



HONEYCOMB
GROUP

Mutual Exchange Policy

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Who's this for?	The Honeycomb Group – Staffs Housing
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1. Introduction and purpose

This policy sets out how Honeycomb Group (HG) will approach mutual exchanges.

A mutual exchange is a form of assignment transferring tenancies between two qualifying tenants.

A mutual exchange may take place between two tenants of Staffs Housing (SH) or between one tenant of SH and a tenant of another landlord (being another registered provider or a local authority). On some occasions multiple exchanges can take place which involve more than two tenancies.

We will promote mutual exchanges to customers and provide advice, support and information on our website.

All applications are required to be dealt with **within forty-two days** starting from receipt of the completed application form.

2. Mutual exchange process

SH is signed up to an internet based mutual exchange service 'HomeSwapper' which is available free of charge to all tenants. Tenants who do not have access to the internet may attend at an SH

Neighbourhood Hub for assistance with internet access.

We also have a database, as shown on our website, where our customers can contact us to add their details. Once a customer has provided details, we can check the database to see if any customers meet each other's needs.

Where more than one party to the proposed mutual exchange is an SH tenant the process set out below will apply to each party.

Where one of the parties to the proposed mutual exchange is not an SH tenant, information may be required from that party and/or their landlord.

The party who is not an SH tenant will be required to provide written consent to exchange from their landlord.

A tenant wishing to enter a mutual exchange must identify the proposed exchange (either through HomeSwapper or independently) and put a request in writing to SH.

3. Who is eligible for a mutual exchange?

SH will decide whether a tenant is eligible to apply for a mutual exchange.

A tenant will only be eligible to apply for a mutual exchange where they hold an assured tenancy of their home (i.e. any starter tenancy period has ended) and where they have occupied their current property for at least 12 months.

An existing SH tenant that holds an Assured Protected tenancy with the preserved right to buy will continue to have this right if they move to another property owned by SH (other than sheltered housing, extra care or other housing excluded from the right to buy legislation).

Any proposed mutual exchange requires our consent in writing. If the tenant is eligible for mutual exchange, they must complete an application form.

SH will perform tenancy checks and carry out a property inspection to assess whether there are any issues affecting the property or tenant that may impact upon whether consent is given.

4. Examples of when consent for a mutual exchange may be refused

Examples of the type of circumstances in which consent may be refused for a proposed mutual exchange include where:

- The proposed assignee does not have a charitable need
- The tenant or assignee is obliged to give up their tenancy by a court order or a suspended or postponed possession order is in force
- Proceedings have begun for possession or a notice seeking possession has been served in relation to the tenant or assignee
- A court order is in force against the tenant or assignee based on anti-social behaviour
- The property is substantially more extensive than reasonably required by the assignee, or is otherwise not suitable for his/her needs
- The property was specifically designed or adapted for the tenant or a member of the household who will no longer reside at the property
- The property is let to the tenant by reason of employment
- The property is in supported accommodation/sheltered scheme or is let specifically for a support need that the person seeking to move in does not have
- Money has been offered or accepted by either party in pursuance of the mutual exchange
- The tenant has fitted non-standard fixtures or fittings or has made alterations without the consent in writing of SH
- Anti-social behaviour or other significant breaches of tenancy have been committed

5. Making a decision on a mutual exchange

In some circumstances (e.g. where there are rent arrears or issues regarding the condition of the property) consent may be conditional upon the tenant remedying the issue(s) identified. Where consent is conditional the tenant will be informed of this in writing. The conditions will have to be met before consent is given.

If the tenant is deemed ineligible to apply for a mutual exchange or if the application is refused the tenant will be informed of the decision, and the reasons for it, in writing.

If consent is given for the mutual exchange the tenants will be informed in writing of the decision and an appointment will be arranged for the tenants to sign documentation, a deed of assignment.

Each tenant who is exchanging to an SH property will be given a specimen copy of the relevant tenancy agreement, but a new tenancy agreement will not be created or issued.

6. Data protection and confidentiality

For processing, storing, and sharing the personal data associated with this policy, we will ensure that it is carried out in accordance with current data protection legislation (UK GDPR and Data Protection Act 2018).

7. Review

This policy shall be reviewed every three years, and a review may be required earlier if there is a legislative or regulatory requirement or significant change.

July 2024