

**1. Introduction**

The management transfer is a procedure that awards a priority status to a transfer application because of the applicant's circumstances which may require the tenant to move out of the property into suitable alternative accommodation.

It is not designed as an alternative route to the transfer process and tenants need to be aware of this and that there are alternative remedies.

**1.1 Policy**

There are three circumstances where a management transfer would apply:-

- **Threats to life and limb:** A threat to life or limb occurs when a tenant or member of the tenants family who lives at the same address is the victim of a threat or physical harm. A threat would be considered where the applicant can demonstrate that the perpetrators have been physically engaged in actions aimed at causing personal injury to either the applicant or other persons. This can include physical damage to their property or belongings. In deciding if the threat is credible we will consider any current or previous actions or patterns of behaviour displayed by the perpetrators.
- **Escalating threats to the person:** An escalating threat to a person occurs when there is a continuous pattern of more severe threats to the applicant. In these situations the combination of all previous incidents suggest that a serious threat, assault or other forms of physical harm is more likely to be carried out against the tenant or member of the tenants family who lives at the same address.
- **Properties in need of major work:** This is when a property is in need of major work that cannot be reasonable carried out with the tenant in occupation. The tenant's individual circumstances will determine if they can be expected to occupy the premises whilst the works are carried out.

**Exclusions**

There are certain circumstances when a management transfer procedure should not be used:-

- **Immediate/ Emergency re-housing:** If a tenant requires immediate accommodation due to flood, fire, domestic violence or harassment incidents, then the only option available is for the tenant with the help of the estate officer to make a homeless persons application or for the estate officer to arrange immediate respite for the night through bed and breakfast. Once the tenants immediate housing needs have been organised by the homeless persons unit the tenant can then apply for a management transfer.

- **Social grounds:** This policy cannot be used to move applicants on the grounds of social circumstances. Estate officers can ask for tenants to be awarded special status to reflect particular circumstances; this is different from the management transfer status.
- **Tenants that are subject to possession proceedings:** Tenants who are currently subject to possession proceedings cannot use this procedure. This ensures that any decision regarding a management transfer status does not prejudice the outcome of any court proceedings.

Possession proceedings have only begun when a court summons has been issued against the applicant. The possession proceedings are concluded when the court passes its final verdict or any other verdict that does not require the parties to return to court.

A tenant who has received only a Notice to Seek Possession can still apply for a management transfer.

If a tenant has been served a Notice to Quit they cannot apply for a management transfer. Although you may need to look at why they have moved away from the property e.g. in the case of domestic violence.

### **Supporting Evidence**

We require all applicants to prove that they qualify for a management transfer under one of the above criteria. We consider all forms of evidence that an applicant can supply to prove their circumstances, these may include their own statements, witness statements or any other forms of evidence e.g. visual/audio recordings, photos etc.

In all circumstances applicants will be required to provide supporting evidence or references from other professional people or agencies like the Police, Social Services, hospitals, domestic violence agencies, citizens advice bureaux, surveyors and Environmental Health Officers. The officers will play an active role in requesting this evidence from these agencies or professionals.

*NT: If we are unable to obtain any supporting evidence from external agencies or professionals, it is unlikely that we will award a management transfer status.*

### **Transfer Options**

#### **Type of Property**

Applicants who move under the management transfer policy are eligible for transfers to “similar properties” as their existing unit. E.g. if an applicant currently resides in a low-rise block of flats he/she can expect to be transferred to a similar low-rise block of flats not a house.

#### **Size of property (number of rooms)**

The size of the property that you will be offered is offered in line with the current allocations policy. If you have an existing home choice application for a transfer this may affect the size and type of property that will be offered to you.

## **Choices**

The home choice application form allows applicant to specify the type of property and the area they want to live in.

Please note a management transfer status suggests the applicant is in urgent need of a transfer and therefore the main emphasis should be the areas that are not suitable and the reasons why they are not suitable.

