**TRANSFER POLICY**

**POLICY NO. 19**

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| **Date of Review** | October 2020 |
| **Date of Next Review** | October 2025  |
| **Regulatory Standards of Governance and Financial Management**  | RS : 1The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.Guidance: 1.3 |

**1. INTRODUCTION**

**1.1** Through this Policy, Glen Housing Association allows tenants to transfer to alternative accommodation where their existing accommodation is no longer suited to their household needs due to health reasons or other changes in circumstances. This Policy should be referred to in conjunction with the Association’s Allocation Policy.

**2. GENERAL PRINCIPLES**

**2.1** The policy aims to:

* Enable existing tenants to transfer to more suitable properties either withinour stock whenever possible, or with one of the Fife Housing Register partners, in order to satisfy a change in housing need.
* Promote mobility and choice for existing tenants.
* Make the best use of housing stock.

**2.2** In order to give as many tenants as possible a chance to have their housing needs met, the Association will consider at every void whether a transfer applicant can be considered for that property. The Association will not operate a strict quota for allocations to transfer applicants but will seek to balance the needs of transfer applicants with the needs of homeless and general needs applicants, aiming to achieve an equal share between the three groups. Allocations will be made in accordance with the Association’s Allocations Policy.

**3. APPLYING FOR A TRANSFER**

**3.1** All existing Association tenants are eligible to apply for a transfer by completing a Fife Housing Register application form, available from any office of a Fife Housing Register partner including the Association’s two offices.

 **3.2** Housing needs of transfer applicants will be determined through the Fife Housing Register’s Common Assessment of Need

 Transfer applicants will be placed on the transfer list in points order within the category that reflects their circumstances e.g.

* Health conditions which are affected by their current housing and which cannot be improved by adaptation to the property – Social/Medical
* Overcrowding/under-occupying - Poor Housing
* Social/personal reasons – Social/Medical
* Management reasons due to exceptional circumstances – Management Needs

**4. ALLOCATION OF PROPERTIES**

4.1Transfer applicants will be entitled to two fair offers of housing and will be suspended from the list for 6 months if the second offer is refused but staff will make every effort to ensure their needs are met before offers are made.

 However, Transfer applicants will not be offered alternative housing if:

4.1.1 The Association does not have the written consent of all tenants (if joint tenants) and from any person who has occupancy rights under the Matrimonial Homes (Family Protection) (Scotland) Act 1981, as amended.

4.1.2 They have rent arrears or other outstanding housing related debts (including legal fees and rechargeable repairs). The eligibility may be relaxed if the transfer need is urgent and the tenant has made and kept to a repayment arrangement for at least three months prior to any offer being made. Special consideration may be given to tenants suffering financial hardship including where they are severely affected by the reduction of benefits for under-occupation.

4.1.3 They are the subject of current legal action by the Association for any breach of their Tenancy Agreement.

4.1.4 The property condition (including any garden area), is not of an acceptable standard. Prior to a transfer being granted, the transfer applicant will be expected to bring the property to a lettable standard and to carry out or pay for any repairs for which they are responsible.

4.1.5 In addition to the eligibility criteria at 4.1.2 – 4.1.4 above, tenants applying to transfer to a specially adapted property, such as amenity or wheelchair houses will only be considered where a specific need exists.

4.1.6 Where allocations are to be made to tenants of partner landlords the above information will be confirmed by the transfer applicant(s) current landlord, by completion of the Transfer Notification Form.

**5. APPEALS**

5.1Applicants have the right to appeal against any decision made regarding the assessment of their transfer application. The appeal should be made in writing in the first instance to the Lead Officer at the Fife Housing Register, New City House, 1 Edgar Street, Dunfermline, Fife KY12 7EP.

5.1.1 Any applicant unhappy about a decision relating to an actual Transfer must submit a written appeal to Glen’s Housing Manager within 28 days.

5.1.2 The Housing Manager will review the decision. If the decision is upheld, the applicant will be given written reasons for this. If there has been a procedural failure in the original decision being made, the appeal will be upheld, and the applicant will receive a written explanation of how this will be redressed.

 If the applicant is still dissatisfied, recourse can be sought through the Association’s formal Complaints Procedure.

**6. OUR COMMITMENT TO EQUALITY & DIVERSITY**

Glen Housing Association is committed to promoting fair and equal treatment for all and is opposed to any form of unlawful discrimination. We operate an Equality & Diversity Policy which informs all aspects of our business and ensures we adhere to the Equality Act 2010.

In line with our commitment and upon request, the Association can make this Policy available, free of charge, in a variety of alternative formats including

large print, audio, Braille and community languages.

**7. GENERAL DATA PROTECTION REGULATIONS**

The Association will treat all personal data in line with its obligations under the current data protection regulations and its own Privacy Policy. Information regarding how personal data will be used and the basis for processing it is provided in the Association’s Fair Processing Notice.

**8. POLICY REVIEW**

The Transfer Policy will be reviewed on a five-yearly basis to ensure that the aims of the Policy are being achieved.

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