

## Chapter 8

### TRANSFER POLICY

#### **INTRODUCTION**

The transferring of families is a very costly procedure, both to the PHA and to the families. However, it is the policy of the PHA to permit a resident to transfer within or between housing developments **[when it is to the family's advantage to do so]**; when it is necessary to comply with occupancy standards; or when it will help accomplish the Affirmative Housing goals of the PHA. The transfer policy will be carried out in a manner that does not violate fair housing.

For purposes of this transfer policy the "losing development" refers to the unit from which the family is moving and the "gaining development" refers to the unit to which the family is transferring.

#### **A. GENERAL STATEMENT**

It is the policy of the PHA to require or permit resident transfers, within and/or between PHA public housing developments for the following reasons:

**To abate dangerous and/or substandard living conditions.**

**To accommodate verified physical conditions caused by long-term illness and/or disability; and**

A family may be request and may be approved to transfer for valid and certifiable reasons such as enabling the family to:

- **Live closer to a place of employment; or**
- **Live closer to a relative who will care for children of a working parent; or**
- **Live closer to a required medical treatment center; or**
- **Move from an upstairs to a downstairs unit for medical or accessibility reasons; or**
- **The PHA will always consider a request to transfer for a reasonable accommodation for a person with a disability.**

#### **B. ELIGIBILITY FOR TRANSFER**

- **In order to be determined eligible to receive a transfer, residents must submit the requisite documentation to the PHA, to substantiate their request, and must be in good standing with the PHA.**
- **Families transferring to another PHA unit must have paid the security deposit in full. Any move-out charges will be posted to the new unit.**
- **The PHA will charge families for any damages to the previous unit.**

Except in emergency situations, transfers will be avoided when the family is:

- **Delinquent in its rent;**
- **Not in good standing with the PHA due to rental history or a history of disturbances or other lease violations documented by the PHA.**

The PHA will not grant a transfer request solely to accommodate neighbors who "cannot get along."

### **C. PRIORITY OF TRANSFERS**

#### **Medical hardship and accessibility**

- **Transfer will be within the housing development unless appropriate unit is not available to meet the family's needs within the development.**
- **Medical hardship and accessibility transfers are initiated by the PHA and/or written family request.**

### **D. EMERGENCY TRANSFER**

The PHA will authorize an emergency transfer for a participant family if one of the following conditions occurs:

**The resident's unit has been damaged by fire, flood, or other causes to such a degree that the unit is not habitable, provided the damage was not the result of an intentional act, carelessness / or negligence on the part of the resident or a member of the resident's household.**

### **E. SPECIAL CIRCUMSTANCES TRANSFER**

The PHA will authorize transfers under special circumstances for a participant family if one of the following conditions occurs:

- **The resident's unit is being modernized or significantly remodeled. In such cases the family may only be offered temporary relocation if allowed under Relocation Act provisions. and may be allowed to return to their unit once rehabilitation is complete.**
- **There is a reasonable fear of direct violence against the resident. Such transfer requests may include a fear of retaliation for witnessing an incident, or providing testimony or evidence in an eviction or criminal proceeding, or fear of being the victim of a hate crime. The PHA will seek input from local law enforcement regarding all requests for transfers due to threat of violence.**
- **The PHA has a need, at the discretion of the Executive Director's and or Property Manager to transfer the resident family to another unit and the resident voluntarily agrees to such transfer.**

## **F. MANDATORY TRANSFERS**

If a family that is required to move refuses the offered unit, the PHA will evaluate the reason for the refusal and determine if it is one of good cause. If the PHA determines that there is no good cause, the PHA will begin lease termination proceedings.

The PHA will offer the family an opportunity for an informal conference before terminating the family's lease. The family will have 10 working days from the issue date of the Notice to Terminate to request an informal conference.

The Housing manager has the authority to suspend the mandatory transfer policy for an indefinite period of time should the resident request such time as to provide sufficient information to the PHA to support the family's position.

## **G. NON-MANDATORY TRANSFERS**

When a unit becomes available, and after the transfer list has been reviewed for families requiring a mandatory transfer based on occupancy standards, the transfer list will be reviewed for other families desiring a transfer.

A transfer, rather than a new admission from the waiting list, will fill one in 2 units filled. For every 2 vacancies, a family who had requested a transfer will be housed.

Good cause may be any of the following reasons:

- The new unit is more than 15 miles from the place of employment of at least one member of the family.
- The new unit is more than 15 miles from the school or job training program that at least one adult member of the family is attending.
- Travel for medical treatment from the new unit would create a hardship for an elderly or disabled person.

The inconvenience or undesirability of changing schools for any minor child will not be considered good cause.

## **H. MOVING COSTS**

The resident, except when the transfer is due to un-inhabitability, through no fault of the resident, or when the transfer is due to the need of the PHA, will pay a transfer fee of \$300 to cover all moving costs related to the transfer. This must be paid before signing a new lease for a new unit.

## **I. SECURITY DEPOSITS**

- Security deposits will always be transferred from the previous unit to the new unit.
- Charges that occur as a result of the resident moving out of the previous unit will be deducted from the transfer fee. If there are charges over the amount of the transfer fee, the tenant will be billed for those charges at the new unit. If there is a balance

remaining after deduction of charges, the balance will be applied to the new unit as a rent credit, unless the transfer fee was paid by another agency (examples: Community Action, Job and Family Services, etc.), at which time the balance remaining will be reimbursed to the appropriate agency with in 30 days of the transfer.

#### **J. PROCESSING TRANSFERS**

Transfers will be processed as follows.

**There will be no lapsed time between move-out and move-in. Effective dates must not overlap.**

#### **K. TRANSFER REQUEST PROCEDURE**

- **Residents requesting transfer to another unit or development will be required to submit a** written request for the transfer.
- **Residents applying for a transfer will have to complete a transfer request form stating the reason a transfer is being requested.**
- **Residents applying for a transfer will be interviewed by the housing manager to determine the reason for the request and to determine whether a transfer is justified.**
- **If the interview reveals that there is a problem at the family's present site, the manager will address the problem and until solved to the manager's satisfaction, the request for transfer will be denied.**
- **The housing manager's endorsement will be completed and the original of the** Request for Transfer form **will be** maintained at the housing office until the family is offered and accepts a unit and a copy will be sent to the family for their records or given to the family during their lease signing for their new unit.
- **If the request is approved, the family will be sent a letter stating that their name has been placed on the transfer list.**
- **If the request is approved, the family will be sent a transfer packet which includes: transfer application, and letter informing the family of the pre transfer appointment, at which time the family and the housing manager will go over the completed application and the housing manager will inform the family of the steps that will need to be completed before the transfer can happen. These steps are as follows: utility companies will need to be contacted and changed to new unit, transfer fee must be paid in full or have arrangements worked out with the housing manager at this time, move out inspection scheduled for previous unit, how and when the keys will need to be returned for previous unit, and when family can get new unit keys.**

If the request is denied the family will be sent a letter stating the reason for denial, and offering the family an opportunity for an informal conference **if they disagree with the decision.**

NOTE: A transfer will require good coordination and communication between the gaining and losing developments.

**L. RENT ADJUSTMENTS OF TRANSFERRED RESIDENTS**

The PHA will notify the resident of the rent amount during the lease signing for the new unit once the verification process has been completed.

**M. REEXAMINATION DATE**

The date of the transfer does not change the reexamination date.

An interim examination, verifying income only, will be conducted at the time of lease up and the family will have a new reexamination date.

Reserved