*NT: A management transfer application can be rejected on the basis that the applicant is not flexible enough with their areas of choice and this demonstrates that they are not experiencing a credible threat or danger.*

## **Number of offers**

We will offer applicants only **one reasonable offer** of alternative accommodation. Any property that meets the requirements set out in your home choice application form will be considered to be a reasonable offer. Officers may contact applicants if they feel there is a property that an applicant should consider even though it might not meet their requirements as stated in their home choice form.

## **Moves out of the Borough**

We cannot offer applicants a transfer out of the Borough under the management transfer policy. We arrange out of Borough transfer through a referral process. Applicants who want to move out of the Borough need to contact their individual estate officer to discuss any options that may be open to them. Further advice can be taken from the Anti-social behaviour team, based at Roycraft house or Housing Advice and prevention team.

## **Monitoring and review of management transfers**

If applicants have any changes in circumstance they must inform the estate officer immediately so that he/she can make any appropriate changes to the management transfer application.

We will review with the management transfer applications with the applicants every month for a six month period.

The referring estate officers will review the case every 2 weeks with their own line manager.

After 6 months if we have been unable to find the applicant an alternative property, he/she will have to re-apply for a management transfer status. Is an applicant re-applies for a management transfer status he/she must provide fresh evidence that the same circumstances still apply.

## 1.2 Procedure

### Threats to life or limb/ Escalating threats to person

<p>1. Report or request received – this can be by the tenant or other agency.</p>	<p>1 day</p>	<p>Request put on EMS screen as Management Transfer</p>
<p>2. Items to print or take with you on visit to the tenant.</p> <ul style="list-style-type: none"> <li>• Print Management transfer form (<a href="#">management transfer form</a>)</li> <li>• Anti- social behaviour interview form (<a href="#">Anti- social behaviour interview form</a>). This form does not need to be taken if the decant is due to works. Please refer to relevant section on how to fill out ASB interview form</li> <li>• Home choice application form</li> <li>• Medical form</li> </ul>		
<p><b>3. Visit tenant and complete form</b></p> <ul style="list-style-type: none"> <li>• Explain to the tenant what will happen now that they have requested a management transfer. Give a copy of the management transfer policy.</li> <li>• Make a note of the contact phone number</li> <li>• Confirm the details of people living in the property</li> <li>• Make a note of the type of property explain to the tenant that they will only be offered a property of the same type although if a transfer application is open and the tenant needs a different type of property this may be taken into account</li> <li>• Is the tenant in rent arrears? If they are is any action being taken by the Finance section which could have the impact on the management transfer being granted e.g. Notice Seeking Possession.</li> </ul> <p><i>NT: Every effort should be made to try and get the tenant to pay their rent arrears. Although we can't stop a management transfer if they do have rent arrears.</i></p> <ul style="list-style-type: none"> <li>• Contact Performance Information Officer in Health &amp; Consumer Services on Ext; 5675 who will be able to give details of any incidents that are recorded on Flare.</li> </ul>	<p>3 days</p>	<p>Update notes on screen, making sure that you put in details of incidents, other agencies that are involved.</p>
<p><b>4. State the grounds for management transfer</b></p> <ul style="list-style-type: none"> <li>• Threat to life or limb</li> </ul>		

<ul style="list-style-type: none"> <li>Escalating threats</li> </ul>		
<p><b>5. Details of incidents</b></p> <p>Make a brief note of any incidents that have happened. Confirm any details with any contact or reports that have been made to the CHP office</p>		
<p><b>6. External agency support</b></p> <p>Ask the tenant if they have contact any other agencies and if they have been concerned make notes on their involvement. Explain to the tenant that you will contact these agencies to get further information. If there has been no involvement from other agencies ask the tenant if they would like details of other support agencies, if they do then give details. Make a note of any agencies that you are referring the tenants to.</p>		
<p><b>7. Legal action/mediation/other actions</b></p> <p>Make a note of any legal action etc. that has already been used or considered. This should include any existing court orders such as injunctions.</p>		
<p><b>8. Not suitable areas</b></p> <p>Make a note of what areas the tenant could not move to and the reasons why. The reasons for moving to a specific area must be reasonable.</p>		
<p><b>9. Other information</b></p> <p>Any other information that is relevant but has not been mentioned should be written here</p>		
<p>10. On return to the office the Estate officer is to write to the Police and any other agencies that the tenant has identified that they have contacted. The letter should ask the agency to provide references, recommendations and confirmation of their own involvement</p> <p><b>Police:</b> Supporting evidence from the Police should be in writing or printed form and from a suitable high ranking officer. Ask if there are any crime reference numbers.</p>	<p>16 days</p>	<p>Update EMS notes to confirm that you have written to the different agencies.</p> <p>Update notes on EMS to reflect</p>

