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TRANSFER POLICY

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Introduction

Purpose

To ensure there is consistency across the Group when assessing transfer applications, whilst recognising local variations (Appendix C)

To reflect the communities we work in and ensure that these communities and our lettings are sustainable.

To minimise the time that properties are left unoccupied and keep rent loss to a minimum;

To ensure that no individual or group is discriminated against or treated differently as a direct or indirect result of our transfer policy.

PART TWO

Policy

Intent

This Policy sets out how we will manage internal transfers across the Group.

Principles

The Group will provide an effective allocations service that meets the requirements of the Regulator of Social Housing (RSH) Tenancy Standard.

We will:

- use HomeSwapper and highlight this service as an option for existing tenants wishing to move from their existing home;
- transfer tenants in a fair, transparent and efficient way;
- ensure there is consistency across the Group when assessing transfer applications, whilst recognising local variations;
- reflect the communities we work in and ensure that these communities and our lettings are sustainable;
- minimise the time that properties are left unoccupied and keep rent loss to a minimum; and
- ensure that no individual or group is discriminated against or treated differently as a direct or indirect result of our transfer policy.

Scope

This Policy applies to all parts of the Longhurst Group.

This Policy applies to all tenants who apply for a transfer with us.

Definitions

Lettings definitions applicable to this Policy are listed at Appendix B.

Policy Details

Managing transfers

Eligibility

We may not accept direct transfer applicants where common housing registers/choice based lettings schemes operate. This will depend upon locally agreed arrangements (Appendix B).

We will normally only accept transfer applications, and subsequently make an offer of re-housing, where all accounts are free of debt; all terms and conditions of the tenancy have been met; and a satisfactory tenancy inspection has been completed.

We will not accept applicants for transfer from tenants with Starter Tenancies until their tenancy has converted to an Assured Tenancy or unless authorised by the Director of Housing Services.

Affordability

If we are able to transfer within our housing stock, we will use our Sustainability Matrix to assess whether an applicant can afford to live in one of our homes. The financial metrics used are in line with the Consumer Price Index and are updated yearly. Regional variances will be taken into account within agreed frameworks.

We will not transfer a tenant who clearly cannot afford to sustain a tenancy, identified by pre-tenancy checks.

Transfer criteria

There are two pathways to transfer with us.

Management Priority transfer – authorised by the Head of Housing Services or Director of Housing Services.

Direct transfer. We will normally only accept a transfer application if a tenant is subject to one or more of the following:

- overcrowding;
- under-occupancy;
- race and hate crime;
- domestic abuse; and/or
- critical medical need – we will require relevant and up to date medical evidence to support a transfer move. Where relevant we will ask the applicant to provide a report from an Occupational Therapist.

Transferring Employees

Transfer applications can be accepted from employees, elected members, board members and their close relatives, provided they are eligible to apply. Applications will be reviewed and accepted/refused by the Executive Director of Housing Services.

Best Use of Stock

We will work with applicants using our Sustainability Matrix to ensure they are applying for housing that is affordable.

Accessible properties for people with a disability – in the first instance we will work with the local authority to allocate the property. If no suitable applicants can be found, we will contact social services and other relevant agencies before making an allocation to someone who does not need an adapted property.

Multi-Agency Public Protection Arrangement (MAPPA) Level 3 Offender – where we know we are housing a MAPPA Level 3 offender, we will seek appropriate advice and information from the Police, Social Services and Probation. A MAPPA Level 3 offender is as defined in the Children and Young Persons Act 1933 and subsequent relevant legislation.

Children in flats – we will not let flats above the ground floor to families with children aged under seven years. We will let ground floor flats to families with children of any age.

Transferring Minors

Applicants aged 16 and 17 will be given a tenancy in trust until they are 18. A starter tenancy will be issued at 18 provided there are no tenancy breaches.

Excluding Applications

There are occasions when we will have to reject a transfer application other than where an applicant does not meet the transfer criteria. Applicants can appeal the decision.

A transfer application will be rejected if:

- The applicant has supplied significantly false or misleading information on their application for a transfer.
- The applicant or a member of their household have/or are subject to legal proceedings against them for unacceptable behaviour or breaches of tenancy or have been guilty of unacceptable behaviour which would entitle us to take legal action against their tenancy.
- The applicant or a member of their household has physically or verbally abused staff or contractors working for Longhurst Group or another landlord.
- There has been a deterioration of the current or former home due to waste, neglect or default by the person or any member of the household.
- The applicant or a member of their household has used their premises for the sale or supply of illegal drugs.

These exclusions will not apply where the unacceptable behaviour took place two or more years before the date of the application and the applicant or relevant household member has sustained a tenancy satisfactorily in the meantime.

Debt

If a transfer applicant owes rent or debt for rechargeable repairs, we will only progress their application if they have made continuous payments to clear the debt for a minimum of 16 weeks before authorising a transfer request. There must be no missed payments in breach of their agreement to pay.

