

## POLICY

### Housing Transfer – Housing Trust Initiated (Management Transfer)

#### Purpose

The purpose of this policy is to set out Housing Trust's approach in relation to housing transfers (tenant relocations) required by Housing Trust.

#### Scope

This policy applies to all Housing Trust social housing tenants when a housing transfer is required by Housing Trust. Generally, Affordable Housing tenants are not eligible for transfers, however under exceptional circumstances, this policy may be applied.

For tenants seeking a transfer please see the Housing Transfer Policy – Tenant Initiated

**Note: This policy does not apply to people housed under the Home Purchase Assistance (HPA) Program.**

#### Policy

Housing Trust may initiate a housing transfer for a number of reasons including when:

- Housing Trust intends to sell a property or a group of properties.
- A property is no longer considered habitable, or the property presents ongoing health and safety risks to the tenant.
- Substantial upgrading works to the property are scheduled and the property needs to be vacant so that full works can be carried out and completed.
- A property is a leasehold property, and the lease has expired, or the landlord wishes to seek vacant possession.
- A property is a leasehold property and Housing Trust has determined that the property is no longer fit-for purpose or affordable
- A property is being under occupied.
- A tenant provides medical reports recommending modifications to a property that cannot be reasonably undertaken, and Housing Trust identifies a suitable alternative property



Housing Trust initiated transfers may require the tenant to meet the relevant income and eligibility criteria, as well as demonstrate sound property care and rental history. It may be identified during the process that the tenant exceeds the relevant income eligibility limits. If this does occur, a transition plan may be developed in consultation with the tenant.

Tenants relocating due to a management transfer will not be eligible for offers from Housing NSW or other Community Housing Providers.

## **Notice Periods to Vacate**

Housing Trust will notify you as soon as possible if you are required to relocate for any of the reasons identified above.

In the case of a leasehold property where the owner has asked Housing Trust to vacate, they will issue us with formal notice and there are timeframes to comply with. The two most common notices and timeframes are:

- 90-day no grounds notice, generally issued if the owner wants the property back for major renovations or other personal reasons
- 30-day notice due to sale of property or at the end of the fixed term lease

Housing Trust is required to relocate the tenant within these timeframes. Housing Trust may also issue the tenant with a similar formal notice advising the need to relocate.

## **The Relocation Process**

Once the need to relocate a tenancy on the grounds of a management transfer has been identified, affected tenants will be notified and Housing Trust will work to source suitable alternate accommodation.

Housing Trust will only offer homes that are suitable and appropriate for the needs of the household. Depending on availability, Housing Trust may offer alternate accommodation that has more or less amenities than the current property. The type or style of home may also vary. Housing Trust offers are in preferred allocation zones, which cover a range of suburbs and are not suburb specific.

Housing Trust will provide up to two (2) reasonable offers of alternate accommodation.

If a tenant declines reasonable offers, their transfer will be deemed no longer valid, and Housing Trust may seek to terminate the tenancy at the NSW Civil and Administrative Tribunal (NCAT).

## **Bedroom Entitlements**

Housing Trust will consider the property size in conjunction with social housing bedroom entitlements, as per Housing Trust's Allocation Policy.

Aboriginal and Torres Strait Islander tenants are able to have one extra bedroom to help them meet their family responsibilities. Wherever possible Housing Trust will endeavour to meet the tenants need for an additional bedroom. If a tenant who identifies as Aboriginal and/or Torres Strait Islander declines an offer of transfer with Housing Trust because there is not an additional bedroom, we will not count this as a reasonable offer.



## Pets

If a tenant currently has an approved pet, Housing Trust will try to offer the applicant a property that is suitable for pets. If a tenant is at risk or approved for a priority transfer Housing Trust cannot always guarantee that they will be able to take a pet with them.

If an applicant declines an offer of transfer because of an approved pet, Housing Trust will not count this as a reasonable offer. If an applicant declines an offer of transfer because of an unapproved pet, Housing Trust may count this as a reasonable offer.

Housing Trust will consider the following when determining if an offer is reasonable in relation to an approved pet:

- Time allowed to relocate the tenant
- Properties available to accommodate approved pet
- Tenants' proven ability to meet the requirements of the pet agreement and tenancy agreement in relation to the pet

If Housing Trust cannot offer the applicant a property that is suitable for existing approved pets and the tenant is required to vacate their current home within a certain timeframe, Housing Trust may offer the applicant a temporary solution to meet their housing needs. In these circumstances, tenants may be placed in a hotel, holiday park or another Housing Trust property that is not suitable for pets. If this occurs, tenants will be responsible for finding suitable arrangements for their pets until Housing Trust is able to house the tenant in a home that is suitable for pets.

If you do not currently have an approved pet, you will need to seek written approval from Housing Trust before having a pet at your home.

