



ORE VALLEY HOUSING ASSOCIATION

MUTUAL EXCHANGE POLICY

Issue No	3
First Approved	November 2000
Last Reviewed	June 2012
Date of Next Review	June 2016
Review Requirement	4 Years

ORE VALLEY HOUSING ASSOCIATION LTD

MUTUAL EXCHANGE POLICY

POLICY STATEMENT

The aim of this Policy is to promote mobility, make best use of the housing stock and to help meet tenants' aspirations.

Tenants of the Association will be permitted to carry out mutual exchanges both within the Association's stock and also with tenants of other social rented sector landlords.

This policy should be cross referenced with the following policies and procedures:

[Mutual Exchange Procedures](#)

[Allocation Policy](#)

[Tenancy Transfers and Assignations](#)

[Rent Collection and Arrears Policy](#)

[Voids Policy and Procedures](#)

[Housing Sex Offenders under MAPPA](#)

[Right to Buy Policy and Procedures](#)

[Fife Housing Register – Suspension Policy](#)

POLICY – RULES & ELIGIBILITY

All Association tenants are eligible to apply for an exchange, provided:

Other than in exceptional circumstances e.g. urgent medical or social reasons. The tenants rent account has been operated satisfactorily – generally this will mean that the account has been kept up to date and the Association has not been required to commence formal legal proceedings within the preceding twelve months.

- The tenant must not be in arrears with any other payments due to the Association (e.g. for rechargeable repairs).
- The Association must not be in the process of taking legal action against the tenant for any breach of the Tenancy Agreement.
- All tenants involved in the application to exchange must sign the application form. In addition, any partner of the tenant who is not a joint tenant will be required to sign the form indicating that they are willing for the exchange to go ahead.

- Other conditions of an exchange are noted below:
 - Exchanges resulting in a “like for like” move will be permitted.
 - Exchanges where the applicant; or a member of the applicant’s household are required to register with the Police under the Sex Offenders Act 1997 will be referred to the MAPPA for further guidance.
 - Exchanges to a specially adapted property which is not required for the applicants needs; or the needs of their household will not be permitted.
 - Exchanges where the applicant requires an adapted property will be referred to the Housing OT for further guidance.
 - Exchanges will not be permitted where the move would result in either property becoming under-occupied by more than one room in excess of that required by the household or in the property becoming more overcrowded than the one currently occupied.
 - The tenants carrying out the exchange must be prepared to accept the decorative condition of the new property and any improvements carried out by the existing tenant. Any rechargeable repairs required will have to be paid for prior to a request for an exchange being approved. The Association will carry out gas safety and electrical checks and change the locks as soon as possible following the exchange.
 - The Association will undertake to explain clearly to tenants of another landlord applying to exchange the nature of the tenancy that will be offered, particularly with regard to the Right to Buy.
 - The Association is committed to promotion of Equal Opportunities and will welcome applications to exchange from any person regardless of their race, age, gender, disability, sexual orientation or religion. The Association will also record and monitor all applications for an exchange in order to demonstrate that the policy complies with the Equal Opportunities Policy.

PROCEDURE

All parties wishing to exchange must complete an application form.

Tenants will be advised of the Association's decision within 28 days of submitting an application. Under the provisions of Schedule 5 Part 2 of the Housing (Scotland) Act 2001 the Association has 28 days to respond otherwise the tenant is entitled to assume that consent has been granted.

Where an exchange is approved, the Housing Officer will carry out follow-up visits within one month of the date of the exchange to ensure that the conditions are being fulfilled.

APPEALS & COMPLAINTS

Where an exchange has been refused, all applicants have the right to appeal against the decision. The appeal must be made in writing and should be addressed to the Housing Manager, who will look again at the application and respond in writing with a final decision within 28 days.

If the applicant remains dissatisfied, a formal complaint should be registered using the Association's Complaints Procedure.

POLICY AVAILABILITY

Copies of this Policy are available on request and free of charge from the Association. A summary of this Policy can be made available in a number of other languages, in large print or on audiotape.

MONITORING AND REVIEW

The Housing Manager will monitor the outcomes of this Policy and report to Committee on an annual basis.

The Policy will be reviewed after a period of four years.