

**BOSTON HOUSING AUTHORITY**

**TRANSFER  
INFORMATION  
GUIDE**



## **What is a Transfer?**

A transfer is a process used by BHA residents and management when housing circumstances change which may require that the resident moves from the current unit to another unit. A Transfer Request Form is completed which documents the reason(s) with the attached supporting documentation and the Transfer Review Committee determines, based on all supporting documentation provided, if a transfer (or move from the current unit) is warranted.

The purpose of this Guide is to explain how to apply for a transfer, who is eligible, and the process that the BHA uses to make decisions about transfers. Please read this Guide before completing a Transfer Request Form. Development managers and staff will be happy to assist all residents who wish to apply for a transfer.

## **Who May apply for a Transfer?**

As a resident of the BHA, **only** the head of Household may apply for a transfer. However, only residents who meet the eligibility criteria will be approved if the transfer is warranted.

## **Eligibility for Transfers**

Except in certain very serious situations residents must meet certain eligibility requirements including:

- ▶ The Head of Household must be a resident of BHA in his/her **current unit** for at least one year.
- ▶ The Head of Household must be current in all rent payments and/or Management/Court Agreements.
- ▶ The Head of Household must be a "Resident in good standing"- that is, if eviction actions are pending against you, you are not eligible for a transfer.

In certain very serious situations or where necessary as a reasonable accommodation for a disabled resident, one or more of these requirements can be waived.

## **Transfer Review Committee (TRC)**

The Transfer Review Committee (TRC) makes all decisions regarding Emergency transfers requests. This is a committee of BHA staff who reviews each application for a transfer. This committee determines eligibility as described above, and determines whether or not the resident's reason for needing a transfer falls into one of the allowed reasons for transfers as described on the following pages.

## **Management Requested – Administrative Transfers**

Managers will sometimes request transfers for residents for some of the reasons below, especially for over housing and maintenance reasons. Administrative transfers are restricted to moving residents for severe maintenance conditions that may not be repaired while the resident is in the unit, over housed by two (2) bedrooms or more in the federal or state funded housing programs, during a development renovation project. Occasionally we

will request that a resident in a specially-adapted wheelchair accessible unit who does not need the adaptations move to a standard apartment, if another resident or applicant needs the specially-adapted features of that wheelchair accessible apartment.

## **Resident Requested Transfers – Reasons**

You may request a transfer for a variety of reasons. The following are transfer categories:

### **CIVIL RIGHTS REASONS**

A BHA Resident who is the alleged victim of physical harassment, extreme or repeated vandalism to personal property or extreme or repeated verbal harassment, threats, intimidation, or coercion, which is bias motivated and which cannot be remedied in other ways, may qualify for a transfer. Resident must immediately report such incidents to management.

### **SAFETY & SECURITY**

If a resident is being threatened in some way, including domestic violence or as a result of retaliation because he or she was a witness to a crime, the resident may qualify for a transfer. Resident must immediately report incidents to his/her manager and the police at 911.

Note: Approved domestic violence transfers are considered as Administrative Transfers.

### **MAINTENANCE**

If a unit becomes unsafe or unhealthy due to alleged maintenance conditions that cannot be readily repaired by the Housing Authority, or cannot be repaired while the unit is occupied, the resident may qualify for a transfer. Management will determine if an Administrative transfer is warranted. The resident is required to report all damages to the manager by calling the Work Order Center at 617-988-4357.

### **MEDICAL REASONS/REASONABLE ACCOMMODATION**

A resident who has a serious physical or mental illness or impairment, which may or may not be life-threatening, which is expected to be of long duration and is either severely aggravated by his/her present housing or could be substantially improved by moving to another apartment because the accommodation cannot be made at the current unit, may qualify for a transfer. Or, if a resident is disabled, and needs different housing features to accommodate the particular disability they have (such as needing a wheelchair accessible unit) the resident may qualify for a transfer.

