



NORTHAMPTONSHIRE
PARTNERSHIP HOMES

Mutual Exchange Policy



2025

THIS DOCUMENT IS TO BE READ IN CONJUNCTION WITH:

1. Tenancy Policy
2. ASB Policy
3. Tenancy agreement

REVISION HISTORY

Revision date	Previous revision date	Summary of Changes	Changes marked	Version
29/04/2025		Whole Policy written	No	1

DOCUMENT MANAGEMENT

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<p>Contact: (Duty Holder) Director of Customers: Nicky McKenzie</p> <p>Contact: (Responsible Person) Tenancy Solutions Manager: Fuad Hussein</p>	



Policy Objectives

This Policy sets out our approach to tenants wishing to carry out a mutual exchange of their property. Northamptonshire Partnership Homes (NPH) is keen to promote mutual exchange as a way of meeting tenants' housing needs and aspirations.

The aims of the Policy are to ensure that :

- NPH tenants are aware of their responsibilities in relation to mutual exchange;
- We provide clear information to our tenants from the outset under a simple application process;
- We advise our tenants of any effect on their legal rights and benefit entitlements; and
- We support our tenants and provide them with a clear and consistent service with regards to their mutual exchange
- We aim for a good tenant journey throughout our exchange process.
- We aim to create and maximise opportunities for qualifying tenants to exercise their choice in accessing housing that meets their needs and aspirations.
- We provide NPH tenants with clear information on any reasons for refusal of a mutual exchange application.
- To facilitate a free from cost service to customers and NPH

What is a Mutual Exchange?

Mutual exchange is a right laid out in legislation under the Housing Act 1985 and the Localism Act 2011, for tenants of local authorities, registered social landlords and housing trusts.

A mutual exchange is the exchange of properties between tenants who are in mutual agreement. It may happen between two tenants who decide to swap properties, or between three or more tenants who decide to move round in a 'chain.'

A mutual exchange allows one tenant to hand over their tenancy to another tenant, thus avoiding the creation of a new tenancy. It may happen between two tenants who decide to swap properties, or between three or more tenants who decide to move around in a 'chain.'

Mutual exchange is beneficial for housing providers, as it allows more efficient use of the housing stock by meeting the needs and preferences of tenants. It also empowers tenants, giving them a choice over where to live and when to move. It is particularly useful for those who do not qualify for a transfer, because their home adequately meets their needs.

Qualifying Tenants

Mutual exchanges are carried out either by assignment or surrender and re-grant of tenancies. This is determined by the tenancy that each of the exchange partners have. We will always advise our tenants of the type of tenancy they will receive in the exchange when we approve their application.

NPH tenants qualify for mutual exchanges if their tenancy gives them a statutory or contractual right to exchange. The right to exchange a tenancy is given to secure tenants by statute but only for the purposes of an exchange.

We will grant tenants that have held an assured or secure tenancy (also known as a protected lifetime tenancy) since 12 April 2012, a tenancy with no less security when they move to an NPH home. Tenants exchanging into an NPH home will be by way of surrender and re-grant. This means that each tenant will surrender their existing tenancy and be granted the new appropriate tenancy.



Our Aims and Objectives

- To provide clear, easily accessible information to potential mutual exchange applicants
- To provide support to applicants wishing to apply for mutual exchange.
- To ensure NPH's standards for mutual exchange are clearly outlined.

Application Process and Timescales

Tenants wishing to swap homes are advised to register with www.homeswapper.co.uk or to find someone willing to agree to a mutual exchange. NPH pays for an annual subscription to Homeswapper which enables tenants to use the website without charge. Tenants are also advised to also advertise their wish to exchange via a local paper, notice board or by word of mouth. NPH also operates an internal exchange register where tenants' information and requirements are matched by the Mutual Exchange team.

The tenants are responsible for making initial contact with each other and once they have decided to exchange, each party must contact their respective landlord for permission.

Once a suitable match has been identified and tenants wish to make an application, all parties must complete and submit a mutual exchange application via <https://www.nph.org.uk/exchange-your-home>. Copies of application forms are also available in paper format if required.

The tenant's landlord has a **maximum of 6 weeks (42 days)** from the date of application being received, in which to agree or refuse the exchange. The landlord will then send a written notification to the tenants to confirm whether the exchange can take place.

