

Mutual Exchange Policy

Statement

Purpose

The purpose of our Mutual Exchange Policy is to promote choice and mobility for tenants and to make the best use of our homes in meeting housing need. It allows tenants a further option of moving where priority would not be given for a move by using Gateway to Home Choice or through nominations provided by the Local Authority.

Legal Obligations

Relevant legislation includes:

- Housing Act 1985
- Housing Act 2004
- Localism Act 2011
- Regulatory Framework for Social Housing in England (Tenancy Standard).

This policy should be in conjunction with the following related guidance, policies and procedures:

- Tenancy and Lettings Policy and Procedures
- Complaints Policy and Procedures
- Compensation Policy and Procedures
- Repairs Policy and Procedures

Orwell's Commitment

- To ensure the process is followed efficiently;
- To provide help and guidance to customers that need it throughout the process;
- To make best use of our homes but ensuring our properties are housed appropriately;
- To ensure our customers are provided with access to the mutual exchange scheme.

Key Terms and Definitions

A mutual exchange is where two or more social housing tenants swap homes by exchanging tenancies with each other. Mutual exchanges can take place between tenants of the same or different landlords but can only be carried out when both landlords give written consent to the exchange.

Tenants take on the full rights and obligations of their 'new' tenancy, including the rent. Not all tenants are eligible for mutual exchange and there are certain circumstances in which a landlord may refuse an exchange.

Mutual exchanges can be completed by assignment or surrender and regrant.

Assignment

Assignment is the transfer of a tenancy from one person to another. When a tenancy is assigned, the rights and responsibilities of the tenancy are transferred from the original tenant to the new tenant. If a tenancy is assigned during a mutual exchange, the tenants take on each other's tenancies.

Surrender and Regrant

This is where both tenants surrender their current tenancies and are awarded new tenancies, not necessarily on the same conditions.