

MANAGEMENT TRANSFER POLICY

January 2025, Version: FINAL

Table of Contents

1	Purpose and Objective.....	2
2	Scope.....	2
3	References	2
3.1	Legislation	2
3.2	Policies	2
4	Definitions	2
5	Responsibilities.....	4
5.1	Executive	4
5.2	Management	4
5.3	Employees, Volunteers and other Stakeholders.....	4
6	Policy	4
6.1	Offers	5
6.1.1	Refusal of an offer.....	5
6.1.2	Right of Appeal.....	5
6.1.3	Refusal of two reasonable offers	5
6.2	Availability of alternative housing	5
6.3	Termination of lease without an offer of housing	5
6.4	Eligibility for housing.....	6
7	Appeals and Reviews of Decisions.....	6
8	Document Control.....	6
8.1	Document History	6

1 Purpose and Objective

The purpose of this document is to explain the circumstances under which Housing Plus will require a tenant to relocate to another suitable property for a management purpose. This policy supports Housing Plus to manage its property portfolio to maximise the benefit to our customers.

2 Scope

- a. This policy applies to all Housing Plus' and its subsidiaries' employees, management and other stakeholders including volunteers
- b. This policy also applies to applicants seeking social housing assistance with Housing Plus
- c. This policy describes the organisation's objectives and policies regarding management transfers for all properties which Housing Plus manages a tenancy.

3 References

3.1 Legislation

- Housing Act 2001
- Residential Tenancies Act 2010
- Anti-Discrimination Act 1977
- Disability Discrimination Act 1992

3.2 Policies

- NSW Community Housing Access Policy
- Housing Plus Allocations Policy
- Housing Plus Eligibility Policy
- Housing Plus Affordable Housing Policy
- Housing Plus Customer Feedback, Appeals and Complaints Policy

4 Definitions

Term: Company

Definition: Housing Plus, ABN 83 147 459 461, and all of its related and associated entities

Term: Employee

Definition: An individual who is directly engaged and paid by the Company as an Employee

Term: Manager

Definition: An Employee who has direct reports (includes Executive, Senior Management and Team Leaders). In situations involving volunteers, 'Manager' refers to the Volunteer Supervisor

Term: Executive

Definition: A member of the Executive team

Term: Volunteer or Other Stakeholders

Definition: Collectively refers to any individual(s) who is not an Employee but who carries out work (whether paid or unpaid) for the Company, including (but not limited to) work as a volunteer, contractor, secondee, consultant or subcontractor, labour hire company, an apprentice or trainee, and a student gaining work experience.

Term: Work Environment

Definition: Includes but is not limited to:

- During and outside normal working hours.
- All functions, events and places which are work related (e.g. Including working from home under the flexible work policy, work lunches, conferences, Christmas parties and client functions).
- During the recruitment process; any environment which has sufficient connection to employment; decisions about promotions and other career opportunities, or in the termination of employment.
- In the course of providing goods and services.

Term: Applicant

Definition: A person seeking social housing assistance. This may be a new tenant or a person seeking transfer of their tenancy.

Term: Affordable housing

Definition: Housing available to very low to moderate income households which is priced so that these households are also able to meet other basic living costs such as food, clothing, transport, energy, medical care and education.

Term: Social housing

Definition: Properties made available to customers on low to moderate incomes and managed by Community Housing Providers or Department of Communities and Justice. Rent subsidies are available to customers to reduce their weekly rent payments.

Term: Housing Pathways

Definition: The process established by the NSW Government to manage allocation of social housing.

Term: NSW Housing Register

Definition: The name of the NSW waiting list for social housing, which is part of Housing Pathways.

Term: Management Transfer

Definition: When Housing Plus requires a tenant to move to another suitable property for a portfolio management purpose.

5 Responsibilities

5.1 Executive

- a. Ensure adequate resources are provided to implement and support this policy.
- b. Manage the implementation of and adherence to this policy.
- c. Model appropriate standards of behaviour.

5.2 Management

- a. Ensure that all Employees and Other Stakeholders are aware this policy and understand their obligations.
- b. Ensure effective implementation of and adherence to this policy.
- c. Model appropriate standards of behaviour.

