
Mutual Exchanges during COVID-19 Frequently Asked Questions



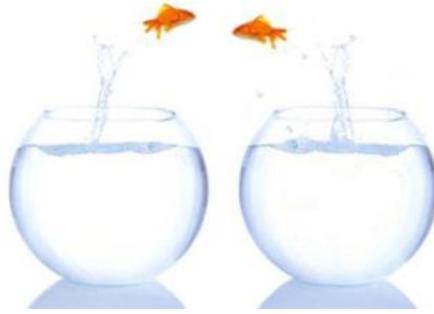
What is a mutual exchange?

A mutual exchange (also known as tenancy exchange) allows you to swap your home with another council or housing association tenant anywhere in the UK with the written consent of your landlord and the landlord for the tenant you wish to swap with.

In a mutual exchange, two or more tenants swap their homes and take on the terms of each other's tenancy. There is no limit on the number of households that are involved in the chain.

A mutual exchange differs from a tenancy transfer; a tenancy transfer is an offer of accommodation made through the Housing Needs Register (Bidding) where tenants would move into a new property.

Mutual exchange is now the main mechanism through which many local authorities expect tenants to secure a move.



How can you find a mutual exchange?

You can use tenancy exchange websites to help find other tenants to swap homes with either locally or nationally. On the websites you can list your current house, and search for types of house that are suitable for you.

You can register for free on the HomeSwapper Website at www.homeswapper.co.uk



Other sites include, House Exchange, Swap and Move and Exchange Locata; however, registration fees may apply.

- www.swapandmove.co.uk
- www.exchangelocata.org.uk

Other options for finding homes to swap with are newspapers and local advertising.

Keeping safe whilst looking to move during COVID-19

We recommend that all parties ensure that they understand the risks and the best way to reduce these whilst looking to move in the midst of the COVID-19 pandemic. The Government has now amended its guidance to allow people to move home however there are strict rules in place to safeguard all parties and restrict transmission of the virus. Please refer to the Government guidance which is available at <https://www.gov.uk/guidance/government-advice-on-home-moving-during-the-coronavirus-covid-19-outbreak>

What should you look out for?

Dos 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 in;
- 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, can be evicted if you move without permission;
- don't make or accept any payment for exchanging. This is illegal and you could be prosecuted and evicted.

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Number of bedrooms

Is the size of the property adequate? Mutual exchanges can be turned down on the basis that the properties are either too big or too small for the family's need.

The number of bedrooms needed by a household is calculated as follows:

- 1 bedroom for every adult couple;
- 1 bedroom for any other person aged 16 or over;
- 1 bedroom for any two children under 16 of the same sex;
- 1 bedroom for any two children aged under 8, regardless of sex;
- 1 bedroom for any additional child under 16.

Subject to a maximum of 4 bedrooms in total.

Joint custody of children:

Where an Applicant has joint custody/residence of a child, that child will not normally be counted as part of the Applicant's household where the child already has the use of a bedroom with another parent/guardian.

Expected baby:

Reference to a child includes a baby who is expected within 12 weeks. For the purposes of calculating bedroom entitlement until the baby is born, it will be assumed that the expected baby can share a bedroom with an existing child who is under 16, regardless of the expected sex of the baby.

Disabled adaptations

If there are disabled adaptations to either property the swap will only be approved if the tenant moving into the property requires those adaptations.

Tenancy type

You may only swap your home if you are a secure or assured tenant of a local council or housing association.

What restrictions are there on Disabled adapted properties?

Properties with disabled adaptations can only be swapped with if the family going into the property require those adaptations.

A letter from your doctor or occupational therapist will be required to demonstrate that the specific adaptations in the property are needed by the incoming tenants.

How do you apply?

Once you have found someone who you would like to swap properties with you will need to complete and submit an application form for each council/landlord involved in the swap. The can be requested by email or over the phone.

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What happens after the application forms have been received?

References will be requested and checked against all tenants involved.

An energy performance certificate will be generated on your current property if we do not already have one available and provided to the incoming tenants.

Service checks will be carried out for gas, electric and water.

As part of the mutual exchange application process we would usually undertake a visit to your property to highlight any repairs required and establish any non-standard items in your home that the other party needs to be made aware of. Due to COVID-19 we are taking extra precautions to ensure the safety of our residents and staff by minimising face to face contact, this is an action being shared by most other social housing providers. As a result of this officers will not have visited the property you are exchanging with to establish condition or damage and the only checks carried out are the mandatory gas and electric checks where required.

Whilst it is not a condition of an exchange taking place we are asking all parties to provide photographs to us in advance of the exchange so that we can assist all parties by providing some guidance to help people make an informed choice about the exchange. Any non-standard fixtures or fittings will be the responsibility of the incoming tenant and most providers, including ourselves will only undertake mandatory health and safety repairs after the exchange has taken place. You will be responsible for ensuring that the property meets our lettable standard at any point you decide to terminate your tenancy in the future even if this is not the condition when you moved in.

Please ensure that there is nothing left in your loft as per your tenancy agreement or you will be re-charged for any clearance required.

You will be contacted to arrange for a gas and electrical safety check, please adhere to those operational risk assessments and instructions for these key tests.