### **OVER- AND UNDER- HOUSING**

If a resident is living in an apartment with an inappropriate number of bedrooms for the household size, the resident may qualify for an under or over housed transfer. For instance, if there is only one individual on the lease and he/she lives in a three bedroom apartment, that resident is over-housed. If there are five family members on the lease, and the apartment contains two bedrooms, that family is under-housed. Over-housed residents are required to transfer.

The resident may elect to transfer On-site, and/or to another site as an “Internal Applicant” after successfully completing the final eligibility screening process which includes the review of the criminal record for all household members ages 14 and older (not applicable to residents residing at a state-aided development selecting to transfer to another state-aided development only the transfer policy will be applicable for these cases).

Residents who require unit sizes that do not exist at their current development may select developments of choice and they will be considered as an On-Site Over/Under housed transfer for the developments of choice.

Families who are over- housed in the State Assisted developments are required to move and if offered and reject a unit of appropriate size and type, the resident will then be required to pay 150% of their monthly rent. On-site transfer housing offers will be made when the development is 98% occupied (at smaller sites no more than one vacancy) and one of every eight units by site by bedroom size will be offered to On-Site Over- and Under-housed transfers.

#### A Household Currently Housed In Federally-Assisted Housing-“Internal Applicant”

If the resident is ineligible to reside in Federal housing due to non-Citizen rule, deferred termination of assistance, or is affected by pro-ration of rent as a result of a household member’s non-citizen status to such an extent that their rent burden makes the apartment unaffordable or no longer qualifies for the Federally-Assisted program due to no members having eligible immigration status, the resident may apply for State-Aided housing as an **Internal Applicant** and will have to successfully complete the final eligibility screening process which will include the review of the criminal record for all household members ages 14 and older. Be advised that the resident must pay his/her rent in full or he/she will not be considered to be in “good standing.” Household with no members at all with eligible immigration status may be considered for a “No-Fault Eviction” Priority One status as an Internal Applicant. Residents under Pro-rated rent may qualify for a Financial Burden preference as an Internal Applicant.

#### An Elderly/Disabled Household Currently Housed In Family Housing Program

If the Head or Co-Head is Elderly (age 60 + in State Family or 62 + in Federal Family program) or disabled and he/she wishes to transfer to the Elderly/Disabled housing program. Household under this category only shall be eligible for Boston Residency, Veteran, and Elderly and Designated Housing Preference points.

### **Levels of Transfers – Emergency or Over or Under housed**

Transfers will be approved for residents who can show evidence of need based on the reasons provided above and the supporting documentation (evidence) submitted with the Transfer request. A determination will also be made as to the level of transfer for which the resident qualifies. For all but administrative transfers, the transfers will be defined as either:

- ▶ An Emergency Transfer; or
- ▶ Over/Under Housed On-Site or Internal Applicant Transfer.

The determination of which level the transfer is assigned will depend on the seriousness of the situation. Emergency Transfers are moved as quickly as possible and will be offered the first available unit anywhere in the city unless it is documented where the resident may not reside and why. All other transfers and Internal Applicants may wait for some time before actually moving due to long waiting lists. Please be advised that the BHA does not have immediate transfers. All approved transfers are placed on a waiting list(s) and assigned based on the transfer level (Emergency or On-site or Internal Applicants),

application date, bedroom size, special characteristics needed in unit, and development of choice, if applicable.

## **Site-Based Waiting Lists**

The BHA uses a Site-Based Waiting List for its Family and Elderly/Disabled Developments for non-emergency transfers considered as Internal Applicants or transfers under the Designated Housing program only. The resident may choose any or all development of choice(s), as long as the household meets the housing program's eligibility requirements listed below. In addition "Internal Applicants" must successfully complete the final eligibility screening process which includes the review of the criminal record for all household members ages 14 and older.

**State Family Housing:** No restrictions. Anyone may qualify for this program. Rent is 32% of the total household income.

**State Elderly/Disabled Housing:** The Head or Co-head must be either 60 + years of age or Disabled. Rent is 30% of the total household income.

