

140 Management Transfer Policy

1. Policy

Link Housing may initiate the transfer of a tenant to facilitate improved management of its property portfolio. In exceptional circumstances a tenant may be transferred for tenancy management purposes.

2. Scope

This policy relates to social housing tenants.

Link Housing will only require a tenant to relocate for valid reasons related to the management of a tenancy or the property portfolio.

This policy will apply to any tenant asked by Link Housing to relocate for management purposes, including a tenant who:

- has been approved for a transfer
- is seeking a mutual exchange
- has a household income that is over the social housing entry eligibility limit. For more information, go to [Income eligibility limits](#).

Note: Tenant initiated transfers are covered under a separate policy **145a Tenant Initiated Transfer Policy**

3. Reasons for Transfer

3.1 Portfolio Management

The following reasons can lead to a transfer of a tenant for portfolio management purposes:

- Link Housing intends to sell a property or a group of properties, demolish a property or group of properties or redevelop the land the property is on to provide more appropriate or additional housing;
- The property has been designated for occupation by a particular client group such as people over 55 and the tenant/s in the household do not belong to this client group;
- The property is not owned by Link Housing and the lease with the private landlord has been terminated;
- The property has features such as modifications for people with a disability, which are no longer needed by those living in the property;
- Link Housing intends to carry out substantial upgrading work on the property and the property needs to be vacant in order for this work to be carried out;
- A property that Link Housing does not own is deemed substandard and the owner of the property does not intend to improve the property.

3.1.1 Ending a tenancy

The Residential Tenancy Act provides for a landlord to give the following notice periods for ending a tenancy:

- 30 days – if the fixed term of the tenancy agreement is due to end
- 30 days – if the premises have been sold after the fixed term has ended and vacant possession is required by the buyer under the terms of the sale contract

- 90 days – if the fixed term period has expired and no new agreement has been signed.

Where Link Housing has received a notice of termination from a landlord for one of Link Housing's Headleased properties Link Housing will similarly issue a corresponding notice of termination to the affected tenant. Link Housing will then work with such tenants to find alternative accommodation and, where possible, tenants will be encouraged to be actively involved in the sourcing of replacement properties.

In the event that a tenant is unwilling to relocate following the issuing of a notice of termination in accordance with the Residential Tenancy Act 2010, Link Housing will follow the NCAT process in relation to a termination of the tenancy.

3.2 Tenancy Management

Tenants who are ineligible for a tenant initiated transfer may be eligible for an internal management transfer for the following reasons:

- In order to address a serious or protracted tenancy management issue,
- A tenant who is at risk of not being able to sustain a tenancy due to the location of the property they are in or the suitability of the area for that tenant.

4. Offers

Once approved for a management transfer, tenants will be given 2 reasonable offers of alternative housing. A reasonable offer is one that matches the number of bedrooms the household size requires, the preferred area (not suburb) and any special needs or medical/disability requirements that were included in the tenant's application for social housing. Link Housing does not consider factors such as preferences relating to a suburb, neighbours, the appearance of a property, or any other reason based on personal preference, to be valid reasons for rejecting an offer.

NOTE: Offers are restricted to type, size and location of properties Link Housing has available.

5. Legislative Framework and Related Policies

- Residential Tenancies Act 2010
- NSW Housing Pathways Transfer policy
- Tenant Initiated Transfer Policy
- Domestic Violence Policy
- Matching Applicants to Properties Policy
- End of Tenancy Policy
- Family and Community Services NSW Community Housing Access Policy
- Client Feedback Policy
- Appeals Policy

6. Privacy and Confidentiality

Link Housing will keep applicants', tenants' and residents' information and feedback confidential, in line with privacy laws and standards.

7. Complaints and appeals

A tenant who is not happy with a decision made by Link Housing or who believes that Link Housing has not followed this policy can complain or appeal using the complaints and appeals policies that are available on the Link Housing website www.linkhousing.org.au or by phoning Link Housing on 9412 5111.

8. Quality Assurance

The Management Transfer Policy will be formally reviewed every two years or when necessitated through a sufficient change in circumstances.