



Mutual Exchange

A mutual exchange is where two or more tenants swap their homes and tenancies.

This section explains your legal right to carry out an exchange, when and how it can happen and the responsibilities of everyone involved.

Tenants may with the consent of the Neighbourhood Housing Manager exchange their home with:

- another LMH tenant
- a tenant of another housing association
- a tenant of a local authority

If you are interested in exchanging your home, please get in touch with us. It is important you understand what is involved. We will do our best to advise you and help you move to a new home.

Who can do a mutual exchange?

You can do a mutual exchange if you are an assured lifetime tenant of Liverpool Mutual Homes.

If you are an assured shorthold tenant (starter tenancy) you do not have the right to exchange during the starter period of the tenancy. You must wait until you have completed the starter period successfully and your tenancy is converted to an assured tenancy.

How do I find someone to exchange with?

A popular way of searching is by using the internet. LMH promotes opportunities for exchange through Home Swap Direct. Access is free of charge and you can find out more at www.propertypoolplus.org.uk or contact a member of the local housing team.

Other ways of finding an exchange include using other website services, placing advertisements in local or national newspapers and asking friends, family and neighbours.

How do I get permission to exchange?

You must have the prior written consent of LMH to undertake an exchange.

Once you have found someone to exchange with you and your exchange partner will need to complete one of our exchange forms. These forms are available from an LMH Connect, an LMH office or you can contact us at info@liverpoolmh.co.uk.

Upon receipt of your application we will normally visit you and the person you want to exchange with at home within five working days. The purpose of this visit will be to



verify your application details and inspect the condition of the property. If you have an outstanding obligation of the tenancy for example, a rechargeable repair, rent arrears or the property is in an unsatisfactory condition we will discuss these matters with you when we visit.

How quickly will we make our decision?

We will try to make a decision as quickly as possible. We will write to you to tell you whether the mutual exchange has been approved or refused. The maximum time we are allowed to take to do this is 42 days.

If you are exchanging with a tenant of another landlord we will need to contact them for a reference and to get their consent for the exchange.

Why would we refuse an exchange?

LMH will not unreasonably refuse you consent to exchange but there are standard grounds upon which consent would be refused. Refusals for example are usually due to the following reasons:-

- We have served a notice of intention to seek possession on you or there is a possession order in place for example due to rent arrears or anti-social behaviour
- The exchange would result in overcrowding
- The accommodation you wish to exchange to is larger than you need
- If one of the properties involved is tied to someone's job
- If the property has been adapted for the disabled, is part of a group of properties with special facilities, or is for people with special needs and you do not need the special facilities.
- Where tenant or member of the household has behaved in an anti-social way and action is being taken against them

Conditional consent

If you have an outstanding obligation of the tenancy we can attach a condition to any consent whereby the exchange cannot proceed until the condition has been met.

Illegal Exchanges

If you exchange without our written approval, you and the person you have exchanged with have become "illegal occupants." This means you will not have any legal right to live in the property you have moved into. In these circumstances, we and any other landlord involved may take legal action to force you to return to your original home or in some circumstances we may evict you.

Other things to consider

- You must not offer or accept an incentive to exchange – this is illegal

- When you exchange your home the type of tenancy you exchange to may change, this means your rights and responsibilities may change
- Rent and council tax may be higher and there may be service charges so you should check details carefully
- Mutual exchanges can affect a tenants Right to Buy, Preserved Right to Buy or Right to Acquire. The Governments official Right to Buy Agent Service can offer free impartial advice to tenants in respect of individual circumstances.
- You must allow us access to complete gas and electrical safety checks and these costs must be paid for by you.
- If you are a lifetime tenant and your exchange partner has a fixed term or flexible tenancy you should get in touch with us for advice.
- Properties are exchanged as seen. Any repairs that are the responsibility of the original tenant will become your responsibility. Make sure you have checked the home thoroughly and if you are unsure about responsibility speak to LMH or the appropriate landlord for advice.