

Policy Statement

Mutual Exchanges

A mutual exchange is where two, three, four or more tenants swap tenancies and relies on each party moving permanently into their exchange partner's property. A tenant cannot exchange into an empty property.

All council and housing association tenants with either secure or assured tenancies can apply to exchange their home. However, exchanging with tenants in leased or private rented accommodation is not allowed. All tenants must apply for and obtain permission from their respective landlord(s) before going ahead with an exchange.

Can I get repairs done as soon as I've exchanged?

Yes – as long as the repair is to something that we are obliged to maintain. We are not responsible for tenant responsibilities, such as internal decoration. These must be seen and accepted by the incoming exchange partner.

Both exchange partners agree to accept the condition of the property as seen when they carry out a mutual exchange.

Under what circumstances can you turn a request down?

We can only withhold consent to an exchange on one of the grounds set out in the Housing Act 1985. The following is a summary of these grounds – if you would like more information, or a copy of the full grounds for consent, please call Peabody Direct.

Grounds 1 and 2 - You or the person you want to exchange with has a possession order against them.

Ground 3 - You or the person you want to exchange with will severely under-occupy the property they want to exchange to.

Ground 4 - The property is unsuitable for the person you want to exchange with, for example, it is too large.

Ground 5 - The letting to the current tenant was based on his or her employment, or the premises are linked to a non housing function - for example, a caretaker's lodge on school premises.

Ground 6 - The landlord is a charity and the occupation of the person you want to exchange with would conflict with the objects of the charity.

Grounds 7, 8, and 9 - The property is unsuitable for the person you want to exchange with because it is adapted for a support need that person does not have.

Ground 10 - The property is part of a management co-operative which the person you want to exchange with is unwilling to join.

Do you carry out any safety checks before the mutual exchange takes place?

Yes, we will carry out both a gas safety test and an electrical safety test and report.

What happens if I will be under-occupying the house I'm exchanging into?

We will not withhold consent for a mutual exchange on the grounds of under-occupation unless you will be under-occupying our property by more than one bedroom. In these situations, we will rely on Ground 3 (above) for refusing consent.

Can you withhold consent to the exchange if I am in arrears?

We cannot withhold consent to a mutual exchange because you have rent arrears unless:

- you or your proposed exchange partner has a possession order outstanding against them, whether or not it has already come into force; or
- you or your proposed exchange partner has outstanding possession proceedings against them or a NOSP is still in force.

You must comply with any outstanding obligations of your tenancy, and pay any outstanding rent before a mutual exchange takes place. Therefore we would not withhold consent for a mutual exchange if you were in rent arrears, but would make it a condition of us giving you permission that you clear your arrears before the mutual exchange takes place.

If I have a secure tenancy and am exchanging with someone who has an assured tenancy, what tenancy will I have after the exchange?

The table below sets out the type of tenancy you will have following the exchange.

Status before exchange		Status after Exchange	
Tenant 1	Tenant 2	Tenant 1	Tenant 2
Secure	Secure	Secure	Secure
Assured	Assured	Assured	Assured
Secure	Assured	Assured	Secure
Assured	Secure	Secure	Assured

How can I find a suitable exchange partner?

Many residents have found their exchange partners through friends and relatives or by placing postcards in shop windows. However, most residents have found suitable exchange partners through the internet, at sites like www.homeswapper.co.uk.

Further Information

If you would like a full copy of the Mutual Exchange policy and procedure you should contact Peabody Direct on 0800 022 4040 or by email on Peabody.direct@peabody.org.uk.