

**Hastings County Community and Human Services
Hastings Local Housing Corporation
Administrative Policies and Procedures**

SUBJECT: Internal Transfer Policy		
APPROVED BY: Hastings County Council		
POLICY #: HLHC13		
ORIGINAL ISSUED	SUPERCEDES	CURRENT VERSION
March 2002	November 2020	May 2022

PURPOSE

The purpose of the Internal Transfer Policy is to set guidelines to be followed by the tenants of Hastings Local Housing Corporation (HLHC) who wish to transfer within the units directly managed by HLHC and staff who initiate and issue transfer approval. Households who wish to move into the units directly managed by HLHC from another social housing provider are deemed external applicants and must apply through the HLHC Registry (Centralized Waiting List System).

SCOPE

The policy applies to the units directly managed by the HLHC.

DEFINITIONS

An “internal transfer” is the relocating of a tenant already residing in a unit directly managed by HLHC to another unit directly managed by HLHC. There are four types of transfers, which are ranked in the following order:

1. Special Priority transfers (the criteria for processing applications for special priority transfers is legislated and these requests are tenant initiated);
2. Over housed transfers (these are legislated transfers and are initiated by Housing Services staff);
3. Urgent Housing Crisis transfer (tenant initiated);
4. Other transfers (tenant initiated).

Special Priority Transfer (Tenant Initiated)

Eligibility based on abuse other than trafficking

A household is eligible to be included in the special priority household category if:

- (a) a member of the household has been abused by another individual;
- (b) the abusing individual is or was living with the abused member or is sponsoring the abused member as an immigrant; and
- (c) the abused member intends to live permanently apart from the abusing individual. O. Reg. 367/11, s. 54 (1).

If the abused member and the abusing individual used to live together but no longer do, the household is not eligible to be included in the special priority household category unless one of the following requirements is satisfied:

1. A written request to be included in the special priority household category was made within three months after the abused member and the abusing individual ceased to live together, regardless of whether or not the request met all the requirements of section 56 at the time it was made.
2. The service manager is satisfied that the abuse is ongoing at the time a written request to be included in the special priority household category was made, regardless of whether or not the request met all the requirements of section 56 at the time it was made.
3. The service manager determines that it is appropriate to include the household in the special priority household category despite a written request to be included not being made within the time limit set out in paragraph 1. O. Reg. 367/11, s. 54 (2); O. Reg. 437/17, s. 8 (2).

Eligibility based on trafficking

A household is eligible to be included in the special priority household category if a member of the household is being or has been trafficked. O. Reg. 437/17, s. 9.

If the trafficked member is no longer being trafficked, the household is not eligible to be included in the special priority household category unless one of the following requirements is satisfied:

1. A written request to be included in the special priority household category was made within three months after the trafficking stopped, regardless of whether or not the request met all the requirements of section 56 at the time it was made.
2. The service manager determines that it is appropriate to include the household in the special priority household category despite a written request to be included not being made within the time limit set out in paragraph 1. O. Reg. 437/17, s. 9.

COMMUNITY AND HUMAN SERVICES
Housing Services
Postal Bag 6300, 228 Church Street
Belleville, Ontario K8N 5E2



Phone: 613.966.1311
Fax: 613.968.3197
Toll Free: 1.800.267.0575

Verification must be provided to HLHC to support the special priority transfer. The HLHC will make determination of eligibility and notify the tenant within 7 days of the request. If eligible, the tenant will be placed on the special priority transfer list using the date the tenant submitted the completed application for special priority status. If the decision is made to deny the transfer, the tenant will be notified in writing that they may request a review of this decision.

Over Housed Transfers: (Legislated transfers, initiated by Housing Services)

An “over housed” household is a household living in a unit which is larger than the largest unit for which it qualifies under the local occupancy standards set by HLHC. Over housed tenants, who are receiving rent-geared-to-income assistance, will receive second priority on the internal transfer list, immediately following the special priority transfers, using the date identified as being over housed.

It is the responsibility of the tenant to report a change in family composition within 30 days of the change. Failure to do so may result in the loss of subsidy. Once the HLHC has been notified of the change of family composition, a letter will be forwarded to the household advising that they have been deemed over housed and will cease to be eligible for rent- geared-to-income assistance after one (1) year. The household will be placed on the centralized waiting list for the appropriate sized unit. A household will not be declared ineligible for rent-geared-to- income assistance if they are following HLHC’s process to move to a different sized unit. Households may request a review of this decision.

Terms while on the Over Housed Internal Transfer List

Tenants will remain on the over housed transfer list under the following terms:

- For one refusal of an appropriate sized unit, after which time tenants will be removed from the waiting list;
- Can select geographic area only while on the over-housed transfer list.

