

Durham Region Non Profit Housing Transfer Policy

Ontario Regulations 339/01, s.11(1) require housing providers to establish policies and procedures for internal transfers and provide a copy of the rules to the service manager and to the households residing in those units. Section 11 (2) states that every housing provider must establish and maintain a waiting list for internal transfers in accordance with its policies and procedures.

Applications

To transfer, tenants must submit a request in writing to Tenant Services stating the reason(s) they wish to transfer and include any supporting documentation required. A tenant applying for special priority transfer status must also do so in writing and must consent to the disclosure of any information or documentation required to verify the validity of the request. The tenant applying for special priority status also will be asked to provide instruction as to the best way to contact them.

Transfer Committee

The Transfer Committee is comprised of the Manager of Tenant Services and the Manager of Housing Operations. The Committee meets on the second Tuesday of every month to review requests for transfer. The Committee will:

- confirm that the household is eligible for transfer in accordance with 3.7.3, occupancy standards, and any other relevant Corporation policies;
- confirm that the tenant meets the criteria for transfer as set out in 3.7.4 to 3.7.7;
- advise the tenant applying for a special priority transfer in seven (7) business days as to whether their request is complete or not and if not what further information is required;
- confirm the tenant's eligibility for special priority status if applicable
- add an eligible household to the waiting list according to the policy described herein;
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Eligibility

Any household in good standing may ask for a transfer after it has lived in a unit for at least one year*. A household is in good standing if:

- it has not been give an eviction notice;
- it does not owe arrears or any other money to DRNPHC (unless financial hardship has made this household a “priority move.”);
- it has paid its rent on time for the last six months; and
- it has no history of damage to the unit, disturbing neighbours, harassing staff, or any other unacceptable behavioral issues.

**The eligibility criteria and “one year rule” will be waived if the household qualifies for special priority status or is overhoused. Under special circumstances the Corporation may waive the eligibility criteria for “safety issues” (as described in section 3.7.6).*

Special Priority Tenants

A member of a household who has been subject to abuse from another individual may apply for special priority placement on DRNPHC's internal transfer list.

Any market or subsidized tenant will qualify for special priority status if the following criteria are met:

- has requested the priority status in writing;
- has signed the request and consented to disclosure of information in connection with their request (The member requesting the status does not have to be the victim of the abuse);
- the abuser is or was living with the victim or is sponsoring the household member as an immigrant;
- the tenant intends to permanently live apart from the abusing individual;
- the tenant has provided the necessary information or documentation; or
- the necessary information or documentation has been confirmed by an appropriate person (as listed in section 25 (5) of Reg 339/01).

A tenant who is deemed eligible for special priority placement will be placed at the top of the internal transfer list. If there is more than one special priority tenant on the list, they will be ranked chronologically by request date. However, special priority tenants who are still living with their abuser will be given higher priority than those who are not.

Overhoused RGI Tenants

An "overhoused" RGI household is a household living in a unit which is larger than the largest unit for which they qualify under occupancy standards set by the Region of Durham.

Overhoused tenants who are paying rent-geared-to-income will be placed at the top of the internal waiting list after special priority applicants, in order of the date they applied to move into the non-profit as prescribed by the *Housing Services Act*. This does not apply to market rent tenants.

Tenants must report any change in household size to Tenant Services within 10 business days of the change. Tenant Services will automatically add any overhoused households to the internal waiting list, and will advise the household in writing.

A maximum of three unit offers will be made. If three unit offers are refused they will lose their RGI subsidy, and must pay market rent.

Overhoused tenants will be placed on the Durham Access to Social Housing's centralized waiting list if they are not transferred to an appropriately-sized unit within 12 months. Information regarding the number of refusals a tenant has already made on the internal transfer list will be provided to DASH. An overhoused household has only three (3) refusals in total before being removed from the DASH waiting list

Transfer Requests for Safety Issues

Households may request a transfer for issues involving safety. This may include but not be limited to issues of personal safety, stalking, or serious medical or health issues.

Documentation required must clearly state how the tenant has made efforts to mediate the situation without success. It must also demonstrate how a change in location will resolve the issue.

Households eligible for transfer for safety issues shall be ranked chronologically within the safety category according to the date of their request.

Transfer Requests for Exceptional Circumstances

Households may request a transfer under exceptional circumstances such as:

Medical/Health

An appropriate professional must complete a Transfer Medical Form stating:

1. nature of the problem;
2. degree of severity, and;
3. that physical health has declined in current conditions. A tenant with mobility issues arising as a result of the location of their unit within a site may also be considered eligible for medical reasons where mobility has deteriorated after move in.

