

## CROYDON CHURCHES HOUSING ASSOCIATION

### TRANSFER AND MUTUAL EXCHANGE POLICY

<b>Policy Name / No.</b>	Transfer and Mutual Exchange Policy
<b>Lead Officer</b>	Director of Operations
<b>Date of Issue</b>	DRAFT OCTOBER 2011
<b>Review Date</b>	October 2014

This policy must be read in conjunction with ccha general Allocations and Lettings and Allocations Policy.

The Association will assist those of its residents who wish to move from one ccha property to another by registering a transfer application. It will also assist residents in arranging appropriate mutual exchanges with other residents in the social housing sector.

Transfer applications are placed in point and date order and properties made available to the transfer list will be let to the applicant with the highest points and earliest registration date. Pointing will initially be carried out by a member of housing staff and then authorised by a manager.

#### 1. Eligibility

To be eligible for the transfer list, applicants must be residents of ccha, have been a tenant for at least one whole year, and must have a housing or priority need as detailed below. Therefore, in order to qualify for a transfer for housing need, applicants must meet at least one of the following criteria:-

##### a) Emergency

An “emergency” need to move is awarded with the highest points and must fit under one of the following categories:-

##### i. Management Need (eg Decant)

The Association may need to transfer a resident to ensure the effective and efficient management of its homes. Reasons for such transfers would include the need to re-house a resident because of planned demolition or major refurbishment works. Use of this category would be approved at senior manager level.

##### ii. Emergency Flood or Fire

Should such an event occur, or any similar emergency situation, and residents of ccha are made unintentionally homeless then the Association will award maximum points for priority to transfer.

### **iii. Aids and Adaptation Need**

Particularly in Sheltered accommodation, where a resident desperately requires a property that has specific adaptations, maximum points will be awarded. Use of this category would be approved at Service Team Leader level. Any decision made will be based on whether an adapted property could offer a considerable improvement to the resident's day to day life and would significantly improve their hardship relating to their physical disability. This should be backed up by the tenant obtaining a medical professional recommendation specifically linking this evidence to housing need, and could come from an Occupational Therapist, Consultant or GP. The Association cannot reimburse applicants for any expenses incurred for obtaining such information or any supporting letter. Adapted property will only be issued to tenants with disabilities that the adaptations have been made for.

### **b) Risk Level A, B and C**

Residents deemed to be between a serious to moderate risk of harm by way of violence, harassment, or mental or physical abuse are pointed into three tiers of risk level. They are pointed in accordance with the criteria listed in Appendix 1.

With any claim of violence, harassment or mental or physical abuse, the resident must provide documentation sought from supporting agencies such as Social Services, the Police or other recognised statutory and voluntary organisations to confirm the link to, and level of housing need. The documentation needs to clearly state how the applicant's current accommodation is a key factor in the event(s) that have taken place i.e. the problems have arisen in or around the property. They need to state that they have deemed the resident to be at serious risk if they stay at their property and recommend the best course of action would be for the Association to move the tenant. The evidence must be current within the last 3 months.

The Association cannot reimburse applicants for any expenses incurred for obtaining such information and therefore the applicant is responsible for any fees charged by a police officer to provide a supporting letter.

Where there are any claims by the applicant of harassment from another ccha resident, an application for Risk Level status should be seen as a last resort after all other steps have been taken to resolve the situation, for example following the Anti-Social Behavior policy.

If supporting documentation is not supplied at the time of receipt of the transfer application, staff will request in writing that this evidence is supplied within a deadline of 3 weeks in order to progress the application.

### **c) Overcrowding**

This category is where a family currently occupies a property with too few

bedrooms for their needs in accordance with the criteria listed in Appendix 1.

If a dependant relative has moved into a property causing a family to be overcrowded; proof of their residency at that address for at least six months must be provided, as well as evidence to show they should be considered as part of the family unit before being eligible to go on the transfer list. If a larger property is offered because a dependant relative has moved in, the relative will not be eligible for re-housing in their own right.

