

## Hunters Hall Housing Co-op Ltd

We make all our decisions in an open and inclusive environment.

We are committed to achieving social justice and wellbeing for all.

We respect and celebrate diversity of human society.

### Transfer Policy

Approved by Full Management Committee	21 November 2012
Adopted	21 November 2012
Review date	2018

# Contents

1. Aims
2. Equal opportunities
3. Allocations to Committee Members or their close relatives
4. Confidentiality of information and right to information
5. Transfer lists
6. Points system
7. Suspensions
8. Allocation procedure
9. Offer of accommodation
10. Refusals
11. Review of circumstances
12. Complaints and appeals
13. Monitoring and review
14. Appendix one, Transfer points

## 1. Aims

The aim of our Transfer policy

We aim to assist Co-op Tenants whose circumstances have changed to find alternative suitable accommodation. We will do this

- ◇ by allocating a proportion of our vacant houses to applicants on our transfer list
- ◇ by providing advice about other housing agencies including the Edinburgh Common Housing Register, Edindex and the Edinburgh Housing Exchange service.

## 2. Equal opportunities

Our transfer list is always open and all Co-op Tenants are entitled to apply for a transfer.

Applications are accepted and allocations made irrespective of the applicant's race, colour, religion, sexual orientation, or disability.

We will offer help to complete our transfer application form and we will explain our policies and procedures in plain English.

We will provide Edindex and Housing Exchange application leaflets and forms and leaflets and will offer help to complete these forms.

We will pay for the cost of an interpreter for applicants with hearing or visual disabilities or whose first language is not English. We can also make this policy available in Braille and large print.

We carry out an annual equal opportunities audit and we promote equal opportunities for all. This audit is monitored by our Management Committee and we will take appropriate action if we do not meet our own equality targets.

## 3. Allocations to Committee Members or their close relatives

Co-op Committee Members and their close relatives can be placed on the Co-op's transfer list. However, before an allocation is made to a Committee Member or their close relative a report must be presented to the Full Management Committee. This report will confirm that the transfer application form from the Committee Member or their close relative has been assessed strictly in line with the Co-op's transfer policy and no favoritism has been shown.

The Committee Member concerned must “declare an interest” and leave the room while the report is being discussed.

The allocation proposal will be recorded in the Committee Minutes. An allocation schedule will be completed and signed by the Committee Member involved and counter signed by the Co-op’s Secretary. We will attach the allocation schedule to a copy of the Committee Minutes and the transfer list and file these in the Committee Allocations folder. This folder is available for inspection by the Scottish Housing Regulator at any time.

Any Committee Member who does not follow the Co-op’s rules regarding this or who provides false information or tries to influence an allocation decision will be removed from the Committee and the transfer offer will be withdrawn. If an allocation has already been made then legal action will be taken to end the tenancy. In these circumstances the Management Committee will be obliged to inform the Scottish Regulator of the incident. See Guidance Note SHR 25 re Notifiable Events.

#### 4. Confidentiality of information and right to information

All information disclosed by applicants will be kept confidential at all times. All applicants will be advised in writing of any decision or assessment made about their application and they have the right to inspect the information we keep about them.

#### 5. Transfer lists

Transfer lists will be maintained for each house size.

The transfer lists will always be open and all Co-op Tenants are entitled to apply for a transfer.

However, Co-op Tenants applying for a transfer will **only be placed on the transfer list** if the following conditions are met:

- ◇ The Senior Housing Officer has carried out a home visit and a transfer application form has been completed.
- ◇ Their rent account is clear.
- ◇ They have no out-standing repair re charges or they have made and kept to an arrangement for at least six months or half the recharge bill has been paid.
- ◇ There are no corroborated complaints about anti-social behavior.
- ◇ Their house has been inspected and passed as in a “re lettable” condition.

## Date of application

When all the above conditions have been met the applicant's transfer application will be placed on the transfer list and dated from the date of the home visit by the Senior Housing Officer.