**Federal Family Housing:** At least one household member must have documented legal Immigration Status in the United States (born, naturalized, or lawful permanent resident). All household members must document their Immigration Status. If all household members have legal Immigration Status the rent will be 30% of the household's total income or flat rent (Management Office will be able to provide you with the current Flat rent amounts). If not all household members have legal Immigration Status the rent is pro-rated and the rent may not be more than 50% of the household total income. In this housing program some residents may be require to serve 8 hours monthly of Community Service. Detailed information may be obtained at the Management Office.

**Federal Elderly/Disabled Housing:** At least one household member must have legal Immigration Status in the United States (born, naturalized, or lawful permanent resident) **and** the Head or Co-Head must be 62 + years of age or Disabled. All household members must document their Immigration Status. If all household members have legal Immigration Status the rent will be 30% of the household's total income or flat rent (Management Office will be able to provide you with the current Flat rent amounts). If not all household members have documented legal Immigration Status the rent is pro-rated and the rent may not be more than 50% of the household total income. In this housing program some residents may be require to serve 8 hours monthly of Community Service. Detailed information may be obtained at the Management Office.

### **There are some exceptions to the Site-Based Waiting List rule as noted below:**

If the Resident as an Internal Applicant selects developments where their safety may be in danger upon Safety and/or Civil Rights Transfer Request documentation previously provided the Occupancy department may deny the approval of an Internal Applicant to particular areas for safety reasons.

## Good Cause

This is when the resident documents "clear evidence that acceptance of a given offer will result in unusual or undue hardship or handicap (for example, physical inaccessibility to the unit due to severe medical problems.)"

Good Cause must be documented fully. Documenting Good Cause must occur as part of your transfer application. The Authority looks very carefully at Good Cause requests and the TRC may agree to a transfer but may not agree to Good Cause status.

## Completing the Transfer Form

You will need to complete the Transfer Request Form with the Management or other BHA staff who can help you fill it out. We strongly encourage you to work closely with the manager or their staff on your request.

When you fill out the "Reason(s) for Initiating Transfer" section, please be as clear and complete as possible. If you don't have enough room, attach another page. The clearer and more complete you are, the easier it is for the BHA to process your application. Be sure to complete all sections thoroughly, completely and truthfully. Your writing on the request must be legible or action on your transfer will be delayed. If you have a disability and believe you need a reasonable accommodation to fill out this form at a different location than at the Management Office, you should tell your Housing Manager what assistance you need and he/she will provide it to the extent it is reasonable and necessary.

## Providing Documentation

It is very important that all supporting documentation be attached to the Transfer application. All documentation must be current and no more than ninety (90) days old. The following kinds of documents may be necessary as indicated below depending on the transfer category or Internal Applicant category:

<u>Civil Rights</u>	<u>Security/Safety</u>	<u>Reasonable Accommodation (RA)/Medical</u>	<u>Over/Under or Other</u>
<input type="checkbox"/> Civil Rights Incident Report	<input type="checkbox"/> Police Report(s)	<input type="checkbox"/> Reasonable Accommodation Request Form	<u>Over/Under</u> <input type="checkbox"/> On-site <input type="checkbox"/> Internal Applicant <input type="checkbox"/> Both
<input type="checkbox"/> Police Report(s)	<input type="checkbox"/> Active Restraining Order	<input type="checkbox"/> Reasonable Accommodation Certification Package	<input type="checkbox"/> Excessive Rent Burden Internal Applicant to State-Aided Housing
<input type="checkbox"/> Letter from District Attorney	<input type="checkbox"/> Letter from District Attorney	<input type="checkbox"/> Physician/Medical Letter(s)	<input type="checkbox"/> Not one Household Member with Eligible Immigration Status Internal Applicant to State-Aided Housing through No-Fault.
<input type="checkbox"/> Pictures if Applicable	<input type="checkbox"/> Pictures if Applicable	<input type="checkbox"/> Asthma Questionnaire	<input type="checkbox"/> Under Designated Housing
<input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Other

