

TRANSFER POLICY

1. INTRODUCTION

- 1.1 The Association has a commitment to meet the demands of its tenants who require to move to alternative accommodation in accordance with the policy set out below.
- 1.2 Reidvale Housing Association is an equal opportunities organisation. We abide by the terms of the Equality Act 2010 which incorporates all of the main pieces of discrimination legislation. No person or group of persons applying for housing will be treated less favourably than any other persons or group of persons because of their sex, marital status, family circumstances, race or national origins, disability, age, religion, political orientation or sexual orientation.
- 1.3 The Housing (Scotland) Act 2010 does not restrict or prohibit payments or benefits to governing body members and employees. However, in dealing with the granting of tenancies to current or former employees or Committee Members of their close relatives the Association will abide by clear procedures based on good practice guidance published by the Scottish Housing Regulator. By doing so we aim to ensure transparency, honesty and propriety with all aspects of the process.
- 1.4 Tenants who meet the eligibility criteria will qualify for a transfer to alternative accommodation in the circumstances detailed below. The Association's transfer application form should be completed fully by the tenant. Where a tenant does not fulfil the criteria detailed below they will be required to support the application with a letter explaining the circumstances which they believe are sufficient for an exception to be made to the stated policy. Any decision will be made by the Housing Services Sub-Committee which will take account of all the facts submitted.

2. ADMISSION TO THE TRANSFER LIST

- 2.1 The Association operates an 'Active' and an 'Inactive' Transfer List. Tenants will be eligible for access to the 'Active' Transfer List at any time if they qualify within the terms of the criteria set out in Appendix A and have conducted their tenancy in a satisfactory manner.
- 2.2 Allocations are only made from the Active List, with the Inactive List acting as a 'holding' list for applicants who do not presently meet the required eligibility criteria.
- 2.3 Where a tenant is seeking an aspirational move they must have resided in their present home for at least three years. If they have

resided less than three years, and have no other qualifying criteria they will be placed on the Inactive Transfer List. After 3 years residence such applicants will then be placed on the Active Transfer List, within the Aspirational List, with their effective date of application being taken from the date they first satisfied their residency requirement.

The exception to this is where a tenant's home has a recess kitchen. In such cases tenants will be eligible for access to the Aspirational List where they have resided in their home for at least 2 years.

Suspension From The Active Transfer List

- 2.4** There are a number of circumstances under which it may be deemed necessary to suspend an applicant from the Active Transfer List and place them on the Inactive List. After the expiry of all suspension periods the applicants will be transferred over to the active list, with the effective date of application becoming the first date thereafter of full compliance with all other qualifying criteria.

Details of the circumstances under which an applicant will be suspended from the active transfer list are listed below:

- ◆ Where an applicant has provided false or misleading information or withheld relevant information the Association will ask the applicant if he/she wishes to remain on the Active Transfer List. If so, he/she will be asked to complete an updated form to ensure that we have a full and accurate statement of the applicant's past and present housing circumstances. The application will be placed on the Inactive List until the updated form is received. Upon receipt the application will then be placed at the bottom of the relevant housing list.
- ◆ Applicants who owe rent arrears or any other tenancy related debt such as a rechargeable repairs balance will not be eligible to be admitted to or remain on the Active Transfer List until the balance is cleared.
- ◆ Where an applicant or a member of his/her household has a record of serious anti-social behaviour they will be suspended from the Active Transfer List for a period of 3 years from the date of the most recent incident.

Anti-social behaviour in this context can include:

- Relevant criminal convictions
- ASBO served on a member of household
- Fire raising
- Harassment/threats/verbal abuse to a neighbour/member of staff/tradesmen, etc
- Damage or wilful neglect of property within the neighbourhood
- Serious noise nuisance

- ◆ Other anti-social behaviour (eg. Where a Notice of Proceedings or ABC/UBN has had to be served on the applicant or member of household) will result in a suspension for 6 months at a time. Before the suspension is lifted there needs to be evidence of a change in behaviour which must involve the eradication of ongoing complaints.

