

Booklet
No. 16



Housing

A close-up photograph of a hand holding a set of keys. The hand is positioned on the right side of the frame, with the thumb and index finger gripping the top ring of the keys. The keys are dark and have a classic design. The background is white.

Mutual exchanges

How to register
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We can provide this document in a range of languages and formats on request.
Please contact Tandridge District Council on 01883 722000.
It is also available on the Tandridge website www.tandridge.gov.uk

Mutual exchanges

Most secure council tenants have the right to exchange properties with tenants of other councils and housing associations. This is known as a 'mutual exchange'. If you want to move to another property or area it can often be quicker to arrange a mutual exchange, than to register for a transfer.

How do I arrange an exchange within Tandridge?

The Council works with HomeSwapper, the largest mutual exchange service in the UK. This service is free to our tenants. To join the scheme, you need to register at www.HomeSwapper.co.uk.

The council no longer uses a Mutual Exchange Register, which was previously available within the council's office. All applicants must now register on the HomeSwapper website in order to advertise their property or to search for other tenants seeking to swap their properties.

Once you have found a property you wish to swap with, you will need to apply in writing for permission by completing a Mutual exchange application form. Alternatively, you can now apply online when you register.

HomeSwapper account

Your landlord will have a maximum of 42 days from receiving your form to tell you in writing whether your application has been approved or refused.

During this period, there may be property inspections, health and safety checks and property reports from your landlord, all finished off when a 'Deed of Assignment' is signed by all tenants involved in the swap.

To help keep everyone involved in this process updated, tenants can now access SwapTracker via the HomeSwapper website, once they have registered.

What is a Swap Tracker?

SwapTracker is an exciting new case management system, designed to show applicants all the information they need on one simple screen. It will show you exactly where you are in the swap process; the tasks that have been finished and those that still need to be done, as well as how long is left until the swap is complete.

To access SwapTracker simply register on HomeSwapper and select the 'Apply to Landlord' button. This will then start the SwapTracker application process for tenants.

SwapTracker has been designed to also be used on mobiles, so you're able to get the information you need wherever you are.

How do I arrange an exchange to another part of the country?

If you want to move to another part of the country, you should register on the HomeSwapper scheme as detailed above. You can also advertise in newspapers or shops in the area of your choice.

What should I do when I have found a possible exchange partner?

The first thing to do is to visit each other's homes to decide if you would both be happy to exchange.

You should inspect the property thoroughly, as you will have to accept the property as it is when it is vacated. The landlord will not normally accept responsibility for any repairs or defects which are the result of the outgoing tenant's misuse or neglect of the property.

You may want to agree in writing with the other party what items are being left, or even take photographs of the internal condition of the property before you exchange. You can only exchange if the respective landlords agree.

If you want to go ahead, both sets of tenants must apply online at www.homeswapper.co.uk (simply select 'Apply to Landlord' button) or in writing to the landlord(s) for permission to exchange.

Once you have done this, your property will be inspected by Housing staff to check everything is satisfactory. The Council will also liaise with any other landlord involved in the exchange.

The Council will ask for references from the landlord of your exchange partner, if this person is not already a Council tenant and we will have to supply a reference for you. These references will ask for information about how the tenancy has been conducted, including details of rent arrears and anti-social behaviour.

Can permission to exchange be refused?

Yes, it can, but only on very specific grounds. If you are a secure tenant, you have the right, under the Housing Act 1985, to arrange an exchange with another tenant, or chain of tenants, providing each tenant obtains their own landlord's written consent. This can only be refused for one of the following reasons:

- If either party owes rent at the time of the exchange or is in breach of a tenancy condition and if proceedings for possession have started against either party, or a court order to evict has been granted to either landlord.
- If the exchange would leave one or both tenants with a home which is either much too large or much too small for their needs. The Council's policy is to refuse consent if either party would occupy accommodation which either has in excess of one bedroom more, or one bedroom less than the size of property

they are entitled to under the Council's Allocations Policy.

- The exchange involves accommodation which has been specially adapted for a person with physical disabilities and the proposed new tenant does not have disabilities.
- The exchange involves accommodation which is normally let to people with special needs, including elderly persons and the proposed new tenant does not need that type of accommodation.
- The landlord is a housing association, trust or charity which lets only to certain groups of people in need and the proposed new tenant does not qualify.
- If you are in arrears with your rent your landlord can withhold consent for the exchange to take place until the arrears are cleared.

What happens next?

Once your written application has been received, the Council has 42 days (6 weeks) to assess it and notify you in writing of its decision. If permission is granted, both parties must agree the date the exchange is to take place and confirm this with their landlord. If permission is refused, you will be informed of the reason(s) for this decision.

Other points to remember

1. If money or other financial persuasion, such as paying off your exchange partner's rent arrears, is given to bring about an exchange, those involved risk being taken to court and possible eviction.
2. If you are given permission to exchange, you must make sure you leave the property in the condition you would hope to find it if you were moving in.
3. The Council cannot get involved in any private arrangement you might make for the purchase of items such as carpets, curtains or furniture. This is entirely between the respective tenants and the Council will not accept any responsibility if problems arise.

Gas appliances

If there are any gas heating appliances, such as water heaters, gas fires, boilers and radiators in the property you are considering as part of a mutual exchange, you must check whether they were installed by the outgoing tenant or the Council. You can check this by contacting Project Control on 01883 732805.

If they have been installed by the Council, they will be inspected and serviced once a year by the Council's contractors and repaired if necessary at no cost to yourself. If the appliances were installed by the tenant, you will become responsible for their safety and maintaining or repairing them.

Before accepting any liability for the appliances, you must:

- Check with Project Control whether the tenant has supplied the Council with a certificate from a Gas Safe registered gas installer to prove the appliances have been properly serviced within the last 12 months.
- Arrange for the appliances to be checked by a Gas Safe registered gas installer if there is no current certificate, before you proceed with the exchange and supply the appropriate certificate to the Council.

You will also be required to have the appliances properly serviced every year and to supply the Council with the appropriate certificate.

Remember, if not serviced, gas appliances may become dangerous. Get them checked - keep them safe.

