Mutual Exchange Policy

Policy owner	Sam Taylor – HSH Operations Manager
Confidentiality	C1
Distribution list	HSH Operational Staff, HSH Board of Trustees, HSH Tenants
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1. Policy Statement

A mutual exchange, sometimes known as a tenancy exchange, is when a tenant swaps their home with another council or housing association tenant. The Regulator of Social Housing's Consumer Standards indicates that registered providers of social housing must offer, publicise and provide support to access a mutual exchange service. This policy outlines how HSH fulfils those obligations.

2. Legal & Regulatory Framework

The purpose of this Policy is to set out our approach to Mutual Exchanges, including:

- Details of the platform HSH tenants will be able to access
- The process which HSH tenant should follow to pursue a mutual exchange
- Anything that could exclude HSH tenants from being granted permission to pursue a mutual exchange
- How HSH will make mutual exchanges accessible to HSH tenants

3. Platform

HSH will provide mutual exchanges through the Home Swapper. This is an online platform where properties that tenants can exchange with are made available. HSH will make provision for tenants to access this platform free of charge.

The HSH Board will keep under review the chosen provider of Mutual Exchange, to ensure that the provider provides value for money, quality service for tenants, and fits with the values and ethos of HSH.

4. Process

Both parties should put in writing to their respective landlords to indicate their desire to pursue a mutual exchange. The request will be initially considered by the HSH Housing Officer who will make an initial assessment against the exclusions listed below. If the Housing Officer deems the request to be accepted, then this will be submitted to the HSH Board of trustees for final approval.

The process should included the usual pre-tenancy checks HSH would usually carry out for the prospective new HSH tenant(s).

HSH will respond to the request in writing within 6 weeks. If HSH does not respond within 6 weeks then the request cannot be refused. A tenant who tries to exchange a tenancy without permission could be evicted.

5. Eligibility & Exclusions

Tenants must always ask HSH for permission for a mutual exchange and must follow the steps laid out in the process above. Mutual Exchanges should always meet the tenant's needs and suit their requirements.

HSH will not unreasonably withhold permission to exchange, but may withhold or refuse consent to mutual exchange based on the following grounds as set out in Schedule 3 of the Housing Act 1985.

- There is a possession order on the property or a notice seeking possession has been served
- The tenant or any member of their household has been a perpetrator of anti-social behaviour
- The property is bigger than is needed by the tenant(s) wishing to move into it
- The property is not big enough for the tenant(s) wishing to move into it
- The property has special features that make it suitable for occupation by a physically disabled individual who needs it, and if the exchange took place there would no longer be such a person living in the property
- The proposed new tenants would not meet HSH's eligibility criteria or be suitable for accommodation with HSH under the Allocation Policy
- The property is supported housing for individuals with additional needs and if the exchange took place there would no longer be such a person living in the property.

HSH may also refuse a mutual exchange by way of surrender and granting tenancies under Section 158, Schedule 14 of the Localism Act 2011 using the following grounds:

- Any rent lawfully due from a tenant under one of the existing tenancies has not been paid
- An obligation under one of the existing tenancies has been broken or not performed

If any tenants seeking the exchange have any rent arrears, then these must be paid before the exchange can take place.

6. Accessibility

HSH will make every effort to ensure tenants are aware of their right to a mutual exchange and the process they must follow. HSH is committed to ensuring that mutual exchanges are as accessible to tenants as possible, and the Housing Officer will take a lead on dealing with queries, questions or expressions of interest from tenants relevant to Mutual Exchanges.

7. Monitoring & Review

The HSH Housing Officer will provide regular updates on the usage of the Mutual Exchange scheme. The HSH Operations Manager will track and monitor any relevant outcomes and provide regular reports to the board.

8. Responsibilities

The Company Secretary is responsible for the monitoring and review of this policy.
The HSH Operations Manager is responsible for ensuring the implementation of this policy and supporting procedures, and for the monitoring of performance and delivery.

The HSH Housing Officer is responsible for the day-to-day management and oversight of this policy.