



# SNH Transfer Policy

## INTRODUCTION

Under contractual arrangements that South Northants Homes has with South Northamptonshire Council 75% of vacant properties will be allocated via nomination from the Council and 25% will be allocated via the Association's own transfer list

The Transfer Scheme provides the framework for determining who will be allocated vacant properties via the South Northants Homes Transfer List

A number of principles guide this Transfer Scheme, most importantly is the need to treat all applicants fairly.

## POLICY STATEMENT

The transfer policy sets out details of who can join the Transfer list and how priority will be decided between different applicants on that list -

To summarise:

- **All SNH assured tenants (not starter tenants) are eligible to be considered for the transfer scheme.**
- **Each applicant will be assessed for housing need and placed in a band appropriate to the severity of their housing need.**
- **Applicants will be considered for housing in date order within the band.**

## OBJECTIVES

- To treat all applicants fairly
- To determine who will be allocated vacant housing
- To identify who is eligible for transfer

## HOUSING CORPORATION REGULATORY CODE AND GUIDANCE

The Housing Corporation Regulatory Code and Guidance sets out the fundamental obligations of housing associations in meeting the Housing Corporation's regulatory requirements.

## **2. Properly Governed**

2.7 Housing Associations must demonstrate, when carrying out all their functions, their commitment to equal opportunity. They must work towards the elimination of discrimination and demonstrate an equitable approach to the rights and responsibilities of all individuals. They must promote good relations between people of different racial groups

## **3 Properly Managed**

3.5 Housing Associations must provide good quality housing services for residents and prospective residents

3.5.1 by seeking to offer a choice of home while giving reasonable preference to those in priority housing need

3.5.2 by offering the most secure form of tenure compatible with the purpose of the housing and the sustainability of the community

3.5.4 by being responsive to the individual characteristics and circumstances of residents

3.5.5 by using lettings policies that are fair and reflect the diversity of their client groups

3.5.6 by providing high standards of customer care

3.6 Housing Associations must work with Local Authorities to enable the latter to fulfil their duties

3.6.2 to the vulnerable and those covered by the Governments Supporting People Policy

## **RELEVANT KEY LINES OF ENQUIRY (KLOE)**

- 1. Prospect for Improvement
- 7 Landlord Services: Allocations & Lettings
- 6 Tenancy and Estate Management
- 30 Access and Customer Care
- 31 Diversity
- 32 Value for Money

## **OTHER RELATED POLICIES**

Allocation Policy  
Anti-Social Behaviour Policy  
Equality & Diversity Policy  
Tenancy Changes Policy

Succession Policy  
Starter Tenancy Policy  
Aids & Adaptations Policy  
Customer Feedback Policy

## **SCHEDULE 1 OF HOUSING ACT 1996**

The Association's staff and board members, and their families are entitled to apply for a South Northants Homes transfer in the same way as all other people. However prior to an allocation being made, consideration will be given to the legal obligations contained in Schedule 1 of the Housing Act 1996 and any exemptions permitted by the Housing Corporation

## **EXCEPTIONAL CIRCUMSTANCES**

In exceptional circumstances, if it is obvious that an applicant's circumstances are not adequately reflected by the bandings listed, the Housing Manager after considering all of the information available, has the authority to determine the banding of the applicant according to their housing needs.

There may also be instances where vacancies occur for which there are no suitable applicants that can be nominated by the Council or who are on the Housing Register. In such circumstances the Housing Manager has authority to relax the eligibility criteria as a means of filling the vacancy.

## **STATEMENT ON CHOICE**

South Northants Homes is fully committed to the principle of enabling applicants to play a more active role in choosing accommodation in the social housing sector. We will seek to maximise customer choice whilst ensuring that those in the greatest housing need remain a priority for re-housing. In addition we will work in partnership with South Northamptonshire Council and its other preferred partner organisations to develop a district wide fully choice based lettings system and common housing register.

