

MOLENDINAR PARK HOUSING ASSOCIATION

Transfer Policy

Date of Review **20th October 2009**
Date of Next Review: **October 2014**

1. INTRODUCTION

- 1.1 Molendinar Park Housing Association has a commitment to meet the demands of its tenants who require moving to alternative accommodation in accordance with the policy set out below.
- 1.2 Molendinar Park Housing Association is an equal opportunities organisation. We abide by the Sex Discriminations Act 1975, the Disability Discrimination Act 2005, the Race Relations (Amendment) Act 2000 and the Human Rights Act 1998. In addition the Association has adopted the CRE Code of Practice in Rented Housing. No person or group of persons applying for housing will be treated less favourably than any other persons or group of persons because of their sex, marital status, family circumstances, race, or national origins, disability, age, religion, political orientation or sexual orientation.
- 1.3 Schedule 7 of the Housing (Scotland) Act 2001 requires the Association to ensure that it does not provide any benefits to current or former employees or Committee members or their close relatives. The Association abides by guidance published by the Scottish Housing Regulator in dealing with such applications.
- 1.4 Tenants who meet the eligibility criteria will qualify for a transfer to alternative accommodation in the circumstances details below. The Association's transfer application form should be completed fully by the tenant. Where a tenant does not fulfill the criteria details below they will be required to support the application with a letter explaining the circumstances which they believe are sufficient for an exception to be made to the stated policy. Any decision will be made by the Housing Services Officers and verified by the Senior Housing Services Officer.

2. CRITERIA FOR ACCEPTANCE OF A TRANSFER APPLICATION

- 2.1 Tenants will be eligible for access to the Transfer List where they have a housing need. The exception to this is where an applicant is seeking an aspirational move in which case they must have resided in their present home for at least one year.
- 2.2 Tenants in the categories below will have their application deferred until there is a change in the relevant circumstances. Once their application is actively considered they will have the benefit of the date of their original application.
 - Tenants who have rent arrears from their current or from a former tenancy
 - Tenants whose present accommodation is in an unreasonable decorative condition or who have carried out unacceptable unauthorised alterations.
 - Tenants whose property has been specially adapted for the needs of a current member of the household
 - Tenants who have a pending application to purchase their home

2.3 Tenants must also have fulfilled all obligations of their tenancy in a satisfactory manner.

3. ASSESSMENT OF APPLICATIONS

3.1 All applications received will be assessed in accordance with the Allocations Policy.

3.2 Once the form has been processed the application shall be placed on the active transfer list/inactive transfer list for the appropriate size of accommodation. Applications will be dealt with in date order.

3.3 Those factors which will then determine the length of time an applicant will need to wait before receiving an offer of rehousing are:

- a) The number of prior applicants on the list for the same size of accommodation, taking account of the quota of the lets which is 20% of all lets.
- b) Availability and turnover of property of a size required by the applicant.
- c) Choice of streets and floor levels requested and/or required.
- d) Any specific features requested by the applicant.

4. HOUSE SIZE CATEGORIES AND ELIGIBILITY CRITERIA

There is high demand for all properties therefore the Association will make the best use of our properties by allocating in the following way.

- 1 bedroom for each applicant or applicant and spouse/partner
- 1 bedroom per child but where the children are of the same sex it will allocate one bedroom per two children
- 1 bedroom each for any remaining adult member of the household unless they are part of a couple

The Association will allow under occupation by up to two bed spaces in certain circumstances.

Account will be taken of unborn children who will form part of the household

Over occupation will not be permitted.

5. GENERAL

5.1 The Association will make a maximum of two offers of accommodation to applicants on the basis of their current position on the Transfer List. Applicants

will only be offered properties which match their stated preferences. The Association will endeavour to maximise choice and so, wherever possible, an applicant will be made the offer of two void properties at the same time.

- 5.2 Where applicants have refused two offers of accommodation, whether made separately or simultaneously, they will be asked if they wish to reapply to the Transfer List. The applicant's effective date of application will then become the date when the applicant has confirmed that he/she wished to be readmitted onto the Transfer List.

6. PROMOTION OF MUTUAL EXCHANGES

- 6.1 Given the restrictions on the turnover in our stock there are only a limited number of properties available for let through the transfer list. In order to try and increase the opportunities for tenants to move house the Association is promoting the use of mutual exchanges between tenants.
- 6.2 The Association will endeavour to match tenants currently on the transfer list with other tenants who are also seeing a move to more suitable accommodation within Molendinar.
- 6.3 The Association will also produce lists of addresses, excluding the name of those tenants wishing to move house. It is hoped that through the increased awareness and use of mutual exchanges that many more tenants will be able to move to their desired property much more quickly.
- 6.4 In addition the Association will maintain list of external tenants who are seeing a mutual exchange and will give advice and assistance on this matter.

7. REMOVAL FROM THE TRANSFER LIST

- 7.1 The Association will only remove an applicant from the Transfer List for the following reasons:
- Applicant requests in writing to have their application removed from the list
 - Applicant fails to respond to the periodic review of the Transfer List
 - Death of the applicant.

8. APPEALS

- 8.1 The Association has a clear procedure for dealing with appeals arising from decision made in the allocation process. If any applicant is unhappy regarding

any decision made in relation to the allocations policy then the process of appeal is:

Senior Housing Services Officer
Director
Management Committee
Ombudsman

- 8.2 Applications will be refused or suspended in writing stating clearly the grounds on which the decision has been made. If an applicant is aggrieved by any decision to refuse or suspend the application he/she should notify the Association in accordance with the Appeals Procedure detailed in this section.

9. FALSE INFORMATION

- 9.1 Any applicant knowingly or recklessly making a material false statement in their application may have their application cancelled or where a tenancy has been granted, proceedings to recover possession of the house may be instituted.

10. IMPORTANT INFORMATION FOR APPLICANTS

- 10.1 Applicants have the right to inspect the records kept by the Association of the information given on the application form. Where applications are stored on computer, the applicant has the right under the Data Protection Act 1998 to see any information stored about him or her on computer. The Association will respond, under the terms of the act, to any requests made in writing.

11. CONFIDENTIALITY

- 11.1 Confidentiality regarding an applicant's personal circumstances will be respected at all times. Members of staff who are related to, or have a close connection to, an applicant will declare the fact and have no involvement in the allocation process.

12. COMPLAINTS

- 12.1 Any applicant who is unhappy about the way his/her application has been dealt with should notify the Housing Officer with whom they have been dealing with. If following this they still feel aggrieved, they should follow the formal Complaints Policy, a copy of which is available for the Association's office.

13. MONITORING, REPORTING AND REVIEW

- 13.1 The Association undertakes to monitor the outcome of its Allocation Policy on an ongoing basis in order to assess whether the stated objectives are being achieved.

- 13.2 The Management Committee will be presented with quarterly performance reports on the allocations processes.
- 13.3 By monitoring performance against objectives in this way, the annual review will establish whether the policy is being effectively put into practice and to establish whether the policy itself requires amendment.
- 13.4 The Association undertakes to carry out a comprehensive review of all aspects of this policy at least every five years.

14. FURTHER INFORMATION

- 14.1 Further copies of this Transfer Policy are available on request from the Association. This Transfer Policy and all related policies/information leaflets will be made available in other languages, Braille and on tape upon request.
- 14.2 Anyone requiring further information on this or any other Association policy should contact our office at 3 Graham Square, Glasgow G31 1AD

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