

Helping you exchange your home

Mutual Exchange policy

The basics

Some customers have the statutory right to exchange their home. Conducting a Mutual Exchange is the most effective way to support customers to move home. The only types of tenancy suitable for Mutual Exchange are:

- Assured
- Secure
- Fixed term Assured Shortholds of 2 years or more that started after April 2012

Customers with Starter, Equitable, Introductory or Demoted tenancies are **not** eligible for Mutual Exchange.

There are certain things that need to be met to allow a Mutual Exchange to happen which include:

- No rent arrears
- No Anti-Social Behaviour
- You have lived at the property for at least 12 months
- No Court Order
- No Notice Seeking Possession.

Our approach

Leeds Federated will support customers to exchange their home with another household who live in social housing. To help customers do this, Leeds Federated subscribe to a national organisation who hold a register for exchanges called "House Exchange". Customers can join this for free and register their details.

We will promote Mutual Exchanges wherever we can include this as part of the transfer process to improve customer chances of finding a move sooner.

Leeds Federated also intend to hold an annual event to promote Mutual Exchanges as a quicker and better way for customers to find a move.

Key points for customers

To begin the Mutual Exchange process, you will need to find someone to swap with first. You can do this through House Exchange or any other forum, so long as the person you are swapping with lives in social housing.

Once you have found someone to swap with, Leeds Federated recommend you view each other's homes a few times, at different times of the day and different days of the week to not only see the home, but to also get a feel of the area.

It is important to note that:

- **Property Condition:** Mutual Exchanges are made on an “as seen” basis so please make sure you are happy with the condition of the new property, as you’ll be responsible for any existing issues unless otherwise agreed
- **Tenancy Rights:** Your tenancy type and associated rights may change after the Mutual Exchange. For instance, your Right to Buy/Acquire eligibility may differ so please make familiarise yourself with these.
- **Adapted Properties:** When the property is adapted to meet certain needs (e.g., wheelchair facilities), Mutual Exchanges will be sanctioned only if the incoming resident requires such adaptations.

Once you are happy and want to go ahead with the Mutual Exchange, you then need to contact your Neighbourhood Officer who will then begin the process.

Application Process Overview

1. **Application** – You will need to complete a Mutual Exchange Application Form and send it back to your Neighbourhood Officer. This will give us personal information of yourself and the incoming household.

2. **Approval:** Your Neighbourhood Officer will carry out relevant checks, including property inspections, checking tenancy conditions and arranging for a gas and electric test to be carried out. At this stage there may be provisional approval pending certain conditions such as:

- Getting repairs done
- Clearing arrears
- Clearing unwanted items

During this stage we may need to share information with other people in the process such as the other landlord who will likely; as part of their checks; want a reference from us about you. If you refuse to share information with us, then the Mutual Exchange will not be able to go ahead.

3. **Assignment:** Once all checks are complete and the Neighbourhood Officer is satisfied, then they will arrange a date for all parties to meet and sign a Deed of Assignment, transferring the tenancies legally.

Time to Decide

Leeds Federated will respond within 42 days from the date of a completed Mutual Exchange, either approving or refusing the application. If we do not respond within this timeframe, customers can pursue the exchange without our permission.

This timeframe applies to both individual and multi-party exchanges.

What will stop an exchange?

Leeds Federated may refuse an exchange where there are issues such as:

- Anti-social behaviour
- Arrears
- Home is in poor condition
- Vulnerability/Adaptation concerns
- Fraud
- Any other matter that Leeds Federated deems reasonable to refuse on.

If you have a **Secure** tenancy then Leeds Federated can only refuse on grounds listed within Schedule 3 of the 1985 Housing Act.

If we do refuse your application, we will speak to you to explain the reasons why it has been refused and what you need to do, to be eligible for an exchange.

What if I swap without letting Leeds Federated know?

If it comes to our attention that an exchange has been done without our formal permission, or giving us any notice, then we will take legal enforcement action as this is a serious breach of tenancy.

This will likely have a negative impact on any future exchange that you may wish to do.

What if I get refused and I'm not happy with the reason?

You have the right to appeal the decision.

If you feel as though we have not handled the process well or felt we haven't followed our policy, you can make a complaint via our Complaints Policy.

Key points for colleagues

As Leeds Federated are a Housing Association there is no legal requirement to complete a Mutual Exchange within a certain timeframe. However, in the spirit of partnership working we will endeavour to work within the timeframes laid out by the local authority where applicable.

We will look at cases on individual basis and ensure we do all we can to fairly assess the eligibility of each application.

Leeds Federated can say no or set conditions if:

- The new home would have 2 or more extra bedrooms the new family doesn't need.
- The new home doesn't fit the new family's needs.

- There are special rules (known as covenants) for who can live in the home, and the new family doesn't meet them
- There is a Local Lettings Plan and the new household does not meet the requirements
- The new household can't afford the rent.
- The new household wouldn't normally be allowed to rent that home.
- The new household would break the rules of the tenancy.
- The new household has pets that aren't allowed.
- The swap would make it harder for Leeds Federated to manage its homes properly.

If the new home has just one extra bedroom, Leeds Federated will usually say yes if the new household can afford it.

There might be other reasons Leeds Federated says no, even if they're not listed here.

Please note, for **Secure** tenancies we can only refuse on grounds listed within Schedule 3 of the 1985 Housing Act.

Key points for Board/Committee members and the Regulator

We will keep track of the number of Mutual Exchanges throughout the year.

We will monitor the number of complaints that we receive relating to Mutual Exchanges, review any lessons learned and adapt accordingly where we feel relevant.

We will report on the total number of mutual exchanges at year end to statutory bodies.

Policy updates

The Housing Management team is responsible for updating this policy. Policy updated and approved June 2025. Next review due June 2027.