

### Internal Transfer Policy	
Policy Number	Policy Name
Corporate Policies	Tenant Services
Sub-Category	Department
Nolan Goyette Chief Tenant Services Officer	December 9, 2024
Content Owner	Effective Date

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## 1.0 Authority

This policy is created under the authority of policy 2.6.1 Board Delegation of Authority.

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## 2.0 Purpose

The purpose of this policy is to establish a consistent, comprehensive approach to internal RGI tenant transfers within the CHC portfolio in compliance with the Local Rules and applicable legislation.

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## 3.0 Scope

This policy applies to internal RGI\* transfers within the CHC portfolio for:

- Safety or medical reasons
- Underhoused situations
- \* This policy also applies in the rare occurrence when a tenant is ready to transition from Chateau Masson into RGI housing.

This policy does not apply to:

- Overhoused Households – addressed in Policy ### Overhoused Policy
- Displaced tenants – addressed in Policy ##### Tenant Displacement Policy
- Non-RGI units such as non-profit seniors, non-profit families unless under extenuating circumstances under the approval of the Chief, Tenant Services or as delegated
- CHC-initiated internal transfers under the approval of the Chief, Tenant Services, or as delegated

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## 4.0 Definitions

- Centralized Waiting List – also refers to the Central Housing Registry or CHR
- CEO – means the Chief Executive Officer of CHC
- CHC – Windsor Essex Community Housing Corporation
- CHR – Means the Central Housing Registry also referred to as the Centralized Waiting List
- CRW – means Community Relations Worker

- CTSO - means the Chief Tenant Services Officer of CHC
- EMT – means the Executive Management Team of CHC, consisting of the CEO and Chief positions
- Housing Asset - means the same as the term housing project as defined in the Shareholders Declaration as all or part of the residential accommodation located in one or more buildings used in whole or in part for residential accommodation, including vacant land, if any, owned by CHC.
- Housing Portfolio - means all Housing Assets operated by CHC.
- Housing Unit – means a unit of housing owned or operated by CHC including a rent supplement unit.
- Late Payer – means a household that does not pay on the first of the month, but always pays in full before the last day of the month. Further detail can be found in ### Eviction Prevention Policy for Non-payment of Rent (Arrears).
- Local Rules – means the Local Rules Windsor Essex. As time of publication, the most recent are dated July 1, 2023
- OAC – Operations Administrative Clerk
- Overhoused Household - means a household in receipt of rent-geared-to income assistance and occupies a unit that is larger than the largest size permissible under the Service Manager’s occupancy standards as set out in Section 7 of the Local Rules.
- Service Manager – means the designated Service Manager under the Housing Services Act, 2011, S.O. 2011 c. 6, currently the Corporation of the City of Windsor.
- Tenant – means a household, including an individual residing in a CHC Housing Unit and may be one of the following types:
  - Rent Geared to Income Tenant – means a Tenant resides in a Housing Unit for which they pay rent geared to income.
  - Senior Non-Profit Tenant – means a Tenant over the age of 55 who resides in a Housing Unit dedicated to seniors and who may or may not also be a rent geared to income Tenant.
  - Non-Profit Housing Tenant – means a Tenant who resides in CHC non-profit housing and who may or may not also be a rent geared to income Tenant.
  - Rent Supplement Tenant – means a Tenant who resides in a rent supplement unit and is a rent geared to income Tenant.
  - Market Rent Tenant – means a Tenant who resides in a Housing Unit for which they pay market rent.
  - Special Needs Tenant – means a Tenant with a disability that requires a Housing Unit with appropriate modifications and who may or may not be a Rent Geared to Income Tenant.
  - Tenant Transfer List – means the list, maintained by CHC of all Tenants who have applied for a transfer to a different Housing Unit, ranked according to the order of priority set out in section 6.4 c) below.
  - Transfer Evaluation Committee (TEC) – means the committee of CHC staff which considers internal transfer requests under this policy made by Tenants to be placed on the Tenant Transfer List.

- Transfer Request – means a request in writing by a Rent-Geared-To-Income Tenant to be placed on the Tenant Transfer List.

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## 5.0 Responsibilities

- CTSO- is responsible for ensuring compliance with this policy.
- Director, Performance & Compliance - is responsible for the efficient and effective execution of this policy including:
  - Recommending updates to the policy to CTSO for approval;
  - Making updates to related templates, procedures and other documents as may be required from time to time;
  - Providing necessary communications and training to all persons responsible for complying with this policy.