Urgent Medical Transfer (Tenant Initiated)

After special priority and over housed transfers, those with an urgent medical need to move are given priority over other transfers and will be placed on the transfer list with the date that the urgent medical transfer was requested. Urgent medical transfers are reserved for those who cannot remain in, or return to, their current unit due to a significant change in their physical health with relation to the physical characteristics of their unit. The following may be, but not limited to, examples of an urgent transfer:

- medical condition that has caused severe permanent mobility limitations;
- severe respiratory problems limiting mobility (stairs).

If the transfer is granted, Hastings County Housing Services will notify the tenant within seven business days of the decision. The tenant will be placed on the urgent medical transfer list using the date the tenant submitted the application for urgent medical status. If the decision is made to deny the transfer, the tenant will be notified in writing within seven business days and will be informed at this time that they may request a review of this decision.

Market Rent Tenant Transfers

Market rent tenants are currently ineligible for RGI subsidy and therefore will be treated the same as applicants whom are required to apply through the HLHC Registry (Centralized Waiting List System).

Market rent tenants who experience a significant/material change in the household's financial position should refer to the Urgent Housing Crisis Policy "Appendix A" Catastrophic Life Event.

All Other Transfers (Tenant Initiated)

All other transfers must be tenant initiated and must be received by the Property Supervisor in writing. If the transfer is approved, the tenant will be notified in writing within seven business days that they have been placed on the centralized waiting list. A \$250 transfer fee will be charged if the tenant is requesting to move within the municipality that they are currently living in. All non-urgent transfers will be treated the same as applicants and placed on the centralized waiting list with the date of application. If the transfer request has been denied, the tenant will be notified in writing

within seven business days outlining the reason behind the denial. A tenant can request a review of this decision.

Requesting an Internal Transfer

Tenants wishing to request an internal transfer must contact their Property Supervisor with their request. Requests should be in writing unless the tenant is unable to provide the request in writing.

RESPONSIBILITY

A household, other than over housed, may be eligible for an internal transfer if they have lived in a unit for at least one year *and* adhere to the following guidelines:

- It has not been given an eviction notice within the last six months;
- It does not owe arrears or any other money to HLHC or any other Social Housing Provider in Ontario;
- It has paid its rent in full and on time for the last six months;
- There is no damage to the unit for six months;
- There are no record(s) of complaint(s) of disturbing neighbours or harassing staff in last six months;
- It has an active tenant insurance policy in place;
- It is not in contravention of the lease.

Discretion may be exercised in extenuating circumstances.

The rationale behind giving special consideration to the above restrictions for over housed tenants is that a household should not be allowed to remain in a larger unit, which could accommodate a larger family from the Centralized Waiting List, for failure to comply with these restrictions.

Units may be offered, “as is”. The HLHC will ensure that the unit meets all property standards, but may choose not to do minor patching, painting of the unit or make decorative/cosmetic changes to the unit.

REFERENCES

Housing Services Act, 2011
Regulation 367/11 s. 32.2, 38, 39, 42, 46, 47, 54,

Appendix A Urgent Housing Crisis Policy

Catastrophic Life Event

In-situ market rent tenants who need rent-geared-to-income (RGI)

Applies only to market rent tenants/members currently residing with a social housing provider and require an RGI subsidy

In order for a tenant/member to receive an RGI subsidy:

- The housing provider must have room in their RGI target
- The tenant/member must be residing in the appropriate size unit or agrees to transfer to the appropriate size unit
- Tenants/members must not be at market rent as a result of losing RGI subsidy through fraud
- There must be a loss of income (examples listed below but not limited to)
 - Death of a spouse
 - Loss of employment
 - Change in household composition where one or more income earner leaves the household
 - Injured and/or illness and unable to work

This policy does not apply to:

- An Over Housed Household that does not follow the process to move to an appropriate sized unit for which it qualifies under the local occupancy standards set by HLHC, whether or not there has been a change in the household's financial circumstances since beginning to pay market rent
- Tenants/members who have voluntarily withdrawn from RGI assistance

In these circumstances tenants must apply to the centralized waiting list for RGI assistance.

Procedure for determining eligibility of in-situ market rent tenants/members to an RGI subsidy:

- Non- Profit/Co-operative Housing Provider's decision to be approved by their Board of Directors
- Hastings Local Housing Corporation (HLHC)
 - **Tenants/members must make a formal request in writing to the Property Supervisor**
 - Tenants/members must complete a full household income and composition review
 - Property Supervisor makes the recommendation to Assistant Manager Housing Operations
 - Approved by Assistant Manager Housing Operations

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- Rent Supplement Tenants
 - **Tenants/members must make a formal request in writing to the Supervisor of Affordable Housing**
 - Tenants/members must complete a full household income and composition review
 - Approved by Supervisor of Affordable Housing