



Guidance Notes for Mutual Exchange Application Form



For your assistance, this document can also be made available in another language, in Braille, in large print, or on audio cassette.

Please ask any member of staff and the necessary arrangements will be made.

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About Mutual Exchange

A Mutual Exchange is where two or more tenants initiate a swap of house with each other. Having agreed an exchange between themselves, tenants need to have the exchange approved by their respective landlords. The tenants concerned do not all have to be tenants of the same landlord.

Mutual Exchanges between Loreburn tenants both within Loreburn and with other Registered Social Landlords will be encouraged when both households will benefit from the exchange and are rehoused in appropriately sized accommodation.

Criteria

Permission for an exchange will not be withheld unreasonably, provided that:

- A valid Notice of Proceedings for Recovery of Possession has not been served against either tenant.
- Both tenants' Rent Accounts must be less than one month's rental value, or have sustained an agreed payment plan for a minimum of 3 months and continue to make such payments.
- A satisfactory Tenancy Reference is received from both the Loreburn tenant and incoming tenant. Tenancy related debts along with any instances of anti-social behaviour or other breaches of the Tenancy Agreement will be considered in determining whether an exchange should proceed.
- In the case of accommodation other than general housing, each exchange party must meet the normal criteria for access to the housing type they are exchanging to.
- All requests must be made on Loreburn's official Application for Mutual Exchange form. No exchange must take place until Loreburn and any other RSL or local authority landlord has given written permission for the exchange to proceed.
- Both tenants must hold a Scottish Secure Tenancy.
- Mutual Exchanges will not be granted to tenants or someone residing in the tenant's house who has been anti-social to anyone else in the locality or has pursued a course of conduct amounting to harassment of such person.

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Right to Buy

Applicants should note that when they exchange tenancies, their “Right to Buy” will be affected.

Tenants should seek legal advice on their “Right to Buy” if it will be affected with the Mutual Exchange.

Home Visit

Before a Mutual Exchange can be accepted, a Home Visit must be carried out on all applicants. The purpose of a Home Visit is to ensure the information on the Application is correct and to check the property condition.

If an applicant is not a Loreburn tenant and lives out with the Region, another RSL or local authority will conduct the Home Visit on Loreburn’s behalf.

Condition of Property

Tenants should note that they should view the property before agreeing to exchange. Tenants should thoroughly examine the property and note that Loreburn will not carry out any internal decoration to the property, repair any damaged caused by the tenants or any repairs that are the tenants’ responsibility.

Both tenants of the exchange are responsible for ensuring they leave their properties in good condition. Tenants of exchange will be asked to sign a Mandate when they move in to accept the reasonability or repairs or any non-standard fittings.

Overcrowding / Under Occupation

Mutual Exchanges will be granted taking into consideration the household composition. Exchanges may not be granted if the exchange will result in the household being overcrowded.

Appeals

All applicants have the right to complain if they are unhappy with any aspect of the Mutual Exchange process. An informal discussion can be arranged with the Housing Officer for tenants who are unhappy with the Mutual Exchange.