



Mutual Exchange Policy

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IMPACT ASSESSMENTS						
Equality Impact Assessment						
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☒		If not required, state reason:				
Customer Impact Assessment						
1) Is this one of the agreed policies requiring resident consultation? Please refer to: Our policies - Settle		Yes	☒	No	☐	
2) If yes, please confirm resident consultation has taken place		☒	Briefly detail changes arising from resident feedback: - Link to the procedure has been removed. - Brief description of what an affordability assessment is has been included - Some comments have been noted but changes not made due to legal requirements and formal terminology. - Grounds for refusal have been added to the website on the mutual exchange page.			
APPROVAL						
Approval journey:	Executive Team	Committee				Board
		ARC	DAC	Ops	NRC	
	☒	☐	☐	☒	☐	☐
Date approved:	23 rd September 2025	21 st October 2025				
Which Regulatory Standard does this Policy support?	Economic					
	Governance & Viability	Rent			Value for Money	
	☐	☐			☐	

	Consumer			
	Neighbourhood & Community	Safety & Quality	Tenancy	Transparency, Influence & Accountability
	☐	☐	☒	☐
Associated legislation	- Schedule 3 of the 1985 Housing Act - Schedule 14 of the Localism Act 2011			
Associated procedures	Mutual Exchange Procedure			
Does this policy contain delegated authority?				

Mutual Exchange Policy

Introduction

Our purpose is to give residents a firm foundation on which to build their lives. Our vision is a safe, comfortable, and affordable home for every household.

This Policy sets out our position for residents who would like to mutually exchange their home with another housing association tenant, outlining our landlord responsibilities, the service we offer and how we'll support and advise our residents during the mutual exchange process.

Purpose

This Policy aims to ensure all mutual exchange applications are dealt with fairly and consistently, in accordance with the terms of tenancy agreements and relevant legislation.

This Policy will:

- Provide clear information on the requirements for tenants to exercise their right to mutually exchange.
- Outline the circumstances for assigning a tenancy and the legal requirements and;
- Set clear grounds for refusing an exchange.

Scope

A mutual exchange is the process for two or more tenants in the public housing sector to exchange tenancy and property.

Mutual exchanges can take place between two or more tenants in the public housing sector to exchange tenancy and property, with the consent from their landlord.

This Policy applies to all tenants with an Assured and Fixed Term Tenancy with the Right to Exchange.

Section 2 – Policy

2.1 Policy Principles

The Regulator of Social Housing's Regulatory Standard define the expectations and required outcomes that landlords must deliver. This Policy demonstrates through the principles and outcome our commitment to the Transparency, Influence and Accountability Consumer Standard to:

- Provide a resident centric approach towards delivering our service.
- Provide residents with a channel for communication and provide regular updates to set realistic expectations.
- Provide residents with a formal approval or refusal within 42 days in line with our procedure and the requirements set out in law.
- Maximise efficiency of the use of our housing stock.

2.2 Policy Detail and Outcome

2.2.1 Right to exchange

The tenancy agreement sets out the right to exchange. The following Settle tenures, either on social or affordable rent, have the right to exchange:

- Protected tenancy
- Assured tenancy
- Fixed term tenancy

The following tenures do not have the right to exchange written in the agreement:

- Assured shorthold tenancy
- License
- Fixed term tenancy with less than 2 years on the term

2.2.2 Applications for mutual exchange

We will consider all applications from residents that have the right to a mutual exchange.

Settle residents, and residents from other landlords taking part in an exchange with a Settle resident, can apply for a mutual exchange online (via www.homeswapper.co.uk) or by requesting a paper application form from [us](#).

It is the resident's responsibility to find a suitable exchange. We encourage residents to register with www.homeswapper.co.uk and we will support residents with accessing this service.

We encourage all residents to view the property they wish to move to before submitting their application for a mutual exchange, as well as throughout the exchange process.