A dependant relative is defined as a member of the immediate family (parent, grand parent or child) whom the resident is responsible for providing support for and or care, or who is providing this for the resident. Non-family members who are providing full time support and or care are also recognised under this definition.

When an applicant states they are overcrowded due to the birth or adoption of a new child, a copy of the new child's birth certificate along with any other children residing at the property must be supplied with the application. The original documentation will need to be taken or sent to ccha's head office to be verified and copied, before returning to the applicant.

Overcrowding points will only be issued when the baby is born or living in the property, i.e. at the point of the property is overcrowded. Points cannot be awarded on production of baby scans or documentation from hospital.

The Association will only deem children as members of the household where the resident has sole custody. If parents have joint custody only the parent in receipt of child benefit, and with proof from a relevant court order where applicable, can apply for a transfer to a larger property on the basis of this child if necessary.

Overcrowding points are awarded in accordance with the field marked "Overcrowding" in Appendix 2.

#### **d) Under-Occupation**

Applicants who currently occupy a property with more bedrooms than they need, in accordance with the field marked "Under-Occupation" in Appendix 2, are eligible to apply for a move to a smaller property.

Maximum points will be awarded for an applicant releasing a house. Points will be awarded for each bedroom in excess of their needs, and to match the size of the property that they would downsize to. This is due to the high demand for larger properties within our transfer list, Appendix 5 (*not included in this review*). This is to generate opportunities for residents waiting for larger properties and make best use of housing stock. With Welfare Benefit Reforms, the benefit entitlement for payment of rent in future will be linked to the number of bedrooms needed, so downsizing may be financially important

to some residents. ccha would however accept downsizing to a smaller property that is still one bedroom in excess of a tenant's needs if the rent was affordable, to encourage moves. This mirrors the criteria around mutual exchange allowing one bedroom over a tenant's housing need.

#### **e) Transfers on Medical Grounds**

Applicants applying for medical priority points will only be considered where moving would significantly improve their physical and or mental health or would effectively limit hardship resulting from any physical disability linked to their current housing conditions.

To be eligible for consideration under this priority category, applicants are required to provide medical evidence to support their application. The medical evidence should be by way of a letter, preferably from a Consultant, which clearly states the medical condition and that by the applicant living in their current property it is worsening their specific condition(s). The letter must therefore show a link between the medical condition and their need to move. Applicants will be given advice by ccha staff at the point of enquiry on what evidence will be needed. The evidence must be current within the last 3 months.

Residents deemed to be between serious to moderate medical conditions are pointed into four tiers of medical levels, as per the criteria listed in Appendix 1.

The Association cannot reimburse applicants for any expenses incurred for obtaining medical evidence and therefore the applicant is responsible for any fees charged by a Consultant or doctor to provide a supporting letter.

If supporting documentation is not supplied at the time of receipt of the transfer application, staff will request in writing that this evidence is supplied within a deadline of 3 weeks in order to progress the application.

Applicants that have been awarded Medical AA or Medical A status must have a continual medical condition, i.e. one that will not heal or get any better. This needs to be backed up by the evidence supplied by a Consultant in their supporting letter.

#### **f) Move on and Supported Accommodation Tenants**

ccha will aim to provide an agreed quota of move on accommodation each financial year in accordance with the Annual Lettings Plan, Appendix 10 (*not included in this review*). A move on will assist clients reaching the end of their placement in supported housing projects owned by ccha who are in need of permanent accommodation. These schemes may be directly managed by ccha or managed by an agency on ccha's behalf. The properties utilised for this process are likely to be bedsits, or possibly sheltered.

