

Scope

Tenant initiated transfers occur when a tenant requests to move from one property to another, maintaining their security of tenure. Transfers can occur across NSW Department of Communities and Justice (DCJ) properties and other Community Housing Provider properties. This policy applies to all social housing provided by Pacific Link Housing Limited (PLH). For affordable housing tenancies, please refer to PLH's Affordable Housing Policy.

Purpose

The policy is intended to ensure that tenants understand how PLH applies fair and consistent processes to all tenants, provides security of tenure for tenants and ensures transparent decision making in regard to the transfer of a tenant between properties.

PLH will manage transfers in accordance with the Residential Tenancies Act 2010 (RTA) and in line with obligations within the National and State Regulatory frameworks and this policy. For information on transferring tenant responsibilities to another household member refer PLH's Succession of Tenancy Policy. Mutual Exchange of housing between tenants is not offered by PLH.

Tenant Initiated Transfers

Any tenant can apply for a transfer to another property if their household circumstances change and their existing property or location is no longer suitable. PLH recognises that tenants' needs may change in relation to the property they occupy and will provide options to those meeting the following criteria:

- meet eligibility requirements for social housing
- rent and non-rent accounts are up to date with PLH
- have no current RTA notices, NSW Civil and Administrative Tribunal (NCAT) orders or other serious complaints.
- demonstrate need by providing evidence to support:
 - a change in household circumstances
 - how the transfer will resolve their current situation requiring the transfer.

Priority of a tenant initiated transfer is determined by the following factors:

- 'At risk' of violence, abuse, or neglect
- Under or over-occupancy of a dwelling
- Medical condition and/or disability (consideration will be given to modifying the current property prior to accepting a transfer request)
- Serious and ongoing harassment
- Employment
- Family breakdown/separation
- Compassionate grounds.

Tenants in breach of their current tenancy with PLH, including rent owing in arrears, are not eligible for transfer and will be provided with a plan to restore the breach. PLH will consider all transfers on a case by case basis and approval for transfers for exceptional circumstances or those not meeting the criteria above can only be approved by the Executive Manager, Operations or their delegate.

All tenant initiated transfers are assessed and processed by PLH under Housing Pathways. For more information see www.facs.nsw.gov.au/housing/help/applying-assistance/housing-pathways

All tenant initiated transfers deemed eligible will be placed onto the DCJ Housing Pathways list and will be visible to other housing providers in the nominated area. PLH will manage communications on the transfer and monitors current Pathways transfers in accordance with this policy.

Further information on the Housing Pathways evidence requirements and Transfer Policy is available at <https://www.facs.nsw.gov.au/housing/policies/transfer-policy>

PLH will provide tenants with up to 2 reasonable offers for alternative properties. Should a tenant refuse the 2 offers, PLH will close the transfer application.

Handing back the previous property

Transferring tenants are responsible for returning their previous property to the condition that it was in at the start of that tenancy (excluding fair wear and tear). Refer to the PLH End of Tenancy policy for more information. The keys for the original property must be returned to us within 48 hours of the tenant signing their new Residential Tenancy Agreement. We will charge the tenant a daily occupation fee if they don't return the keys to us within 4 days.

Complaints and Appeals

If a tenant is not satisfied with a service provided by PLH or does not agree with a decision it has made, they should first discuss their concerns with their Housing Officer. If they are still not satisfied they can ask for a formal review. Refer Complaints and Appeals Policy.

Related Policies

Succession of Tenancy Policy
 DCJ Social Housing Transfer Policy

Policy Owner	Executive Manager, Operations
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