

GETTING a TRANSFER

HOW DO I GET A TRANSFER?

There are several ways you can get a transfer from one Housing ACT property to another. They are:

1. By applying for a transfer;
2. By organising a mutual exchange; or
3. Through a management initiated transfer.

METHOD 1 — TRANSFER BY APPLICATION

Applications for Transfer are treated in the same manner as all other applications for housing assistance. This means that provided you are eligible for housing assistance (i.e. you continue to meet the income and assets tests), you will be placed on the applicant waiting list.

Unless you show special reasons, your application will be placed in the slowest moving category on the waiting list. This means that you may have to wait many years until you are offered another house. Waiting periods vary depending on the type and location of housing you are seeking.

If your need for a transfer is urgent, it is important that you ask Housing ACT to put your Application for Transfer in the category of Priority 1 or Priority 2 (these categories are also known as early allocation categories).

Your transfer application will be given early allocation status if you can show that:

- ▶ (For Priority 1) You need to be rehoused urgently; or
- ▶ (For Priority 2) Your current housing is seriously overcrowded; or your current

housing is no longer suitable because of serious medical or other reasons.

If you wish to have your application put in Priority 1 or 2, you will need to supply Housing ACT with evidence of your special needs. This may mean providing such things as:

- ▶ A birth certificate or other evidence of an increase in household size which means your current housing is overcrowded;
- ▶ A letter from your doctor that shows why you need alternative accommodation (e.g. a letter stating that you can no longer use the stairs in your two-storey house);
- ▶ A written statement from the Police supporting your application for transfer on the basis of safety concerns; or
- ▶ A letter from a social or support worker supporting your application for transfer and giving reasons.

If your application is not approved for early allocation and you wish to appeal the decision, see **The Appeals Process** (Housing fact sheet number 10).

METHOD TWO — MUTUAL EXCHANGE

A potentially faster method of obtaining a transfer is to apply for a mutual exchange with another Housing ACT tenant. If you find another Housing ACT tenant who is willing to swap houses with you, Housing ACT may agree to the exchange, providing that:

1. Both households are still eligible for housing assistance;
2. Both households are eligible for the house size they wish to swap to; and
3. Neither household owes a debt to Housing ACT.

Housing ACT has a register of tenants who are looking to swap houses, and you can register if you wish. You may also be able to find a household to exchange with by doing your own advertising in the paper or at your local shops.

Do not exchange without Housing ACT approval, as you will be in breach of the law.

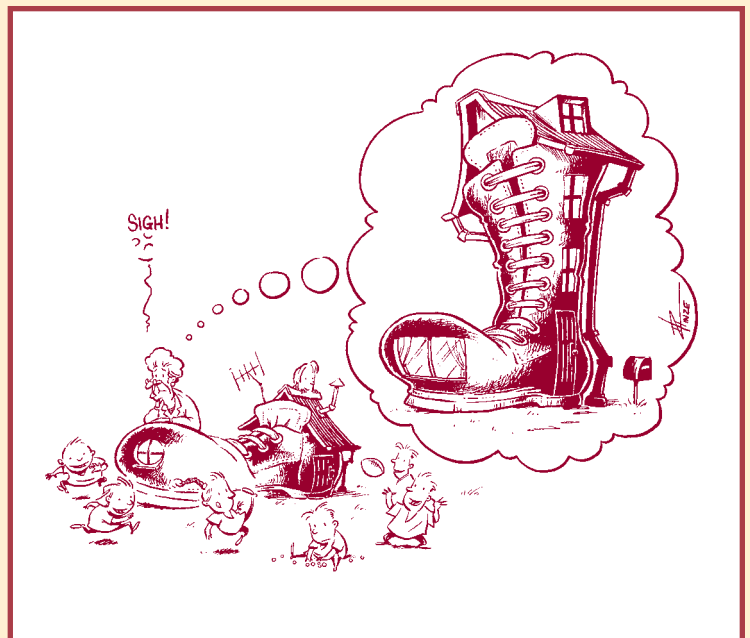
METHOD THREE — MANAGEMENT INITIATED TRANSFER

The Commissioner for Housing has the power to require you to transfer from your house where:

1. The condition of your current housing is likely to cause serious harm to the health and

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6247 2177



safety of the occupants or the public;

2. A member of the household should be transferred in the interests of community harmony; or

3. The Commissioner wishes to repair, renovate, dispose of or redevelop your house.

If you believe that there are strong reasons why you should **not** have to transfer, it is important that you seek legal advice, because it is likely that the Commissioner for Housing will commence eviction proceedings against you, if you refuse to transfer.

