



## Tenant Information Leaflet

### Mutual Exchange Information

This leaflet tells you about the way in which OTHA deals with Mutual Exchanges

This leaflet can be made available in large print, on tape or in an alternative language or format on request.

### What is a Mutual Exchange?

A mutual exchange is where two tenants agree to swap their accommodation. OTHA tries to help tenants to find an exchange as an alternative to obtaining a transfer by keeping a register of people seeking an exchange.

You can exchange with tenants of many organisations including OTHA, other housing associations, the Council and a water or sewerage authority.

You must currently have a Scottish Secure Tenancy or a Short Scottish Secure Tenancy and the move must be a permanent move.

It can be hard to find an exchange partner, but if you can be flexible about the areas and type of property that you want, it will give you a much better chance.

Both partners in any exchange must have the permission of each landlord. Please also note, you cannot pay someone to secure an exchange. If you exchange without your landlord's permission or give/receive money to secure an exchange, you could be liable to eviction.

Before you agree to an exchange, check with your new landlord what your rent and conditions of tenancy will be. Make sure you know what the terms of the tenancy will be.

If you are interested in eventually buying the property, check that you will be able to do so. Many housing association homes cannot currently be bought by tenants and you may find that your Right to Buy entitlement will change. You should check with the new landlord what your rights will be if you move.

If repairs are required, check that they will be carried out. The landlord will not normally do redecoration.

Please note that permission to exchange can be refused. If you think permission has been unreasonably refused, you can contact your Housing Services officer for clarification or advice. You can appeal against any refusal.

### Why would an exchange be refused?

The reasons why an exchange can be refused include:

Where you or the other tenant is in breach of their tenancy - i.e. rent arrears, rechargeable repairs, antisocial behaviour or where the house is in poor condition

Where one party would be moving to a house, which is too big or too small for their household.

Where one property is designated for a particular need (e.g. an elderly or disabled person) and the other party does not have the particular need.

If there is doubt about why the tenants wish to exchange (e.g. one party intends to move again within 6 months) or a suspicion that money has changed hands, OTHA is likely to refuse to approve the exchange.

### **How do I find someone to exchange with?**

You can advertise your property in a book, which is on display in OTHA's offices at High Street and Walker Street. You should give the details of your current home and also of the type of house and the area you are looking to move to. You will need to leave contact details so that people can contact you to discuss a possible exchange.

You can call into the offices and look through the book to see if anyone has advertised a property you are interested in.

You can also advertise your property in Cloch, Larkfield and Port Glasgow Housing Association's offices or you could place an advertisement in the local press or shops.

The Association also advertises mutual exchanges in its newsletters and is working with other landlords to promote mutual exchanges in Inverclyde.

### **How do I apply for an exchange?**

To apply for an exchange, both parties have to complete a set of forms, which ask for basic details about your household and accommodation as well as the reason for wishing to exchange.

If the other party is a tenant of another landlord, you will be asked to fill in forms for both landlords.

Your housing officer will contact you to arrange a house inspection and will discuss any tenancy issues with you. We will either do the same for the other party or request their landlord to provide a tenancy reference.

We will give you an answer to your request to exchange within 1 month of your application.

### **Any final bits of advice?**

Make sure you can afford the moving expenses. If you are claiming Income Support, you might qualify for some help from the Benefits Agency. Try to keep your expenses to an absolute minimum before moving - there is no legal redress if your exchange does not go ahead.

If your first attempt at an exchange does not work out, don't give up. Your next try might work out better.

You should not rush into an exchange, remember that exchanges are intended to be permanent moves and you should only move if you think that you will be happy in your new home.

**If it is found that the mutual exchange was approved on the basis of false, withheld or misleading information, this will be ground for eviction and legal action will commence to recover possession of the property.**