The transfer policy represents a suitable basis on which to develop increased customer choice.

- **It allows a broad range of applicants to be considered for accommodation.**
- **It gives applicants an unlimited choice of areas within the District.**

Applicants are entitled to express preference over their specific housing requirements and factors such as the need to be near to schools, medical facilities or family members will be taken into account wherever possible.

Where a 'specific' village/town is chosen it should be noted that there will be limited ability to assist

## **APPLYING FOR ACCOMMODATION**

- A transfer move is when a tenant (s) want to move from one SNH property to another
- Anyone who is a South Northants Homes Tenant apart from those within the starter period can apply
- All joint tenants of a SNH property are eligible to apply but both/all must agree
- Where a tenancy has been breached for example anti-social behaviour, rent arrears, then an offer of a transfer will not be considered until this is rectified.

## **PROCESSING OF APPLICATIONS**

Providing all relevant information is supplied at the point of application, we will aim to notify applicants of their banding within 15 working days.

Applicants will be able to make an application using any of the following methods:

- **By telephone.- a signature will still be required to complete the process**
- **Personal visit to the office**
- **By post**

Assistance will be available for those who need help with the form's completion.

Incomplete applications will be returned to the applicant where further reasonable information is not returned within 28 days of request, the application will be cancelled.

## **RIGHT TO INFORMATION**

All applicants have the right to request information about how their application is likely to be treated under the transfer policy. Applicants also have the right, on request, to be informed of any facts about their case, which have been, or are likely to be, taken into account in considering whether to make an allocation. A fee may be payable for viewing information held on file.

## **CONFIDENTIALITY**

Any information provided as part of the application process will be treated in the strictest confidence and in accordance with current data protection legislation. The Association's statement on confidentiality is printed in full within the housing application form.

## **ANNUAL REVIEW OF APPLICATIONS**

In order to keep the Transfer list up to date, all applications will be subject to an annual review on the anniversary of their date of application. The review is intended to ensure the applicant still wishes to be considered for accommodation and that the most up to date information about their housing circumstances is held.

Applicants who fail to respond to either the review or reminder letter within 28 days will have their application cancelled and will be required to re-apply.

## **APPLICANT REQUIREMENTS**

It is necessary to consider the individual requirements and circumstances, which apply to certain groups of applicants to ensure appropriate banding on the Transfer List . These details are set out below.

Tenants of SNH can apply for a transfer to another SNH property. All applicants must comply with the terms of their tenancy agreement. If a term of an applicant's tenancy agreement has been broken it will have to be remedied by the tenant before an offer of re-housing is made.

All applicants will also be encouraged to register for a mutual exchange under The HOMESWAPPER Scheme and at SNC

## **MEDICAL & SOCIAL WELFARE ASSESSMENTS**

Priority for medical or social welfare needs will only be given where it can be demonstrated that the condition or location of the applicants' accommodation is having a direct impact on either their health or social welfare and that re-housing will significantly improve the situation.

Where applicants indicate medical grounds for re-housing, an assessment will be carried out to determine the level of priority and the affect of the applicant's current housing upon their health.

Prior to an offer of accommodation being made, SNH will assess any support or care needs and if appropriate, will liaise with South Northamptonshire Council,

Social Services or other relevant agencies and endeavour to ensure that support is made available.

Medical assessments include consideration of physical health, mental illness, learning difficulties and emotional distress. The current housing environment and its impact are also crucial to the assessment.

Many applicants consider that they should receive additional priority on social or welfare grounds. Whilst it is important to be flexible and sensitive to people who are living in very difficult circumstances, it is also necessary to be fair and equitable to others on the transfer list who are also living in unsatisfactory housing conditions.

Applicants most likely to be considered under these grounds are likely to have the support of other statutory organisations such as Social Services, The Police, and Probation etc.

