



HFS Internal Transfer Policy

Homes First Society recognizes that tenants of the rental housing program may request a transfer for a variety of reasons.

Homes First Society Transfer Procedure is developed to comply with the *Housing Services Act, 2011* (HSA) and *The Rental Tenancy Act*. Homes First Society will first give transfers to tenants who qualify as special priority. Special priority tenants are those applicants who are over housed, or urgently in need of a different unit due to issues of abuse or other safety issues.

Internal transfer procedure describes:

- Eligibility requirements
- Prioritizing transfer request
- Process for implementing transfers

Homes First Society Internal Transfer Policy is intended to comply with the regulations of the *Housing Services Act (HSA)*. Homes First Society recognizes that all tenants who have requested a transfer and who are special priority applicants must be included on the internal transfer waiting list and will have higher priority on the list than other applicants. Homes First Society will give higher priority to a tenant who has been assessed as having a greater risk of abuse. Higher priority will also be given if the abused tenant is living with the abuser. Tenants will qualify for special priority status if:

- A member of the household has requested the status in writing, signed the request and consented to disclosure of information in connection with their request.
- The abuser is or was living with the victim or is sponsoring the household member as an immigrant.
- The tenant intends to permanently live apart from the abusing individual.
- The tenant has provided the necessary information or documentation.
- The necessary information or documentation has been confirmed by an appropriate person as listed in *HSA O.Reg.339.01*.

All over-housed tenants will be placed on the waiting list. If Homes First Society does not have an appropriate size unit for the tenant, the tenant will be put on Social Housing Connection centralized waiting list. Special priority tenants will rank higher on Homes First Society internal transfer waiting list than all other transfer applicants. Tenants who are not special priority applicants on the internal waiting list will alternate with applicants on the external list.

Ranking on the internal waiting list for over housed tenants will be in order of date of application for transfer.

If an over housed tenant has not been transferred to an appropriate size unit after twelve months, Homes First Society will give the tenant notice that their name will be removed from the internal

waiting list and placed on Social Housing Connection centralized waiting list for an appropriate unit. (If the tenant turns down three offers of a unit of the right size while on the internal transfer list or the centralized waiting list, they will no longer be eligible for RGI.)

ELIGIBILITY REQUIREMENTS

Before a tenant's request for a transfer is approved they must satisfy the following eligibility requirements, or these requirements must be waived by the appropriate Housing Manager or Supervisor. Any tenant in good standing may ask for a transfer after they have lived in a unit for at least one year. The eligibility criteria and "one year rule" will be waived if the household qualifies for special priority status or is over housed. Except in the case of special priority and over housed tenants, when a tenant reaches the top of the list the Supervisor will confirm the tenant is still eligible for a transfer. Before a transfer is granted the tenant must be in good standing.

A tenant is in good standing if:

1. The tenant has not been given an eviction notice. The tenant has resided with HFS for twelve months prior to requesting the transfer.
2. The tenant does not owe arrears or any other money to Homes First Society. The tenant account is up-to-date and shows a flawless rental payment record of six months prior to final approval of the transfer. A flawless rental payment record means paying the rent on or before the first of the month and shows no current arrears.
3. The tenant has no documented history of damage to the unit, disturbing neighbors or harassing staff, for a period of twelve months prior to the transfer request.

PRIORITY FOR TRANSFER

Special Priority refers to Abuse, Over-housed, Medical condition, or Permanent disability

1. Abuse. After over-housed tenants are appropriately housed, tenants needing to escape abuse from their spouse, partner, or other family members with whom they reside, and from whom they intend to separate permanently will take priority for transfer. If the need for a transfer arises due to abuse and a unit of appropriate size is available the abused applicant will take priority to transfer over the over housed tenant. The Supervisor will establish the level of documentation required to substantiate the abuse.
2. Over housed. Over housed tenants are rent-geared-to-income (RGI) households living in a unit which is larger than the largest unit for which they qualify under the occupancy stands set by the Service Manager or the standards set out in the *Ontario Regulation 298/01*. Over-housed tenants who are paying rent-geared-to-income will be placed on the internal waiting list after special priority applicants, in order of the date they applied for internal transfer. If a tenant(s) refuses to move into an appropriate sized unit within HFS the tenant(s) will be placed on the centralized waiting list. The centralized waiting list is managed by Toronto Social Housing Connections.
3. Emergency. Transfer requests from tenants displaced from their homes due to fire or other cause of damage that has made their unit unlivable will be considered for transfer above over housed or special priority tenants. The Tenant Support Supervisor will assess the situation and make a transfer decision based on the circumstances.