## 6. Points system

We award points which take into account the applicant's current housing situation. These include when

- ◇ a house is over crowded
- ◇ a house is under occupied
- ◇ the applicant or a member of their household is housebound because of their current home
- ◇ a household wishes to improve their housing condition by moving from a flat to a main door.

Details of our points system can be found in appendix one attached to this policy.

### House size (number of bedrooms)

As a consequence of the Welfare Reform Act 2012 and the introduction of the "bedroom tax" we will not under occupy a house. The Co-op needs to safeguard our rental income and we do not wish to treat Co-op Tenants who are in receipt of housing benefit differently from those who are not in receipt of this benefit.

Therefore a couple or single person will only be considered for a one bedroom house or flat.

Households which have children will be allocated the size of house or flat determined as adequate within the welfare reform act rules. (See appendix one for details.)

We will write to applicants stating the size and type of house they are being considered for, the number of points they have been awarded and the date their application was placed on the list. Applicants have the right to appeal our decision.

## 7. Suspensions

We may suspend applicants from the transfer list for the following reasons:

- ◇ rent arrears
- ◇ outstanding repair re charges
- ◇ other outstanding debt e.g. court costs
- ◇ anti-social behaviour
- ◇ not replying to correspondence
- ◇ giving fraudulent or false information.

We will write to applicants stating the reason for their suspension and we will explain the action they need to take to have the suspension lifted. Applicants have the right to appeal our decision.

◇ Rent arrears and repair re charges

Rent arrears: applicants will be suspended when their rent account is more than £50.00 in arrears and/or the Co-op has lodged the case in court for recovery of the tenancy and/or the debt. Technical arrears will be excluded. No offer of transfer will be made until technical arrear cleared.

Once the arrear is cleared or is less than £50.00 in value the application will be reinstated on the transfer list at the date the application was originally placed on the list.

◇ Re chargeable repairs:

Applicants will be suspended when they fail to keep their arrangement to repay a re-chargeable repair. Once the debt is cleared the application will be reinstated on the transfer list at the date the application was originally placed on the list. (If a repair re charge is outstanding and the Tenant is keeping the arrangement to clear this debt they can be placed on the transfer list. However if they fail to keep the arrangement they will be suspended from the list and will only be reinstated once the repair re charge is cleared). No offer of a transfer will be made until the repair recharge is cleared.

◇ Anti-social behaviour:

Applicants will be suspended from the transfer list if an anti-social behaviour order has been issued against them or if there is recent corroborated evidence of anti-social behaviour relating to their tenancy. If after six months, there are no further complaints the application will be replaced on the list at the date the application was originally placed on the list.

◇ No response to letters:

Applicants will be suspended if they do not respond to written requests for information or fail to attend an interview or fail to respond to an offer of accommodation. If the applicant contacts at a later date and provides the information requested their application will be replaced on the list at the date the application was originally placed on the list.

◇ False information

Applicants will be suspended from the transfer list if they give fraudulent or false information. This includes failure to tell the Co-op when the housing circumstances change. Their application will be suspended for six months and then placed on the transfer list from the date the suspension is lifted.

If an offer of a transfer has been made based on false information the offer will be withdrawn and if a new Tenancy Agreement has been signed the Co-op will take legal action to recover the Tenancy.

The Full Management Committee will receive regular reports about the number of transfer applicants on each of the transfer lists, the number of applicants suspended and the reasons for suspensions. This information is available for inspection by the Scottish Housing Regulator.

## 8. Allocation procedure

Our aim is to create a stable and welcoming community and to make the best use of small number of houses, which become vacant each year. Therefore, when a main door or ground floor accessible flat becomes available we will consider applicants from the transfer list first.

We will not allocate to a transfer applicant when there is

- ◇ an outstanding rent arrear or an outstanding repair recharge or any other debt or
- ◇ corroborated complaints about anti-social behaviour or
- ◇ we have discovered that fraudulent or false information has been given.

We normally allocate to the transfer applicant with the highest points. If there is more than one applicant with the same number of points then the date placed on the list will be taken into account and the applicant who has been on the list the longest will normally be offered the transfer. However, we reserve the right to take into consideration other factors such as the type of property and the mix of Tenants already living in the close vicinity.

