

## Mutual Exchange Policy

- 
- 1. Policy statement** This policy sets out our approach to mutual exchanges. Mutual exchange is the mechanism by which tenants can swap properties and take over each other's responsibilities.

The Policy applies to our tenants, and tenants of social landlords who want to swap to become a tenant of the Group.

We expect customers to contribute to their community by working, training or helping others as set out in the Bromford Deal.

- 
- 2. Contents:**
1. Principles
  2. Consent to exchange
  3. The Lettings Assessment
  4. Appeals

- 
- 3. Reference Documents including links**
- [Tenancies that Work How To Tenancy Policy](#)
  - [Pre Allocation Interview MX Form](#)
  - [Mutual Exchange Application form](#)
  - [Deed of Assignment](#)
  - [MX Home Visit Prompt form](#)
  - [MX Sign Up Checklist and Declarations](#)

- 
- 4. Legislative Requirements including links**
- Housing Acts 1985; 1996
  - Homelessness Act 2002
  - Equality Act 2010 [Legislation.gov.uk](#)
  - Data Protection Act 1998 [Legislation.gov.uk](#)
  - Human Rights Act 1998 [Legislation.gov.uk](#)
  - The Localism Act 2011 [Legislation.gov.uk](#)

---

### Principles

We want to create opportunities for customers to exchange their home when it is no longer suitable for their circumstances or their needs.

We want to make best use of our homes.

We will give housing advice to make sure customers are fully informed before exchanging about any effect on the secure or assured status of their tenancy; the impact of fixed term tenancies; any change in rents between social and affordable rent, and any gain or loss of the right to buy; preserved right to buy, or right to acquire.

We have an expectation that all customers will comply with the requirements of the Bromford Deal.

- We will treat applications fairly and consistently and (if it applies) in accordance with the criteria set out in Section 158 of the Localism Act 2011
- We will give consent to exchange to Bromford customers where they have a tenancy agreement of 2 years or more;
- We will complete internal exchanges by surrender and re-grant, unless one or both customers have a tenancy that began before 1<sup>st</sup> April 2012 or there is no tenure loss by doing an assignment:
- We will use the Department of Work & Pensions social size criteria as a basis for our consent.

**Consent to Exchange**

Bromford will refuse consent for:

- Starter tenancies;
- Where a customer does not meet Section 106 requirements (except in relation to Section 158);
- Where a customer has the protected right to buy and the Bromford property is unable to be sold due to loan; (except in relation to Section 158);
- Where our property is being considered for disposal (except in relation to Section 158);

**The Lettings Assessment**

We will carry out various interviews, property inspections, request references and ask customers to complete online surveys and home visits... Consent will be subject to the outcome of those assessments.

**Appeals**

If a customer believes we have not adhered to Section 158 of the Localism Act or we have not correctly applied the grounds set out in Schedule 14 for refusing consent, they will have the right to appeal against our decision.