

## **Mutual exchange – your questions answered**

**If you have a secure, assured or fixed term tenancy you have the right to swap properties with another social rented tenant.**

### **Who can apply for a mutual exchange?**

All One Housing social rented tenants, with the exception of starter tenants, have a right to exchange. We encourage exchanges and will not usually deny you permission. However residents can't mutual exchange with tenants in leased or private rented accommodation, or exchange into an empty property.

### **How to apply for a mutual exchange?**

We are signed up to HomeSwapper, the UK's largest online community of social rented tenants looking to swap homes. As a resident you can register with HomeSwapper and House Exchange and search for mutual exchanges through other landlords, for example your local authority.

Visit [www.homeswapper.co.uk](http://www.homeswapper.co.uk) and [www.houseexchange.org.uk](http://www.houseexchange.org.uk) for more information.

### **What size property should I be looking for?**

You should look for a home that meets your needs. We will refuse an exchange if it means you'll be under occupying or overcrowded.

### **Why do I need to get permission before exchanging my accommodation?**

You are legally responsible for your property and for the prompt payment of rent. You are required to keep to the terms of your tenancy agreement and must not exchange or assign your tenancy without our consent. We will take legal action against you if you exchange your accommodation without our permission.

### **Are there any conditions for consent?**

We may attach conditions that need to be met before an exchange can happen. These may include:

- Having a clear rent account at the time of exchange.
- The property should have an up-to-date gas safety certificate.
- Alterations or damage to the property beyond wear and tear are fixed.

### **Can a mutual exchange be refused?**

We may refuse a mutual exchange if:

- Either tenant has a suspended or outright possession order.
- Possession proceedings have started because of rent arrears or anti-social behaviour.
- The accommodation is substantially larger than needed or not suitable.
- The accommodation is not large enough to house the family.
- The accommodation has been adapted for a person with a disability and there would be no disabled person moving in.

- The property is to accommodate a person with special needs and no one with those needs would be moving in.
- The landlord is a registered charity and occupation would conflict with its charitable objectives.

In some circumstances we have the right to refuse the mutual exchange if the rent on the existing tenancies has not been paid or if there has been another breach of tenancy.

### What should I take into account when viewing a property?

1. Remember, you need to be sure about a property - after all it will potentially be your new home. Make as many appointments as you need, before making the decision to go ahead with the swap.
2. Cost of moving – note the costings for removals and for furniture, soft furnishings, repairs etc.
3. Check the condition of your ‘new’ home – make sure the current tenant has made contact with their landlord to do any outstanding repairs before you move in.
4. Before visiting a property, make a checklist of your priorities. These could include:
  - Number of bedrooms.
  - What the schools are like?
  - Is there residential parking? If not, is it easy to park?
  - Are there good transport links?
  - Where’s the nearest station/bus stop?
  - Location - walk around the neighbourhood you're thinking of settling in to.
  - What the neighbours are like?
  - Garden size – is private or shared, paths, fences etc.
  - The local community.
  - Where’s the nearest supermarket?
  - What type of heating is it; does it suit your needs?
  - Are you willing to redecorate?
  - When do the current residents want to move?
  - What do the current residents plan to take with them?
  - What’s your new landlord like?
6. If you are moving into a One Housing home and there are fittings that have been provided by the existing tenant, **and not by One Housing**, we will not maintain or replace them in the future. You will be expected to accept the home in its current condition and sign a form to say you will take responsibility to repair the item/s yourself eg mixer taps or non-electrical shower units, carpets and curtains and more.
7. For you and your family’s safety, gas fires provided by the existing tenant and not One Housing cannot be left in a property on the mutual exchange.

## **Will I have the right to buy or acquire my new property?**

If you're a One Housing tenant and currently have the right to buy or acquire your home:

- By exchanging to another One Housing property, you could lose your right to buy or acquire your home depending on the property you choose.
- By moving into a property owned by another housing association, you may lose your right to buy or acquire.

If you are a council tenant or another housing association and exchange into a One Housing property, you may not have the right to buy or acquire.

If you have the right to buy the property you are currently living in, any discount that you have accumulated, will be transferred with you, should you have the right to buy or acquire in the future.

By moving into a council owned property you may have the right to buy.

If this is an important issue for you then you should contact us to discuss the matter in further detail before applying to exchange.

## **How do I exchange?**

First, make contact with the resident of the property you wish to move to. If both parties are happy to swap, you should then contact us.

If you are a One Housing resident and wish to mutual exchange, you will need to complete a form and return it to your local housing office. If you would like us to send you a copy, please contact our Customer Information Hub on 0300 123 9966 or 020 8821 5300. Visit [www.onehousing.co.uk/moving-home](http://www.onehousing.co.uk/moving-home) to print a copy of the form.

Once the form has been completed, we will visit both parties. If you are moving out of a One Housing property, we will want to discuss the move generally with you and check the condition of your home.

If you are moving into a One Housing home we will want to:

- Meet you and generally talk to you about the move.
- Tell you about One Housing and go through the terms of your new tenancy agreement.
- Talk to you about having a free gas and electric safety check on your new home.

The next step is for landlords to exchange reports on the proposed moves, and for all parties to agree the date of the move. If for any reason the move is refused, you will be told why in writing. Sometimes consent may be withheld until a condition is met (for example, clearing any rent arrears).

The final stage involves both parties meeting to sign assignment documents. This means the 'new tenants' sign up to the tenancy agreement and the outgoing residents give up their rights and responsibilities to the property. You will need to bring proof of identity when you come to sign the paperwork.

### **Key points to remember:**

- You can only carry out an exchange with your landlord's permission.
- Your landlord can take action against you if you carry out a mutual exchange without their permission.
- When you accept the property you accept it in its current condition.
- Once you have moved into your new home, you cannot move back unless both parties agree. This means starting the mutual exchange process again, One Housing may not give consent in these circumstances.
- You must not offer to pay someone to exchange with you. This is illegal and could cause both of you to lose your homes.
- Once you have exchanged, you will take on the rights and responsibilities of a different tenancy agreement so make sure you have fully read and understood this.

### **Will looking for a mutual exchange affect my application for a transfer?**

No, looking for an exchange will not affect your application for a transfer. It will, however, increase your chances of moving.

### **What if I do not have any priority for a transfer? Can I still apply for a mutual exchange?**

Yes, the advantage of mutual exchange is that the moves are not based on priority need; therefore it gives all tenants the chance to exchange.

### **How long does a mutual exchange take to complete?**

We want to make the process for moving as smooth as possible, from receiving your application we must make a decision within 42 days about whether the exchange can proceed. This may sound like a long time but in this time all parties will have needed to complete the mutual exchange application and return this to their landlord. The landlords will then all need to get references for the incoming tenants and undertake any necessary inspections of the property.

After you have received consent, you can then go ahead and arrange the best date with the other tenant to move. The deed of assignment is usually signed on a Friday and the move takes place over that weekend.

### **Contact us**

For more information, contact the Customer Information Hub on:

T: 0300 123 9966

E: [CustomerEnquiries@onehousing.co.uk](mailto:CustomerEnquiries@onehousing.co.uk)