**KIRBYVILLE HOUSING AUTHORITY (PECAN GROVE)**

**TRANSFER POLICY**

A. Kirbyville Housing Authority (KHA) shall maintain transfer waiting lists for Tenant families, divided into separate categories of regular families (by number of bedrooms) and elderly/disabled families (by number of bedrooms). Category is determined by the status of the individual Tenant or the Tenant family’s head of household. These transfer waiting lists shall include names of Tenants that must be transferred according to our policies (in priority order), and shall also include the names of Tenants who submit a written request for a “convenience” transfer, not considered a matter of policy or emergency.

B. The family’s name shall be placed on this list on the day KHA becomes aware of the circumstances requiring a change, or by written request from the Tenant in the case of a “convenience” transfer.

C. Transfers shall be prioritized in the following order:

1. Emergency Transfers (Priority 1) are mandatory transfers that are implemented when unit or building conditions pose an immediate threat to Tenant’s life, health, or safety.

Administrative Transfers to resolve problems of a life-threatening nature that are not related to building or unit as determined either by KHA or in a legal proceeding may also be included in the “Emergency” “Priority 1) category, as determined by management.

If transfer is initiated by KHA, Tenant shall receive prior written notice of transfer requirement to the extent practicable. However, KHA will not provide prior written notice in situations where they have little or no warning of the condition or situation that results in an emergency.

Emergency and certain administrative transfers will take priority over new admissions when the condition or situation of the unit poses an immediate threat to the resident’s life, health or safety, as determined by KHA. In these cases, Tenants will be transferred to a dwelling unit of equal size, either within a location or site or between locations or sites **only** to alleviate hardships as determined by KHA. Examples are:

a. defects or conditions that have been determined to be hazardous to health or safety

b. verified medical problems of a life-threatening nature that need to be alleviated

c. threat assessment by a law enforcement agency that a family member is in danger of attack by criminal element or subject to hate crimes in a particular property or neighborhood

Note: In cases where Tenant claims a Medical Emergency, Tenant shall be required to submit a letter from their physician specifically stating that a different unit type or size is **medically necessary** (not requested, recommended or advised). In these cases, KHA shall make a determination as to whether the Tenant’s request qualifies as an Emergency or Priority 3 transfer.

1. Administrative Transfers are mandatory transfers initiated by KHA. These include:

Priority 2: Mandatory administrative transfers to permit KHA to renovate, mod-

ernize, revitalize, demolish or dispose of a public housing property;

Priority 3: Administrative transfers to move tenants with disabilities to accessible units or units with features that accommodate their disabilities better than those in their current units (requires doctor’s letter stating medical necessity), or mandatory transfers of Tenants without disabilities out of a unit with accessible features to permit a Tenant with disabilities to occupy the unit. **24 CFR § 8.27(1)**

Priority 4: Mandatory transfers to move families out of units that are too large or too small for the families. Families in units that are too large (according to our policies) shall be transferred before families in units that are too small.

3. Tenant-Initiated transfers (Priority 5) are non-mandatory transfers available to lease-compliant Tenants that have resided in a development for at least one year and wish to transfer to another unit in the same or different development.

D. KHA will not require a family residing in a unit too large for its needs to transfer into a smaller unit unless the Waiting List reflects a need for the occupied unit.

E. Prior to a transfer to another unit or development, Tenants shall receive a minimum of 30 days written notice, or as otherwise required in the KHA Admissions and Occupancy Policy (ACOP). Exceptions may be made, such as when the transfer is in response to problems of a life-threatening nature; threat of attack by criminal elements; documented domestic violence; and witness protection orders.

F. Residents will receive one offer of a transfer. Refusal of that offer without good cause may result in Lease termination. The "good cause" standard that is applicable to new admissions will also apply to transfers.

G. The basic costs of non-emergency “convenience” transfers, transfers to correct occupancy standards (number of people in a unit, according to KHA policy), and medically or accessibility-related transfers without physician’s letter stating medical necessity, will be the responsibility of the family; all others will be the responsibility of KHA. This transfer cost is updated annually and published in the KHA Maintenance Charges, which is given to new Tenants at their initial leasing appointment and is also given to existing Tenants at their annual re-examination (lease renewal) appointment.

H. Time Allowance for Transfers: After all paperwork (leasing documents, agreements, etc.) is completed for the new unit in the office (including any required payments of past-due charges, additional security deposit, if any, and other associated transfer costs or fees), **Tenant(s) are allowed three calendar days (72 hours) to move all their belongings from their old unit to their new unit, and complete all cleaning of their old unit.** After Tenant turns in keys to the Pecan Grove office and has their electric service transferred to their new unit, a Staff member will accompany them to their old unit for a final move-out inspection to give an estimate of their cleaning and damage charges (if any). A Staff member will then accompany them to their new unit for their Move-In inspection.

\*If Tenant has not completed their move in the three days (72 hours) allotted, they will be charged the current daily pro-rata charge on the old unit’s flat (maximum) rent. Depending on the unit size, these charges can be substantial and can add up very quickly.