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## 6.0 Policy

### 6.1 Internal Transfer Principles

- a) Given the cost and disruption caused by tenants transferring Housing Units, CHC will not be accommodating choice transfer requests. These were historically referred to as Chronological transfer requests. For greater clarity, transfer requests will only be considered for reasons identified in the scope of this or other transfer policies. Tenants desiring to transfer housing units outside of these reasons will need to complete a new RGI application with the CHR and await an offer through the CHR waitlist process.
- b) Tenants seeking a transfer for reasons of intimate partner violence or human trafficking under the Special Priority Policy as set out in Ontario Regulation 367/11 of the Housing Services Act (HSA), are strongly encouraged to also complete a Special Priority Program (SPP) application with the CHR and follow the CHR waitlist process.
- c) Internal transfer request applications, including any additional documentation as required by CHC, need to be completed in full. Incomplete or partial applications will not be considered. Transfer request applications will need to clearly substantiate the reason for the request and identify how a transfer will resolve the issue.
- d) All Internal transfer request applications under this policy must include a minimum of five (5) building selections that are appropriate under the Occupancy Standards. This minimum of five

(5) selections must always be maintained. In extenuating circumstances, the Transfer Evaluation Committee (TEC) may accept less than the minimum of five (5) building selections at its discretion and may also offer recommendations of additional building selections.

- e) Transfer requests will only be considered from one unit to another. As in, one household cannot request to be transferred into two units.
- f) Internal transfer requests will be reviewed by TEC per the committee's Terms of Reference, this policy and the associated procedure(s). Households will be notified of the TEC decision within the specified timeframe outlined in ### Internal Transfer Procedure. At time of writing, this is currently set to 10 business days of the TEC committee meeting at which the request was decided.
- g) Tenants must move within 7 days of lease signing.

## 6.2 Transfer Eligibility Criteria

- a) To be considered for a transfer under this policy, the following criteria must be met:
  - i. Tenants must have lived in the present accommodation for twelve (12) consecutive months.
  - ii. Households must either:
    - a) not owe money to CHC for arrears of rent, overpaid subsidy, or damages to the unit; or
    - b) if the household does own money to CHC for any reason listed above, it must have entered into a repayment agreement with CHC for the money owed, and not have defaulted on this agreement.
  - iii. No history of persistent late payment (defined as more than one month owing, more than once in the last 12 months). This does not apply to Late Payers.
  - iv. All existing maintenance or other charges owing from any tenancy with CHC must be paid in full.
  - v. The tenancy cannot be the subject of an eviction order, legal proceedings or under conditional order(s).
  - vi. The household must continue to meet basic eligibility criteria for rent-geared-to-income housing.
  - vii. Upon a transfer offer and/or post move-out, a unit inspection may be conducted. Damages must be paid, or the household must enter into a repayment agreement. Otherwise, the subsidy may be lost, and the household must pay market rent.

## 6.3 Transfer Categories and Prioritization

- a) CHC makes offers to Prospective Tenants in compliance with the Housing Services Act and Regulations and in accordance with the Local Rules. When there is a vacancy, CHC has

discretion to choose a Prospective Tenant from the centralized waiting list or from the internal transfer list, subject to the right of the CTSO to overrule.

- b) If a vacant Housing Unit is to be offered from the internal transfer list, offers will be made to Households in order of the defined priorities, and then chronological order by approval date within each respective category for selected properties.
- c) The priority order of internal transfer requests are as follows.
  - i. Internal Safety transfers
  - ii. Internal Overhoused list
  - iii. Internal Medical transfers
  - iv. Internal Underhoused transfers
- d) Safety transfers
  - i. Safety transfer requests can be made if the current unit is causing or contributing to a direct, immediate, and acute risk to an authorized household member's safety that can only be alleviated by moving them to a different unit. This is limited to situations where an authorized household member is a victim or suffering intimidation, or an authorized household member is the victim or witness of a traumatic incident.
  - ii. Intimidation must have occurred at least 3 months before the transfer request.
  - iii. The traumatic incident must have occurred no more than 6 months prior to the request for transfer.
  - iv. Rationale will be required if a safety transfer is requested beyond these timeframes. E.g. If an incarcerated individual is being released after the periods above have expired.
  - v. Should a tenant decline the housing offered to them for a safety transfer for any reason or fail to respond to an offer within the prescribed period, their transfer application will be cancelled. The tenant will not be able to apply for an internal transfer for the same reason again unless there has been a material change in circumstances.
  - vi. If an approved safety transfer has not occurred within 12 months of the TEC approval, the safety situation may be considered to have passed and the need for a safety transfer will be re-evaluated. Applicants will receive a notice to reapply for a safety transfer after 10 months of the previous safety transfer approval. Revised safety transfer requests need to be received electronically by the OAC or TEC Chair by the one-year date of previous approval. If a revised safety transfer request is not received, a notification will be sent via email/mail to notify the applicant of the cancelled transfer request.
- e) Medical Transfers
  - i. While some requests may result in a transfer to another CHC unit, CHC may try to accommodate the need in the current unit before considering a transfer. Refer to the AODA policy for further information.
  - ii. Note: the use of a scooter or walker does not necessarily qualify a patient for unit modification/transfer. Modified units provide varying degrees of modifications and accessibility depending on individual needs.

