



TRANSFER POLICY

(adopted 6-06-2011)

Board Resolution #11-03

Our Public Housing Authority (PHA) recognizes situations occur in which it is necessary to move residents from one unit to another. Because of this the PHA will have to consider the types of transfers that are optional by the PHA or mandatory by HUD.

Types of Transfers

***Emergency:** Conditions in the resident's unit, building or at the site that pose an immediate, verifiable threat to the life, health or safety of the resident or family members. Examples of these conditions but may not be limited to: a gas leak; no heat in building in winter; no water; toxic contamination; fire; serious water leaks or any condition that would produce an emergency work order, and would qualify a resident for an emergency transfer if the PHA were unable to make repairs in a timely manner.

In addition a PHA may allow for an emergency transfer to alleviate a verified medical condition of a like threatening nature or, based on a threat assessment by law enforcement professional, to protect member a of the household from criminal elements or for a domestic violence victim.

***Reasonable Accommodation:** these transfers are made when a resident needs to move to a different unit as an accommodation to a resident's disability. This kind of transfer may be requested for a variety of reasons, including, but not limited to: the resident needs to be moved to a ground floor unit because of disability preventing climbing stairs; the resident needs a unit with certain physical features that cannot be provided in the current unit without undue financial and administrative burden to the PHA.

***Demolition, Disposition, Revitalization or Rehabilitation:**

These transfers permit the PHA to demolish, sell or do major revitalization or rehabilitation work at the building or site.

***Occupancy Standards:** These transfers are made when resident's family size has changed and the resident's family is now too large or too small for the unit presently occupied. PHAs are required to make these transfers.

***Split Family Transfers:** Not all PHAs make these transfers, which permit very large families that have two adults to split into two household and be transferred to two units. A split family transfer is a type of Occupancy Standards transfer.

***Incentive:** These transfers to new or rehabilitated units can be made for residents with excellent residency histories. Tenant transfers to smaller units are considered incentive transfers. These transfers are not required and are initiated by the PHA.

***Resident-initiated:** A resident request a unit transfer that is not out of necessity. PHA policy does not allow tenants to transfer until they have lived in there initial apartment for one year.

Priorities among Types of Transfers

Transfers are prioritized according to standards established by the lease. Emergency transfers are of the highest priority because failure to make them puts the PHA in violation of its responsibilities under the lease. The following list is an example of how transfers could be prioritized: emergency, reasonable accommodation, demolition/disposition/revitalization/rehabilitation, occupancy standards, split family, incentive, and resident initiated.

When Transfers Take Precedence Over Waiting List Admissions and Split Family Transfers

Generally emergencies, reasonable accommodations, demolition/disposition/revitalization/rehabilitation, incentive and occupancy standards transfers take precedence over waiting list admissions. The PHA's list of transfers that are mandatory or take priority over admissions are emergency, demolition/disposition/revitalization/rehabilitation and occupancy standards transfers are mandatory for the resident. Mandatory transfers are expressly permitted to use the PHA's grievance procedure. If the PHA grants a transfer request and the unit is a suitable unit for the resident, the tenant may only refuse one offer. PHA may opt not to permit a split family transfer.

- The persons who would be family heads (original head and new head) must (A lease shall be entered into between the PHA and each tenant of a dwelling unit) both be listed on the most recent lease and recertification (which prohibits individual from extending their visits to the family to obtain a unit);
- The family must be overcrowded according to the PHA's occupancy standards;
- Both heads must be legally capable of executing a lease; and
- The reasons for the family split must be the addition of children through birth, adoption or court-awarded custody.

Mandatory and Optional Transfers

Emergency, demolition/disposition/revitalization and occupancy standards transfers are mandatory for the resident. Reasonable accommodation, incentive, lower priority occupancy standards and resident initiated transfers are optional for the resident. The PHA lease makes clear that certain types of transfers are mandatory. Residents who wish to dispute mandatory transfers are permitted to use the PHA's grievance procedure.

