

## **CROYDON CHURCHES HOUSING ASSOCIATION**

### **TRANSFER POLICY**

#### **1. Introduction**

- 1.1 We are committed to providing a choice of quality affordable homes that people want to live in.
- 1.2 Whilst most of our homes are allocated through our local authority partner waiting lists and choice-based lettings schemes in the London Boroughs of Croydon, Sutton and Bromley, we are able to use a small number of our homes for our existing residents to transfer into more suitable homes.
- 1.3 Due to lower demand, we also hold a direct waiting list for residents looking to move into our older persons independent living accommodation.
- 1.4 Residents who wish to move from one of our properties to another are required to register by completing our Transfer Application Form. (**Appendix 1**)
- 1.5 Once assessed, transfer applications are placed in banding and date order. Properties made available to the transfer list will generally be offered to the applicant with the highest banding and earliest registration date who best meets the criteria for that property. Banding is initially carried out by the Neighbourhood Services Administrator (NSA) or Tenancy Management Administrator (TMA) and is then authorised by the Operations Manager.
- 1.6 This policy must be read in conjunction with our Allocations and Lettings Policy, Tenancy Policy, Transfer Incentive Policy, Decant Policy and Anti-social Behaviour Policy.

#### **2. Objectives**

- 2.1 To provide our existing residents with the opportunity to transfer to other ccha accommodation, which is suitable for their household size.
- 2.2 To ensure allocations are fair, transparent and inclusive.
- 2.3 To make best use of our housing stock.

### 3. Eligibility

3.1 To be eligible for our transfer list, applicants must be a ccha resident and hold an eligible tenancy agreement, have been a resident for at least one whole year, have successfully passed their probationary period for Starter tenancies, and must have a housing or priority need as detailed below.

3.2 We will assess all applicants to determine whether they fall into one of our priority bands for an internal transfer as stated below:

<b>Band A</b>	<p><b>Emergency</b></p> <ul style="list-style-type: none"> <li>➤ Domestic Violence, Harassment, Hate Crimes or Anti-Social Behaviour (to avoid an <b>immediate</b> threat to life).</li> <li>➤ Decant due to property demolition/disposal/redevelopment where there is an immediate need</li> </ul>
<b>Band B</b>	<p><b>High Need</b></p> <ul style="list-style-type: none"> <li>➤ Serious Domestic Violence, Harassment, Hate Crime or ASB (to avoid a potential threat to life and supported by third party evidence i.e. Police, support agency)</li> <li>➤ Emergency Medical need (resident cannot leave hospital as property is totally unsuitable and a move is essential, and supported by a medical professional and Now Medical)</li> <li>➤ Medical Condition that is life threatening or is critical and rehousing the resident aims to give a better quality of life. The resident's existing property is undermining their health, and this is supported by a medical professional and Now Medical</li> <li>➤ Under occupation where 2 or more bedrooms are being released</li> <li>➤ Overcrowding where 3 or more bedspaces are required</li> <li>➤ Decants (where an urgent move is needed due to property demolition/disposal/redevelopment)</li> </ul>
<b>Band C</b>	<p><b>Medium Need</b></p> <ul style="list-style-type: none"> <li>➤ Domestic Violence, Harassment, Hate Crime and ASB (where this is urgent and supported by third party evidence but not life threatening).</li> <li>➤ Medical condition less severe than in band B. The current property affects the medical condition to a significant degree, and there is a clear link between the current property and the medical condition (supporting evidence from medical professional and Now Medical)</li> <li>➤ Under occupation where 1 bedroom is being released</li> <li>➤ Overcrowding where 1 or 2 bedspaces are required</li> <li>➤ Benefit Cap impacting on residents' affordability/sustainability</li> <li>➤ Decants (where a move is needed, but the need is not immediate/urgent)</li> </ul>

<b>Band D</b>	<b>Low priority</b> <ul style="list-style-type: none"> <li>➤ Any applicant who does not meet any of the criteria in Band A, B or C will be classed as having a low level of housing need and placed in Band D</li> <li>➤ Once we have exhausted all applicants in Bands A, B, C, we will then consider applicants in this band</li> </ul>
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#### **4. Banding**

