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| <b>Housing Services Division</b> |  | <b>Content Updated: 2020-01-16</b>                  |
|                                  |   | <b>Policy and Procedure<br/>No. CoH20-0116-INT1</b> |
|                                  |   | <b>Effective Date:<br/>January 16, 2020</b>         |

**Subject:***Internal Transfer Policy (Rent-Geared-to-Income Units)*

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| <b>Applicable to:</b> | The policy and procedures contained in this document apply to the following: |   |
|                       | <input checked="" type="checkbox"/> Local Housing Corporation                | <input checked="" type="checkbox"/> Access to Housing (ATH)   |
|                       | <input checked="" type="checkbox"/> Co-operatives                            | <input checked="" type="checkbox"/> Federal Non-Profit  |
|                       | <input checked="" type="checkbox"/> Municipal & Private Non-Profit           | <input checked="" type="checkbox"/> Landlords with Rent Supplement Agreements – Incl. OCHAP & Commercial Rent |

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| <b>Policy Context</b> | <p>The Housing Services Act, 2011 (HSA) requires the City of Hamilton, as Service Manager, to establish and administer policies, local rules and procedures for social housing in Hamilton.</p> <p>Under the <i>Housing Services Act 2011</i>, O. Reg. 367/11 (s. 47), a Housing Provider can select a household in receipt of rent-geared-to-income (RGI) assistance and has requested a transfer to another unit operated by the same Housing Provider.</p> <p>All Housing Providers must have an Internal Transfer Policy.</p> |
| <b>Purpose</b>        | To ensure Housing Providers are informed of mandatory requirements under the <i>Housing Services Act, 2011</i> and associated regulations related to Housing Provider Internal Transfer policies.   |
| <b>Scope</b>          | This policy applies to situations in which a household in receipt of RGI assistance requests a transfer to a unit with their current Housing Provider.  |

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| <p><b>Definitions</b></p> <p><i>Access to Housing (ATH)</i></p> <p><i>Household</i></p> <p><i>Housing Provider</i></p> <p><i>Internal Transfer</i></p> <p><i>Internal Transfer List</i></p> <p><i>Service Manager</i></p> | <p>the point of access for applicants for rent-geared-to-income subsidized housing, and maintains the corresponding waiting lists which is also known as the centralized waiting list</p> <p>an individual who lives alone or two or more individuals who live together</p> <p>a Non-Profit or Co-operative corporation that provides social and or affordable housing</p> <p>the transfer of an RGI household from RGI unit to another RGI unit in their current Housing Provider’s portfolio within Hamilton</p> <p>the list that individual Housing Providers maintain for households that wish to move from one RGI unit to another within the Housing Provider’s portfolio</p> <p>The City of Hamilton is a Service Manager designated to administer and fund the social housing program in Hamilton</p>  |
| <p><b>TERMS &amp; CONDITIONS</b></p>  | <p>Under the <i>Housing Services Act 2011</i>, Housing Providers must establish an <u>Internal Transfer Policy</u>.</p> <p>Housing Providers may offer a vacant unit to an RGI tenant/member, regardless of whether or not the household is on the ATH wait list, if the RGI tenant/member:</p> <ul style="list-style-type: none"> <li>• has requested a transfer to another unit operated by the same Housing Provider in Hamilton;</li> <li>• meets the City of Hamilton’s established Occupancy Standards for the type of unit being requested as per the <a href="#">Occupancy Standards Policy</a>;</li> <li>• is in good standing with the Housing Provider</li> </ul> <p>When a Housing Provider selects a household from the Internal Transfer list, the Housing Provider must select a household in chronological order, based on the request for the internal transfer date, and in order of priority:</p> <ul style="list-style-type: none"> <li>• special priority households</li> <li>• urgent priority</li> <li>• homeless, newcomer and youth</li> <li>• chronological</li> </ul> |

Housing Providers may establish other eligibility reasons for a transfer within their portfolios but must comply with the HSA, this policy and other relevant City of Hamilton social housing policies.

Special Priority Transfers

The *Housing Services Act, 2011* states that special priority status is reserved for those whose personal safety or whose family's safety is at risk due to an abusive situation as outlined in the HSA.