Tenants will be made aware that any party can withdraw from a potential mutual exchange at any stage with no recourse to the other party. However, once parties have signed the assignment or the new tenancy agreement then the mutual exchange must proceed.

Equality, Diversity & Inclusion

NPH is committed to promoting equality, diversity, and inclusion in all aspects of its housing services. This policy complies with the Equality Act 2010 and ensures that no tenant is discriminated against on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

Permission and Eligibility

To participate in mutual exchange, persons must be social housing tenants either of a local authority, a Registered Social Landlord or a Housing Trust and must hold a secure, flexible, or assured tenancy. Introductory tenants, or those tenants who have demoted tenancies, licences or assured shorthold tenancies are not eligible for Mutual exchange.

All tenants applying for a mutual exchange must obtain permission from the landlord prior to an exchange taking place. NPH will not unreasonably refuse a request for a mutual exchange, however, as part of the application process, NPH will complete a full review of the relevant tenancies and will consider the following:

- The types of tenancy held
- The size of properties and any potential under-occupancy charges that may result in a tenant facing financial difficulties. NPH will allow under-occupation by 1 bedroom only.



- The condition of all properties involved in the exchange
- Any major adaptations within the property

Mutual Exchange Without Consent

If tenant(s) exchange properties without obtaining our written consent or the application to exchange was withheld or rejected by either landlord, the exchange will be unlawful. NPH would take legal advice if this situation arose. Both tenants will:

- Be in breach of their original tenancy agreement; and
- Be liable for the rent and other obligations of their original tenancies

Support for Vulnerable Tenants

NPH will offer guidance and support for tenants who may require additional assistance in the exchange process. Discretion may be applied in cases where a refusal would cause significant hardship or safeguarding concerns. Condition of property will be considered when making a decision on the exchange.

Please contact the mutual exchange team should you require further support or would like to discuss your application in more detail.

Safeguarding & Hardship Discretion

In cases where refusal of a mutual exchange may result in significant hardship or safeguarding concerns, NPH will apply discretion.

Discretion may be considered where:

- The tenant or household member is experiencing serious health or welfare hardship.
- There are safeguarding concerns involving children, vulnerable adults, or risk of harm.
- The exchange would alleviate risk, improve safety, or support recovery from abuse or trauma.
- The refusal of exchange would result in unreasonable detriment to the tenant's wellbeing.

Discretionary decisions will be subject to yearly reviews to ensure consistency, fairness, and compliance with policy.

Property Condition and Responsibilities

When a suitable match is identified a tenant wishes to further their interest in the property, it will be the tenant's responsibility to contact the other tenant to progress the exchange.

Once an application is received, the Mutual exchange team will request an inspection of NPH tenanted properties prior to the exchange. During this inspection, the Mutual Exchange officer will produce a report documenting the following:

- The general condition of the property, including cleanliness & any outstanding repairs
- All rubbish must be removed.
- Any adaptations in the property.



- The condition of all external gardens that are the tenant’s responsibility to maintain
- Any outdoor features such as sheds or patios must be clear and empty.
- Any unauthorised adaptations, alterations or damage that are beyond reasonable wear and tear.
- All health and safety compliance work (eg Gas/Electrical safety and the reinstatement of non-standard fixtures & fittings posing health and safety risk) are carried out at NPH or tenants expense before the exchange.

If the Mutual Exchange Officer deems the condition of the property to be unsatisfactory, the tenant will be given a timescale to rectify the concerns prior to an exchange taking place.

A follow-up inspection will be conducted in the event the property is unsatisfactory. Tenants will be given a list of items they must address before the follow-up inspection.

NPH requires that all those taking part in a mutual exchange should visit the home before agreeing to an exchange. Tenants who exchange into an NPH property must accept the current decoration throughout the property and no additional decoration allowance applies if a mutual exchange takes place.

While the mutual exchange service is free, tenants may incur costs related to property repairs, adaptations, or compliance work required before exchange. NPH will clarify financial responsibilities during the inspection process and provide guidance on any required works.