2.5 It is a strict requirement that staff must have appropriate evidence regarding anti-social behaviour which merits any suspension of an applicant and the applicant will be advised of the reason for the suspension. In making the decision to suspend and the period of suspension the Association will take account of:

- the nature, frequency and duration of the conduct
- the extent to which the conduct is the consequence of acts or omissions of people other than the tenant
- the effect which the conduct is having on other people

2.6 In all cases where the Association is suspending an applicant appropriate advice and assistance will be given as to what steps can be taken by the applicant to have the suspension reviewed. All applicants will also be informed of their right of appeal against the Association's decision to suspend their application.

2.7 The decision to suspend will be taken by staff at an Allocations Team Meeting which will involve at least 3 officers and the details of this will be recorded on the applicant's application form.

3. ASSESSMENT OF APPLICATIONS

3.1 All applications received will be assessed in accordance with the Transfer Policy.

3.2 Once the form has been processed the application shall be placed on the transfer list for the appropriate size of accommodation. Applications will be dealt with in date order.

3.3 Those factors which will then determine the length of time an applicant will need to wait before receiving an offer of rehousing are:

- a) number of prior applicants on the list for the same size of accommodation, taking account of the quota of the lets.
- b) Availability and turnover of property of a size required by the applicant.
- c) choice of streets and floor levels requested and/or required and
- d) specific features requested by the applicant.

4. HOUSE SIZE CATEGORIES AND ELIGIBILITY CRITERIA

- 4.1** The Association has categorised all of its housing stock by size and type of accommodation. In order to make best use of its stock and provide spacious accommodation of a size most suited to the needs of each household, the Association uses agreed space standards.

All Association properties are categorised to indicate the maximum number of people who should reside in the property. Allocations will only be made on this basis, subject to exceptional circumstances as determined by the Housing Services Sub-Committee.

- 4.2** The house sizes within the Association's stock will be allocated on the following basis:

- 1 bedroom for each applicant or applicant and spouse/partner
- 1 bedroom for 2 children of same sex under 16 years of age
- 1 bedroom for 2 children of different sex under 8 years of age
- 1 bedroom each for 2 children of different sex where one is 8 years of age or older
- 1 bedroom for any remaining member of the household
- Account will be taken of unborn children who will form part of the household

The exception to the above will be where medical factors dictate otherwise. The applicant must provide written evidence that this is "essential to his/her wellbeing" rather than just being of benefit.

5. NUMBER OF OFFERS

- 5.1** The Association will make a maximum of two offers of accommodation to applicants on the basis of their current position on the Transfer List. Applicants will only be offered properties which match their stated preferences. The Association will endeavour to maximise choice and so, wherever possible, an applicant will be made the offer of two void flats at the same time.
- 5.2** Where applicants have refused two offers of accommodation, whether made separately or simultaneously, they will be asked if they wish to reapply to the Active Transfer List. The applicant's effective date of application will then become the date when the applicant returns an updated application form. The current application will be placed on the Inactive List until the updated form is received

6. PROMOTION OF MUTUAL EXCHANGES

- 6.1** Given the restrictions on the turnover in our stock there is only a limited number of flats available for let through the transfer list. In order to try and increase the opportunities for tenants to move house the Association is committed to promoting the use of mutual exchanges between tenants.
- 6.2** The Association will endeavour to match tenants currently on the transfer list with other tenants who are also seeking a move to more suitable accommodation within Reidvale.
- 6.3** The Association will also produce lists of addresses, excluding the name and close numbers of those tenants wishing to move house. It is hoped that through the increased awareness and use of mutual exchanges that many more tenants will be able to move to their desired property much more quickly.
- 6.4** In addition the Association will maintain lists of external tenants who are seeking a mutual exchange and will give advice and assistance on this matter.

7. REMOVAL FROM THE TRANSFER LIST

- 7.1** The Association will only remove an applicant from the Transfer List for the following reasons:
- Applicant requests in writing to have their application removed from the list
 - Applicant fails to respond to the periodic review of the Transfer List
 - Death of the applicant.