- 4.1 Each application will be assessed and placed in the appropriate band based on the information and evidence provided.
- 4.2 Where there is more than one applicant within a priority band that meets the matching standards for a property, we will allocate the property to the applicant with the earliest priority date – the priority date is the date we award the priority band to an applicant.
- 4.3 If the applicants' circumstances change at a later date and they qualify for a higher band, their priority date will change to the date they became eligible for that band.
- 4.4 Where an applicant meets the criteria for more than one priority band, we will place them in whichever band has the highest level of priority.
- 4.5 The decision to allocate a property will also include an assessment as to the sustainability of the future tenancy and the contribution to maintaining a stable and balanced community. In some circumstances, we may override the top position of the waiting list where a property is more suited to a particular household, e.g. because the property has been adapted and meets the specific needs of a household or because the household already lives on that estate and it is important that they remain in that local community, e.g. to receive care or support.
- 4.6 With the exception of an emergency transfer due to immediate threat to life, where verification from the Police and a CAADA\_DASH Risk Identification Checklist for MARAC Agencies must be completed, for any claim of Domestic Violence, Harassment, Hate Crime and ASB 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. They need to state that they have deemed the resident to be at serious risk if they stay at their property and recommend what the best course of action would be for ccha to move the resident. The evidence must be current and no longer than one year old.

#### **5. Eligible Household Members**

- 5.1 We define a household for the purpose of a transfer as family members we originally housed, and these include:

- Legal Tenants
- A Residents partner – someone who is married to the applicant, in a civil partnership or living in a permanent relationship with the applicant and can prove they have done so for at least twelve months, and does not hold a tenancy or own property elsewhere.
- Any dependent children, including children for whom the applicant has long term legal guardianship, and children that are adopted or fostered (resident will be required to evidence guardianship).
- A carer (where the tenant can sufficiently evidence that a live-in carer is required).
- Any additional child under the age of 18 who has joined the household from another address providing they can demonstrate they have full formal parental responsibility for the child.
- Any additional child under the age of 18 where proof can be provided to demonstrate shared parental responsibility, and the child stays there for at least four nights of the week for the majority of the year.
- Other adult members of the family who can prove that they live with the household permanently, or where the property is their permanent home but they are on a course of education or armed forces that necessitates living away from home during term time.
- Pregnancy will not be considered until a child is born and a copy of the birth certificate is supplied.

## **6. Bedroom Standard**

- 6.1 Applicants will only be able to apply for properties that meet their housing need and household make-up based on our matching standard.
- 6.2 We will consider offering a property below or above the matching standards where the level of overcrowding/under-occupation will be reduced and the household's living conditions improve. This will only be done with the applicants' approval, and where it will not result in being affected by the Spare Room Subsidy. Properties with two reception rooms will be considered where one of the rooms could reasonably be used as a bedspace.
- 6.3 Those applicants who agree to accept a property below or above the matching standards in these circumstances will not be able to apply for a transfer on the grounds of overcrowding or under-occupation within 12 months of the move.
- 6.4 Below is a table to show the size of the home that would be allocated to any residents and their family. The number of children permitted is dependent upon their age and gender.

Studio	Single person
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, or two brothers etc) could be considered in this category.
2 Bed 4 Person	Single parent or couple with one or two children of a different sex, provided that neither of the children is over 10 years old. Children over 10 years old of a different sex are eligible for their own room.  Single parent or couple with two children of same or different sex, provided that one of children is not 16 years old or over, as they would be entitled to their own room.  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 where one is over 10 years of age.  Single parent or couple plus two children of the same sex where one is over 16 years of age.
3 Bed 5 Person	As above, plus families with three children where two children can share a double bedroom.  Children can share where of different sex and both under 10 years old, or where of same sex and both under 16 years old.
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 to make best use of stock).
4 Bed 5 Person	Single parent or couple with three children.  Children can share where of different sex and both under 10 years old, or where of same sex and both under 16 years old.

## 7. Overcrowding

- 7.1 This category is where a family currently occupies a property with too few bedrooms for their needs, in accordance with the criteria listed in the bedroom standard table above relating to number of rooms and occupants.

- 7.2 We will only consider overcrowding by 2 bedrooms or more where the property has not been intentionally overcrowded. This includes all household members joining the household after the tenancy start date, with the exception of children born to the resident to those originally housed.
- 7.3 When an applicant states they are overcrowded due to the birth, fostering 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 to be verified and copied, before returning to the applicant.