For Longhurst Group tenants that are seeking to transfer and have only accrued arrears on their rent account from 01 March 2020 at the start of the Covid-19 pandemic we will review each case individually taking into account each circumstance. We will not reasonably refuse a transfer for any tenant that has been adversely impacted by Covid-19 and demonstrated that they have been unable to meet their rent commitment in full but have made contributions towards payment of rent.

Where a transfer application is rejected, the applicant will be informed in writing of the reasons for our decision.

The reasons for refusal above are not exhaustive and we will consider each case individually.

Roles and Responsibilities

Legal responsibility for the Transfer Policy is held jointly by:

- Longhurst Group Chief Executive; and
- Executive Director of Housing

Operational responsibility for the Transfer Policy is held by the Director of Housing Services and Head of Housing Services.

Procedural responsibility for the Transfer Policy is held by Housing Managers/Team Leaders.

Day-to-day responsibility for the Transfers Policy is held by Team Leaders, Lettings Advisors and Housing Officers.

Monitoring, Evaluation and Review

Performance data for transfers will be produced each month by the Quality Assurance team.

Information on re-lets against local authority nomination agreement service level agreements will be provided, as applicable, at a local level through the Lettings team.

Each region will carry out monthly audits to monitor compliance. Regular checks will also be completed by our auditors.

This Policy will be reviewed every three years. In addition, it will be reviewed:

- following information suggesting that the policy is not effective;
- to reflect any service enhancements; and/or
- following the introduction of relevant new legislation, regulations or guidance.

Summary of Local Variations

Local Authority letting arrangements are listed at Appendix C.

PART THREE

Appendices

- A. Policy Approval Control
- B. Definitions
- C. Local arrangements
- D. Policy Development Plan

Transfer Policy - Appendix B

Definitions

Choice Based Lettings (CBL)

These schemes are often established by partnerships of local authorities and/or housing associations. CBL's are designed to introduce an element of choice for people who apply for council and housing association homes that are advertised for rent, rather than waiting to be offered housing through a waiting list system. The allocation of the home is based upon a points based or other priority based assessment of need of those who have made a bid for a home.

Nominations Agreement

A service level agreement where a housing association and a local authority will work in partnership to address housing need within the local area. The housing association will accept an agreed percentage of applicants from the local authority rehousing list when properties become vacant.

Direct Let (Fast Track)

Properties that are advertised and re-let directly by the association on the principle of first come first served, whilst demonstrating a need for housing set out in the eligibility criteria. See our Lettings policy.

Transfers

An allocation by where we allow an existing tenant to transfer to another one of our homes. Refer to our Transfer policy

Tenancy Agreements

The associations properties will be let on either, assured tenancies, starter tenancies or Assured Shorthold tenancies.

New tenants will initially be signed up for a 12-month trial period, known as a starter tenancy. The tenancy will convert to an assured tenancy upon satisfactory completion of the trial period.

Assured Shorthold tenancies are offered to those being accommodated in specific supported housing schemes and for properties that we manage. Exceptions include the provision of temporary accommodation in partnership with the local authority where a licence/use and occupation agreement will be used.

Local Variations

There may be specific lettings criteria for some housing schemes e.g. where Section 106 planning agreements are in place or for other schemes such as allocations under the Seaside & Country Homes scheme. Restrictions can include requirement to have a defined local connection with the scheme concerned.

Appendix 3 - Local Arrangements

Local Authority	Local Authority Registration Point	Choice Based? (CBL)	Common Allocation Policy?	% Noms to LA	L&H Direct Applicants accepted?	L&H Direct Transfers accepted?	List Closed?	Comments
Amber Valley	Yes	Yes	No	N/A	No	No	No	Name of scheme: Home-Options - part of sub regional CBL with Amber Valley, Derbyshire Dales and High Peak.
Bassetlaw	Yes	Yes	No	N/A	No	Management priority only - less than 5% per year	No	Name of scheme: HomeFinder.
Birmingham	Yes	Part	No	50% 75% 4 beds	No	Yes	Yes	Birmingham Home Choice
Blaby	Yes	Yes	No	95%	No	Yes	No	Part of wider Leicestershire CBL scheme
Boston Borough	Yes	Yes	Yes	N/A	N/A	Management priority only - less than 5% per year	No	Name of scheme: Homechoice.
Broxtowe	Yes	Yes	No	N/A	No	No	No	Name of scheme: Homesearch - part of sub-regional CBL with Broxtowe and Rushcliffe.

