

## **UNIT TRANSFER POLICY**

### **GENERAL STATEMENT**

The transferring of families and individuals is a very costly procedure, both to Marshall House Apartments (MHA) and to the families in transition. However, it is the policy of Marshall House to permit a resident to transfer within the housing; when it is necessary to comply with occupancy standards; or when it will help accomplish the Affirmative Housing goals of MHA. The transfer policy will be carried out in a manner that does not violate fair housing. The objectives of the Unit Transfer Policy include the following:

1. To abate dangerous and/or substandard living conditions
2. To abate emergency life-threatening living conditions caused by third-party criminal activity;
3. To accommodate verified physical conditions caused by long term illness and/or disability
4. To accommodate resident families that are determined to be over- or under-housed by virtue of their family size
5. To facilitate relocation when required for modernization or other management purposes.
6. To eliminate vacancy loss and other expense due to unnecessary transfers.

A family may be requested and may be approved to transfer for valid and certifiable reasons, such as, enabling the family to:

- Move from an upstairs to a downstairs unit for medical or accessibility reasons; or
- Marshall House will always consider a request to transfer as a reasonable accommodation for a person with a disability.

### **ELIGIBILITY FOR TRANSFER**

In order to be determined eligible to receive a transfer, residents must submit the requested documentation to the Marshall House administrative office, to substantiate their request, and must be in good standing with Marshall House. Good standing means:

- The household has not given notice to move
- The resident is not being evicted
- The resident is current for all outstanding charges
- The resident has not entered in to a repayment agreement for failing to fully and accurately report income or household composition
- The resident has no record of more than one minor lease violation in the last 12 months
- The resident has no record of any major lease violations

- The resident complies with lease provisions regarding decent safe and sanitary conditions of the current unit

Marshall House will not grant a transfer request solely to accommodate neighbors who “cannot get along”.

### **PRIORITY OF TRANSFERS**

The transfer waiting list will be maintained in rank order according to the following priorities:

#### **Emergency Transfers**

Management will authorize an emergency transfer for a participant family if one of the following conditions occurs:

The resident’s unit has been damaged by fire, flood, or other causes to such a degree that the unit is not habitable, provided the damage was not the result of an intentional act, carelessness/or negligence on the part of the resident or a member of the resident’s household.

Emergency transfers are initiated by management and/or written family request.

#### **Medical Hardship and Accessibility**

Medical hardship and accessibility transfers are initiated by management and/or written family request.

#### **Under-housed (Overcrowded)**

Executed when a family’s name reached the top of transfer list and authorized unit is available.

#### **Over-housed**

Executed when a family’s name reached the top of transfer list and authorized unit is available. Transfers are initiated by management and/or written family request.

#### **Special Circumstances Transfer**

Management will authorize transfers in writing under special circumstances for a participant family if one of the following conditions occurs:

1. The resident’s unit is being modernized or significantly remodeled. In such cases, the family may only be offered temporary relocation if allowed under

Relocation Act of 1970 provisions, and may be allowed to return to their unit once rehabilitation is complete.

2. Management has a need, at the discretion of the Administrator, to transfer the resident family to another unit and the resident voluntarily agrees to such a transfer.

### **Household Split**

In some cases, a household may split. A Split Household is defined as one assisted household becoming two or more assisted households. This happens when one or more household members move out of the unit in to a new unit. Some of the original household members remain in the original unit. When this happens, those members establishing a “new” household will be treated as applicants with a preference. New application documents must be completed and submitted to the owner/agent.

The “new” household must be eligible and must meet all screening requirements. The resident selection plan in effect at the time of the final eligibility determination will be used.

### **Mandatory Transfers**

If there is a required change in the size of unit needed, it will be necessary for the resident to move to a unit of an appropriate size. If an appropriate unit is not available, the resident will be placed on a transfer list and moved to such unit when it does become available.

Management will place all families requiring a mandatory transfer due to occupancy standards on a transfer list, which will be reviewed for need-based transfers before any unit is offered to a family on the waiting list. Examples of occupancy standards include, but are not limited to the following:

- **Under-housed (Overcrowded)**  
Executed when a family’s name reached the top of transfer list and authorized unit is available.
- **Over-housed**  
Executed when a family’s name reached the top of transfer list and authorized unit is available. Transfers are initiated by management and/or written family request.

The family will be offered the next appropriately sized unit that becomes available after other such families already on the transfer list who are in need of the same size unit.

With the exception of Emergency Transfers, if a family that is required to move refuses the offered unit; management will evaluate the reason for the refusal and determine if it is one

of good cause. If management determines that there is no good cause, the resident will be required to pay market rent to remain in the unit.

In the event of an Emergency Transfer, if a family that is required to move refuses the offered unit, management will begin lease termination proceedings.

Management will offer the family that has refused an offer, an opportunity for an informal conference before terminating the family's lease. The family will have 7 working days from the issue date of the notice to Terminate to request an informal conference.

### **Moving Costs**

The resident will pay all costs related to the move/relocation, except when:

- The transfer is due to uninhabitability, through no fault of the resident, or
- When the transfer is initiated under special circumstances or due to emergency by management

### **Security Deposits**

The family will be required to pay a new deposit and upon acceptance of a unit will be informed of the manner in which it is to be paid.

If a new deposit will create a financial hardship for the family, management will enter into a payment agreement with the family. Any unused portion of the deposit from the family's current unit will be applied to the balance on the new security deposit and the family will be required to fulfill the remaining portion of the payment agreement until the security deposit on the new unit has been paid in full.

Management will require a new security deposit of all families.

Security deposits will always be transferred to the new unit, minus any damage or cleaning charges applicable to the losing unit. The resident will be billed for any charges that occur as a result of the resident moving out of the apartment.

### **Transfer Request Procedure**

A tenant may request only one transfer per tenancy at any time by requesting a transfer in writing. In considering the request, Marshall House management may request a meeting with the tenant to better understand the need for transfer and to explore possible alternatives. Marshall House will review the request in a timely manner and if a meeting is desired, it shall contact the tenant within ten (10) business days of receipt of the request to schedule a meeting.

If the transfer is approved, the family's name will be added to the transfer waiting list, arranged in chronological order by bedroom size. Mandatory transfers due to occupancy standards will be maintained on the transfer list in a manner that allows management to easily distinguish between those that are not mandatory.

Transfers will be processed as follows:

1. There will be no lapsed time between move-out and move-in. Effective dates must not overlap.

The resident will be informed that once the family has leased up and been issued the keys, the family will be charged rent on both units until the keys from the old unit are turned in [with the exception of one day at the rental rate of the old unit. Note: This is in case a change in income has occurred since the last reexamination.]

### **Reexamination Date**

The date of the transfer does not change the reexamination date. Annual reexamination dates are determined by the initial date that subsidy was received and does not change for any reason.