

Mutual Exchange in Mid Sussex

WHAT IS A MUTUAL EXCHANGE

A Mutual Exchange is where two (or more) tenants decide they want to swap homes. Most Council and Housing Association tenants have a right to exchange and therefore you can exchange to a Housing Association or Council property.

WHY SHOULD I WANT TO EXCHANGE

A Mutual Exchange may be your best option if you want to move. Even if you are on the waiting list it is still worth considering a Mutual Exchange if you have low priority and may face a long wait for a transfer.

HOW DO I FIND AN EXCHANGE

Log onto www.homeswapper.co.uk, or any other online mutual exchange service, and view available properties.

WHAT DO I DO WHEN I HAVE IDENTIFIED A POSSIBLE EXCHANGE PARTNER

Contact the applicant in writing (please do not knock on the door unannounced), inform them of your interest and describe your own property.

Then visit each other's homes to establish whether you would be happy to exchange. It is advisable to make a thorough inspection of the property, as you will have to accept the property as it is when it is vacated. The Landlord will not normally accept responsibility for any repairs or defects that are the result of the outgoing tenant's misuse or neglect of the property. You may therefore wish to agree in writing with the other party what items are to be left, or even take photographs of the internal condition of the property prior to the exchange.

The Housing Association has to give you a final decision on whether or not the exchange can proceed within 42 calendar days of receiving the application forms. There are, by law, only 10 grounds on which the Housing Association can refuse the exchange – the most common grounds being if you are subject to a Notice of Seeking Possession or if you wish to move to a property which is much bigger or smaller than you actually need.

Once the Housing Association is satisfied written notification will be sent to you giving approval for the exchange. An appointment will be made with the Housing Association, and the tenant you are exchanging with, to sign the new tenancy agreements. If you have a joint tenancy both tenants must attend. You should bring some form of photo identification with you.

You must not go ahead with the swap your Housing Association has agreed to the exchange in writing and the relevant papers have been signed. If you move without this agreement you will be putting your tenancy in jeopardy and could end up with no home at all.

CAN PERMISSION TO EXCHANGE BE REFUSED

Yes it can but only on very specific grounds. If you are a secure tenant you have the right, under the Housing Act 1985, to arrange an exchange with another tenant, or chain of tenants, providing each tenant obtains their own landlord's written consent. This can only be refused for one of the following reasons

- If any party owes rent at the time of the exchange or is in breach of a tenancy condition and if proceedings for possession have been commenced against either party, or a court order to evict has been granted to either landlord;
- If the exchange would leave one or both tenants with a home that is either much too large or much too small for their needs – the Association's policy is to refuse consent if, as a result of the exchange proceeding, either party would be occupying accommodation with is either in excess of one bedroom more; or one bedroom less than the size of property to which they would be entitled under the Joint Allocation Scheme;
- The exchange involves accommodation that has been specially adapted for a person with physical disabilities and the proposed new tenant does not have disabilities;
- The exchange involves accommodation which is normally let to people with special needs, including elderly persons, and the proposed new tenant does not need that type of accommodation; or
- The landlord is a housing association, trust or charity that lets only to certain groups of people in need and the proposed new tenant does not qualify;
- If you are in arrears with your rent your landlord can withhold consent for the exchange to take place until the arrears are cleared;
- Tenants living on a Rural Exception Site scheme can only exchange with someone who has a local connection with their village/parish.

HOW DO I ADD MY DETAILS TO THE MUTUAL EXCHANGE REGISTER

If you wish to register for a mutual exchange, you should register on an exchange website such as www.homeswapper.co.uk. Clarion Housing Group plus its partners' tenants can do this free of charge on line.

You could also research home exchange groups on social media.

If you currently have the right to buy, please seek clarification from your Landlord how your right would be affected by a Mutual Exchange.