

## Mutual Exchange Policy

<b>Audience:</b>	Customers, Stakeholders, Colleagues
<b>Policy Owner:</b>	Executive Director of Customer Experience
<b>Policy Lead:</b>	Head of Neighbourhood and Customer Improvement
<b>Approved by:</b>	Senior Leadership Team
<b>Approved date:</b>	July 2025
<b>Next review date:</b>	July 2028

### 1. Purpose and scope of the policy

This policy sets out our approach to managing mutual exchange requests and ensuring we comply with our legal responsibilities. It explains customer eligibility, grounds for refusal and our commitment to supporting tenants in the exchange process.

This policy applies to customers with Secure, Assured or Fixed-Term tenancies (both social and affordable rent) in permanent, self-contained accommodation.

It does **not** apply to leasehold or shared ownership customers.

### 2. Definitions

- **We / Our / Us:** Refers to Moat Homes Ltd.
- **Customer:** A tenant holding a Secure, Assured or long Fixed Term (2 years or more) tenancy.
- **Parties:** Both current and incoming tenants involved in the exchange.
- **Tenant:** The person entitled to occupy a property under a residential tenancy agreement.
- **Joint tenancy:** Where two tenants share equal legal responsibility for a tenancy. Both must sign the application for an exchange to proceed.
- **Mutual exchange:** A voluntary arrangement where tenants swap homes with the agreement of all involved landlords.
- **Assignment:** Transfer of a tenancy from one part to another.
- **Surrender and regrant:** A form of exchange where tenancies are ended and re-issued with potentially different terms (also known as a mutual transfer).
- **Succession:** The legal process by which a tenancy is passed to another person when the tenant dies. This right is set out within your tenancy agreement.
- **Rural exception site:** A rural area to which housing is allocated to those with a local connection, this is defined by each local authority.

### 3. Policy Principles

We are committed to:

- Supporting customers to live in safe, good quality homes that meet their household's needs.
- Providing clarity on the mutual exchange process and your rights and responsibilities under it.
- Helping customers make informed decisions about their housing situation.
- Ensuring our decisions are made in line with relevant legislation and tenancy law.
- Not unreasonably withholding permission for a mutual exchange. Consent may be granted conditionally where rent arrears exist or where other tenancy breaches are being remedied.

#### 4. Policy aims and objectives

In delivering this policy, we aim to:

- Effectively process mutual exchange requests.
- Make the process as clear and straightforward as possible.
- Make mutual exchange decisions within the 42-day statutory timeframe for secure tenants.
- Reduce the number of complaints relating to mutual exchange handling.
- Make best use of our homes by helping customers move into properties that better meet their household's needs.

#### 5. Policy Actions

##### 5.1 Supporting access to exchange

We'll assist customers in accessing mutual exchange opportunities by actively promoting national services such as Homeswrapper and providing guidance on how to use these platforms effectively.

##### 5.2 Eligibility for Mutual Exchange

We'll assess the tenancy agreement to determine eligibility. Customers will normally qualify if they hold one of the following:

- Secure tenancy
- Assured tenancy
- Fixed term tenancy (2 years or more, social or affordable rent)

Tenancy types **not** eligible for mutual exchange include:

- Starter tenancies
- Periodic assured shorthold tenancies
- Discounted or intermediate rent tenancies
- Fixed term assured shorthold tenancies less than 2 years

- Demoted tenancies
- Non-assured / Contractual tenancies
- Licences

### 5.3 Exchange partners

Eligible customers may exchange with tenants of:

- Another Moat home
- Another registered provider (housing association)
- A local authority

Customers may **not** exchange with tenants in the private rented sector.

### 5.4 Application and decision-making

We'll follow our mutual exchange procedure, and:

- Decide within **42 calendar days** of receiving a fully completed application.
- Notify the customer in writing of our decision to:
  - Approve the exchange
  - Approve the exchange with conditions
  - Refuse the exchange.

### 5.5 Grounds for refusal (examples)

For assured tenants, we may rely on reasonable grounds to withhold consent, particularly where approval would breach legal or planning obligations. Examples include:

- The property is on a rural exception site with a local connection requirement
- The incoming customer does not meet age or support criteria
- The property is adapted, and the adaptations are not required by the incoming households.

### 5.6 Changes after approval

We may withdraw approval at any time before the assignment if new information emerged that affects the decision.

We will not be liable for costs incurred due to delays or refusals based on false or misleading information.

## 5.7 Tenancy and property information

We'll ensure tenants are aware of:

- The type of tenancy and rent level
- Succession rights
- Right to Buy/Acquire status

We'll request and provide tenancy references for all parties. Approval will only be given after a **satisfactory reference** is received for the incoming customer.

- **5.8 Repairs and property condition**We'll notify customers of repairs that are their responsibility or that will be carried out after the exchange
- We'll conduct gas and electrical safety checks and issue valid certificates.

Responsibility for customer alterations for non-standard fittings will pass to the incoming tenant.

## 5.9 Prohibited incentives

We'll refuse an exchange where there is evidence that financial or material incentives have been offered as a condition of the move.

## Monitoring, Reporting and Review

We monitor how effectively this policy is working through quarterly reviews and internal performance reporting. This includes:

- Reviewing timeliness and outcomes of mutual exchange decisions
- Identifying trends in complaints or feedback related to mutual exchanges
- Tackling compliance with the Neighbourhood and Community Standard.

We will review this policy at least three years, using feedback, case insight and service data to guide improvements.

## Equality, Diversity and Inclusion

This policy will be delivered in line with our Equality, Diversity and Inclusion Policy. An Equality Impact Assessment was completed as part of the policy development

## Data protection

This policy will be delivered in line with our Data Protection Policy. A Data Protection Impact Assessment was completed and considered as part of the approval process.

## **Related legislation and regulations**

### **Legislation**

- Equality Act, 2010
- Housing Act, 1985 (section 3)
- Housing Act, 1988
- Housing Act, 2004
- Localism Act, 2011 (section 158, Schedule 14).

### **Regulatory Framework**

Regulator of Social Housing – Consumer Standards: Tenancy Standard

## **Related policies and procedures**

- Anti-Social Behaviour Policy
- Change of Circumstances Policy
- Customer Resolutions Policy
- Damp and Mould Policy
- Domestic Abuse Policy (Customers)
- Ending your Tenancy Policy
- Equality, Diversity and Inclusion Policy
- Hate Incidents Policy
- Home Adaptations Policy
- Homes Lettings Policy
- Income Collection and Refund Policy
- Gas and Heating Management Policy
- Recharge Policy
- Repairs and Maintenance Policy
- Tenancy Fraud Policy
- Tenure Policy
- Unreasonable Behaviour Policy

## **• Customer engagement**

We consulted our 17 Customer Advocates on this policy.

Five recommendations were made, of which four were accepted and actioned. As a result:

- Clearer information is now provided on our website and mutual exchange leaflet.
- Training will be delivered to teams on the new policy and process.

## **• Document Revision History**

Date	Changes approved by	Details of changes made
26/06/2025	Victoria Asimaki, Head of Strategy and Policy	No substantive changes. Improved clarity, tone and structure to ensure policy meets expectations of a modern, customer-facing policy document.