For identification verification purposes, we request photo ID for named tenants and proofs of address for anyone over the age of 18 on the application before starting the exchange. We will also ask for confirmation of Child Benefit claims to confirm all permanent members of the household.

A pregnancy will be considered as part of the household and bedroom allocation, provided proof of pregnancy has been provided.

We have 42 days from the date all applications from all parties and corresponding identification documents have been received to confirm if we approve or refuse the exchange. We will process any required tenancy changes before starting a mutual exchange i.e. joint to sole tenancy change.

We will inform residents of the type of tenancy they will be offered and any significant implications to the difference in terms and conditions such as succession rights or Right to Buy.

2.2.3 **Grounds for refusal**

An exchange cannot complete without the written consent from all landlords involved in the exchange.

Depending on the tenure type, we rely on the following mutual exchange grounds for refusal, as detailed in the following legislation:

- Schedule 3 of the 1985 Housing Act;
- Schedule 14 of the Localism Act 2011; and
- Settle Refusal Reasons (appendix 1).

Refusal notification, detailing the reasons, will be provided in writing within the 42 day process.

We may conditionally approve an exchange until matters such as clearing rent arrears or any minor works that are required, have been completed.

If an exchange takes place without the written consent of Settle, the residents will be treated as unauthorised occupants. This is considered a breach of tenancy and may result in legal action being taken to seek possession of the property.

2.2.4 **Under-occupation**

We allow mutual exchanges to take place for households who are moving to a property with up to one additional bedroom more than their housing need.

This is on the condition that they complete and satisfactorily pass an affordability assessment. This assessment reviews their income and essential outgoings. If an applicant, completes an assessment and the outcome is unaffordable, we have the right to refuse under the appropriate grounds, as per section 2.23.

2.2.5 **Survey and references**

During the 42 days, each Settle property must have a condition survey completed.

The condition survey will identify any repairs that may be needed, any damage to the property or alterations that have been made – which may give grounds for the mutual exchange to be refused

We will arrange repairs for any items that are landlord responsibility. The surveyor will advise if the repairs required are essential before the exchange completes or can be done after the new tenant has moved in.

We will inform the outgoing and incoming tenants of any repairs due to damage, neglect or alterations that they or household members or visitors have made, that they are responsible for. These works will be required before the exchange completes.

We will arrange for an electric check, gas safety check and asbestos survey to be carried out to all Settle properties following approval of the exchange. See section 2.27, Completion.

If another landlord is involved in the exchange, Settle will request and provide a tenancy reference for the residents involved.

We will inform any other landlords involved in the exchange of any delays to the completion date, due to any repairs or conditions made, that are required before the exchange can take place.

In exceptional circumstances, we may agree/need to carry out urgent repairs outside of our obligations due to any potential health and safety risks. On these occasions, this may prohibit the exchange from proceeding, or we may recharge costs to outgoing residents.

2.2.6 **Decision**

Approvals are subject to a completed condition survey, a valid Energy Performance Certificate, and where applicable, a satisfactory landlord reference relating to the incoming tenant. Settle has the right to cancel the exchange if access or the relevant information has not been granted to carry out these checks.

Applicants will be informed of a decision outcome by day 42 of the mutual exchange process. We will confirm one of the following three outcomes in writing:

- Approved;
- Refused with reasons why and the corresponding grounds for refusal and legislation; or
- Conditional approval with details of the conditions that need to be met before the exchange can take place.

If we fail to provide a decision within 42 days, the exchange cannot be refused. Applicants must not make arrangements to exchange without making the landlord(s) aware and should seek legal advice on the matter regarding their rights to exchange

An agreed exchange date will not be confirmed until all landlords taking part have each agreed to the mutual exchange.

2.27 **Completion**

We will require there to be a minimum of 10 working days' between the date the exchange has been approved and the agreed exchange date. This is to allow time for the required gas and electric safety checks and asbestos survey (where applicable) to be carried out prior to the completion date.