- ▶ Police reports: any and all current reports applicable to your request.
- ▶ Civil Rights Incident Reports: any and all current reports applicable to your request.
- ▶ Letter from the District Attorney (DA) verifying why a transfer from the current unit is required, if available.
- ▶ Copies of current, active restraining orders
- ▶ Pictures as evidence of property damage, or other applicable evidence related to a civil rights violation or public safety issue.
- ▶ Letter from a doctor, licensed practitioner, or other qualified and appropriate professional describing your health problem and what specific housing conditions in your current unit are worsening your health and what are required changes needed to alleviate it.
- ▶ Asthma Questionnaire to be completed by the physician treating this medical condition documenting why a transfer from the current unit is required.
- ▶ For reasonable accommodation requests, your documentation must indicate that you or a member of your family is disabled under the definitions of the American's with Disabilities Act (ADA) and a description of the accommodation being requested and explaining in detail why the accommodation cannot be made at the current unit. The resident is encouraged to use the BHA's "Reasonable Accommodation Request and Certification" forms. Forms are available at the Management Office and our website at [www.bostonhousing.org](http://www.bostonhousing.org)
- ▶ For the purpose of determining whether civil rights protections apply, a person is an "individual with a disability" if he or she has, or has a record of having, or is regarded as having a physical or mental impairment which substantially limits one or more major life activities. There are three necessary elements to this definition: 1) a physical or mental impairment, 2) which substantially limits, 3) one or more of the person's major life activities. All three elements must be present. However, a person is not an "individual with a disability" if they are a current illegal user of or are addicted to a controlled substance (illegal drugs which have not been prescribed by a medical provider).
- ▶ Documentation to show "good cause" to be assigned to a particular type of unit or location/area.
- ▶ Any other documentation which provides the BHA with evidence that the request for a transfer is based on fact.

Generally, you need to provide this documentation. In some cases, such as maintenance related medical conditions, the manager will provide additional documentation.

## **The Transfer Process**

### 1. THE MANAGER SUBMITS COMPLETED TRANSFER REQUEST FORM AND SUPPORTING DOCUMENTATION TO OCCUPANCY

Once you have completed the Transfer Request Form, the manager will provide you with a copy of the form for your records. The manager will attach all documentation you provide to

the request and submit the transfer request with your documentation, the Housing Development Choice form for Internal Applicants and Designated Housing Transfer type, a transmittal form, and any other pertinent documentation to the Occupancy Department. The transmittal form includes certain other information, such as the status of rent payments and transfer history information. Managers are required to submit the transfer request within twenty-four hours of receiving it.

If you do not have all the required supporting documentation when the Transfer request is completed with the management staff, the staff will provide you with a "BHA Transfer Request Receipt for Incomplete/Lack of Documentation" listing the missing documentation. You will need to submit such documentation to your management office within seven (7) days. Once you submit the information, management will forward it to Occupancy.

Failure to submit all supporting documentation may result in processing delay or denial of your transfer request.

## 2. TRANSFER PROCESS COORDINATOR LOG IN/REFERRAL IF REQUIRED

The Occupancy Department's Transfer Process Coordinator will log in the transfer request and check to make sure that it is complete and that all necessary documentation is attached. In certain cases, the Transfer Process Coordinator will refer the request to the Civil Rights or the Public Safety Department and request that an investigation be performed to obtain additional information. These investigations usually take from 14 to 28 days to complete.

The Coordinator may also return the request to the Manager, Resident, or Medical provider for additional information.

## 3. TRANSFER REVIEW COMMITTEE REVIEWS AND MAKES A DETERMINATION

Within seven days of the completion of the application and any needed investigation, the request is reviewed by the Transfer Review Committee (TRC). The committee may mark the case as "pending" and request further information.

Once the TRC has obtained all required information to determine the need for a transfer, they will approve or deny the application. If they approve it, the TRC will also determine the level of need (Emergency or Over or Under housed). You should reasonably expect to hear back from the Authority in about six weeks. If you do not hear from BHA within six weeks, you may call the Transfer Process Coordinator at (617) 988-4545.