Eligibility for Transfers:The PHA has established requirements for transfers that residents are seeking, e.g., moving overcrowded families to larger units, but they shall not impose such requirements in emergency situations. PHA's usually waive the requirements when the transfers are necessary but unpopular with residents e.g., moving empty nesters to smaller units. PHA may require the residents who are transferring:

- Have not engaged in criminal activity that threatens the health and safety of residents and staff;
- Owe no back rent or other charges, or have a pattern of late payment;

- Have no housekeeping lease violations or history of damaging property; and
- Can get utilities turned on in the name of the head of household.

Cost of Transfers: PHA's must bear the reasonable costs of transfers they initiate (demolition, disposition, revitalization or rehabilitation), transfers required because the PHA lease obligations are not being met (building system failures, other emergency conditions the PHA is unable to repair within a reasonable time), as well as the cost of all transfers needed as a reasonable accommodation for residents with disabilities. Residents typically must bear the costs associated with occupancy transfers, initiated by tenants to a unit for reasons for dissatisfaction of unit or area may not be considered until after first year of occupancy.

Processing Transfers:

PHA maintains a transfer waiting list to ensure that transfers are processed in the correct order and that procedures are fair to residents. Since some transfers have a higher priority than admissions, coordination with occupancy function is essential. All transfers will be handled in a reasonable length of time based vacancy of a suitable unit. It may not be possible to transfer residents to a new unit located in the same site. Transfers will by definition be across properties.

Rent Adjustment:

If the transfer is approved, you will have rent adjustment. Your rent may increase or decrease, depending on the utility allowance used for the apartment size and location. You **must** agree to pay the new contract rent.

Utility Transfer

- The Housing Authority does not pay to have your electric, cable, satellite or telephone transferred. Any expenses you incur will be your responsibility unless the transfer is a mandatory request by the housing authority.

Instruction to Transfer:

To be permitted to transfer to another apartment you **must** meet the following requirements:

- You must give a written request to the PHA.
- The request must have your statement as to the reason you want to transfer;
- The request must be dated, contain your complete name, address and phone number and signed.
- You must agree to pay the tenant rent charge for the new unit.

• **Transfer Fees**

You will be charged the full amount of a transfer fee in advance if it was your request.

- 0- Bedroom \$325.00
- 1- Bedroom \$325.00
- 2- Bedroom \$375.00
- 3- Bedroom \$425.00
- 4- Bedroom \$475.00

***For Resident – initiated Transfer there will be a \$50.00 Administrative Fee charged in addition to the Transfer Fee.**

- **Exempt Transfer Fees:** If your request is due to a medical condition; your family size has changed (increase or reduction) and you need larger/smaller unit you will not be charged a transfer fee.
- **You Must Move Within Three (3) Days:** You cannot have two apartments tied up for more than 3 days. All of your personal property **must** be moved into the apartment you are transferring to within three (3) days. If the move takes more than three days, and the keys are not turned in the resident will be charged **\$25.00** per day for each additional day. Fee can be waived for unforeseen circumstances.
- **Turn in Keys:** When you have completed your transfer (move) you must turn in your keys to the Housing Authority. When the keys are returned to the housing authority, a member of the staff will inspect your apartment.
- **Transfer Inspection:** When the keys are turned into the Housing Authority a member of the staff will inspect your apartment. You **must** clean the apartment and appliances; range and refrigerator. The apartment **must** pass inspection in order to be permitted to transfer.
- **Damage and Cleaning Charges:** If you have damages, the apartment is not cleaned or garbage is left on the inside or outside to be hauled off, you **will** be charged. The charges will be posted to your tenant account. They will be due and payable on the first of the following month along with your adjusted tenant rent and pest control.

• **Execute New Lease**

A new lease **must** be executed (between tenant and landlord) when the keys are turned into the office and at this time you will take possession of the new unit and be given keys to the apartment.