

Victoria-Shuter Non-Profit Housing Corporation

POLICY NAME	INTERNAL TRANSFER POLICY
POLICY NUMBER	2013-101
DATE REVIEWED	May 2023
REFERENCES	<i>Housing Services Act, Regulation 367/11 s.38</i> <i>RGI Administration Manual</i> <i>City of Toronto Occupancy Standards</i> <i>Residential Tenancies Act, Regulation 516/06</i> <i>Internal Transfer Request</i> <i>Internal Transfer Agreement</i> <i>As Is Agreement</i> <i>Medical Forms 1, 2, 3</i>
SEE ALSO	<i>Accommodation Policy 2012-002</i> <i>Human Rights Code Policy 2012-001</i> <i>System for Dealing with Reviews Policy 2013-102</i>

POLICY STATEMENT

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

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PURPOSE AND SCOPE

PURPOSE:

The purpose of this policy is to:

Allow the non-profit'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 the non-profit's tenants with the needs of people hoping to move into the non-profit for the first time.
- recognize the non-profit's limited financial and human resources.

SCOPE:

This policy applies to all non-profit staff responsible for monitoring and facilitating the movement of tenants within the portfolio and to all tenants.

DEFINITIONS AND CLARIFICATION

Code-related

A matter related to the non-profit's obligations under the *Human Rights Code, 1990*.

Designated Staff

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

Good standing

A household that:

- has not been given an eviction notice.
- has no guest or occupant who has been previously evicted from the non-profit.
- has no issue with the non-profit that is before the Landlord Tenant Board
- does not owe arrears or any other money to the non-profit (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.

H.S.A.

The *Housing Services Act, 2011*

Overhoused households

Any household (market or RGI) living in a unit with more bedrooms than the City of Toronto's Local Occupancy Standards allow. Example: One person living in a unit with two bedrooms; spouses living in a unit with two bedrooms. Note: For further clarification regarding overhoused RGI subsidized units see the RGI Administration

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Manual: <https://www.toronto.ca/wp-content/uploads/2021/05/8e88-RGI-Administration-Manual-TRAINING-RGI-Simplification.pdf>

Priority moves.

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

- Tenants 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 Property Manager will establish the level of documentation required to substantiate the abuse.
- a household member has a medical condition or permanent disability, and their current unit:
 - is inaccessible, or
 - substantially aggravates the condition, or
 - 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

The tenant's rent-geared-to-income subsidy.

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

The Non-Profit

The organization whose board of directors has approved this policy.

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.

PROCEDURE

1.0 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, have been granted special priority designation, or require Code-related accommodation, are not required to meet the non-profit's eligibility criteria. Staff may, at their discretion, waive the non-profit's eligibility criteria for priority transfers.
- "Internal splits" may be allowed for health reasons upon approval by the Board of Directors.
- Households (both RGI and Market) may not transfer to a unit if that transfer would result in the household becoming overhoused. *i.e., A one person household may not move into a two- or three-bedroom unit; a two-person household may not move into a three-bedroom unit. Note: a household includes tenants and children of tenants only; it does not include occupants or guests.*

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2.0 REQUEST FOR INTERNAL TRANSFER (RGI)

- A household requesting an internal transfer must complete an *Internal Transfer Request* form and submit it to the management office.
- A household that is applying for a transfer as a special priority household or because of a Code-protected disability must inform the Property Manager that they are seeking this status. If applying for special priority status, the Property Manager will immediately refer the household to the service manager to determine eligibility. The service manager is responsible for advising both the tenant and the housing provider of whether the status has been approved.

3.0 RANKING ON INTERNAL WAITING LIST

- The non-profit'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.

3.1 Internal Waiting Lists - RGI Households

- The non-profit'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.
 1. Households with Special Priority designation
 - Special priority households will be ranked chronologically by the date they applied for special priority designation.
 2. RGI households that are overhoused in accordance with the service manager eligibility rule regarding occupancy standards
 - The Property Manager will follow the service manager procedure for handling overhoused households.
 3. Priority Moves
 - Priority applicants will be offered units in order of their application date for a transfer.
 4. Underhoused households
 - Underhoused households will be ranked chronologically in the order they applied for a larger unit.
 5. 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.

