

## Transfer Procedure

A transfer is the process by which a MTVH customer can move to another vacant MTVH property.

MTVH's transfer list is open to existing MTVH customers who have successfully completed their 12-month probationary tenancy period, subject to eligibility criteria and other restrictions. In certain Local Authority areas due to housing demand and supply criteria, properties may be restricted to higher bands only (i.e. bands A & B only).

MTVH tenants will be able to have a maximum of 3 active bids for advertised vacancies at any one time.

MTVH will make vacancies available to transferring customers subject to Local Authority nominations restrictions and local lettings criteria.

### Banding Allocation and Reviews

- Applicants applying for a transfer on welfare grounds will have their priority assessed by a panel consisting of the appropriate Housing Managers, which must include a Lettings Manager.
- Applicants applying for a transfer on medical grounds will be referred for an independent assessment to confirm banding priority.
- Households who meet 2 or more criteria within banding categories may be prioritised over those who meet fewer criteria.
- Applicants will otherwise be prioritised within bands based on the date their assessment was approved.
- In cases where an application re-assessment results in the award of a higher band, the priority date will be effective from the date of the banding re-assessment. Where a re-assessment results in the award of a lower band, the original banding date will be maintained
- In some circumstances, it may be appropriate to override the shortlist where a property is more suited to another customer/their family. For example, where an adapted property is more suitable for another applicant, or the property is more suited to a family with a different household composition
- Applicants are required to keep MTVH up to date with any changes in their circumstances, or additional information that is relevant to their current banding. At the time an offer is made, transfer applications will be reviewed to determine the banding awarded is still appropriate. Applicants may be required to provide evidence to support this, and failure to do so may result in them being withdrawn from the shortlist, a revision to their banding, or an offer being withdrawn
- In addition, reviews are to be carried out every 6 months for **Band A** applicants. Reviews should be carried out by the relevant Housing or Lettings Officer within 28 days of the review date and passed to the relevant Lettings Manager for approval

***Refer to Transfer Policy Appendix 1 - Priority Banding Table for further guidance.***

### Shortlisting

- Household bedroom requirements will be determined in accordance with the ***Bedroom Standard*** unless there is up to date medical evidence from an Occupational Therapist, Consultant or Specialist, supporting the need for additional rooms, which will be reviewed by an independent medical assessor.
- Applications may be withdrawn from an offer where they do not meet the published criteria for the property in relation to family size and/or any local lettings or S.106 requirements.
- Where a S.106 agreement is in place, the criteria will take precedence when prioritising the shortlist.



- Where the property is part of a local letting plan (LLP), the LLP criteria will take precedence over all other criteria (subject to any S106 requirements).
- Certain properties may be subject to sensitive lettings criteria, for example due to localised ASB. In these circumstances, additional eligibility criteria may apply.

## Exclusions & Refusals

The decision to allocate a property will also include an assessment as to the sustainability of the future tenancy and the contribution to maintaining a stable and balanced community.

This will include situations where existing care packages cannot be guaranteed at the new address or where there is an acute vulnerability and no history of ongoing and sustained engagement with support services.

Applicants may be excluded from consideration or refused at any point in the process if they do not meet the banding criteria. Reasons include, but are not limited to:

- The customer is in the review period of their fixed term tenancy, has no legal right to rent (or refuses a right to rent check), owns/part-owns/holds a tenancy of another property, or the property was acquired via a scheme for homeowners.
- The customer holds an assured short-hold tenancy.
- The customer is unable to demonstrate they can afford the property, where a move would result in a significant increase in rental liability.
- Where we consider the property or location to be unsuitable for the customer or their household.
- Where the customer has already transferred or exchanged property within the last 6 months (unless the customer pays reasonable costs for the subsequent move or requires an emergency move (band A1).
- The customer or members of their household are in breach of tenancy conditions or has a history of serious anti-social behaviour, harassment or criminal behaviours and/or MTVH assess that they continue to pose a risk to others.
- Where tenancy breaches exist (including arrears), permission must be obtained by the relevant manager. Each case should be dealt with individually and approved at the manager's discretion.
- Where legal action has started due to a serious breach of tenancy.
- Where the current property has not been suitability maintained and does not pass inspection.
- Where applicants, or a member of the household have misrepresented personal or household circumstances and MTVH become aware before the tenancy starts that pertinent information within the customer's application was withheld or false.
- Where an applicant is assessed as having no housing need and does not wish to move to another area.
- Where the property is larger or smaller than required for the current household size.
- Where the bid is based on over-crowding caused by non-eligible household members.
- Non-dependents will be excluded for the purpose of calculating the number of bedrooms that a household requires. Household bedroom requirements will be determined in accordance with MTVH's Bedroom Standard,.