4. Medical condition. Tenants who require a transfer due to medical condition(s) or permanent disability and whose current unit is inaccessible or substantially aggravates their condition or prevents or substantially increases the cost of treatment will take priority for housing above tenants who may not require a transfer for those reasons.

Under Housed Tenants

Tenants who have more than two household members per bedroom or who have opposite-sex household members other than spouses sharing bedrooms will be placed on the waiting list after over housed and special priority households in the order they applied for a larger unit, Tenants who require a transfer for reasons that does not fall within the above four priorities will be encouraged and assisted in placing an application with Social Housing Connections.

APPLICATION PROCESS

Homes First Society Intensive Case Management Workers are responsible for reviewing the transfer procedure, providing transfer applications, and assisting in completing transfer applications as requested.

To transfer, tenants must complete an application form. A tenant who apply for special priority status must do so in writing and must consent to the disclosure of any information or documentation required to verify the validity of the request. Once a transfer request is assessed as meeting the eligibility requirements or once these requirements are waived, each transfer application will be ranked according to the priorities listed above and then by chronological order of request date.

The Supervisor is responsible for informing tenants who requested transfers of their eligibility. Eligible transfer requests will be prioritized by the Supervisor.

When there is a vacancy, the transfer tenant will be selected using the criteria outlined in the building's operating agreement and the priority as outlined in this document. Immediately before offering a unit for transfer, the Supervisor will coordinate a review of the following:

- (a) Rent account status
- (b) Current unit maintenance inspection
- (c) Household income and composition
- (d) Tenancy concerns

If after this review, the tenant continues to meet the eligibility requirements, the vacant unit will be offered to them.

Intensive Case Management Worker will complete the Internal Transfer Readiness Assessment Form before the tenant transfer is approved.

Tenant Refuses Transfer Offer

Tenants may decline a transfer offer on two units at two different times. After the second refusal they will be removed from the transfer list and may not re-apply for a transfer on the same grounds, for a minimum of one year.

No eligible internal transfer request.

If there is a vacancy within Homes First Society for which no tenants are eligible then a new tenant will be selected from Homes First Society's master waiting list.

Appeal Process

A tenant, whose transfer request has been denied, has the right to appeal the decision in writing within seven working days of receiving a notice of denial. The Chief Executive Officer or delegate will review the application and communicate a decision in writing with twenty one days of receipt of the appeal request. If after the review the original decision is upheld by the Chief Executive Officer the tenant may not re-apply for a transfer on the same grounds for a minimum of one year.

Tenants who request special priority status for transfer must provide the following information verification.

- a record of intervention by the police
- a record of physical injury caused to the tenant by the abuser
- a record of application of force by the abuser to force the tenant to engage in sexual activity against his or her will
- a record of words, actions or gestures that threaten the tenant or his or her property
- a record of undue or unwarranted control of the abuser over the tenant daily personal and financial activities

The record of abuse must come from

- a doctor
- a lawyer
- a law enforcement officer
- a member of the clergy
- a teacher
- a guidance counselor
- an individual in a managerial or administrative position employed by Homes First Society
- a community health worker*
- a social worker*
- a social service worker*
- a victim service worker*
- a settlement services worker*
- a shelter worker*

**Definitions of these positions are contained in O.Regulation 339/01 S.*

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- Created on June 3, 2015.
 - Updated and approved by HFS Management Team on June 5, 2019.
 - This Policy applies to all Homes First housing.