<p><b>Support Agencies including Social Services:</b> Supporting evidence from the supporting agencies should be in writing and also confirm the type of assistance that the agencies are providing.</p> <p><b>Family composition:</b> If the family composition is different from the details previously held on the property file, contact appropriate section/ officers for guidance on determining the eligible family composition.</p> <p><b>Witnesses:</b> The investigating officer must contact all witnesses and record the outcome of all interviews or contact attempts.</p> <p>Any other information that was written on the form should be verified by checking the Estate management system, house file and or other agencies.</p>		<p>that information has been received.</p>
<p>11. Estate Officer to sign the form and hand and any information received from other agencies to the Tenancy Services Manager for recommendation</p>	<p>1 day</p>	<p>Estate Officer to confirm that the file has been given to the TSM, with their recommendation.</p>
<p><b>12. Recommendation</b></p> <p>All evidence should be looked at by the tenancy services manager who will then decide if the tenant can be given management transfer status.</p>		
<p>13. The tenancy services manager will consider the report and all the supporting documentation that has been given to them.</p> <p>If the tenancy services manager agrees that there are sufficient grounds for a transfer than the form should be signed and summary of reasons for approval should be written on the recommendation part of the form. The form should then be passed to another TSM in order to be counter signed.</p> <p>All of the information will then be passed back to the estate officer.</p> <p>If the tenancy services manager decides that there is not enough supporting evidence then the form should be passed back to the estate officer for them to write to the applicant, witnesses or agencies for more information.</p> <p>If the tenancy services manager decides that the management transfer is denied they will get the formed</p>	<p>2 day</p> <p>2 days</p>	<p>Estate officer to update notes whether management transfer status has been given or not.</p>

<p>countersigned by another TSM and then write to the tenant and give them the reasons why and outline what other causes of action they may wish to consider.</p>		
<p>14. Once the management transfer request has been agreed the estate officer will need to inform allocations of the request and pass onto them all of the information that they have gathered this will include</p> <ul style="list-style-type: none"> <li>• Management transfer form</li> <li>• Home choice application form</li> <li>• Medical form</li> </ul>	<p>1 day</p>	<p>Update EMS to confirm date that the form was passed to allocations.</p>
<p>15. The applicant will be given, one direct offer of suitable accommodation in line with the Boroughs Management Transfer Policy. If the tenant declines a reasonable offer, they may lose their management transfer priority and revert to the bidding process in accordance with the reasonable preference criteria.</p>		
<p>16. On receipt of the management transfer request allocations should email the estate officer dealing with the case that the case has been logged onto the system.</p>	<p>1 day</p>	<p>Update EMS to confirm that allocations have emailed to confirm that the request has been recorded.</p>
<p>17. Once this email has been received from allocations the case should be moved onto the next step. The estate officer should review the case every two weeks to see if a property has been found for the tenant.</p>		
<p>18. The TSM sends a letter to applicant confirming that the management transfer has been agreed and they type of property and locations where the property will be offered. The letter will also confirm the next stages in the procedure with regard to waiting for a property to become available and that the estate officer will continue to have regular contact with the tenant.</p>	<p>2 days</p>	
<p>19. After six months on the management transfer list if no suitable property has been found a letter will be sent out to the tenant informing them that their application has expired and that the estate officer will reapply for a management grounds on their behalf and any evidence that has been collated during those six months will be</p>	<p>6 months</p>	<p>Case to be reviewed and EMS notes updates every two weeks.</p>



