

KINGSRIDGE CLEDDANS HOUSING ASSOCIATION

MUTUAL EXCHANGE POLICY



Date of Last Approval	31 March 2020
Review Due	21 February 2023
Approved	21 February 2023
Next scheduled review date	28 February 2026

1. INTRODUCTION

The purpose of this policy is to set out criteria for approving mutual exchanges through an existing tenant exchanging property with another tenant of the Association or other Registered Social Landlord (RSL).

2. OPERATION OF THE POLICY

Under the terms of the policy, any tenant of the Association will be allowed to propose an exchange with any other Association tenant or the tenant of any other RSL subject to the following conditions being met.

- 2.1 Parties to the exchange will be required to declare their intention to occupy their new home as their principle residence for at least one year. If either of the proposed exchanges fail to take up occupation action will be taken to reverse the exchange forcing the return of the occupant of the occupied property to their original property and repossession of the exchanged property

No exchange will be approved where there are grounds to believe that either or both parties have acted in such a way as to mislead the Association about the circumstances of the exchange or the intention of either party to occupy the new house.

- 2.2 The policy will not allow exchanging tenants to under occupy or overcrowd either property.
- 2.3 Upon receipt of completed applications for a mutual exchange, the Housing Officer will ensure that neither party have any rent arrears nor other debt owed to the Association e.g. re-charges and no court action for breach of tenancy conditions is current. The Housing Officer will arrange a home visit to both properties (where both applicants are tenants of the Association) to assess the internal and external condition of the property.

In the event that one of the applicants is a tenant of another RSL, the Housing Officer will request a tenancy report from the other RSL.

- 2.3.1 The Association will not undertake any extraordinary repairs such as decoration, replacement of fitments etc following a mutual exchange for a year following the date of the approval of the mutual exchange, however the Association will continue to fulfil its obligation to ensure that houses are wind and watertight and that tenant safety is not compromised.
- 2.4 The Housing Officer will decide, having fulfilled the above stages at 2.3, whether the proposed mutual exchange can proceed.
- 2.4.1 Where one of the applicants is a tenant of another RSL, both RSL's must agree that the proposed mutual exchange can proceed.
- 2.5 Proposed mutual exchanges involving a house where disabled adaptations have been carried out will not be approved unless the applicant moving into the

house requires adaptations.

Approval of a mutual exchange will not be withheld unreasonably.

3. PREVENTING ABUSE OF THE POLICY

Wherever possible any proposed mutual exchange should be of equivalent type property particular attention will be given to exchanges where equivalence is not evident. This would include:-

- 3.1 exchanges between main door house and tenemental property.
- 3.2 exchanges involving adapted for disabled/upgraded house.
- 3.3 exchanges where one house is suitable for medical condition and other house is unsuitable.

In circumstances such as these the Association must ensure that neither tenant is being encouraged for any reason by the other to relinquish a more suitable house for a less suitable one. In cases where any of the above apply, the following procedures will be applied:-

- 3.2 Where an Association house has been adapted, an Occupational Therapist's report will be required before approving the exchange.
- 3.3 Where an Association property is located on the ground floor and where it was let on the basis of medical priority, an Occupational Therapist or Medical Report will be required to be undertaken to assess whether the proposed property will continue to meet the housing needs of the tenant. The exchange will be refused if it would result in the tenant moving to unsuitable accommodation.
- 3.4 Where the exchange involves property that differs significantly in demand e.g. between a main door house and a flat then both parties to the exchange will be interviewed by the Housing Officer with a view to establishing any requirement of the exchange and to ensure neither party is being coerced or otherwise forced into applying for the exchange against their interests.

Only when all conditions are met will permission be granted.

4. DECISION

The decision will be conveyed to both parties to the proposed mutual exchange in writing no later than 28 days from the date of application, unless otherwise communicated to both parties.

Neither party should make any arrangements prior to receipt of the written permission from the respective landlords.

5. POLICY REVIEW

The policy will be reviewed every 5 years or sooner to take account of best practice or legislation.