8. APPEALS

- 8.1** The Association has a clear procedure for dealing with appeals arising from decisions made in the allocations process. If any applicant is unhappy regarding any decision made in relation to the allocations policy then the process of appeal is:
- Housing Manager
 - Housing Services Sub-Committee
 - Appeals Committee
- 8.2** Applicants should note that the Appeals Committee consists exclusively of Management Committee Members who were not involved in the original decision at the sub-committee level.

8.3 Applicants who have their applications cancelled or placed on the 'inactive' list will be informed of this in writing stating clearly the grounds on which the decision has been made. If an applicant is aggrieved by the decision regarding his/her application, he/she should notify the Association in accordance with the Appeals Procedure details in this section.

9. FALSE INFORMATION

9.1 Where an applicant has provided false or misleading information or withheld relevant information the Association will ask the applicant if he/she wishes to remain on the association's Active Transfer List. If so, he/she will be asked to complete an updated form to ensure that we have a full and accurate statement of the applicant's past and present housing circumstances. Upon receipt the application will then be placed at the bottom of the relevant transfer list.

10. ACCESS TO INFORMATION

10.1 Applicants have the right to inspect the records kept by the Association of the information given on the application form. Where applications are stored on computer, the applicant has the right under the Data Protection Act 1998 to see any information stored about him or her on computer. The Association will respond, under the terms of the Act, to any requests made in writing.

11. CONFIDENTIALITY

11.1 Confidentiality regarding an applicant's personal circumstances will be respected at all times. Members of staff who are related to, or have a close connection to, an applicant will declare the fact and have no involvement in the allocations process.

12. COMPLAINTS

12.1 Any applicant who is unhappy about the way his/her application has been dealt with should notify the Housing Officer with whom they have been dealing with. If following this they still feel aggrieved, they should follow the formal Complaints Policy, a copy of which is available from the Association's office.

13. MONITORING, REPORTING AND REVIEW

13.1 The Association undertakes to monitor the outcome of its Allocations and Transfer Policies on an ongoing basis in order to assess whether the stated objectives are being achieved.

- 13.2** The Housing Services Sub-Committee will be presented with monthly performance reports on the allocations processes. In addition the sub-committee will carry out a comprehensive annual review of the outcomes of this policy including analysis of the demand from the various sources of our stock.
- 13.3** By monitoring performance against objectives in this way, the annual review will establish whether the policy is being effectively put into practice and to establish whether the policy itself requires amendment.
- 13.4** The Association undertakes to carry out a comprehensive review of all aspects of this policy at least every three years.
- 13.5** This policy was agreed by the Management Committee on 27th March 2013.

14. FURTHER INFORMATION

- 14.1** Further copies of this Transfer Policy are available on request from the Association. This Transfer Policy and all related policies/information leaflets will be made available in other languages, large print, Braille and on tape upon request.
- 14.2** Anyone requiring further information on this or any other Association policy should contact our office at 13 Whitevale Street, Dennistoun, Glasgow G31 1QW.

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APPENDIX A

CATEGORY 1: UNSATISFACTORY HOUSING (Active)

(a) Overcrowding

Applicants whose present accommodation is considered to be overcrowded as set out in Section 4 of this policy.

(b) Underoccupation

Applicants whose present accommodation is considered under-occupied as set out in Section 4 of this policy.

(c) Social Factors

Applicants who have a serious social problem such as racial harassment or domestic abuse which can only be resolved by moving to alternative accommodation.

CATEGORY 2: MEDICAL (Active)

Where the present accommodation is worsening an applicant's medical condition.

CATEGORY 3: ASPIRATIONAL (Active)

Applicants who do not qualify for admission on to the transfer list on the basis of the above noted criteria but who aspire to move to alternative accommodation within the Reidvale area.

CATEGORY 4: INACTIVE

Applicants who do not satisfy the qualifying criteria for admission to any of the three categories of the Active List.