## **2. General Criteria**

Residents will not be offered a transfer if:-

- I. There are arrears with their rent and or service/personal charges (with the exception of arrears due to Housing Benefit being paid direct to ccha but in arrears) or any other monies are owed to the Association such as repair recharges or court fees.
- II. The resident has deliberately worsened their situation or falsified information. Fraudulent applications will be dismissed.
- III. There is evidence that their current property has been damaged or neglected. Residents would be expected to rectify any damage prior to any offer of accommodation being made. Properties being offered to transferring applicants will meet the current void standards and be in good condition.
- IV. The applicant is in breach of their tenancy agreement in any way and this has been brought to their attention in writing, or with the service of a Notice of Seeking Possession.
- V. The applicant is on a starter or probationary tenancy.
- VI. The applicant has not been a tenant at the property for at least a minimum of 1 year.

***Additionally:-***

- I. If residents fail to return the keys to the office for the property they are vacating the outgoing resident will be liable to pay rent on both properties until the keys have been received – keys should be returned on a Monday before 12 noon, keys received after this time will be automatically charged rent for that week.
- II. Residents requiring sheltered housing will only qualify when they, and any member of their household, are 55 years of age or over. Anyone under 55 years of age cannot live within ccha's sheltered stock.
- III. The Service Team Leader will oversee the pointing of Sheltered transfer applicants in accordance with this policy. A separate sheltered transfer list will kept within Appendix 5 (*not included in this review*). for these applicants to be recorded and identified more easily.

**3. Removal from the Transfer List**

Applicants may be removed from the transfer list if:-

- I. It is found that they have never been or cease to be an eligible applicant i.e. the reason for original priority being given is no longer applicable.
- II. The applicant has requested to be removed from the list

- III. The applicant has failed to re-apply when requested (when a review is in process)
- IV. A tenancy has been offered by a Registered Social Landlord or Local Authority and accepted
- V. The applicant has failed to respond to the Associations requests for information within the specified time period. This includes request for supporting documentation relating to medical conditions, and risk of harassment etc which were not provided with the applicants original transfer application.

Applicants removed from the transfer list will be notified in writing, and the reasons they have been removed will be clearly explained. A copy of the policy will not be provided but parts of the policy may be quoted in correspondence to the applicant if relevant to the content of the letter.

If the applicant is elderly or in need of support, further clarification will be given as to why they have been removed. This will be in the form of face to face meetings or follow up telephone calls.

#### **4. Review of the Transfer Waiting List**

The transfer list will be divided into top priority and lower priority by way of the level of points awarded. Applicants with points over 20 will be categorized as “top priority” and applicants with points lower than 20 will be categorized as “lower priority”.

ccha will therefore review the transfer waiting list applicants differently, depending what priority they are. “Top priority” applications will be reviewed every 6 months. “Lower priority” applications will be reviewed every 18 months. The review date will be exactly 6 or 18 months after the date the application was received. This will be to ensure we have the correct information regarding households wanting to transfer and more current information for those in the highest needs. Residents on the transfer list will be sent a new application form to complete. If residents fail to return the form and any supporting documentation within 3 weeks they will be removed from the transfer list, ccha will write to tenants to notify them when this happens.

As part of the Associations “Local Offers” promise to look into ways of “developing better ways to communicate information on the prospects of being housed or transferred” an information pack will be included with the response letter sent in the review of the transfer list, as agreed at the “Transfer and Allocations Policy Review” Forum. The pack will be sent to all “Top priority” applicants with their 6 monthly reviews. “Lower Priority” applicants will receive the pack on a diarised calendar date, every 6 months. The contents of the pack are in accordance with Appendix 9.

#### **5. Offer of Property**

The decision as to which property will be utilised for transfer will be made by

the Operations Manager in conjunction with recommendations made by staff, analysis of the position with any Nominations Agreement performance for the Local Authority area, and past transfers carried out. As far as is practicable, a spread across different bed sizes will be achieved.

When a property becomes available to offer to a transfer list tenant, a time and date for multiple viewings must be arranged. The content of the letter is set out in Appendix 11 (*not included in this review*). This is to minimise any rent loss for the Association and ensure successful letting of the property quickly.