If the appointment s for the relevant checks and surveys is not kept, we have the right to re-arrange the sign up and completion date.

Once the mutual exchange has been approved by all landlords and an exchange date has been agreed, Settle will arrange a sign up appointment for all parties. Residents signing up with Settle will be required to pay a minimum of one week's advance rent payment during this appointment.

The exchange of tenancies will be carried out by either a Deed of Assignment or Surrender and Re-grant. This is dependent on the type of tenancy held by each party.

All new tenancies will start on a Monday, agreed by all landlords and parties involved.

Section 3 – Roles and responsibilities

3.1 Key Roles and Responsibilities

Settle's Executive Director of Customer Services has strategic oversight of this Policy as the policy owner and is responsible for conducting a review every 3 years, or sooner should there be a material change or if a more frequent review is required.

The Policy will then be reviewed and approved by the Executive Team for escalation to the Operations Committee, which operates under the jurisdiction of the Board, is responsible for approving and monitoring this Policy.

Section 4 – Compliance and Enforcement

4.1 Compliance

Settle will monitor and report on mutual exchanges decisions meeting the required 42-day deadline date.

Any exchanges exceeding the 42-day deadline date, will be reported to the Director of Housing and the Operations Committee.

Section 5 – Related Policies, Procedures and Key Documents

Related Policies

Tenancy Offer Policy

Related Procedures

Mutual Exchange Procedure

Key Documents

RSH Consumer Standard – Transparency, Influence and Accountability

Landlord Resident Strategy

Schedule 3 of the 1985 Housing Act;

Schedule 14 of the Localism Act 2011

Settle refusal reasons (attached at Appendix 1 of this Policy)

Tenancy Agreement

Section 6 – Review, Approval, Publication

6.1 Review and Approval

This Policy will be reviewed every 3 years, or sooner should there be a material change or if a more frequent review is required.

Section 7 – Document Control

Document Name	Mutual Exchange Policy
Approval Date	21 st October 2025
Approved By	Operations Committee
Version Number	V1.0
Version History	

Impact Assessment Evidence				
EQUALITY IMPACT ASSESSMENT ATTACHED	Stage 1		Stage 2	
	☐		☒	N/A ☐
CUSTOMER IMPACT ASSESSMENT RESIDENT FEEDBACK	Attached ☒		N/A ☐	
PUBLISHING REQUIREMENTS				
INTERNALLY	☒	WEBSITE	☒	Settle Connect ☐

OFFICE USE ONLY	
RELEVANT 'APPROVAL LOGO' ADDED TO COVER	☐
Keywords for search function	



Appendix 1

Settle Refusal Reasons:

The following grounds for refusal and conditions apply to any mutual exchange where neither Schedule 3 of the Housing Act 1985 nor Schedule 14 of the Localism Act 2011 are referred to in the tenancy agreements:

- a) All grounds for refusal set out in Schedule 3 of the 1985 Housing Act and Schedule 14 of the Localism Act 2011. See Mutual Exchange Procedure
- b) The incoming tenant's landlord has not provided a satisfactory reference.
- c) Where any conditions relating to a relevant Section 106 agreement or Local Lettings Policy has not been met.
- d) Where the incoming tenant cannot clearly demonstrate affordability of the current rent charge for the property following an affordability assessment, unless they are an existing Settle tenant and the rent would be lower than their current rent.
- e) Where the Settle property has been found to have unauthorised major home alternations that would fail Decent Home Standards.
- f) Where the Settle property has been found to be significantly neglected and there is evidence of a breach of tenancy.
- g) Where repairs are required which are residents' responsibility, we will agree a deadline to complete the repairs. If the repairs are not carried out by the deadline, the exchange will be refused.
- h) Where money has been exchanged between the parties to facilitate the exchange.
- i) Any exceptional circumstances where it would not be reasonable to consent to the exchange such as a significant safeguarding concern (this decision must be made by a minimum of two managers).