

WHAT IS A MUTUAL EXCHANGE?

A mutual exchange is when you apply to exchange homes with other South Lakes Housing tenants, council tenants or tenants of other housing associations.



WHO CAN EXCHANGE?

You can apply for a mutual exchange if you have one of the following tenancies with South Lakes Housing;

- Secure
- Assured
- Five Year Fixed Term Assured Shorthold

WHO CAN'T EXCHANGE?

You don't have the right to apply for a mutual exchange if;

- You are a housing association tenant and your tenancy prohibit it.
- You are a starter tenant.
- You are renting from a private landlord.



FINDING SOMEONE TO SWAP WITH

When looking for a mutual exchange a tenant can use national platforms or social media sites such as Facebook to search for properties that may be suitable for you to swap.

CAN I SWAP PROPERTIES WITH ANYONE?

You can swap homes with anyone as long as they have the right within their tenancy agreement to mutually exchange and they are a social housing tenant within the UK.



HOW DO I APPLY FOR A MUTUAL EXCHANGE ONCE I HAVE FOUND SOMEONE TO SWAP WITH?

You can complete the application form on our website www.southlakeshousing.co.uk or contact your Tenancy Management or our Customer Services team on 0300 303 8540.

GETTING PERMISSION

When you have found a possible swap, you must fill in our application form to receive our written permission before exchanging. The person that you want to exchange homes with must fill in an application form with their landlord as well. Your landlord may refuse your application if:

- They have served you with a notice seeking possession, this may be a result of ASB or rent arrears.
- The property you want to move to has adaptations for disabled people which you don't need or the property is unsuitable for your needs (eg it is too big)
- An injunction or other action to stop antisocial behaviour has been taken against you or anyone living with you.
- If you have rent arrears, consent may be refused, or you may get permission on the condition that you agree to clear your rent arrears.

Your landlord must let you know of the outcome of their decision within six weeks of you submitting your application for permission to exchange. You may be able to appeal if your application is refused or you get no response.



HOW LONG DOES THE PROCESS TAKE?

All requests to mutually exchange must be put in writing to SLH. SLH will acknowledge receipt of applications within five working days; and will advise applicants whether or not approval has been granted within three weeks where all parties involved are SLH tenants or four weeks where other landlords are involved. (The legal requirement is 42 days).

PROTECTING YOUR TENANCY RIGHTS

You will normally undertake the tenancy of the tenant that you exchange homes with. Similar levels of security are offered by housing associations and council tenancies. There are significant differences on tenancies, such as succession to your tenancy if you die and the grounds for eviction. You should always check what type of tenancy you are taking over. If you began your tenancy before 1 April 2012 and you want to swap with someone whose tenancy began on or after 1 April 2012, you should ask your new landlord to grant you the most secure form of tenancy. If you swap homes with someone who is on a fixed term tenancy you will gain the remaining years they have on their tenancy. You should seek legal independent advice when exchanging your homes as you may will lose certain rights.

* Please note that you may lose your right to buy and you are unable to gain or pass on your right.



IMPORTANT FACTS

Find out how much your rent is for your exchange partners property.

Don't move until you have all the required authorisations in writing and have signed the relevant documentation.

Don't make or accept any payments for exchanging homes. It is illegal to do so and you could be prosecuted and evicted.

It is the responsibility of the tenants that are exchanging homes to check the condition of the home that they are moving to as they are accountable for being satisfied with the condition. Although South Lakes Housing will carry out a Property Inspection, not all issues can be identified.

Once the exchange has taken place each tenant takes responsibility for the condition of the property except for any repair issues that fall under the responsibility of South Lakes Housing as detailed in the tenancy agreement.

1 week or 1 months' rent is required in advance of your exchange even if you receive Housing Benefit. You will be responsible for paying the rent from the date of the exchange via debit/credit card through our automated payment line or in the office on the card machine.

If you are moving to a different Local Authority Area then you should note that the area that you are moving to may have different rules about residency if you move again in the future.

If following your exchange, you are under-occupying the property then there may be a chance that your housing benefit will decrease by 14% (one spare bedroom). Please take this in to consideration when making your decision to exchange homes.

If you are moving to a different Local Authority and you receive housing benefit then you may need to move to Universal Credit. Your Housing Association will be able to provide you with more information.

Please be aware that either party in a Mutual Exchange can pull out of the exchange at any time until the tenancy documents are officially signed.