If you believe your house is likely to cause serious harm to your health and safety, and you wish to be transferred, you should ensure Housing ACT is aware of the condition of your house.

COMMON PROBLEMS WITH GETTING A TRANSFER

Here are some common problems people have in achieving a transfer, and the possible solutions.

1. You have a debt to Housing ACT

Housing ACT can remove your name from the applicant waiting list at the time you are about to get a transfer if you have a debt to Housing ACT. However, there is discretion to still allocate housing to you in these situations — see **Debts From A Previous Tenancy** (Housing fact sheet number 9).

2. You are no longer eligible for Housing Assistance

If you no longer meet the Housing ACT eligibility criteria because your income or assets have increased, you will only be able to get a transfer if: you are transferring to a property with fewer rooms; or you are in a situation where you are suffering severe hardship that cannot be resolved by any other means; or you are transferred through a management initiated transfer.

3. You have been waiting years to be transferred

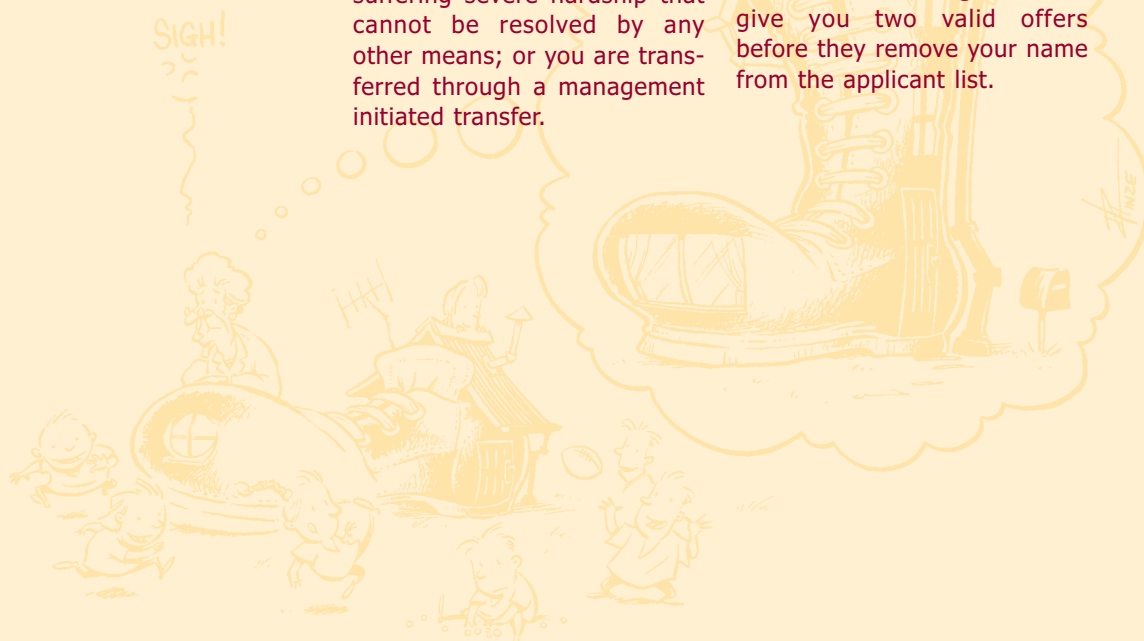
If your circumstances have changed in any way, you may now be eligible for an early allocation transfer (see above). It may also be worth exploring mutual exchange options (or you could get into some political lobbying for an increase in housing stock).

4. Housing ACT refuses to put you on an early allocation list

If you think Housing ACT has wrongly dismissed your application for an early allocation transfer, you can appeal this decision — see **The Appeals Process** (Housing fact sheet number 10).

5. You are not happy with the house/s being offered to you

Housing ACT must offer you a house that meets your established medical and household needs. This is called a 'valid offer'. You may be able to appeal a decision to offer you a house if you feel it is not a valid offer. Housing ACT must give you two valid offers before they remove your name from the applicant list.



Disclaimer

This fact sheet contains general information available at the time of printing. It does not constitute legal advice. If you have a specific legal problem, please contact the Welfare Rights and Legal Centre's advice line on 6247 2177. The Welfare Rights and Legal Centre is entirely independent of Housing ACT. All assistance is free.