

Administration	Tenant & Housing Services	Board Approved Date:	21-02-24
Policy	Internal Transfers	Revision Date:	N/A
Policy No.	20-086	Internally Approved Date:	21-02-12
References	Housing Services Act, 2011 Ontario Regulation 367/11 section 38 Occupancy Standards Residential Tenancies Act, 2006 Ontario Regulation 516/06 Accommodation Policy Human Rights Code Policy Review of Decision Policy		
Forms	Internal Transfer Agreement Application for Transfer Medical Confirmation for Internal Transfer		

### 1. Policy Statement

It is the policy of DRNPHC to permit, both rent-geared-to-income (RGI) and market rent tenants to transfer when appropriate units become available. DRNPHC will respond to all transfer requests in a fair, consistent and financially responsible manner.

### 2. Purpose

The purpose of this policy is to:

- allow DRNPHC's tenants to move from one unit to another;
- give priority to tenants who qualify as special priority, who are overhoused in accordance with the service manager's eligibility rule regarding occupancy standards or who urgently need a different unit on health or related grounds;
- balance the needs of DRNPHC's tenants with the needs of people hoping to move into DRNPHC for the first time; and
- recognize DRNPHC's limited financial and human resources.

### 3. Scope

This policy applies to all DRNPHC's staff responsible for monitoring and facilitating the movement of tenants within the portfolio and to all tenants.

### 4. Definitions and clarification

Code-related

A matter related to DRNPHC's obligations under the *Human Rights Code, 1990*. This may include requests for a transfer to a special need modified unit.

Designated staff

The staff person(s) or department who has been designated to complete a particular action or requirement.

Good standing

A household that:

- has not been given an eviction notice;
- does not owe arrears or any other money to DRNPHC (unless financial hardship has made this household a "priority move");

- has paid its rent on time for the last six months;
- has no history of damage to the unit, disturbing neighbours or harassing staff

#### HSA

The *Housing Services Act, 2011*

#### Overhoused household

An RGI household living in a unit which is larger than the largest unit for which they qualify under the service manager eligibility rule regarding occupancy standards.

#### Priority moves

Households that have an urgent need to move due to health concerns or significant change in financial or family circumstances. Examples of urgent needs include:

Tenants with safety concerns needing to escape abuse but who have not lived with or been sponsored by the abuser and so do not qualify for special priority status, including tenants being threatened or harassed. The designated staff will establish the level of documentation required to substantiate the abuse.

#### Transfer due to Accommodation Request

A household whose request has been deemed code related by DRNPHC

A household member has a medical condition or permanent disability, and their current unit meets one of the following:

- is inaccessible
- substantially aggravates the condition
- prevents or substantially increases the cost of treatment (a completed *Medical Confirmation for Internal Transfer* required)
- Financial hardship due to the loss of a partner, or a significant drop in income, that makes the market rent unaffordable (tenant requests move to unit with lower market rent).

#### RGI

Rent Geared to Income is a housing subsidy or benefit to make rent affordable for households

#### Special priority

Status that is granted to a member of an applicant or tenant household, aged 16 years of age or older, who meets the criteria outlined in section 54 of Ontario Regulation 367/11.

#### Underhoused households

Households that have more than two household members per bedroom or who have opposite-sex household members, who are not spouses, sharing bedrooms.

## 5. Procedure

### a) Eligibility for internal transfer

- Any household in good standing may request a transfer after having lived in a unit for at least one year.

- Households that are required to transfer because they are overhoused in accordance with the service manager eligibility rule regarding occupancy standards, have been granted special priority designation, or require Code-related accommodation are not required to meet DRNPHC's eligibility criteria. Staff may, at their discretion, waive DRNPHC's eligibility criteria for priority transfers.
- Each transfer may necessitate a redecoration/repair of the originally vacated unit and an additional redecoration/repair of the unit subsequently vacated by the tenant who transferred. Aside from special priority, overhoused or Code-related transfers, the number of transfers can be capped in the event DRNPHC is unable to complete the necessary repairs due to financial or human resource limitations.

b) Request for internal transfer (RGI)

- A household requesting an internal transfer must complete an *Application for Transfer* form and a letter requesting a letter and submit it to the head office.
- A household that is applying for a transfer as a special priority household or as a result of a Code-protected disability must inform the designated staff that they are seeking this status. If applying for special priority status, the designated staff will immediately refer the household to the Region of Durham to determine eligibility. The service manager is responsible for advising both the tenant and the housing provider of whether or not the status has been approved.