## **8. Under-Occupation**

- 8.1 Applicants who currently occupy a property with more bedrooms than they need are eligible to apply for a move to a smaller property.
- 8.2 ccha has a Transfer Incentive Scheme and makes payments for downsizing via a transfer. This payment can only be made once the transfer is completed so will not apply for any future additional downsizing moves.

## **9. Transfers on Medical Grounds**

- 9.1 This category is where there is a medium to high need to move, clearly linked to the resident and their current property.
- 9.2 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 in writing, from a Consultant, GP or recognised health official, which clearly states the medical condition and shows a link between the medical condition and their need to move. ccha will help applicants by advising on the type of documentary evidence that would need to be provided. The evidence must be current within the last year.
- 9.3 Residents will be requested to complete a Now Medical form (**Appendix 2**) if they or a member of the household who resides with them suffer from a Medical Condition. Now Medical, ccha's independent medical officer will assess all transfer applications requesting a transfer on medical grounds. The Operations Manager will also be able to use limited discretion regarding the assessment made by Now Medical, and the information supplied by the resident to consider grounds for a medical transfer.
- 9.4 We cannot reimburse applicants for 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.

9.5 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 and an applicant cannot go on the transfer list until all evidence is provided.

## **10. Residents in our Supported Accommodation**

10.1 A move on will assist clients reaching the end of their placement in supported housing projects owned by ccha and who are in need of permanent accommodation. The applicants must have a managed move on plan in place and clear indication of what support for the move or afterwards that will be provided. The supported schemes may be directly managed by us or managed by an agency on our behalf.

## **11. Residents wishing to move from a studio flat**

11.1 We will allow residents who reside within a studio flat and wish to move to a one bedroom property onto the transfer waiting list under Band D.

11.2 Priority will be given to couples living in a studio flat.

11.3 If there is a lack of larger accommodation and moving to a one-bedroom property will be beneficial to a family who need a larger property, we will consider a move to alleviate pressures to the overcrowded household in a studio.

## **12. General Criteria**

12.1 Residents will not be offered a transfer if:-

- 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 us such as repair recharges or court fees. The resident will be notified of any account balance at the point of the transfer interview and an Income and Expenditure Assessment will be carried out by the Welfare and Debt Advisor to ensure they can meet the rent on a new property.
- The resident has deliberately worsened their situation or falsified information. Fraudulent applications will be dismissed.
- 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.
- 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 or Acceptable Behaviour Contract or any other anti-social behaviour formality.

- The applicant is on a starter or probationary tenancy.
- The applicant has not been a tenant at the property for at least a minimum of 1 year.

### **13. Additionally**

- 13.1 If a resident fails to return the keys to the office for the property they are vacating, they will be liable to pay rent on both properties until the keys have been received. Keys should be returned on a Monday before 9.30am. Keys received after this time will automatically incur a rent charge for that week.
- 13.2 Residents requiring Older Persons housing will only qualify when they, as well as any member of their household, are 55 years of age or over. Anyone under 55 years of age cannot live within this stock. The qualifying criteria for Dillon Court is 60 and any other household member must be over 55 and for 647 London Road, the qualifying criteria is 55 and female only.
- 13.3 Whilst the transfer list for Housing Services and Neighbourhoods is combined, the Operations Manager for Housing Services will oversee the Banding for Older Persons transfer applicants in accordance with this policy.
- 13.4 Where a successor succeeds to a tenancy and is under-occupying their property, we will seek to recover possession of the property and we reserve the right to make them a direct offer of suitable alternative accommodation under this policy.
- 13.5 We will consider a local connection for our residents under Band D (a need to move to another Borough for an evidenced local connection e.g. work, family support, support for vulnerable tenants, education etc).
- 13.6 With the exception of a Band A transfer due to immediate threat to life, once ccha receives a transfer application from a resident, this will be acknowledged by letter within **5 working days**. A final decision to be made within **20 working days**, and if a Now Medical application is being reviewed by the medical officer we will update the applicant accordingly. Once the decision has been made by Now Medical a confirmation letter confirming the residents positioning on the transfer list will be sent to the resident within 5 days of the decision.
- 13.7 We will request ID for all residents and household members and where an extended family member is included in the application we will request proof of residency.