Gas and Electrical Safety Checks

Gas and Electric safety checks will be carried out prior to the exchange taking place. Gas Checks will continue on an annual basis in line with Gas Safety Policy. Electric Checks will be conducted every 5 years in line with

A valid Gas and Electrical safety certificate will be issued to the incoming tenant at the point of signing the tenancy agreement. An EPC will be issued at the same time and the certificate will also be made available online to download.

Ground for Refusal

An application for Mutual exchange may also be refused on the following grounds (*Section 3, Housing Act 1985*):

Ground 1	A court order for possession or a suspended possession order has been made for either property.
Ground 2	The landlord has served a notice of seeking possession and the notice is still in force, or possession proceedings have commenced.
Ground 3	The property is substantially larger than is reasonably needed by the proposed assignee.
Ground 4	The property is not reasonably suitable to the needs of the proposed assignee and their household.



Ground 5	The property is part of or close to a building that is held for non-housing purposes, or it is situated in a cemetery and was let in connection with employment with the landlord or with a local authority, a new town corporation, housing action trust, an urban development corporation, or the governors of a grant-aided school.
Ground 6	The landlord is a charity and the proposed assignee's occupation of the property would conflict with the objects of the charity.
Ground 7	The property has been substantially adapted for occupation by a physically disabled person, and if the assignment went ahead a physically disabled person would not be living there.
Ground 8	The landlord lets properties to people in difficult circumstances (other than merely financial circumstances) and the proposed assignee would not fulfil these criteria.
Ground 9	The property is let to people with special needs and there is a social service or special facility nearby to the properties to assist people with
Ground 10	The dwelling is the subject of a management agreement where the manager is a housing association of which at least half the members are tenants subject to the agreement and at least half of the tenants of the dwellings are members of the association, and also that the proposed assignee is not such a member nor is willing to become one.
Additional Ground (Housing Act 2004)	An injunction order under section 153 of the Housing Act 1996 or an Anti-Social behaviour order or a Demotion Order or a possession order under Ground 2 for secure tenancies or Ground 14 for assured tenancies is in force or an application for one of those is pending either against the tenant, the proposed assignee or a person who resides with either of them.

Schedule 14 Localism Act 2011 – Grounds for refusal

In accordance with Schedule 14 of the Localism Act 2011, the Mutual exchange Team will refuse a mutual exchange application if any of the following grounds apply:

- The tenant is in rent arrears.
- There is a breach of tenancy obligations.
- A possession order has been issued by the court.
- A valid notice of seeking possession is in force.
- The exchange would result in overcrowding or under-occupation.
- The property has special adaptations not required by the incoming tenant.
- The incoming tenant's occupation would conflict with the objectives of a charitable landlord.
- The property is designated for special needs housing, and the incoming tenant does not meet the eligibility criteria.
- The property is subject to a management agreement requiring tenant membership, and the incoming tenant is not or will not become a member.

These grounds are applied to ensure the suitability, sustainability, and legal compliance of all mutual exchange arrangements.



Appeals & Complaints

Tenants must submit their appeal in writing within 14 calendar days of receiving the refusal decision. The appeal should clearly state the grounds for challenge and include any supporting evidence. Appeals will be reviewed by a senior officer not involved in the original decision.

A written response will be provided within 21 working days of receiving the appeal. If further investigation is required, the tenant will be notified and given an updated timeline.

If the tenant is dissatisfied with the outcome, they may escalate the matter to the Housing Service Manager or equivalent. Further escalation may be made to the Council's Corporate Complaints Team following completion of the internal process. Tenants retain the right to refer their complaint to the Housing Ombudsman Service once the internal complaints procedure has been exhausted.

Complaints about the process can be submitted via the NPH complaints procedure or through the contact centre where you can raise complaints and concerns.

Accessibility Statement

The Rehousing Team is committed to ensuring that all mutual exchange forms, communications, and guidance materials are accessible to every tenant. We will provide documents in alternative formats such as large print, braille, easy-read, and audio upon request, and offer translations in commonly spoken community languages. Interpreters and support will be made available where needed to ensure tenants fully understand the process and can participate equally.

Monitoring & Review

This policy will be Monitored and reviewed every two years or sooner if required by legislative changes.

To ensure continuous improvement, NPH will monitor key performance indicators (KPIs) related to mutual exchange including number of applications, approval rates, refusal reasons, and appeal outcomes. This data will be reviewed annually and used to inform policy updates.

