

C 1.22 Management Initiated Transfer Policy and Procedure

1. Purpose

- 1.1. The aim of this policy is to explain the circumstances when directly managed tenants and co-operative tenant/members may be required or requested to relocate for valid reasons related to the management of a tenancy or the property portfolio or for personal reasons.
- 1.2. As a social housing landlord, Common Equity NSW Ltd and co-operatives have the right to ask any tenant to relocate to another suitable property.

2. Scope

- 2.1. Applies to all tenant/members
- 2.2. Applies to all directly managed tenants

3. Exceptions

N/A

4. Definitions

- 4.1. **Suitable Property** – is a property identified by the landlord as meeting the tenant’s known housing and locational needs, allowing continued access to services, and supports the creation of a successful and sustainable tenancy in the new location.
- 4.2. **Valid Reasons** – the landlord will only require a tenant to relocate for valid reasons related to the management of a tenancy or the property portfolio.
- 4.3. **Relocation for portfolio management purposes** – a tenant has been asked to relocate for reasons related to the management of the landlord’s property portfolio. For example, the property is being disposed or having major maintenance carried out that will require the tenant to vacate.
- 4.4. **Relocation for tenancy management purposes** – a tenant has been asked to relocate for reasons related to the management of the landlord’s property portfolio. Reasons may include
 - 4.4.1. **Under-occupancy** – the property is too large for the tenant’s household, for example, due to changing circumstances,
 - 4.4.2. **Over-occupancy** – there are too many approved residents for the size of the property,
 - 4.4.3. The Property has features, such as modifications for people with a disability that are no longer needed by the people living in the property,
 - 4.4.4. Management of neighbour disputes of social disharmony that involves or affects the tenant,

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- 4.4.5. Any other compelling reason relating to the management of a particular tenancy.

5. Procedure

PROCEDURE	MANAGEMENT INITIATED TENANCY TRANSFER
Suitable property	A property identified by the landlord as meeting a tenant's known housing and locational needs, allowing continued access to services, and supporting the creation of a successful and sustainable tenancy in the new location.
Valid reasons	The landlord will only require a tenant to relocate for valid reasons related to the management of a tenancy or the property portfolio.
Reasonable offer	<p>The landlord to write to the tenant making an offer of alternative housing. The letter will include:</p> <ul style="list-style-type: none"> • the reasons why the offer is being made, for example for property or tenancy management purposes; • explain the terms of the offer; • the criteria used to determine the reasonableness of the offer; and • the tenant will have 7 days to consider the offer and to advise the landlord in writing of their decision. <p>The letter will also explain what will happen if the tenant refuses a reasonable offer, for example:</p> <ul style="list-style-type: none"> • if the tenant is in receipt of a rental subsidy and has rejected a reasonable offer their subsidy will be terminated; and • if necessary, the landlord will enforce its right to relocate the tenant by taking action through the NSW Civil and Administrative Tribunal
Offer rejected	<p>The landlord will consider all the available information and decide whether the tenant's response is:</p> <ul style="list-style-type: none"> • A rejection of a reasonable offer. The tenant is only entitled to receive one reasonable offer, or • A rejection of an unreasonable offer, which means that the offer will not count as an offer. <p>The landlord will determine the reasonableness of the offer in accordance with its own policy. The landlord will advise the tenant of the criteria for determining the reasonableness of the offer at the time they make the offer.</p> <p>A tenant who is in receipt of a private rental subsidy who rejects a reasonable offer may have their subsidy terminated as they have been provided with a suitable alternative to resolve their housing needs.</p>
Right of appeal	A tenant will be informed in writing of their right of appeal in the event they reject a reasonable offer of housing.

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Termination of tenancy	If necessary, the landlord will enforce its right to relocate a tenant to another suitable location by taking termination action through the NSW Civil and Administrative Tribunal.
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Name, Designation and Signature of Approver	Corine Addison, Operations Manager
Contact/Responsible Delegation	Co-op Development Manager
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Date Staff Informed	
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