5.3 Employees, Volunteers and other Stakeholders

- a. Understand and comply with this policy.
- b. Model appropriate standards of behaviour.

6 Policy

Housing Plus may request a tenant to transfer to another property if the current property:

- Is being returned to the landlord (also known as a leasehold handback).
- Is being redeveloped, or there are plans to redevelop the property.
- Is being sold, or there are plans to sell the property.
- Becomes uninhabitable.
- Has modifications and the occupants do not require a modified property.
- Under Occupancy.
- Over Occupancy.

Housing Plus will clearly communicate the need for the transfer as well as the steps involved in the process to the tenant.

6.1 Offers

Tenants who are required to relocate for a management purpose will receive two (2) offers of suitable alternative housing, pending availability of suitable housing within Housing Plus' property portfolio. If the tenant declines two (2) offers of suitable alternative housing, Housing Plus may take action to end the tenancy.

6.1.1 Refusal of an offer

If a tenant receives an offer of alternative housing and believes the offer is not suitable, they may provide evidence to indicate that the property does not meet their basic housing needs as per the Housing Plus *Allocations Policy*.

If an offer is found to not meet the basic housing needs of the tenant, they will be entitled to another reasonable offer of alternative housing.

6.1.1.1 Timeframes for response

Tenants will be provided with two (2) working days to respond to an attempted offer, by return phone call, email, or personal visit. Once a tenant has viewed the offered property they will be provided with three (3) business days to consider the offer and provide their response.

Refusal to provide a response within the three (3) business days provided will be taken as a refusal of a reasonable offer.

6.1.2 Right of Appeal

If a tenant disagrees with Housing Plus' decision regarding a reasonable offer of alternative housing, the tenant has the right to appeal this decision following the Housing Plus Complaints and Feedback process.

6.1.3 Refusal of two reasonable offers

If Housing Plus offers a tenant two reasonable offers of alternative housing and they decline those offers, Housing Plus may issue a Notice to Terminate under *Section 148* of the *NSW Residential Tenancies Act 2010* (known as the alternative premises ground). This includes giving the tenant notice that Housing Plus intends to terminate the tenancy and telling the tenant that they can apply for a review of our decision and following the process for reviews under *Section 149* of the *NSW Residential Tenancies Act 2010*.

6.2 Availability of alternative housing

Offers of suitable alternative housing will be made from Housing Plus' property portfolio. If there is not suitable alternative housing available, a tenant may be offered priority placement on the NSW Housing Pathways register to assist in securing suitable alternative housing with another Housing Pathways provider, where available, subject to the tenant meeting social housing eligibility criteria.

6.3 Termination of lease without an offer of housing

Under certain circumstances Housing Plus may be required to terminate a tenancy without being able to offer suitable alternative accommodation. This may be in the event of a leasehold termination, where Housing Plus is required by law to return the property to the landlord by a

certain date, or where the property has become uninhabitable and there is currently no suitable alternative accommodation.

In this instance, if the tenant is currently eligible for social housing, they will be offered a High Priority Tenancy Reinstatement, where they will be placed as a priority applicant on the NSW Housing Pathways register.

6.4 Eligibility for housing

At the time a management transfer is deemed necessary, Housing Plus will complete an eligibility assessment to ensure the tenant is still eligible for social housing. This includes consistent breaches of the agreement including but not limited to property care, noise and nuisance, non-payment of rent, water, bond or other charges, damage to property, abuse of staff and contractors in their current or previous tenancies.

Refer to the Housing Plus Eligibility Policy.

7 Appeals and Reviews of Decisions

Decisions made under this policy can be reviewed or appealed. For more information, refer to the *Customer Feedback, Complaints and Appeals Policy*.

8 Document Control

8.1 Document History

Action	Responsible Person	Date
Created Draft	Chelsea Preen	February 2024
Reviewed by	Therese Short Chris Maybin Harmony Meath Lena Jenson Liz Stamatelos	December 2024 January 2025
Approved By	Justin Cantelo	February 2025