

Transfer Policy

The Montgomery Housing Authority has two possible types of transfer: Emergency and Administrative.

- A. **Emergency Transfers** are mandatory when the HA determines that a unit or building will pose an immediate threat to life, health or safety or to resolve life threatening issues including domestic violence. Emergency transfers do not require prior notice and take priority of new admissions.

If an emergency condition exists due to resident abuse or neglect which necessitate an emergency transfer, the resident will be charged for the damages and may be subject to eviction. Conversely, if a resident refuses to adhere to the emergency transfer, they will be subject to a lease termination and eviction.

The cost of the transfer will typically be covered by the HA unless the cause of the transfer is due to resident abuse or neglect.

- B. **Administrative Transfers** are non-emergency in nature. Priorities 1 and 2 shall take precedence of new admissions in the following order of priority. Priority 3 will be addressed through a ratio which may change from time to time. For instance, the ratio may be 25:1 which means, for every 25 families moved-in from the public housing waiting list, one family from the Priority 3 waiting list will be transferred.

1. Priority 1: Mandatory administrative transfers to permit the HA to renovate, modernize, revitalize, demolish or dispose of public housing property. **The cost of the transfer will be covered by the HA.**
2. Priority 2: Voluntary administrative transfers to move residents with disabilities to an accessible dwelling unit. This also includes families who are occupying an accessible unit who do not need the features of the unit so that a family who needs the unit can occupy the accessible unit. **The cost of the transfer will be covered by the HA.**
3. Priority 3: Mandatory transfers to correct occupancy standards. **The cost of the transfer must be paid by the resident.**

Offers of transfers shall not discriminate on the basis of race, color, sex, sexual orientation, religion, national origin, disability or familial status. To assure equal opportunity and non discrimination, the HA will utilize "Plan A" or the one offer plan to make offers to transferees from the waiting list.

The first qualified transferee in the sequence on the waiting list is made one offer of an apartment of the appropriate size and type. The transferee must accept the offer or be removed from the waiting list unless the transferee refuses with good cause.

Administering the Transfer List:

1. Transferees will be selected in accordance with date and time of the transfer application.
2. Once a unit is identified, the resident will be notified by letter or telephone of an available unit.
3. If the resident does not accept the unit offer within 2 two working days, they will be removed from the list. A withdrawal letter will be sent.
4. Residents who are withdrawn from the waiting list, may submit a written request for a grievance hearing.

C. Good Cause for Refusal of Unit Offer:

1. Examples of (good cause) for refusal of a unit offer are:
 - The unit's location is inaccessible to source of employment, education, or job training, children's day care, or educational programs for children with disabilities, so that accepting the unit offer would require the adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities;
 - The family demonstrates that accepting the offer will place a family member's life, health, or safety in jeopardy. The family must provide specific and compelling documentation such as restraining orders, other court orders, or risk assessments from a law enforcement agency. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption;
 - A health professional verifies temporary hospitalization or recovery from illness of the principal household member or other household members (each as listed on final application);
 - The unit has lead paint and the family has children under the age of seven;
 - The unit is inappropriate for the family disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30-day notice to move;
 - An elderly or disabled family makes the decision not to occupy or accept occupancy in designated housing.
2. If good cause is verified, the refusal of the offer shall not require that the applicant be dropped to the bottom of the waiting list or otherwise affect the family's position on the waiting list.