### **Households requiring a Management Transfer**

Where there are management problems and a move to alternative accommodation is appropriate, or where it is in the interest of the landlord to do so in order to facilitate best use of its housing stock. Approval will be at the discretion of the landlord. Transfers will be considered in the following circumstances:

- Statutory Overcrowding – as defined in the Housing Act 1985 Part X
- Racial/Sexual harassment/victimisation or any other discriminatory harassment or abuse including domestic abuse.
- Landlord requires decanting for refurbishment/redevelopment etc of the property/site
- Where as a result of acute medical needs, the tenant or a member of the tenant's household cannot reasonably reside in the property.

### **An example of an acute medical need where someone cannot reasonably reside in their home might be:**

- Where a tenant or a member of the tenant's household is wheelchair reliant and their home is an upstairs flat not serviced by a lift and a lift cannot be fitted.
- Where a tenant, or a member of the tenant's household has an acute degenerative medical condition and their current home is so unsuitable for their needs as to pose a serious risk to their health.

Management transfers on medical grounds must be supported with medical evidence. The above examples are not exhaustive and do not include all possible reasons for a transfer on medical grounds.

The transfer applicant will be expected to have a clear rent account, (discretion may be used as determined by the Housing Manager **and** Assistant Director/Managing Director in extreme circumstances) settled any other debts to the landlord and their property be in a satisfactory condition.

The housing officer should complete the appropriate forms with all the supporting evidence to the Housing Manager

## **PLACEMENT IN BANDING**

South Northants Homes seeks to provide appropriate homes for those in the greatest need. Priority, in terms of housing need, is determined by means of a banding scheme based upon an applicant's housing and other relevant circumstances. This is illustrated at Appendix A of this scheme.

There will be four priority bandings with applicants being placed in the highest possible band according to their housing circumstances and the date their application or change of circumstance was received by the Association.

An applicant must satisfy at least one of the criteria within a band in order to be placed in that particular band.

## **CHANGE OF CIRCUMSTANCES**

Where an applicant notifies the Association of a change of circumstances, then we will reassess their application based on the new circumstances.

If, as a consequence, their priority changes to a higher banding, their effective date of application will be the date they notified SNH of their change in circumstances. If however they move down a banding, they will keep their previous application date.

When an applicant notifies SNH of a change of circumstance the application will be re-assessed. This will then be confirmed in writing to the applicant.

Any applicant who deliberately worsens their circumstances will remain at the same level of priority at which they were previously assessed and this will continue for a period of 12 months.

However:

### **Extended Families – Minors**

In cases where a minor is to be included in, or added to an application, but no parental responsibility exists within the household (e.g. grandchildren, nieces,

nephews), proof must be obtained of legal guardianship or confirmation from Social and Community Services that this action is necessary and permanent.

### **Adding Adults To An Application**

Adults should not be added to an application where this results in the need for larger accommodation than for which the applicant's household was originally eligible, unless an over-riding need such as ill health or disability can be shown (for example, where an applicant needs to look after an elderly parent, or where a new partner requires a separate bedroom). Such cases must be thoroughly investigated, and discretion rests with the Housing Officers in the first instance.

The desire to be part of the household is not sufficient reason for inclusion on the application in these circumstances.

Adults requiring an extra bedroom must only to be added to an application if they have a demonstrable need to live with the applicant and if they plan to make their long-term home on a permanent basis with the applicant.

Applicants who require a full time residential carer may include the carer on their application. Proof of the requirement should be sought from Social and Community Services or primary health care professional. The carer should be assessed as part of the household even if not resident (i.e. lack of bedroom priority may be due). A separate bedroom grouping should be recorded so that the household is eligible for the correct size of property.

### **UNSATISFACTORY HOUSING CONDITIONS**

For those applicants who have identified that they are living in unsatisfactory housing conditions, or a property that has fallen into disrepair, then SNH repairs service will endeavour to remedy the problems in line with its procedures. Where the surveyor deems the property uninhabitable the decant policy will apply

A referral may be made to the relevant Council's Environmental Health Service. An Environmental Health Officer will then be requested to provide an assessment as to whether the premises should be considered as unfit under the current Housing Health & Safety Rating system.