<p>added to their application.</p> <p>If after six months a property has not been found and there have been no further incidents or evidence that be submitted with the application form it is likely that a new management transfer will be granted</p>		
<p>20. Once a property becomes available allocation will contact the estate officer and ask about the suitability of the property.</p> <p>The estate officer should check with the estate officer in the new area to see if there have been any problems which could affect the incoming tenant.</p> <p>Once the recommending estate officer has confirmed the suitability and accompanied viewing should be arranged with the applicant to take place within 2 working days.</p>	2 days	Update EMS notes to confirm that a property will be viewed with the applicant
<p>21. Once the viewing has taken place the applicant has to decide within 24 hours to accept or refuse the offer.</p> <p>a. The applicant will be given, one direct offer of suitable accommodation in line with the Boroughs Management Transfer Policy. If the tenant declines a reasonable offer, they may lose their management transfer priority and revert to the bidding process in accordance with the reasonable preference criteria.</p>	1 day	
<p>22. If the applicant refuses the offer the reason for refusal needs to be reviewed by the estate officer, tenancy services manager and allocations to decide if another offer will be given.</p> <p><i>NT: The applicant should still be allowed to accept the property during this 24 hours review period.</i></p>	2 days	Update notes on EMS system including decision if another offer will be made.
<p>23. If the applicant accepts the property they should be signed up as in the normal sign up procedure at the area office where they are moving to. A settling in visit should be carried out by their new estate officer within 6 weeks of signing the new tenancy by the tenants new housing support officer/estate officer.</p>		Update notes on screen and confirm the address that they have accepted. All sign up notes should cross reference with old address.

**Decant for works to property**  
**(Structural or following fire or flood)**

<p>1. A report will be received from Thames Accord into the area office advising the estate officer that a decant is necessary in order to carry out works to the property. A new request should be opened.</p>	<p>1 day</p>	<p>Open new request on EMS</p>
<p>2. The estate officer needs to confirm with Thames Accord how long the work is expected to take. Where the work is only expected to take 2 or 3 days then Tenancy services manager and estate officer can arrange hotel accommodation. If the work that needs to be carried out is not to the whole property it may be possible to store all of the tenants belongings in the rooms not affected and locks put on the doors.</p>		<p>Update notes as to how long work will take</p>
<p>3. An appointment letter should be sent to the tenant informing them that a visit is necessary in order to discuss the works that are necessary to the property. (<a href="#">Management Transfer Form</a> should be filled in)</p>	<p>2 days for appointment letter 10 days to carry out visit</p>	<p>Update EMS system</p>
<p>4. In the case of a fire or flood that the tenant has reported directly to the office the estate officer must notify Thames Accord who will visit the tenant and inform the estate officer if a decant is necessary. The estate officer should contact the tenant within 1 day to clarify what has happened and to inform them that Thames Accord will be visiting in order to establish if a decant is required or not..</p>		
<p>5. During the visit to the tenant the estate officer will need to <b>(for any type of decant due to works):-</b></p>		
<p>6. Complete a home choice application form if the tenant is not already registered on the more choice in lettings scheme. (see section on applications on procedure)</p>		
<p>7. Advise the tenant of assistance that the Council will provide</p> <ul style="list-style-type: none"> <li>• Removal expenses</li> <li>• Disconnection/reconnection charges for gas meter (this work must be carried out by a corgi registered operative), electric meter (this work must be carried out by a N.I.C.E.I.C. registered operative), washing</li> </ul>		