Local Authority	Local Authority Registration Point	Choice Based? (CBL)	Common Allocation Policy?	% Noms to LA	L&H Direct Applicants accepted?	L&H Direct Transfers accepted?	List Closed?	Comments
Charnwood	Yes	Yes	No	95%	No	Yes	Yes	Part of wider Leicestershire CBL scheme
Corby	Yes	Yes	No	N/A	Yes	Yes	No	Keyways
Derby	Yes	Yes	No	90%	No	Yes	Yes	Derby Homefinder
East Lindsey	Yes	Yes	No	N/A	No	No	No	Direct housing register for sheltered applicants only.
East Northants	Yes	Yes	No	75%	No	Management priority only - less than 5% per year	No	East Northants are not part of the Northamptonshire sub regional group
Erewash	Yes	Yes	No	N/A	No	No	No	Name of scheme: Home-Options - part of sub regional CBL with Amber Valley, Derbyshire Dales and High Peak.
Gedling	Yes	Yes	No	100%	No	No	No	Name of scheme: Homesearch - part of sub-regional CBL with Broxtowe and Rushcliffe. Low demand properties are advertised.

Local Authority	Local Authority Registration Point	Choice Based? (CBL)	Common Allocation Policy?	% Noms to LA	L&H Direct Applicants accepted?	L&H Direct Transfers accepted?	List Closed?	Comments
Harborough	Yes	Yes	No	N/A	Yes	Yes	No	Harborough Home Search (Part of Leicestershire sub-regional scheme)
Kings Lynn	Yes	Yes	Yes	N/A	No	No	No	Name of scheme: West Norfolk Homechoice.
Leicester City	Yes	Yes	No	N/A	No	Yes	No	
Lincoln City	Yes	Yes	No	N/A	No	Yes	No	Name of scheme: Lincs Homefinder - part of a sub-regional CBL with West Lindsey and North Kesteven. Direct housing register for sheltered applicants only.

Local Authority	Local Authority Registration Point	Choice Based? (CBL)	Common Allocation Policy?	% Noms to LA	L&H Direct Applicants accepted?	L&H Direct Transfers accepted?	List Closed?	Comments
Mansfield	Yes	Yes	No	N/A	No	No	No	Name of scheme: Mansfield & Ashfield Homefinder - joint CBL scheme with Ashfield Homes.
Melton	Yes	Yes	No	95%	No	Yes	No	Part of wider Leicestershire CBL scheme
Newark & Sherwood	Yes	No	No	100%	No	No	No	Easylet
North East Lincolnshire	Yes	Yes	No	N/A	No	No	No	Joint CBL scheme with North Lincolnshire. Homechoicelincs

Local Authority	Local Authority Registration Point	Choice Based? (CBL)	Common Allocation Policy?	% Noms to LA	L&H Direct Applicants accepted?	L&H Direct Transfers accepted?	List Closed?	Comments
North Kesteven	Yes	Yes	No	N/A	No	Yes	No	Name of scheme: Lincs Homefinder - part of a sub-regional CBL with West Lindsey and Lincoln City Council. Direct housing register for sheltered applicants only.
North Lincolnshire	Yes	Yes	No	N/A	No	No	No	Joint CBL with North East Lincolnshire. Homechoicelincs
North West Leicestershire	Yes	Yes	No	95%	No	Yes	No	Part of wider Leicestershire CBL scheme
Northants North & South	Yes	Yes	Yes	100%	No	Management priority only - less than 5% per year	No	Sub regional scheme for Kettering, Corby, Wellingborough called "Keyways"

Local Authority	Local Authority Registration Point	Choice Based? (CBL)	Common Allocation Policy?	% Noms to LA	L&H Direct Applicants accepted?	L&H Direct Transfers accepted?	List Closed?	Comments
Nottingham City	Yes	Yes	Yes	N/A	No	Management priority only - less than 5% per year	No	Name of scheme: Homelink. We only use our transfer rights for stock disposal.
Nuneaton & Bedworth	Yes	Yes	No	N/A	No	Yes	No	Homehunt CBL No formal Nominations Agreement or SLA in place.
Peterborough	Yes	Yes	Yes	N/A	No	No	No	
Rushcliffe	Yes	Yes	No	N/A	No	Yes	No	

Local Authority	Local Authority Registration Point	Choice Based? (CBL)	Common Allocation Policy?	% Noms to LA	L&H Direct Applicants accepted?	L&H Direct Transfers accepted?	List Closed?	Comments
Rutland	Yes	No	Yes	75%	Yes	Yes	No	
South Holland	Yes	No	No	100%	No	No	No	
South Cambridgeshire	Yes	Yes	No	100%	No	Management priority only - less than 5% per year	No	Home Link
South Kesteven	Yes	No	No	100%	No	Management priority only - less than 5% per year	No	

Local Authority	Local Authority Registration Point	Choice Based? (CBL)	Common Allocation Policy?	% Noms to LA	L&H Direct Applicants accepted?	L&H Direct Transfers accepted?	List Closed?	Comments
Walsall	Yes	Yes	No	50%	No	Yes 10% Agreed	No	
Warwick	Yes	Yes	No	100%	No	Management priority only - less than 5% per year	No	Home Choice
West Lindsey	Yes	Yes	No	N/A	No	Management priority only - less than 5% per year	No	Name of scheme: Lincs Homefinder – part of a sub-regional CBL with West Lindsey and Lincoln City. Low demand properties are advertised.