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**CITY WEST**  
HOUSING



# TENANT TRANSFER

OPERATIONAL POLICY



**LIVE. WORK. LOCAL.**



It is the responsibility of the user of this document to ensure that only the current version is being used. City West Housing Pty Ltd may amend this document at any time.

## DOCUMENT AND AMENDMENT HISTORY

VERSION NUMBER	DATE	SUMMARY OF CHANGES
1.0	5 October 2021	First publication

This document can be downloaded from [www.citywesthousing.com.au](http://www.citywesthousing.com.au)

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## 1. PURPOSE

The Policy explains the criteria City West Housing (CWH) will use to determine whether a tenant is eligible for a transfer.

## 2. SCOPE

This Policy is applicable to CWH tenants who have a lease under the NSW Residential Tenancies Act 2010.

## 3. BACKGROUND AND INTRODUCTION

CWH understands that its tenants' needs change and that often these changes in circumstances are unpredictable and unplanned. Whilst CWH has a limited supply of homes, wherever possible it will seek to match tenant needs to the homes it has available.

Where a current home is no longer suitable, CWH tenants can apply for a transfer to an alternative home which better suits their needs. This is called a Tenant Initiated Transfer.

There are also circumstances where CWH may need to transfer a tenant to a new home. Such transfers are called Management Transfers.

## 4. TENANT INITIATED TRANSFERS

When a tenant applies for a transfer, they must complete the Transfer Application Form and meet the following eligibility criteria.

- Be eligible for CWH properties.
- Have lived in the current property for at least the last twelve months.
- Have no outstanding debts with CWH.
- Demonstrate that they can sustain the tenancy with or without support and have good property care.
- Demonstrate that the current home is no longer suitable and that a transfer would alleviate these issues.

To receive priority consideration for a transfer, applicants must provide relevant evidence that they are experiencing one or more of the following:

- That they or members of their household are currently experiencing or at risk of domestic violence, threatening behaviour or something similar. Applicants will need to show evidence such as an Apprehended Violence Order, , and event number from NSW Police current reports or an assessment from a medical practitioner or health professional (including a mental health case manager), current reports or letters from a school principal or school counsellor. The incidents need to be ongoing and confirm that a transfer is the only possible solution.
- That they have a medical condition or disability which is negatively impacted by their current home. Evidence will include reports and letters of support from relevant health care professionals. The medical condition must be ongoing and exacerbated by the current living conditions.
- Severe overcrowding - this includes an adult or couple sharing a bedroom with a person aged over three years; four or more children sharing a bedroom; three or more unrelated adults sharing a bedroom, children currently sharing a bedroom who now need their own bedroom due to a specific need such as: a disability or special medical need; severe behavioural problems; children of different sexes are sharing a room on reaching puberty.

- Employment - where a tenant can demonstrate that they need to relocate to continue or to commence work and it is not reasonable to expect that they can travel from their existing home. Applicants would need to include a supporting letter from an employer.
- Compassionate grounds - may include being closer to a relative who needs ongoing care or where the tenant needs to move to access support, health care not available near their current home. Supporting evidence from health care professionals will be required as evidence.
- Tenancy Reinstatement - this is where a former tenant is able to have their tenancy reinstated. To be eligible, the former tenant had: left their original home under duress (left to avoid domestic violence or severe harassment) or to move into a residential care or custodial facility. In the case of custodial sentences, the former tenant must be incarcerated for less than three years and must submit their application to be rehoused within six months of their release from custody. They are not eligible for reinstatement if the sentence was longer than three years.

When assessing the decision to vacate the property, CWH will consider issues such as:

- was it reasonable for the tenant to vacate without notice?
- the urgency of the need to vacate without notice.
- did the circumstances of the incident force the tenant to vacate without notice?
- did the tenant consider options other than vacating, and could the decision to vacate have been delayed?

## UNDERUTILISATION

If a family composition change arises and it results in a tenant underutilising the property (in consideration of household compliment and CWH bedroom allocation policy), the tenant can apply for a transfer to a property, which does meet the requirements of their tenancy based on their household compliment, at any time by completing the Transfer Request form.

## FAMILY BREAKDOWN / SEPARATION

In such cases CWH will consider rehousing or facilitating the rehousing of the spouse who has left. To be rehoused with CWH they would have to demonstrate:

- that they were eligible under the CWH eligibility policy,
- that they had been living in the family home for at least the last two years or since the start of the tenancy if that was shorter than two years,
- that their income had been declared and used to determine any rent subsidy and,
- that they applied within six months of leaving.

## 5. CWH INITIATED TRANSFERS

From time-to-time CWH might need to transfer a tenant out of one of its properties. This might occur for one or more of the following reasons:

1. A property is no longer habitable.
2. A property is no longer economically viable to retain.
3. Substantial repairs are required meaning the property will be uninhabitable for a long period of time.
4. The property is under occupied; or,
5. The tenant requires modifications which are not possible at the current property.

Since CWH initiated transfers are offered for specific strategic reasons, CWH tenants who are asked to transfer for management reasons will be made one reasonable offer.

CWH will consider making a financial contribution to the cost of relocating. This will take into account such issues as the distance of the move, the size of the household and whether children need to change schools.

## 6. NOTIFICATION

CWH will advise the outcome of a transfer application in writing within twenty-eight (28) working days of receipt of a fully completed application. CWH may require additional information or documentation to support the application. If the tenant does not provide this information within fourteen (14) days of the request, the application will be assessed on the information provided.

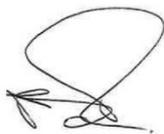
## 7. APPEALS

This policy is appealable.

## 8. RELATED RESOURCES

- CWH Eligibility and Allocations Policy
- Rent Arrears Policy
- Domestic and Family Violence Policy

## 9. POLICY APPROVAL



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5 October 2021