## **14. Removal from the Transfer List**

14.1 Applicants may be removed from the transfer list if:-

- It is found that they have never been or cease to be an eligible applicant i.e. the reason for their original priority being given is no longer applicable.
- The applicant has requested to be removed from the list.
- The applicant has failed to re-apply when requested (when a review is in process).
- A tenancy has been offered by a Registered Provider (e.g. housing association) or Local Authority and accepted.
- The applicant has failed to respond to the Associations requests for information to support their application. This includes requests for supporting documentation relating to medical conditions, and risk of harassment etc. which were not provided with the applicant's original transfer application.

14.2 Applicants removed from the transfer list will be notified in writing, and the reasons they have been removed will be clearly explained.

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

15.1 A review of the transfer list will be undertaken at least every 3 years. Residents will be asked to complete a new transfer form.

15.2 Residents can be asked to evidence their circumstances at any point.

15.3 Should residents fail to return the form and any supporting documentation within 4 weeks they will be removed from the transfer list, ccha will write to tenants to notify them in writing when this happens.

## **16. Offer of Property**

16.1 The decision as to which property will be utilised for a transfer will be made by the Operations Manager in conjunction with recommendations made by staff. The manager will take into account the nominations agreements with the local authorities we work in partnership with.

16.2 Properties are offered to the first 2 resident's held on the transfer list, where they are eligible.

16.3 When a property becomes available to offer to a transfer list resident, a time and date for viewings will be arranged. This will have to be within a specific time range to allow a property to be relet quickly and avoid rent loss for ccha. Residents are notified of viewings via phone and confirmed in writing.

- 16.4 Transferring applicants will be offered a maximum of 3 properties within their area of choice, or an agreed alternative prior to viewing. If all offers are refused they will be suspended from the Transfer List for a minimum of one year, or until they have a change in circumstances. This does not apply to residents on our Older Persons waiting list.
- 16.5 All applicants have the chance to specify the Borough in which they wish to move to on their application i.e. Croydon, Bromley and/or Sutton and information will be sent to applicants about where our homes are broadly located. However, due to extreme high demand for properties, residents are offered a chance to view properties even if they are not specified in their chosen ward and if a tenant agrees to view it will be made clear that this is one of their 3 offers.

## **17. Appeals Process**

- 17.1 We will consider appeals from all applicants made in relation to their banding assessment, providing the appeal is made within four weeks of our decision being made and within 5 days regarding any appeal on the reasonableness of an offer of accommodation.
- 17.2 We will endeavour to make a decision on an appeal within 10 working days from the date we receive the appeal.
- 17.3 If the applicant disputes this decision there is a second right of appeal to the CEO. This must be made within 5 working days of the initial appeal outcome and will include the reasons for the appeal. The CEO will give a written response based on a review of the initial appeal decision within 5 working days. The decision of the CEO will be final.
- 17.4 We will not hold any property vacant pending the outcome of an appeal.

## **18.0 Confidentiality & Data Protection**

- 18.1 Under the Data Protection Act 2018 and the Human Rights Act 1998, all personal and sensitive organisational information, however received, is treated as confidential. This includes:
- anything of a personal nature that is not a matter of public record about a resident, client, applicant, staff or committee member, or;
  - sensitive organisational information.
- 18.2 We are required to collect and hold certain types of data on residents and former residents, in order to carry out our business requirements and fulfil our service obligations.

## 19.0 Fair and Equal Treatment

- 19.1 We will make sure everyone is treated fairly and without discrimination, regardless of their race, gender, sexual orientation, disability, religion or belief, gender re-assignment, pregnancy and maternity, marriage and civil partnership and age. We will promote inclusion, challenge discrimination and seek to make reasonable adjustments to ensure that everyone can access our services and that no one is excluded inappropriately from any services or activities provided by us.
- 19.2 An Equality Impact Assessment has been undertaken and has indicated that this policy would not discriminate against any specific groups.

### Appendix 1 - Transfer Application Form

### Appendix 2 - Now Medical Form

<b>Version History</b>	
<b>Policy Name</b>	Transfer Policy
<b>Version Code</b>	1.0
<b>Lead Officer</b>	Director of Customers
<b>Equality Impact Assessment Completed</b>	January 2023
<b>Data Protection Impact Assessment Completed</b>	January 2023
<b>Resident Consultation Completed</b>	To be carried out at the next review
<b>Colleague consultation</b>	April 2023
<b>Date of Issue</b>	May 2023
<b>Review Date</b>	May 2026
<b>Policies and procedures replaced</b>	Transfer and Mutual Exchange Procedure 2017
<b>Version History</b>	N/A