<ul style="list-style-type: none"> <li>• machine, internet, telephone and satellite.</li> <li>• Redirection of post</li> <li>• Removal and fitting of existing carpets</li> </ul>		
<p>8. On return to the office the estate officer should collate all this relevant information and pass it onto the tenancy services manager for approval.</p>	1 day	Update EMS record date given to TSM
<p>9. If the tenancy services manager approves the application all of the information should be passed onto a second tenancy services manager for countersignature. The file is then passed onto allocations so the information can be recorded on the computer system. An email should then be sent to the estate officer so that the estate officer can contact the tenant and inform them of any progress.</p> <p>If the tenancy services manager refuses the management transfer application they should write to the tenant to inform them of the reason for the refusal and what other options that they can look at.</p>	2 days	
<p>10. The estate officer should speak to allocations weekly to check available properties.</p>		Update notes on EMS.
<p>11. Once a property has been identified and the estate officer should contact the tenant and arrange an accompanied viewing.</p>	3 days	
<p>12. The estate officer should liaise with rent accounts about the decant, so that when the rent account is transferred over to the new address there will be no break in the tenancy.</p>		
<p>13. When the tenant accepts the property the tenant should sign at the area office where they are moving to. The settling in visit should be carried out by either the housing support officer/estate officer for the area that they have moved to.</p>		
<p>14. The estate officer is responsible for co-ordinating the removal of the tenants property with the Councils appointed removals contractor to ensure that the tenant moves on an appropriate date and that all the tenants belongings are removed from the property.</p>		Update notes on EMS confirming removal date
<p>15. All invoices for removal, disconnection and reconnections costs should be collated by the recommending estate officer and passed to the Departments finance section with a</p>		

covering memo.		
<p>16. Once the work has been completed to the property it should then be reoffered back to the tenant. Estate officer to liaise with allocations to ensure that this information is delivered to the tenant. If the tenant wishes to stay in the property that they was decanted to they should put this either in writing and the estate officer should get them to sign a disclaimer. The recommending estate officer must advise allocations so that the property can be offered back to someone else.</p>		
<p>17. If the tenant is moving back into the original property then the estate officer is responsible for arranging all the removals and collating the invoices which should be passed to the departments finance section. (this is the same procedure as when the tenant is moving out but in reverse.)</p> <p>A new tenancy agreement should then be signed at the area office of where they are moving back to. (on the tenancy agreement it should state that this tenancy agreement is be signed following a decant)</p> <p><i>NT: If family circumstances have changed while being decanted this should be discussed with the TSM as they may not be entitled to move back to the original property.</i></p>		

## Appeal Processes

### Appeals against the refusal of management transfer status

<p>1. If the application for a management transfer is rejected, applicant will be able to request an appeal to the Community Housing Manager. The CHM who will review the case should be from another office. The appeal must be submitted with 14 days of the original decision.</p>		
<p>2. All of the paperwork gathered from the original decision should be given to the appropriate CHM. The CHM may ask for extra information to support the request and he/she may also request that the applicants complete other requirements before they are awarded management transfer status.</p>		
<p>3. The CHM will provide the applicant with a decision within 14 days (if more details are required this period may extend up to 28 days).</p>		
<p>4. If the applicant is not satisfied with the CHM's decision there can be a further appeal to a panel of CHM's, Head of Business services and Head of Allocations, who have not been previously involved with the application. This panel will only meet on a monthly basis to discuss all appeals.</p>		
<p>5. The appeal must be submitted within 14 days of the last decision. The panel will consider the appeal based on the documentation already provided and will provide a decision within 14 days (if more details are required this period maybe extended up to 28 days).</p>		
<p>6. All appeals should be made using the standard appeals documents; the officers will supply applicants with copies of our appeal forms on request.</p>		

### Appeals on the type of property offered

<p>1. The applicant will be given, one direct offer of suitable accommodation in line with the Boroughs Management Transfer Policy. If the tenant declines a reasonable offer, they may lose their management transfer priority and revert to the bidding process in accordance with the reasonable preference criteria.</p>		
<p>2. The estate officer and allocation officers jointly decide if a property meets the requirement of a reasonable offer.</p>		
<p>3. Applicants can appeal the decision on whether or not a property meets their requirements of a reasonable offer. (This appeal must be registered with 24 hours of the offer being made)</p>		
<p>4. A community housing manager who has not been involved with the case will consider the appeal. The CHM may ask for some extra information to support the appeal they may also ask the applicants to fulfil some other requirements before the appeal is upheld.</p>		
<p>5. If the applicant is not satisfied with the decision of the CHM they will be able to make a final appeal to a panel of CHM's, Head of Housing Business Services and Head of Allocations.. The panel will consider the appeal based only on the documents previously supplied.</p>		
<p>6. All appeals should be made using the standard appeals documents; the officers will supply applicants with copies of our appeal forms on request.</p>		