The letter will be sent to the first 7 people at the top of the transfer list. These will often be in the “top priority” band.

All applicants have the chance to specify the ward of Croydon in which they wish to move to on their application and information will be sent to applicants about where ccha’s properties are broadly located. However, for “top priority” cases due to their urgent need to move, the first property that comes up which meets their required bedroom size will be offered to them, whether or not it is in an area they desire.

Due to the extremely high demand for transfer within ccha’s properties and the very low amount of transfers that can be offered each year, strict criteria around offers has been set out below. Those deemed in “top priority” are seen as urgently needing a move and therefore must respond to any offer letter that is sent.

If a “top priority” refuses or does not wish to view the property, they must contact ccha within 48 hours from the date of the letter and state their reasons why. This will be explained in the letter sent to them. If the reason is not justified or there is no response to ccha’s letter, the applicant will be placed at the bottom of the transfer list for the bed size they require. If an applicant has a justifiable reason, for example they were away at the time of the letters going out, they can appeal this with evidence and be reinstated at the normal place on the list.

All applicants may only refuse a transfer property 3 times, and this will enable ccha to give some choice to applicants. Once an applicant has exceeded this limit they will be suspended from the ccha transfer list and this will be until their circumstances change.

## **6. Mutual Exchange**

Most ccha tenants have the right to exchange their home with another ccha resident or a resident of another registered social landlord or local authority, either within Croydon or in another area.

A resident who has found an exchange partner and wants to exchange must ask the Association for written permission first. The Association must reply to such a request within six weeks of the application being received.



Residents must obtain consent from the Association before planning to move or exchanging with another resident, although consent will not be withheld unreasonably. Permission to exchange can only be withheld on the following grounds:-

- i) There is a Court Order to evict the resident or the resident proposing to exchange.
- ii) A Notice of Seeking Possession has been served on the resident or the resident to be exchanged with, or other court proceedings for possession have been started and the grounds for seeking possession are one or more of those given in the Tenancy Agreement
- iii) The residents property is substantially larger than the proposed new resident needs. (For the purposes of mutual exchanges, one extra bedroom will not be viewed as under-occupation)
- iv) The residents property is too small or unsuitable for the needs of the resident to be exchanged with
- v) The residents property is specially adapted for a person with physical disabilities and the proposed new resident does not have disabilities.
- vi) The circumstances of the proposed new resident are such that their occupation of the flat would conflict with the charitable objectives of the Association.
- vii) The residents property is normally let to people with special needs, there are special facilities nearby for such people and the proposed new resident does not need that type of special accommodation.

The Association maintains an exchange register via Homeswapper which can be viewed at our Head Office, 6<sup>th</sup> Floor Norfolk House, Wellesley Road, Croydon, CR0 1LH. Any resident can have their name entered onto the register in order to facilitate an exchange.

Applicants are encouraged to register on the national Homeswapper website [www.Homeswapper.co.uk](http://www.Homeswapper.co.uk) to be able to search regularly for moving opportunities. Access to this service on line can be offered at ccha head office via the computer in reception and staff can assist with navigation around the website where needed.

## **7. Other Information Required**

The Association requires that all applicants (transfers and mutual exchanges) provide a recent photograph of themselves. This is now required for all new tenants to ccha to assist with identification for home visits as well as the prevention of fraud. The photograph must be provided with the application form on or before the time of signing for their tenancy. The photograph can be provided in the following ways:

- A recent passport sized / standard photograph
- A passport or photo ID diving license (which will be copied by the Association's staff)
- The Association's staff are able to take a photograph of the applicant/s at the time of the tenancy sign-up by using the Association's equipment



- Photographs will be held on the tenancy file and will not be shared with any person or organisation external to the Association, except relevant statutory agencies for the prevention or detection of crime or fraud

## **8. Appeals**

If an applicant feels dissatisfied with a decision concerning their housing transfer or mutual exchange application, they should discuss the matter in the first instance with the Association's Tenancy Management Officer. If they are still dissatisfied the complaint will be dealt with through the Association's Complaints Procedure, details of which are available on request.

