roles and Responsibilities

- 5.1 The roles and responsibilities are detailed within internal procedures for the following roles:
 - Housing Services Manager
 - Allocations Officer
 - ASB Officer
 - Estate Housing Officer

6. Monitoring including Audit and Review

- 6.1 The Housing Services Manager will monitor how we manage transfers within the provisions of this policy. We also ask customers how satisfied they are with the service we provide. This information is anonymised and reviewed by managers to improve the service in future. This policy will be reviewed every three years unless legislation, business or sector developments require further amendments. This will ensure that the policy meets the stated objectives and considers good practice developments.

- 6.2 The number of transfers completed is reported to the Customer Experience Committee within a suite of monitoring and performance management KPIs.

7. Procedure

- 7.1 There is a transfer procedure as a separate internal document.

8. Equality Impact Assessment

- 8.1 This policy has been drafted in the context of Tuntum's Equality and Diversity policy. We will ensure its application satisfies the needs of our diverse customers. We monitor the impact of our work and review our performance in line with the principles of our Equality and Diversity policy and the Equality Act 2010.

9. References

RELATED EXTERNAL DOCUMENTS	
Reference	Link to reference
Allocations Policy Anti-Social Behaviour and Hate Crime Policy Domestic Abuse Policy	
RELATED INTERNAL DOCUMENTS	
Reference	
Transfer Registration Form Management Recommendation Transfer Request form Guidance Table of Eligibility	

10. Contacts

If you have any queries on this policy, please contact Tuntum's Housing Services Team.

Internal control not for publication:

Policy changes	
Policy version	Proposed changes
1	The whole policy has been redrafted.