## Eligible Household Members

Except in exceptional circumstances, we will only consider household members who have been assessed as eligible by the Local Authority, and who meet the criteria within MTVH's policy and procedure. These include the customer(s):

- Partner (with sole tenancy, if they are living permanently at the property)
- Dependent children, including children for whom the applicant has long term legal guardianship, and children that are adopted or fostered (evidence of guardianship is required)



- Carer (sufficient evidence that a live-in carer is required must be provided)

## Offers

Applicants are required to keep MTVH up to date with any changes in their circumstances, or additional information that is relevant to their current banding. Transfer applications will be reviewed at or around the time an offer is made to determine whether the banding awarded is still appropriate. Applicants may be required to provide evidence to support this, and failure to do so may result in them being withdrawn from the shortlist, a revision to their banding or an offer being withdrawn.

There will be one direct offer only for applicants in Band A1. If the applicant declines the offer, their application will be reassessed which will result in a lower priority being awarded, unless there is a valid reason for refusal, which is agreed by MTVH.

With the exception of under-occupiers, applicants in Bands A2 and A3 who have not bid within 6 months and where suitable properties have been available, may be made a direct offer. Applicants who fail to accept an offer deemed suitable by MTVH (this could be either a direct offer or an offer following a bid) will have their application reassessed. This may result in a lower priority being awarded, unless there is a valid reason for refusal, which is agreed by MTVH.

Refusal of a direct offer to applicants in Band A3 who have been left in occupation of a MTVH property, may result in action to recover possession of the property, subject to the offer being reasonably suited to the household's needs.

Following acceptance of an offer of accommodation, applicants will be expected to commence their new tenancy as soon as possible and within a maximum of 5 working days of an offer, subject to the property being available for occupation. A longer period may be accepted in exceptional circumstances, at the sole discretion of MTVH. MTVH reserves the right to withdraw an offer if the tenancy has not been signed within 5 working days of an offer being made.

Customers may be asked to provide a set of keys to their former home on or before the date their new tenancy starts. If we must force entry to the property, the cost for arranging this will be recharged to the customer.

Customers must vacate their property by midnight on the day after their new tenancy starts. Additional time may be agreed in exceptional circumstances, at the sole discretion of MTVH. If the property is not vacated by midnight on the day after the new tenancy starts, rent will be charged on both properties starting from the day the new tenancy starts. Rent will continue to be charged on both properties until the previous property has been vacated, and keys have been returned. Where an extension has been agreed, customers will be required to confirm their agreement in writing at the time they sign their new tenancy.

## Right to Appeal

Where a direct offer has been made, applicants have the right to request a review of the reasonableness of the offer. The appeal should be in writing or dictated to a MTVH colleague over the phone within 5 working days from the date of refusal. The appeal will be responded to by the relevant Manager (this will be dependent on the reason for refusal) who will investigate the reasonableness of the refusal and advise the applicant in writing of the decision within 10 working days unless a mutually agreed alternative timescale is agreed.

The appeal may be referred to the Allocations Panel who will review the details and make a decision based on individual circumstances. This appeal does not interfere with an applicant's right to make a complaint to the Independent Housing Ombudsman or to request an agency or organisation to make the appeal on their behalf.

There is no right of appeal in the following circumstances:



- Where a transfer application has been made on medical grounds and is supported by a specialist healthcare professional, MTVH will seek an independent assessment from a medical professional. Where additional evidence provided by a specialist healthcare professional, requires a re-assessment, a charge to the applicant may be incurred.
- Where applicants are refused access to the transfer list, assessed or bypassed based on criteria detailed in the Transfer Policy and Procedure. If MTVH consider there is a material change in housing circumstances, we will review priority banding on the production of further supporting evidence.