

Mutual exchange

This factsheet looks at how you can swap your home with another council or housing association tenant.

Many council or housing association tenants can exchange (swap) their home with that of another social housing tenant.

Why exchange?

You might want to exchange to be nearer family, friends or work, or to find a larger or smaller home. Mutual exchange is often the quickest way to move home, especially if you don't have a high priority for a transfer.

Who can't exchange?

You don't have the right to swap your home if, for example, you are:

- an introductory or demoted council tenant
- a housing association tenant whose tenancy agreement forbids it
- renting from a private landlord.

Finding a tenant to swap with

Councils and housing associations offer a free online tenancy exchange service where their tenants can advertise their property for a swap.

You can also use nationwide internet services, such as homeswapper.co.uk or exchangelocata.org.uk so that you can search for properties across the UK. If you live in London, you can use Housingmoves.org as well. You may have to pay a joining fee if your landlord has not signed up to a scheme.

When you register with an exchange service, you will be asked for information about your property (include photographs if you can), a description of the home you are looking for, and your contact details. You can then search for properties that match your needs.

Getting permission

When you have found a possible swap, you must fill in your landlord's application form to get their written permission before exchanging. The person you want to swap with must do the same with their landlord.

Your landlord might refuse permission if:

- they have taken steps to evict you
- the property you want to move to has disability adaptations you don't need or is otherwise unsuitable (eg it is too big)

- an injunction or other action to stop antisocial behaviour has been taken against you or anyone living with you.

If you have rent arrears, consent may be refused, or you might get permission on condition that you agree to clear the arrears.

Your landlord must make a decision within six weeks of your application for permission to exchange. You may be able to appeal if consent is refused or you get no response. Get advice in this situation.

Protecting your tenancy rights

You usually take on the tenancy of the tenant you swap with. Housing association and council tenancies offer similar levels of security. But there are important differences, such as succession to your tenancy if you die, and grounds for eviction. Always check what type of tenancy you are taking over.

If your tenancy began before 1 April 2012 and you want to swap with someone whose tenancy began on or after 1 April 2012, and is less secure than your own, you should ask your new landlord to grant you the most secure form of tenancy that it can.

Swapping could mean you will lose certain rights. Ask your landlord to fully explain what will happen when you swap. Alternatively, get independent advice.

Do's and don'ts

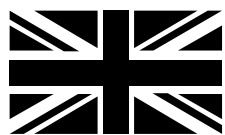
Before you go ahead with a swap:

- check if repairs or redecoration is needed. When you exchange, you accept the property in the condition you find it
- find out what rent you will pay
- don't move until you have all the necessary permissions in writing and have signed the relevant documents
- don't make or accept any payment for exchanging. This is illegal and you could be prosecuted and evicted.

Further advice

You can get further advice from Shelter's free* housing advice helpline (0808 800 4444), a local Shelter advice service or local Citizens Advice office, or by visiting shelter.org.uk/advice or adviceguide.org.uk

*Calls are free from UK landlines and main mobile networks.



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Note

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