## **9. Equality and Diversity**

The Association is committed to a policy of fair and equal treatment for all its members, residents, employees and applicants, regardless of religion, sexual orientation, age, class, race, sex, disability or marital status as determined in the Association's Equality and Diversity Strategy.

## **10 Review**

This policy will be reviewed every three years or in response to changes in legislation, regulatory guidance, good practice or changes in other relevant ccha policies.

## Transfer and Mutual Exchange Policy

### Appendix 1 – Eligibility Criteria.

**Overcrowding/Under-occupation 30-80 Points (Discretionary points up to 100 for under-occupation) Below is a table to show the size of home that would be allocated to any tenant(s) and their family.**

Studio	Single person under 45 years of age
1 Bed 1 Person	Single person
1 Bed 2 Person	Single person or couple, or expectant single parents or couples Where the expected date of delivery is more than fifteen weeks in the future
2 Bed 3 Person	Single parent or couple with one child  Alternatively, two adults in a non-cohabiting relationship (e.g. mother and daughter) could be considered in this category
2 Bed 4 Person	Single parent or couple with one child or two children of the same sex, provided that the age gap does not exceed seven years.  A household with one child and another expected would be considered in this category
3 Bed 4 Person	Single parent or couple plus two children of the opposite sex or where the age gap exceeds seven years
3 Bed 5 Person	As above, plus families with three children where two children can share a bedroom
3 Bed 6 Person	As above, plus families with four children where two pairs of children can share a bedroom. (Families with three or more children preferred)
4 Bed 5 Person	Single parent or couple with three children. (families where each child qualifies for a separate bedroom preferred)
4 Bed 6 Person	As above, plus families with four children where two children can share a Bedroom
4 Bed 7 Person	As above, plus families with five children where two pairs of children can share a bedroom. (Families with four or more children preferred)

Criteria will also be based on the size of the property, for example a 2 bedroom / 3 person property consisting of one double room and one single room will be deemed suitable for a family totaling up to 3 people. For the purposes of over or under-occupation it will be assumed that an adult tenant will utilise a double room whether sole or joint tenants, and any child can utilise a single room.

## **Appendix 1 - Priorities for Transfers on Medical Grounds (50/200 points)**

- **Medical AA** – Applicant/tenant cannot leave hospital as accommodation is totally unsuitable and a move is essential.
- **Medical A** - Medical problems that are life threatening or critical and rehousing the household aims to give quality of life. The households existing accommodation is undermining health.
- **Medical B** – The current accommodation affects the medical condition to a significant degree and there is a clear link between the current property and the medical condition.
- **Medical C** – Housing affects medical condition to some degree and so a move is desirable.

## **Appendix 2 – Transfer Application Form**



Transfer  
Application.doc

## **Appendix 3 – Points Form**



TRANSFER POINTS  
FORM.doc

## **Appendix 4 – Letter of positioning**



Transfer Application  
- Points Allocation Let

## **Appendix 5 – Current Transfer Database**

[S:\ccha Databases and Process for HM\8. Current Transfer Database.xlsx](#)

## **Appendix 6 – Mutual Exchange Application**



Mutual Exchange  
Application Form 2011

## **Appendix 7 – Mutual Exchange Monitoring Sheet**



Mutual Exchange  
Monitoring Sheet.doc

## **Appendix 8 – Mutual Exchange Database**

S:\ccha Databases and Process for HM\7. Mutual exchange monitoring  
Spread sheet.xlsx

## **Appendix 9 – Transfer information pack**

## **Appendix 10 – Annual Lettings Plan**

## **Appendix 11 – Offer letter to Transfer**



OFFER LETTER  
TEMPLATE.docx