



Mutual Exchange

What is a mutual exchange?

A mutual exchange allows tenants of registered social landlords or Local Authorities to swap homes if they have permission from both landlords. All Scottish Secure Tenants (i.e. tenants of housing associations, cooperatives and councils) have this right and can arrange a swap to another property in their local area or indeed anywhere in the UK.

Is a mutual exchange the right thing for me?

If you live in a home that no longer meets your needs, or the area you live in isn't ideal or you simply want a fresh start, mutual exchange may be your solution. Exchanges are often a quicker way for you to move home rather than applying for a transfer. They are a self-help option because **you** are in control and find someone to swap with.

How do I find someone to exchange with?

It is up to you to find a tenant to swap with. Sometimes you may know someone already or have heard through 'word of mouth' about someone who may be interested.

To help with this, Gardeen Housing keeps a register of tenants who are interested in a move. You can view this upon request. Contact us on 0141 771 9590 if you would like to advertise your property on the register.

Both you and the person you want to swap must apply for permission from both landlords.

Application forms are available from our reception and from our website. If the person you wish to exchange with is also a Gardeen Housing tenant, you both have to complete the Gardeen Housing form. If you wish to exchange with a tenant of another landlord, you must complete the Gardeen housing form AND contact the other person's landlord for advice and information.

Once you have submitted your application, we have 28 days to approve or refuse it.

Until you have written permission from BOTH landlords you must not make any arrangements to move.

What happens next?

Your housing officer will carry out tenancy checks on both you and the tenant you want to swap with. We will also carry out a property inspection on your home and let you know if you require carrying out any work before the swap can go ahead. Although we will carry out a gas and electric check before the new tenant moves in, we will not carry out any work and the incoming tenant will be made aware that we will not take any responsibility for decoration, unauthorised alterations and floor coverings – the incoming tenant accepts the house 'as seen'.

What are the conditions for getting permission?

The Association will not refuse any application for a mutual exchange unreasonably. The Association considers the following as reasonable grounds for refusal:

- If the Association has served a notice of proceedings for possession, for example, the tenant has not paid his/her rent.
- If the association has obtained an order for recovery of possession against the tenant.
- The house has been designed or adapted for someone with special needs and there is no-one in the prospective tenant's household with those needs.
- If a mutual exchange would result in under – occupation or overcrowding.
- If the incoming tenant has not been granted membership of the association under the terms of the membership policy.
- If there is a problem of significant rent arrears, persistent or serious anti – social behaviour.
- If the tenant has failed to rectify unauthorised alterations or damage to property caused by misuse or neglect within a month of being instructed to do so by the Association.
- If we receive a poor tenancy reference from the landlord of the proposed incoming tenant.

If we refuse permission, we will write to both you and the other tenant to explain why we have reached the decision.

Will my tenancy rights be affected?

If you sign a new Scottish secure tenancy agreement for your new property you are likely to have the same rights, responsibilities and obligations that you're currently have. However if you are moving to another landlord, you should first carefully read their tenancy agreement since there might be slight contractual differences compared to the Gardeen Housing Association Agreement.

What if you refuse permission?

In some circumstances, we may offer to review the decision after a period of time – for instance if you have rent arrears, we may agree to look at your request in three months if you have cleared the arrear or kept to an arrangement. You have the right to appeal our decision. Our complaints leaflet outlines how you can complain if you feel we have treated you unfairly.

The mutual exchange is approved – what next?

We check that the other landlord agrees to the exchange, and we will liaise a suitable date for the exchange to go ahead. You and the tenant you are swapping with must sign new tenancy agreements and you should not move until this has been done.

Once the mutual exchange is approved and tenancy agreements are signed:

- You must move into your new tenancy within one month.
- You cannot reverse the decision to swap unless the other party and both landlords agree.
- You must stay in the property for six months.

Our policy on mutual exchanges has been approved by our Management Committee. You can download a copy from our website, or you can contact us to request a copy.

We always welcome your views and comments about improving our service.

If you would like this leaflet in another format, for example in large print or on tape, or in another language, please contact reception.

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