Households that apply for an internal transfer and request SPP or Urgent priority are to be referred to ATH for assessment. ATH staff conduct an assessment for priority eligibility. A letter confirming or denying priority status is sent to the tenant/member. It is the tenant or member's responsibility to notify the Housing Provider of the outcome of their priority status request.

Note: An RGI household paying market rent for less than 24 consecutive months is still considered an RGI household as per the RGI to Market Rent (24-month rule) Policy.

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| <p><b>Internal Transfer Policy Content</b></p>                                | <p><u>Internal Transfer Policy Content</u></p> <p>Each Housing Provider’s internal transfer policy must contain:</p> <ul style="list-style-type: none"> <li>• A clear, fair, and transparent process for all tenants/members;</li> <li>• Eligibility criteria for requesting a transfer;</li> <li>• Steps the tenant/member must take when requesting a transfer;</li> <li>• Details outlining the circumstances in which an administration fee would be charged, if applicable, not to exceed \$250 as per <a href="#">Residential Tenancies Act, 2006</a> (RTA) for Non-Profit Housing Providers <ul style="list-style-type: none"> <li>○ Note: these charges cannot be applied to households from the SPP or Overhoused categories. The Housing Provider reserves the right to waive the fees at their discretion for regular household transfers, and;</li> </ul> </li> <li>• A statement indicating the tenant(s) or member(s) may request an Internal Review with the Housing Provider regarding eligibility for an internal transfer.</li> </ul> <p><b>Note:</b> If the Internal transfer request is denied because of the size and/or type of unit, the Housing Provider must inform the tenant or member of the Housing Provider’s Internal Review policy (with steps about how to request an Internal Review) and the City’s <a href="#">Social Housing Review System</a> policy (with steps about how to request a Social Housing Review Panel review)</p> |
| <p><b>Households who want to transfer to an external Housing Provider</b></p> | <p>Households who requests a move to a unit (s) managed by another Housing Provider must re-apply with a <u>new</u> application through the Access to Housing.</p>  |
| <p><b>Rent Supplement Requests for an Internal Transfer</b></p>               | <p>The City of Hamilton manages the Rent Supplement program and rent supplement staff must follow the Rent Supplement Additional Bedroom and Transfer policy when a rent supplement tenant requests to transfer units.</p>  |
| <p><b>Denial of an Internal Transfer Request</b></p>                          | <p>All decisions made by the Housing Provider or Housing Services staff (Rent Supplement) regarding Internal Transfer requests are subject to an Internal Review with the Housing Provider or Housing Services staff whichever the case may be.</p>   |

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| <p><b>Responsibilities</b></p> | <p>Housing Providers and the tenant(s) or member(s) applying for an internal transfer must adhere to their Internal Transfer policy and processes.</p> <p>Housing Providers must also follow related policies such as <a href="#">Occupancy Standards</a>, <a href="#">Market to RGI – In Situ</a> and <a href="#">Offers and Refusals</a> as each relates to Internal Transfers.</p> <p>The City of Hamilton, as Service Manager, requires all Housing Providers to have an Internal Transfer policy.</p> <p>A copy of the current Board approved <b>Internal Transfer policy</b> must be submitted to the Service Manager – the Housing Provider’s Housing Administration Officer. All amended policies must also be submitted to the Service Manager.</p> <p>Housing Providers must ensure their Internal Transfer policy is available to all tenants/members.</p> |
| <p><b>Compliance</b></p>       | <p>All Housing Providers, RGI and rent supplement households are subject to this policy and any related policies identified there in (e.g. Occupancy Standards).</p> <p>Housing Providers must comply with this policy.</p> <p>Housing Administration Officers with the City of Hamilton monitor compliance with this policy through the Operational Review process or when deemed necessary.</p>   |
| <p><b>References</b></p>       | <p><a href="#">Housing Services Act, 2011</a></p>   |
| <p><b>Approval</b></p>         | <p>Author Name: Tammy Morasse, Senior Project Manager<br/> Manager Name: Brian Kreps, Manager of Social Housing<br/> Director Name: Edward John, Director Housing Services<br/> Date: 2020-01-16</p>  |