## 9. Offer of accommodation

The offer letter will include the size, type of heating and rent charge and service charges.

Arrangements will be made for the applicant to view the house as soon as it is safe. (E.g. once the electric and gas safety checks have been completed.)

We will give the applicant one day to accept the transfer offer and a maximum of two days to sign the new Tenancy Agreement once the property is ready to let.

The new Tenancy will start 7 days from the sign up interview.

At the sign up interview the applicant will sign a termination notice ending their current tenancy. The termination date will be the day before their new tenancy starts. They will be given the keys for the new house so for the next 7 days the applicant will have responsibility for two houses but will only be charged rent for their “old” house. Tenants can request to keep the keys for their old tenancy longer than two days. In this situation rent will be charged for their old property on a daily basis.

Failure to return keys for their “old” house by 10am on the termination date will result in a financial penalty; rent will be charged for every day late.

## 10. Refusals

Transfer applicants can refuse one offer. If they refuse a second offer they will be asked to put in writing the reason for their refusal and asked to provide more detail about what they are looking for.

## 11. Review of circumstances

Applicants are encouraged to let us know when their circumstances change. Failure to do so could lead to their transfer application being suspended and /or an offer of a new house being withdrawn.

The Co-op will conduct an annual review of all transfer lists. Failure to respond to a review will result in the application being suspended.

## 12. Complaints and appeals

### Complaints

Applicants who wish to complain about the application process or the staff dealing with their application are encouraged to contact the Co-op office.

Within the terms of the Co-op’s Complaint handling policy we will investigate the complaint and send a reply within 5 working days.

If after receiving a reply the transfer applicant remains dissatisfied they can complain to the Director who will review the complaint and the action taken and will aim to respond within 20 working days.

If the transfer applicant remains dissatisfied they can request an independent review of the complaint by the Scottish Public Sector Ombudsman.

Leaflets about the Complaint handling procedure are available from the Co-op office.

## Appeals

Applicants who believe the Co-op has not awarded the correct points or believe their application has been suspended unfairly are entitled to appeal our decision. In the first instance the transfer applicant can speak to the Senior Housing Officer or write a letter and if they are not satisfied with the outcome they can then write to the Director. A leaflet about the appeals process is available from the Co-op office.

## 13. Monitoring and review

We are committed to continually improving our services and to seeking and acting on the views and priorities expressed by the people using these services.

We conduct an Annual Tenants Satisfaction Survey.

We will report the outcome of these surveys to the Full Management Committee and will act on any suggestions or concerns recorded in these surveys.

We also carry out an equal opportunities audit quarterly and annually and if we identify that we are not meeting our own equality targets we will take the appropriate action.

We will review our transfer policy whenever Tenants, Committee Members, or Staff raise any concerns or if they have any suggestions for improvements. We will also formally review our transfer policy at least every three years.

## Appendix one, Transfer points

Points can only be awarded for one section; A or B or C or D.

If **no points** are awarded from sections A, B, C, or D then points can be awarded from section E.

### A. Under-occupation

For every bedroom which is not required by the household	30 points
--	-----------

### B. Overcrowding

A couple and every person over 16 years old are expected to have their own bedroom

Two children under 10 years old	0 points
Two children of the same sex under 16 year old	0 points
Two children different sex between 10 years old and 15 years old	15 points
A couple or person 16 years old and over sharing a bedroom OR more than two children sharing bedroom	20 points
Additional points if more than one person in a single bedroom	10 points

### C. Medical Points

Points will be awarded when an applicant or a member of their household is housebound because of their current home and who, if allocated a suitable house, will no longer be housebound	30 points
--	-----------

### D .

Upgrading accommodation from a flat to a main door	5 points
--	----------

#### Notes

Section B: points are given for the housing circumstances and not for each member of the household. So, for example

If two sixteen year old sisters share a bedroom the transfer application will be awarded a total 20 points.

If a five year old boy is sharing a bedroom with an eleven year old girl the transfer application will be awarded 15 points.

Date	Total number of points	Housing Officer	Confirmation