### **CHOICE OF AREA**

Applicants can choose as many areas as they wish from a list covering the whole of the District. There is no limit to the number of areas selected and where appropriate can limit their choice to a specific street or location.

## TYPE & SIZE OF PROPERTY OFFERED

Due to the limited amount of accommodation which becomes available it is necessary for SNH to ensure that offers are made of the size and type most appropriate to both the applicant's housing and support needs and which make the most efficient use of the housing stock, whilst at the same time giving priority to those in the most need.

In the case of households (of any age) where there is a proven need for level access accommodation, the type and size of property offered could include a one or two- bedroom bungalow, ground floor flat or bed-sitter/studio

Applicants requiring sheltered accommodation or other accommodation incorporating the support of a community warden and community alarm system must, as a general rule, be over 60 years of age, or over 55 years of age and disabled, and have an assessed need for the support service. Assessments will be carried out by SNH Retirement Homes Section to ensure that they are suitable for inclusion within the support schemes. In the case of joint applications, only one party need be over 60 years of age, or over 55 years of age and disabled, and have an assessed need for the support service to qualify.

Properties designed or adapted to wheelchair standard or with special facilities, will only be offered to applicants where a member of the household needs these facilities. However, where there are neither such applicants on the transfer list, nor any suitable nominees from the Council SNH reserves the right to allocate such properties to applicants without any special need.

The following table is a guide to enable staff to match property types and sizes to applicants and to provide sufficient flexibility to give reasonable choice to applicants, and at the same time try and make best use of property stock.

<b>Type and size of property</b>	<b>Household size</b>
Bed-sit/Studio	Single person or couple if large
1 bed flat	Single person or couple
2 bedroom flat	Single person or couple
1 bedroom bungalow/retirement housing	Single person or couple aged 60 or over, aged 55 or over and disabled, and have an assessed need for the support service. Or Household where there is a proven need for level access accommodation
2 bedroom bungalow/retirement housing	Single person or couple aged 60 or over, aged 55 or over and disabled, and have an assessed need for the support service. Or Household where there is a proven need for level access accommodation  Or

Type and size of property	Household size
	Where there is older people with adult dependants who are part of the household
2 bedroom house	Household with up to two children ( <b>NB</b> Property not suitable where children are of opposite sexes and one child is in excess of 10 years of age)
3 bedroom house/maisonette	Household with up to four children Household with more than one child but exceeds the 2 bed criteria.
4 bedroom house	Household with up to 6 children Household with more than 4 children but exceed the 3 bed criteria

## **OFFERS**

When a vacancy arises in SNH housing stock and it falls into the 25% of property to be offered to existing transfer applicants an offer will be made to the applicant in the highest priority banding who has been waiting the longest and who is eligible for that property type. Consideration for an allocation will therefore be given first to those in the Urgent Band, and then further prioritised in date order. The same process will be carried through the High, Medium, and Low Bands.

An allocation will not be made to the highest priority applicant if, in the opinion of SNH, such an allocation is inappropriate because of factors concerning the applicant or to ensure the best management of the property.

In exceptional circumstances, the property may not be allocated to the person with the highest priority. This will only be done where there are significant issues with the suitability of the property and will be authorised by the Housing Manager.

Applicants will not be penalised for refusing accommodation offered by the Association. However where an applicant refuses two offers of suitable accommodation they will be advised of the likely prospect of their desired accommodation becoming available.