Underhoused

Households who have more household members per bedroom than the smallest unit size they would be eligible for under the Region's Occupancy Standards may apply to be placed on the transfer list if the occupancy has changed since they moved in.

Transportation/Job

Documentation must denote exceptional circumstances

Other

Other extraordinary circumstances may be considered on a case by case basis

Households eligible for transfer due to exceptional circumstances shall be ranked chronologically in that category according to the date of their request.

Consideration may be given to increase priority of a request for transfer should circumstances warrant (ie. a household wishes to move because of a death of a household member)

Other Transfers

All other tenants requesting a transfer that meet eligibility requirements in Section 3.7.3 will be forwarded a Durham Access to Social Housing application form to complete. If completed, their name will be added to the centralized waiting list for the locations of their choice.

DRNPHC tenants paying market rent who request a transfer to another market unit within

our portfolio are placed on the transfer waiting list and sent a confirmation letter.

Notification of Transfer Committee Decision

The transfer request may be approved, denied or deferred. Residents are notified in writing of the Transfer Committee's decision. All residents who apply for transfer will be informed that they may also apply through the Durham Access to Social Housing for sites throughout the Region.

Residents who are approved for a transfer are advised that they will receive a maximum of three (3) offers for placement to an appropriately-sized unit before being removed from the waiting list.

Approval Process

Approved transfer requests are added to DRNPHC's internal transfer waiting list. Housing Operations is informed of such approvals.

Approvals/additions to the internal transfer list are not limited by geographic location unless medical conditions or extenuating circumstances exists which require placement in a specific part of the Region. However, households living in the southern parts of the Region would not be expected to transfer to the northern sites of Uxbridge, Sunderland, Cannington, and Beaverton.

Filling a Vacancy with a Transfer

A vacant unit for the purposes of transfer is defined as a unit for which the Corporation has received proper notice to vacate from the outgoing tenant.

Tenant Services will offer a vacant unit to households on the internal transfer list in the following order:

1. Special Priority
2. Overhoused
3. Safety
4. Exceptional Circumstances
5. All other transfer requests (provided they are next on the Durham Access to Social Housing's centralized waiting list)

Discretion may be exercised in the decision to offer a vacant unit to anyone on the internal transfer list other than a special priority or overhoused if resources are not available to prepare the vacating unit in a given month without incurring vacancy loss.

Reviewing Eligibility for Transfer

Except in the case of special priority and overhoused tenants, when a tenant reaches the top of the list, the Tenant Placement Officer will confirm the household is still eligible for a transfer by ensuring:

- there are no arrears;
- no late payments for the last six (6) months;
- no complaints about disturbing neighbours or harassing staff; and
- no damage to the tenant's unit was found in a unit inspection.

Offer of Transfer

After viewing the unit offered, tenants will be given 24 hours to decide whether or not to accept a unit that has been offered to them.

Transfer units will be offered in “as is.” condition, however DRNPHC will ensure the unit meets the non-profits maintenance and safety standards, and that all electrical and plumbing fixtures are in good working order. DRNPHC may choose not to paint the unit, do minor patching, or make decorative changes to the unit.

Before an offer of transfer is made the outgoing tenant’s unit will be inspected by their property manager. It is the tenant’s responsibility to ensure all noted damage is properly repaired and that any decorating (paint, wallpaper, border, etc.) is removed or repainted to the units original neutral colour condition. If major repairs or re-decorating are required, the property manager may inspect the outgoing tenant’s unit a second time just prior to transfer.

Any damage discovered after a tenant transfers to another unit will be charged back to the tenant.

An offer may be withdrawn if at any point prior to transfer the outgoing tenant does not meet eligibility requirements.

Refusal of Offer

A special priority tenant who refuses three (3) suitable units offers will be removed from the internal waiting list and the Durham Access to Social Housing centralized waiting list.

An overhoused tenant who refuses three suitable offers will become ineligible to receive their RGI subsidy and be issued a 90 increase notice to the full market rent for their unit..

All other tenants on the internal transfer waiting list who refuse three suitable unit offers will be removed from the internal transfer waiting list.

Review of Decisions

Tenants can request a review of the Corporation’s decision to:

- deny the household’s request to be special priority;
- deem the household to be overhoused;
- deny a transfer request;
- remove the tenant from the transfer list for refusal of three offers to count specific offers as being suitable;
- deem that the tenant refused a suitable offer;
- to deny a transfer request for an eligibility reason stated in 3.7.3.

To request a review, the tenant must submit a written request to appeal to the General Manager within ten (10) business days of receiving the Corporation’s original written decision. This letter should explain why the tenant disagrees with the decision, and give any information that might affect the decision.

The appeal request will be reviewed in accordance with the Corporations Internal Review Policy. The Corporation’s decision after reviewing the appeal will be final.