

MUTUAL EXCHANGE POLICY



MONITORING INFORMATION:

POLICY/PROCEDURE/STRATEGY:

MUTUAL EXCHANGE POLICY

DATE APPROVED:

DECEMBER 2021

EXPIRY DATE:

DECEMBER 2024

OWNER:

COMMUNITIES AND COMPLIANCE MANAGER

APPROVAL ROUTE:

EXECUTIVE MANAGEMENT TEAM

Mutual Exchange Policy

1. Introduction:

A mutual exchange (MEX) is where two or more social housing tenants swap homes. Having a mechanism for tenants to carry out a mutual exchange is a requirement of the Regulator of Social Housing (RSH).

Teign Housing is committed to supporting its residents with housing options and recognises that an MEX is an important way of enabling tenants within social housing to move between properties and make best use of housing stock.

Our policy and procedure aim to keep MEX as simple as possible by having a process that is as clear and smooth as possible for tenants and staff to follow, whilst also complying with RSH regulations.

2. Regulator of Social Housing's regulations:

The Tenancy Standard section of the Regulator of Social Housing's regulatory standards¹ gives some direction on what is expected of social landlords in regard to MEX's. The key points are listed below:

- Registered providers shall develop and deliver services to address under-occupation and overcrowding in their homes, within the resources available to them. These services focus on the needs of their tenants and extend choices to them.
- Registered providers shall clearly set out, and be able to give reasons for, the criteria they use for excluding actual and potential tenants from consideration for allocations, mobility or mutual exchange schemes.
- Registered providers shall provide tenants wishing to move with access to clear and relevant advice about their housing options.
- Registered providers shall subscribe to an internet based mutual exchange service (or pay the subscriptions of individual tenants who wish to exchange), allowing:
 - A tenant to register an interest in arranging a mutual exchange through the mutual exchange service without payment of a fee.

¹ Web link to the regulatory standards can be found here: <https://www.gov.uk/government/publications/regulatory-standards>

- The tenant to enter their current property details and the tenant's requirements for the mutual exchange property they hope to obtain.
- The tenant to be provided with the property details of those properties where a match occurs.
- Registered providers shall ensure the provider of the internet based mutual exchange service to which they subscribe is a signatory to an agreement, such as Home Swapper Direct², under which tenants can access matches across all (or the greatest practicable number of) internet based mutual exchange services.
- Registered providers shall take reasonable steps to publicise the availability of any mutual exchange service(s) to which it subscribes to its tenants.
- Registered providers shall provide reasonable support in using the service to tenants who do not have access to the internet.

3. Policy:

Tenants that have an Assured, Secure or Fixed Term tenancy have the right to a mutual exchange except for those on a starter tenancy³ or those that are subject to a demoted tenancy.

We support tenants and meet the RSH's regulatory standards in relation to MEX's by:

- Having a subscription to Homeswapper which enables tenants of Teign Housing to seek an MEX online with other social housing tenants, including tenants of Teign Housing.
- Providing reasonable support to tenants that do not have access to a computer or need support using Homeswapper by:
 - Allowing tenants to visit our office to use a computer.
 - Providing support to find a swap via Homeswapper e.g. help setting up a login, help with setting up an advert on help with finding matches on Homeswapper. Either at our offices, drop down zone or at a mutually convenient location (e.g. the tenant's home) where there is access to the internet and a device available to do so.
 - Although we will encourage digital interaction where possible we also receive paper swap directories from Homeswapper on a monthly basis.

² Teign Housing currently subscribe to Homeswapper which is free to use for all its tenants. At present Homeswapper is arguably the market leader in this field and has the best coverage for tenants seeking a mutual exchange. We currently have no plans to move to another provider but we do review this periodically.

³ We will still allow starter tenants to register on Homeswapper to seek a mutual exchange; however they generally will not be allowed to carry out an exchange until their starter tenancy has been converted.

- Promoting an MEX as a viable housing option to tenants and the service that Homeswapper provides.
- Ensuring that our staff that deal with MEX's have a good understanding of MEX's and our policy and procedure on them.
- Paying due regard to the provisions made within both the Housing Act 1985 and the Localism Act 2012 when refusing an MEX application.
- Encouraging existing tenants to report repairs that are our responsibility prior to the exchange taking place.
- Inspecting our properties to enable us to identify any repairs/alterations that are our responsibility or the responsibility of the tenant(s).
- Carrying out any necessary compliance checks on our properties.
- Carrying out a gas safety check no later than 7 days after the MEX takes place⁴.
- Providing advice and information on the implications of carrying out an MEX to all applicants. Including but not limited to:
 - The tenancy type they will be signing up to.
 - An overview of what tenants and landlords are responsible for in terms of repairs.
 - The condition of the property they are looking to MEX into, with an indication of what liabilities they may be taking on⁵.
- Allowing MEX applicants, the right to appeal when an MEX is refused.

4. Performance Standards:

- We will give a decision⁶ on all mutual exchange applications within 42 days of the receipt of all the application forms from the parties involved⁷.
- We will regularly review the extent to which we meet the regulatory requirements as per section 2 of this policy.

⁴ We will attempt to make a gas safety check appointment either on the day of the MEX or as soon after at a time that is mutually convenient with the new tenant. They will be advised to contact us if they have any concerns before the appointment.

⁵ It will not be possible for us to capture everything as when we inspect the properties they are still tenanted and full of possessions. Applicants will be advised to do a thorough check of their own and raise any concerns or queries with us. If in any doubt we would advise any applicant not to proceed with the MEX.

⁶ This decision will either be an approval, conditional consent or a refusal.

⁷ This timescale will only start when all the applications have been received.