

David City Housing Authority (DCHA) Transfer Policy

The following Transfer Policy will apply to Residents wishing to transfer to alternate apartments within Sunshine Court as well as to residents who are protected under VAWA:

- A. **Transfer Assignment** - The assignment or transfer to other dwelling units shall be made without regard to sex, gender identity, sexual orientation, race, color, creed, religion, national origin or familial status.
- B. **Transfer List** - A transfer list shall be established and maintained by DCHA. Transfers will be to the first available unit for which the applicant qualifies, except in emergencies.
- C. **Transfer Priority** – Transfers will be made in the following order:

1. **MANDATORY TRANSFERS:**

Mandated transfers are initiated by federal and state regulations and may be of an emergency nature. Such transfers will be required whenever a suitable unit becomes available in the following order.

VAWA Emergency Transfers

- a. David City Housing Authority (DCHA) is concerned about the safety of its tenants and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault or stalking. In accordance with the Violence Against Women Act (VAWA), DCHA allows tenants who are victims of domestic violence, dating violence, sexual assault or stalking to request an emergency transfer from the tenant's current unit to another unit. In such cases, DCHA will waive the one year requirement of tenancy to allow for this emergency transfer.

Damage to Units:

- a. Unit Damage: Transfers shall be made at DCHA expense if a Resident's unit has been damaged by fire or other cause(s) to such a degree that it is not habitable, or an emergency exists so as to render the unit not habitable, provided the damage or emergency was not the result of intent carelessness, or negligence on the part of the Resident or a member of the Resident's household.
- b. Unit Damage by the Resident: Transfers shall be made at a Resident's expense if a Resident's unit has been damaged by fire or other cause(s) to such a degree that the unit is not habitable, or an emergency exists so as to render the unit not habitable provided that, although the damage or emergency was a result of the carelessness or negligence on the part of the Resident or a member of the Resident's household, the Resident has, in writing, accepted the responsibility therefore and has agreed to make restitution to the DCHA for the expense of repairing such damage and/or rectifying the emergency or the resulting condition or the cause thereof, up to a ceiling cost of \$5,000.

Directed Transfers - Transfers within a development will be made promptly to correct occupancy standards. In correcting occupancy standards, age, sex and family composition shall be the determining factors. Such transfers shall be made at DCHA expense.

Circumstances under which the Executive Director or his designee may direct a transfer are:

- a. If a person no longer qualifies for the dwelling unit in which they are residing, unless the DCHA waives the mandatory transfer requirement to avoid a vacancy problem, to maintain full occupancy or prevent a hardship to a Resident, said Resident will be transferred to the first available unit for which they qualify.
- b. If a Resident does not have a need for the accessible features of a particular dwelling unit and another Resident or applicant needs the accessible features of said dwelling unit.
- c. When it is deemed necessary to ensure the peaceful enjoyment of the development by other Residents and it is supported by adequate documentation.

Directed transfers should be kept at a minimum and, whenever possible, an agreement should be obtained in writing from the affected Resident. Directed transfers may be made at DCHA expense, but when directed as an alternative to eviction, shall be reimbursed by the affected Resident. A new Dwelling Lease is required for the new dwelling unit along with a \$175 deposit for one bedroom or \$225 deposit for a two bedroom. The tenant will be informed that the current unit will be inspected and the deposit on the current unit will be retained or returned pending said final inspection. In addition to any other amounts that may be withheld from the resident's deposit upon vacating their current unit, the resident will need to agree to pay pro-rated charges for restoration of their current unit if they have resided there fewer than seven years. Charges for restoration will include painting, carpet cleaning and other maintenance items that are incurred by DCHA in preparing the unit for a new resident. DCHA will prepare a form containing these requirements.

2. RESIDENT REQUESTED TRANSFERS:

If a resident requests a transfer, the request will be completed using a form published by the DCHA. In requesting the transfer, the resident agrees to execute a new lease with respect to the new unit along with the payment of a \$175 deposit for one bedroom or \$225 deposit for a two bedroom once the transfer is approved. The tenant will be informed that the current unit will be inspected and the deposit on the current unit will be retained or returned pending said final inspection. In addition to any other amounts that may be withheld from the resident's deposit upon vacating their current unit, the resident, in requesting a transfer, will need to agree to pay pro-rated charges for restoration of their current unit if they have resided there fewer than seven years. Charges for restoration will include painting, carpet cleaning and other maintenance items that are incurred by DCHA in preparing the unit for a new resident. DCHA will prepare a form containing these requirements.

Transfer Notification - When a suitable unit becomes available, the resident will be notified verbally or by first class mail in advance of the move. Five working days will be allowed for a response and a reasonable time allowed to complete the move.

Transfer Eligibility - Residents will be eligible for transfer provided the following conditions are met:

- a. A written request on the form described above has been completed and signed by resident and provided to DCHA;
- b. The resident has been a resident of DCHA for at least one year;
- c. It has been at least one year since the resident's most recent transfer;
- d. The resident has met all obligations under the program, including being current on rent and charges due the DCHA; and
- e. That the resident is eligible for continued occupancy.

Transfer Approval - Eligible residents will be approved for a resident requested transfer in an order which takes into account the following factors: length of residency, conditions of current unit (except for cases of emergency); length of time since most recent transfer; and the type of transfer being requested, in the following priority below:

- a. Resident Hardship - The unit is unsuitable to the Resident because of affordability, undue medical, physical or mental hardship and units of appropriate size and suitability are available offered by programs of the DCHA. A transfer may reasonably be expected to provide relief for the financial, medical, physical or mental needs of the Resident. Such hardship shall be verified by financial information, a medical or psychological provider or as directed by the executive director or his designee. Such transfer may be made at DCHA expense with reimbursement by the affected Resident.
- b. Convenience of the Resident - Transfers within a development or between programs requested for convenience of the Resident may be permitted for reasons of health, proximity to work, proximity of family, churches, schools, shopping, etc. All reasons will be considered by the executive director or his designee and granted at the Housing Authority's discretion. Such transfers will be made at the Resident's expense.