



Policy: Mutual Exchange Policy

Approved by: Leadership Group

Date Approved: 02 September 2025

POLICY STATEMENT:

Broadland Housing Association is committed to support residents who need to move and to provide a level of choice about where they live. This policy sets out Broadland's position in respect to allowing our tenants to exchange homes.

Broadland will not unreasonably withhold permission to exchange, except where statutory grounds apply.

SCOPE:

- Legislation provides for secure tenants to exchange with secure or assured tenants of Broadland or another social landlord. Broadland extend this (contractual) right to assured tenants in their tenancy agreements.
- Starter (Assured Shorthold) tenants have no right to exchange during the first 12 months of their tenancy.
- Mutual exchange does not include the transfer of any Broadland tenants to a vacant property.
- Comply with all relevant legislative and regulatory requirements and meet our contractual obligations.
- Ensure that all tenants move into a safe and secure environment.

KEY STAFF RESPONSIBILITIES:

Leadership Group

Leadership Group are responsible for approving the policy.

Senior Managers

Ensuring that the Board's decisions are implemented in accordance with legislative and regulatory requirements, Senior managers will also ensure that the policy is adhered to and will monitor performance.

Staff

Ensure that Policy decision and procedures are followed. Any queries from the tenants are dealt with in a timely manner.

Key Staff Roles

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Review by: Neil Anderson
Verified by: Louise Archer

Ground 2a		A tenant is subject of an injunction, demotion or order relating to anti-social behaviour or if court action is pending.	
Ground 3		Ground 7	
Ground 4		Ground 8	
Ground 5		Ground 9	
Ground 6		Ground 10	
Ground 7		Ground 11	
Ground 8		Ground 12	
Ground 9		Ground 13	
Ground 10		Ground 14	
			The home is substantially larger than is <u>reasonably needed</u> . (Click for info.)
			The home is unsuitable to the needs of the proposed assignee and family.
		The home was let in consequence of employment and is mainly a non-housing building .	
		The landlord is a charity and the proposed assignee's occupation of the home would conflict the landlord's charitable aims .	
		The home has been adapted for occupation by a physically disabled person and if the exchange went ahead a disabled person in need of this type of accommodation would not live in the home.	
		The landlord let the home to people with difficult circumstance (other than merely financial circumstances) and the proposed assignee would not meet the specific criteria.	
		The landlord let the home to people with special needs and if the exchange went ahead a person with special needs would not occupy the home.	
		The home is subject to a Management Agreement where the manager is a Housing Association and at least half of the members of the association are and the incoming tenant is unwilling to become a member of the association.	

Where there is minor damage caused to the home, the tenant will be required to repair the element of damage before the exchange is approved.

Unauthorised Mutual Exchange - In the event of mutual exchange without our consent we will treat the occupants as unauthorised occupiers.

Secure tenancies - Secure tenants have the right to assign their tenancy by way of exchange under Section 92 of the Housing Act 1985 as amended by Section 163 of the Local Government and Housing Act 1989.

Assured tenancies - Assured tenants have been granted the right to assign by way of exchange as a contractual right in the tenancy agreement.

Assured shorthold tenancies - Assured shorthold tenants do not have the right to exchange.

Starter tenancies - Starter tenants cannot exchange their home in the first 12 months of the tenancy, or during any extension period.

Joint tenancies - Joint secure or assured tenants must both consent to exchange and sign the Mutual Exchange Application Form and all other paperwork.

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Right to appeal – Tenants have the right to appeal an exchange decision.

RELVANT KEY LEGISLATION AND RELATED DOCUMENTS: (not limited to)

Legislation	Documents
Control of Asbestos Regulations 2006 Electrical Safety Regulations 18 th Edition (IBS7671 Wiring Regulations) RSH Regulatory Standards Health and Safety at Work Act 1974 Housing Health and Safety Rating System 2006 Housing Act 1985, 1988 and 2004 Domestic Abuse Act 2021 Equality and Diversity Act 2010 Transfer of Tenancies and Right to Acquire (Exclusion) Regulations 2012.	Corporate Strategy Asset Management Strategy Electrical Policy Responsive Repairs Policy & Procedure Gas Policy Complaints Policy Compensation Policy Tenancy Agreement Recharge Policy Asbestos Policy & Procedure Aids & Adaptations Policy & Procedure Homes for Cathy Commitments Resident Involvement Strategy Allocations Policy Safeguarding Policy Domestic Abuse Policy Empty Homes (Void) Lettable Standard

EIA – EQUALITY IMPACT ASSESSMENT:

An Equality Impact Assessment has been completed to consider the positive and negative impacts this Policy may have on people with protected characteristics under the Equality Act 2010.

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IMPORTANT PRINCIPLES:

We will agree to a mutual exchange going ahead providing:

- Prior consent is obtained from Broadland Housing;
 - One or more of the grounds for refusal do not apply;
 - Any reasonable conditions attached to the consent are complied with.
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- We will promote the House Exchange website as a register through which tenants can identify a partner to exchange with. Tenants may also identify an exchange through their own means via private advertising on websites or publications.
 - To ensure that Broadland properties meet decent homes standards.
 - To identify and carry out any remedial repairs in relation to damp and mould prior to the exchange going ahead.
 - We will keep tenants informed during the mutual exchange process, ensuring documents are in plain English with contact details for the relevant staff in case of any queries.
 - Broadland will ensure the property is safe and secure, we will carry out compliance checks such as electrical and gas.
 - Tenants must not ask for, or accept, any payment from any exchange partner in order to facilitate a successful mutual exchange.
 - Broadland will hold tenants to account for the condition they leave their home in and will pursue any former tenant recharges due to damage or neglect.
 - We will make every effort to respond promptly to mutual exchange requests, to provide tenants with appropriate information and advice and to facilitate a smooth tenancy transition for outgoing and incoming tenants.
 - We will write to the tenants within 42 days of receiving their request to explain why the request has been refused and will include details of how they can appeal against the decision.
 - When we receive a complaint about a mutual exchange, we will follow our Complaints Policy and Procedure.
 - We will undertake a thorough assessment during the interview process to ensure each tenancy can be sustained. This can lead to refusals and where it is identified that the applicant or property is not suitable. In this case we would provide a clear explanation to the applicants and the right to appeal.