## Right of Appeal

If a tenant believes Housing Trust has made the wrong decision, a formal review of the decision should be requested. To do this, the tenant is required to complete a Housing Trust Appeals Form stating why they disagree with the decision. *Housing Trust's Appeals Policy* and form is available by contacting the Housing Trust office or alternatively, may be downloaded from our website at [www.housingtrust.org.au](http://www.housingtrust.org.au)

If the appellant is not satisfied with the outcome of the internal appeal, they can make an appeal to the Independent Housing Appeals Committee (HAC). HAC is an independent appeals agency for all NSW Social Housing clients. Housing Trust will advise the appellant on how to lodge an appeal with HAC. Alternatively HAC may be contacted directly by visiting [www.hac.nsw.gov.au](http://www.hac.nsw.gov.au) or by calling 1800 629 794.



## Reference or Related Documents

### Internal

#### Policy:

1. Allocations Policy
2. Appeals Policy
3. Pet Policy

#### Form:

1. 106001 Review of Decision and 1<sup>st</sup> Tier Appeal
2. 107022 Tenant Transfer Assessment Summary Form
3. 108012 Property Search Form
4. 107032 HT Initiated Transfer Checklist - Assessment and Approval

#### Fact Sheet:

1. Housing Trust Initiated Transfers - Social Housing Entitlements
2. Leasehold Properties FAQ

### External

1. Residential Tenancies Act 2010
2. [www.facs.nsw.gov.au/housing/policies/transfer-policy](http://www.facs.nsw.gov.au/housing/policies/transfer-policy)

## Policy Version Control

Version	Details of Improvements	Release Date	Approval/Release Details
V 1.0	Original Housing Transfer Policy # TM18	14.11.2014	Approved for release by GM:C&C
V 2.0	Reviewed	16.09.2016	Approved for release by GM:C&C
V 3.0	Reviewed	17.09.2017	Approved for release by GM:C&C
V 4.0	Reviewed in line with current Residential Tenancies Act 2010 No 42 dated 01.07.18 and updated with no change to policy intent. Two (2) procedures developed for Housing Transfer types – Tenant Initiated and Management Initiated	21.11.2018	Approved for release by Amanda Winks Chief Housing Officer
V 5.0	Scheduled review of policy. Housing Transfer Policy V4.0 has been separated into two (2) policies, Tenant Initiated and HT Initiated, to ensure the policies are clear. Additional information in relation to pets and bedroom entitlements have been included. Policy renamed Housing Transfer Policy – Housing Trust Initiated (Management Transfer). The policy was not reviewed by the Tenant Advisory Group (TAG) as there has been no change to policy intent.	10.05.2022	Approved for release by Amanda Winks Chief Operations Officer
V 6.0	Out of schedule review – Policy updated to ensure consistency in number of offers in all circumstances. (Increased from one (1) offer to two (2) offers following a 30 day notice for leasehold properties).	22.05.2024	Approved for release by Amanda Winks Chief Operations Officer
V 7.0	Policy updated to include provision around approved pets and includes updates to related documents	7.03.2025	Approved for release by Nikayla Beer Herring Chief Operations Officer



## Do you need an Interpreter or a Translator?

If you need help to understand this letter, please contact Telephone Interpreters on 131 450 and ask them to call Housing Trust on 4254 1166 at no cost.

## Trebate li tumača ili prevoditelja?

Ako vam je potrebna pomoć da biste mogli razumjeti ovo pismo, kontaktirajte telefonske tumače na broj 131 450 i zamolite ih da nazovu Stambeno povjerenstvo (Housing Trust) na broj 4254 1166, bez ikakvih troškova.

## Да ли вам треба тумач или преводилац?

Ако вам треба помоћ да разумете ово писмо, молимо вас јавите се на 131 450 за телефонског преводиоца и затражите да бесплатно назову Housing Trust на 4254 1166.

### ¿Necesita un intérprete o un traductor?

Si necesita ayuda para entender esta carta, comuníquese con los intérpretes telefónicos en el 131 450 y solicite que llamen a Housing Trust al 4254 1166 sin costo alguno.

## Bir Sözlü veya Yazılı Tercümana mı ihtiyacınız var?

Bu mektubu anlamak için yardıma ihtiyacınız varsa, lütfen 131 450 numaralı telefondan Telefonda Tercüman servisi ile iletişime geçin ve 4254 1166 numaralı telefondan Housing Trust'ı ücretsiz olarak aramalarını isteyin.

### هل تحتاج إلى مترجم شفوي أو مترجم خطي؟

إذا كنت بحاجة إلى مساعدة لفهم هذه الرسالة، فيرجى الاتصال بخدمة الترجمة الشفوية على الرقم 131450 واطلب منهم