c) Request for internal transfer (market)

- A household requesting an internal transfer must put their request in writing indicating the reason for transfer and location preferences.

d) DRNPHC will review tenant transfer requests no less than once per month. Applications for transfer will be assessed based on approved policies and all decision will be communicated in writing to the tenant. If the application is approved the household will be added to the internal waiting list.

e) Ranking on internal waiting list

DRNPHC's internal waiting lists will be comprised of multiple subsidiary lists. Each subsidiary list will be ranked by priority relative to other lists and the households on each list will also be ranked.

f) Internal Waiting Lists (RGI)

DRNPHC's internal waiting lists for RGI households will be ranked as follows. The households waiting on each list will be added to the list and ranked according to the criteria of each list. DRNPHC will at a minimum, include overhoused in accordance with service manager eligibility rule regarding occupancy standards, special priority and Code-designated tenants.

Households with Special Priority designation

- Special priority households will be ranked chronologically by the date they applied for special priority designation. RGI households that are overhoused in accordance with the service manager eligibility rule regarding occupancy standards
- The designated staff will follow the service manager procedure for handling

overhoused households.

#### In situ

An existing Market Households that have been approved to receive RGI based on service manager guidelines and need to move to a smaller sized unit to qualify for the subsidy.

#### Priority Moves

Priority applicants based on safety and medical needs will be offered units in order of their application date for a transfer.

#### Underhoused households

Underhoused households will be ranked chronologically in the order they applied for a larger unit.

#### Other households seeking transfer

Applicants on this list will be ranked chronologically.

When notice is given for a unit, the first appropriately sized household on the highest ranked list will be offered the unit. The unit will be offered to each appropriately sized household on a list before being offered to appropriately sized households on the next, lower priority, waiting list.

#### Internal waiting list - special needs modified units

- Households requesting a transfer to a special need modified unit will be required to provide the following documentation in addition to the *Application for Transfer* form:
  - Medical documentation from an approved healthcare practitioner that outlines the tenant's need for a modified unit
- The household's eligibility for a special need modified unit will be assessed prior to adding the household to the internal waiting list. If the household is eligible for a special need modified unit, the household will be added to the internal waiting list and sent to DASH.
- Households on the special needs modified unit internal waiting list will be ranked chronologically by the date that the non-profit received a completed application form.

#### g) Internal Transfer List (Market)

DRNPHC's market rent waiting list is ranked in chronological order of approved transfer requests.

#### h) Completing an internal transfer

##### Maintaining eligibility for internal transfer

Households must meet the following criteria in order to maintain their eligibility for an internal transfer:

- there are no arrears
- no late payments within the last 6 months
- no substantiated complaints from neighbours or staff; or complaints from

- neighbours or staff that resulted in a LTB Notice being served to the household
- no damage (beyond regular wear and tear) to the tenant's unit was found in a unit inspection

Prior to showing the unit to the next household on the internal waiting lists, designated staff will assess whether or not the household continues to meet the criteria for an internal transfer.

Households with special priority designation, who are overhoused in accordance with the service manager eligibility rule regarding occupancy standards, or who are requesting a transfer based on *Code-grounds* are not required to meet these eligibility criteria.

i) Offering a unit

- Designated staff will offer a unit being vacated to households on the internal transfer list in the order they appear on the waiting list.
- Designated staff may exercise discretion in the decision to offer a vacant unit to anyone on the internal transfer list other than special priority, overhoused and other priority transfer requests if the resources are not available to prepare the units that are vacated in a given month without incurring vacancy loss.
- A household will have 24 hours to decide whether to accept the unit.
- If an overhoused household refuses the offer, staff will follow the Region of Durham's directive regarding overhoused households.
- Units may be offered "as is." DRNPHC will ensure the unit meets DRNPHC's maintenance and safety standards and that all electrical and plumbing fixtures are in good working order. However, DRNPHC may choose not to paint the unit, do minor patching, or make decorative changes to the unit.
- Once the internal transfer has been approved, the transferring tenant will be required to sign an N11 and an internal transfer agreement to confirm their responsibilities and the details of the unit they are vacating.

j) Review of decisions

Households can request a review of the following decisions under the HSA:

- size of unit the household is eligible for
- type of unit the household is eligible for

DRNPHC shall follow the process outlined in the *Review of Decision Policy*.

End.