If the applicant wishes to extend or relax their criteria for area or type of property, their revised application will be resubmitted. If they do not wish to reconsider their criteria, they will remain on the list but will only be considered should their choice of property in the chosen area become available – no other offers will be made

The applicant can make adjustments to their application at any time. Changes should be notified in writing and a reasonable period of time allowed for SNH to make the necessary amendments

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### **Withdrawal of an Offer**

SNH reserve the right to withdraw an offer of accommodation at any time through this process. There may be various reasons when this may be applied and could be for example:

- The current tenant withdraws the ending of the tenancy
- The outgoing tenant's property is not in a re-lettable standard as determined by joint agreement of the housing management and maintenance team

## **Review procedure**

### **Rights of applicants**

This part of the scheme sets out the circumstances that may lead to a review of an application and the process of the review.

All applicants who apply for a transfer with SNH have the right to:

- The availability of free advice and information.
- Request a summary of the Transfers policy.
- Assistance in making applications.
- Examine the full Allocations Scheme policy.
- Request information that will enable them to assess how their application is to be treated.
- Request information, which will enable them to assess whether appropriate accommodation is likely to be made available, and if, so, when.
- Have information about their application kept confidential from any other member of the public.

### **Applicants have the right to:**

- Be notified in writing if it is decided that they are ineligible because of their unacceptable behaviour.
- Be notified in writing of any decision not to give them any preference under the scheme because of their unacceptable behaviour.

The notification must give clear grounds for the decision, which must be based firmly on the relevant facts of the application. SNH will within 15 working days of submission confirm to the applicant the outcome of their application and any subsequent information required. Any applicant who requests a review of this decision should contact SNH within one month. Any appeal will be dealt with via the complaints and appeals policy and procedure.

## **OFFENCES**

It is a breach of tenancy if a tenant or someone acting on the tenant's behalf makes a false statement to get a tenancy from SNH:

This is covered in Schedule 2 of the Housing Act 1988 and is covered in Ground 17 for Possession proceedings

## **EQUALITY & DIVERSITY**

The Association is committed to a policy of fair and equal treatment of all its customers and employees regardless of religious persuasion, race, colour, ethnic origin, nationality, age, gender, sexual orientation, disability and marital or employment status.

All allocations made from the Transfer List will be monitored to ensure that this policy is adhered to.

For further details see the Association's Equality and Diversity Policy.

## **MONITORING AND REVIEW**

The Customer Committee will receive a quarterly report which sets out information in respect of the numbers of properties let, type of tenant being housing, e.g. family, single person etc, their economic circumstances, their ethnicity and their access route e.g. nomination or transfer and also the quality of housing offered. Key response times will also be shown in relation to targets.

The policy will be reviewed annually and the Board will receive a detailed annual lettings report containing overall performance information, accompanied by any proposed changes to the policy.

## **RESPONSIBILITY FOR IMPLEMENTATION**

The responsibility for implementation lies with the Housing Manager and the Assistant Director of Housing

<b>Equality Impact Assessment carried out:</b>	<b>Initial screen</b>
<b>Person responsible for review:</b>	Assistant Director of Housing
<b>Date originally agreed:</b>	December 2008
<b>Date of review:</b>	April 2009
<b>Date of next review:</b>	April 2010

## Appendix A

<b>Band</b>	<b>Transfer</b>
<b>Urgent</b>	<ul style="list-style-type: none"><li>• Severe health needs – eg: terminal illness and re-housing gives sure quality of life</li><li>• Specific and Severe social needs grounds</li><li>• Statutory overcrowding</li><li>• Management grounds</li><li>• Succession where move to alternative accommodation required</li><li>• Under occupation</li><li>• High Risk or actual breakdown of mental illness linked to housing</li></ul>
<b>High</b>	<ul style="list-style-type: none"><li>• Considerable health needs</li><li>• Overcrowding</li></ul>
<b>Medium</b>	<ul style="list-style-type: none"><li>• Need to be nearer to supportive relatives</li><li>• Moderate health needs</li><li>• Families in flats above ground floor</li></ul>
<b>Low</b>	<ul style="list-style-type: none"><li>• Adequately housed</li><li>• Minor medical need</li></ul>