3.2 Internal Waiting List - Special Needs or Modified Units

- Households requesting a transfer to a special needs or modified unit will be required to provide the following documentation in addition to the *Internal Transfer Request* form:
 - Form 1: Medical Need for an Additional Bedroom and/or
 - Form 2: Home Care Agency's Verification or
 - Form 3: Caregiver's Verification – caregiver not affiliated with a home care agency.
- The appropriateness of the unit for the household's needs will be assessed prior to adding the household to the internal waiting list. If the unit is deemed to be appropriate, the household will be added to the

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internal waiting list. If the unit is inappropriate, the household shall be referred to Housing Connections Centralized Waiting List.

- Households on the special needs or modified unit internal waiting list will be ranked chronologically by the date that the non-profit received a completed application form.

3.3 Internal Waiting Lists – Market Rent Households

- The non-profit's internal waiting lists for Market 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.
 - Market rent households who have been identified as a priority move will be given priority over other market rent households requesting a transfer. Priority move market rent households will be ranked in chronological order by date of request for transfer.
 - Other market rent households requesting an internal transfer will be ranked in chronological order.

4.0 COMPLETING AN INTERNAL TRANSFER

4.1 Maintaining Eligibility for Internal Transfer

- Households must meet the following criteria 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; and,
 - 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, the Property Manager will assess whether the household continues to meet the criteria for an internal transfer.
- Households with special priority designation, who are overhoused, or who are requesting a transfer based on *Code-grounds* are not required to meet these eligibility criteria.

4.2 Offering a unit.

- The Property Manager will offer a vacant unit to households on the internal transfer list in the order they appear on the waiting list.
- A household will have 48 hours to decide whether to accept the unit.
- If the household is absent from their unit, and management has been notified, they will not be offered the unit.
- If the household is absent from their unit for less than seven days and management has not been notified and the household does not respond to the offer it will not be counted as a refusal.
- The service manager must be notified when a special priority or overhoused household refuses an internal transfer. A special priority or overhoused household that refuses three offers while on the internal transfer (and/or the centralized waiting list) will lose their eligibility for RGI assistance.

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- A household (other than a special priority or an overhoused household) that refuses three units will be removed from the internal waiting list.
- Units may be offered “as is.” The non-profit will ensure the unit meets the non-profit’s safety standards and that all electrical and plumbing fixtures are in good working order. However, the non-profit 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 *Internal Transfer Agreement* to confirm their responsibilities and the details of the move.

4.3 Swaps

- Staff will identify possible swaps of households on the non-profit’s internal transfer list. Swaps will preferably be made between overhoused tenant households and underhoused tenant households on the internal transfer list. Swaps are a means to address a household’s occupancy needs and to achieve more effective utilization of the housing stock.
- Swaps will be conditional on acceptance of the unit in the condition it is in at the time of the swap (“as is”). However, this condition does not preclude the non-profit doing maintenance that would be done in any event (leaking taps, repairs to electrical components, etc.). Both tenants involved in the Swap must sign an *As Is Agreement*.

5.0 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
- The non-profit shall follow the process outlined in the *System for Dealing with Reviews Policy 2013-102*.

REVISIONS	DATE	DESCRIPTION OF REVISION
	1. July 2015	<ul style="list-style-type: none">• Amended Local Occupancy Standards.• New Medical Forms
	2. November, 2018	<ul style="list-style-type: none">• No “Internal Splits”
	3. March 2021	<ul style="list-style-type: none">• “Internal Splits” amended
	4. May 2023	<ul style="list-style-type: none">• Good Standing: No previously evicted. No issues before LTB.• Eligibility for transfer: No overhoused market.

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REVISED Policy 2013-101 of Victoria-Shuter Non-Profit Housing Corporation passed by the Board of Directors at a duly constituted meeting held on June 14, 2023.