In order for us to support each party please could you provide us with the photographs listed overleaf. To avoid issues with the size of emails please could you send them to us in small batches of 3-4 pictures as per the instructions below:

Mutual Exchange Photograph Instructions

When returning photos by email please attach 3-4 at a time depending on the size of the picture and re send any that come back as unsent.

Please put in title of email your address and which pic set for example "Mutual Exchange-123 High Street PIC SET 5" if you have more in a set " PIC SET 5cont...".

Please email your local surveyors ES3@lewes-eastbourne.gov.uk (Eastbourne tenants) or LS3@lewes-eastbourne.gov.uk (Lewes tenants) and also copy in Andrew.foster@lewes-eastbourne.gov.uk

Please ensure no persons are in the pictures or they will be rejected and check sent box as "sent" for all pic sets.

Once received they will be assessed by the surveying team and taken as condition of the property. Should they not be clear or the surveying team are not sure they will contact you and a virtual visit over a video conferencing platform may be required.

PIC SET 1	Front whole property (ground to roof)	Rear whole property(ground to roof)	Shed/Outhouse rear	Porch
PIC SET 2	Bathroom (from door)	Bathroom (facing door)	Kitchen (from one side)	Kitchen (from opposite side)
PIC SET 3	Rear Bed (from doorway)	Front bed (from doorway)	Other bed (from doorway)	Landing
PIC SET 4	Lounge (from doorway)	Downstairs wc?	Hallway (from front door in/include stairs if poss)	Hallway (from front door out)
PIC SET 5	Dining room (whole room)	Other room/extension	Garden (rear)	Garden (front/drive)
PIC SET 5	Roof (whole roof front)	Roof (whole roof rear)	Roof other (shed/flat roof taken from upper bed window)	Any other external
PIC SET 7	Any damaged/repairs areas (not reported or awaiting repair)	Any damaged areas/repairs (not reported or awaiting repair)	Any damaged areas/repairs (not reported or awaiting repair)	Any damaged areas/repairs (not reported or awaiting repair)
PIC SET 8	Any DIY Alterations not declared			

If the information and photographs indicate that there are major (unauthorised) alterations or significant damage, or other breaches of tenancy are evident, two obvious courses of action present:

- The exchange can no longer proceed and should therefore be refused. Further tenancy action may be proportionate and necessary as well as immediate intervention by the Council where Health and Safety is compromised.

- The exchange can only be approved on condition that the alteration / damage / breach is remedied to the satisfaction of the Council.

Under what reasons can a Mutual exchange be refused?

- Eviction proceedings have been started already
- If in current rent arrears (condition for approval may be that these have to be cleared first.)
- The property was provided in relation to a job.
- The property is adapted for a person with special needs and nobody in the new tenant's household has those needs.
- The property is much larger than the household needs
- The property is too small for the household and would be overcrowded.

How long does it take to get a decision?

A decision will be made within 42 days.

Please note this is not a moving date. A moving date will be agreed by all landlords and parties once permission has been granted for the exchange to go ahead.

How do you get your decision?

Tenants will be notified in writing if the mutual exchange is being approved or permission is being withheld (denied/ refusal). It will also detail anything that must still be done for the exchange to take place, such as the clearance of arrears.

If a landlord denies permission for an exchange it will be set out in the letter which ground under schedule 3 of the Housing Act 1988 the exchange is being refused under.

What if I change my mind?

Any party can change their mind and pull out of an exchange until the deeds have been signed.

How are the tenancies swapped?

Due to the need to limit face to face contact the mandatory documents will be either emailed or posted to you for you to arrange completion, these will not be dated at this point as we will need to wait for all parties to return their paperwork to all involved landlords and then once checked a date for the exchange will be agreed.

You will be required to provide your original tenancy agreement and two forms of ID for each tenant. You will also be asked to have your signatures witnessed by another independent person and a copy of their ID will also need to be provided.

Tenancies are always dated on a Monday – a tenancy always ends on a Sunday and starts on Monday.

There are three mandatory documents for completion:

- The deed of assignment
- The disclaimer
- The licence

If you move in before the tenancy start date/without permission there is a risk that you may be evicted.

What happens after you have moved in?

Once you have exchanged your home you will be agreeing to accept the property in its current condition including all its fixtures and fittings.

It is the new tenants' responsibility for any property left at the premises – this includes any rubbish.

Approximately six weeks after moving a neighbourhood officer will visit to see how you are settling into the property, if we are still only operating a reduced face to face contact process then this will be by phone or a video call.

You will not be entitled to any non-essential repairs for the first 12 months following the exchange.

Admin required as part of the exchange.

It is your responsibility to notify all relevant parties to any change in circumstances. These will not automatically be updated.

People to notify include but are not restricted to:
Local Authority

Utility Companies – Gas, Water, Electric, Phone Lines, TV License

DVLA (if appropriate)

Mobile Phone Contract provider

Bank/Building Society

Doctors Surgery/Dentist

Right to buy

Following a mutual exchange a council tenant is still eligible for Right to Buy. You must become the secure tenant of the property you move into and you must have spent at least 3 years as a tenant of a council. You can apply for the Right to buy after a mutual exchange as soon as you have had 3 years of social tenancy time.

For the purpose of Right to Buy you will not inherit the years of tenancy from the person you are exchanging with. But, you will keep the years you have already spent as a secure tenant yourself.

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If you are a council tenant moving into a housing association property you may not have the Right to Buy. Right to Buy is not available for any property located in a retirement block.

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