All On-site transfers will be reviewed, approved, or denied by management and the resident will be given a written decision.

## **What if my situation changes while I am waiting for a decision?**

You should immediately contact the Transfer Process Coordinator if your situation changes after you have submitted your request but before you have received a response, or if you have been approved but have not yet moved. Be sure to contact the Coordinator if your medical condition worsens or improves. If you are the victim of additional incidents in the case of domestic violence, civil rights problems, or other threatening situations contact the police as well as the Civil Rights Department (if appropriate) and the Transfer Process



Coordinator. If your family composition changes you need to tell both the Transfer Process Coordinator and your Manager in order for the BHA to appropriately process your request.

It is essential that we have your current contact information and that you inform us what is the best time and place or phone number(s) where we may reach you in order to either complete an investigation or obtain additional verification if needed. If the BHA staff is unable to contact you when needed, your request will be withdrawn.

### **What happens if I am approved?**

Once you are approved for a transfer, you will receive a letter stating the approval and level of transfer you are approved for and you will be placed on a waiting list. Administrative transfers receive the highest priority. Emergency transfers will be offered the next available every other fourth unit that is appropriate to the family size and needs documented anywhere in the city at a location that will meet the resident's needs. The housing offers will be made in ranking order by bedroom size required and transfer application date. The timing of the On-site under/over housed transfers depends on the overall vacancy turnover of the development. Every eight unit will be offered to an approved over or under housed transfer in ranking order when the site is at least at a 98% occupancy rate.

Over or Under housed transfers which are Internal Applicants due to being either over or under housed, or due to rent burden in the federal program because some households have eligible immigration status and other household members do not eligible immigration status have a lower priority. These residents are considered to be standard Applicants on the developments of choice and may wait some time for a transfer to actually take place. Internal Applicants are residents who want to move to another development of choice (non-emergency categories) and must successfully complete a final eligibility screening process which includes the review of the criminal record for all household members ages 14 and older (except for residents residing in state-aided developments who want to move to another state-aided development the transfer eligibility criteria will be applicable).

Once a housing offer is made, you will be given a period of five (5) business days starting from the date you are offered the apartment to accept or refuse the offer. Be reminded, the BHA regrettably does not have immediate housing. As units are vacated they are assigned and they must be prepared and made ready before any move-in may occur. Residents will have thirty (30) days to move to the offered **and** accepted unit from the date the housing offer was made unless a different period is agreed and approved by management,

### **What happens if I refuse the unit offered?**

Administrative Transfers, Emergency Transfers , Over and Under Housed Transfers, and Internal Applicants who reject a housing offer without establishing a new good cause and or reasonable accommodation will be withdrawn and the resident may not re-apply for the same transfer type for a period of one (1) year from the date the last housing offer was rejected.

You will be informed of your right to appeal any negative decision.

Be advised per the BHA Lease requirements, residents who are over or under housed or residing in a wheelchair accessible unit and do not require these features will be subject to legal action for rejecting a housing offer to a unit of appropriate size and type. In addition, over housed residents in the state-aided developments will be required to pay 150% of their monthly rent if they reject a housing offer to a unit of appropriate size and type.

**What happens if I am denied?**

If you are denied a transfer, you will receive a letter stating that and the reasons for the denial. You may appeal the denial, and the letter you receive will provide information on how to request an appeal of the decision.

**Questions?**

If you have questions, **start by asking your manager**. If he/she is unable to answer your questions, contact the Transfer Process Coordinator at (617) 988-4545 or the Occupancy Status Information Line at (617) 988-3400.

<b><u>IMPORTANT PHONE NUMBERS</u></b>	
BHA Office of Civil Rights (617) 988-4383	TDD 1-800-545-1833 Ext. 420
Boston Police 911	BHA Police Department (617) 423-1212
Occupancy Status Information Line (617) 988-3400	Transfer Process Coordinator (617) 988-4545
Work Order Center (617) 988-4357	

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