- iii. Medical transfers will be considered for permanent conditions. For example, transfer requests for temporary conditions such as a broken foot requiring crutches for several weeks will not be considered. Medical transfers will not be considered for conditions that were present at time of move in. If a request is made for a preexisting condition, the medical professional filling out the Transfer Request Form – Part B Medical form needs to identify how the condition has been exacerbated.
- iv. Should a tenant decline the housing offered to them for a medical transfer for any reason or fail to respond to an offer within the prescribed period, their transfer application will be cancelled. The tenant will not be able to apply for an internal transfer for the same reason again unless there has been a material change in circumstances.
- f) Underhoused
  - i. If a household is living in a unit that is too small for the household by two or more bedrooms based on the Occupancy Standards outlined in the Local Rules, the household may apply for an underhoused transfer.
  - ii. Underhoused transfer requests will not be considered for tenants that moved in underhoused by two or more bedroom sizes.
- g) Additional housing provider selections
  - i. As outlined in 6.1 b) Tenants seeking a transfer for reasons of domestic violence or human trafficking under the Special Priority Policy as set out in Ontario Regulation 367/11 of the Housing Services Act (HSA), are strongly encouraged to also complete a Special Priority Program (SPP) application with the CHR and follow the CHR waitlist process since SPP applications have the highest priority.
  - ii. It is suggested that internal transfer requests also have an active application with the CHR as another housing provider may be able to offer housing prior to a transfer opportunity becoming available.

## 6.4 Transfer Evaluation Committee

- a) The Transfer Evaluation Committee (TEC) will meet as outlined in the committee's Terms of Reference (TOR).
- b) Completed transfer requests submitted within 5 business days of the next TEC meeting will be considered at that TEC meeting. Requests received less than 5 business days before the next TEC meeting will be considered at the following TEC meeting.

## 6.5 TEC Review Committee

- a) If a tenant is unsatisfied with the TEC decision, a tenant may request the decision to be reevaluated by the TEC Review Committee.
- b) TEC Review Committee requests must be made in writing (via mail or email) and received by either the Operations Administrative Clerk and/or the TEC Chair within the specified number of days outlined in #### Internal Transfer Procedure. At time of writing, this is currently set to

within 15 business days of being notified of the TEC decision. For review requests to be considered by the TEC Review Committee, requests must include clear rationale for the review request.

- c) The TEC Review Committee may consider any evidence it deems to be relevant in reaching a decision. TEC Review Committee's review will be guided by the TEC Terms of Reference, this policy and associated procedure(s). It may substitute its own decision for that of the original TEC decision.
- d) TEC Review Committee decisions will be communicated to the associated CRW and tenant by the OAC within 15 business days of the revised decision. The OAC will update TEC of revised decisions in the following TEC meeting.
- e) The TEC Review Committee consists of any three (3) of the following people that are available within the timeframe allowable for review:
  - a. CTSO
  - b. A director within the organization that was not part of the TEC meeting at which the original decision was made
  - c. An EMT member

## 6.6 Refusal of Offers

- a) Should a tenant refuse one (1) transfer offer for any reason or fail to respond to an offer within the prescribed period, their transfer application will be cancelled.
- b) The tenant will not be able to apply for an internal transfer for the same reason again unless there has been a material change in circumstances.

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## 7.0 Records

All records created under this policy must be retained in accordance with policy 5.7.16 Records Management.

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## 8.0 Review Date

This policy must be reviewed no later than Not Set.



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## 9.0 Applicable References

Local Rules, section 7

*Housing Services Act, 2011, s. 47*

*Ontario Regulation 367/11, s. 47*

*AODA Policy – work in progress*

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## Appendices