

# Mutual exchange

## Overview

This policy explains what mutual exchange is and how we will manage mutual exchange and meet our legal, contractual and regulatory responsibilities.

## Scope

This policy applies to all social housing tenancies managed by Muslim Care. Affordable housing tenants should refer to the Affordable Housing policy.

Exchanges with public housing tenants or tenants from other community housing providers are not permitted under this policy.

## Definition

### Mutual exchange

Mutual exchange is where two of our social housing tenants choose to swap properties.

Mutual exchange allows tenants to move to a different location or find a property that better suits their needs.

### Guiding principles

- We will not be involved in negotiating a mutual exchange.
- Tenants who register their interest in exchanging are not obligated to proceed with a mutual exchange and can have their interest removed from the list at any time.
- We will assess requests for mutual exchange in accordance with the criteria.

### Registering for mutual exchange

We will maintain a register of tenants who are interested in mutual exchange. Tenants may register their interest by completing a Registration of Interest in Mutual Exchange form. The Mutual Exchange Register will only contain the details of the current properties of people registered for mutual exchange. We will ask tenants for their consent before sharing their details with other tenants who are interested in mutual exchange.

Registering an interest in mutual exchange does not prevent a tenant from also applying for a transfer under the Housing Transfer policy. We will advise tenants of all options that may be available.

### Requests for mutual exchange

If tenants agree to a mutual exchange they must request approval from us prior to exchanging properties. Approval can be requested by completing a Mutual Exchange Request form available from our office.

Exchanging properties without approval is a breach of the Residential Tenancy Agreement.

### Assessing requests for mutual exchange

Requests for mutual exchange will be assessed against the criteria below by an Assessment Officer. A Team Leader or Manager will sign off on all mutual exchange requests.

## Criteria for approving a mutual exchange

We will approve a mutual exchange if:

- Both tenants agree to the exchange in writing.
- The rent, water and debt of both tenants are paid up to date.
- The exchange will not create under/over occupancy in either property.
- Both properties are returned to original condition, allowing for fair wear and tear, or both tenants accept the condition of the property they are taking on and accept responsibility for returning the property to its original condition excluding fair wear and tear.
- Both tenants meet the current income eligibility, except if the tenant/household member has a medical condition or disability which means their current housing is no longer suitable.
- Both tenants agree to accept the type of lease and specific program conditions relevant to the exchange properties.

Generally, we will not approve a mutual exchange if:

- Major modifications have been made to the property to meet the needs of the tenant.
- The exchanging tenant is not eligible for the program under which the exchange property is provided e.g. Seniors Living, affordable housing, supported housing
- The tenant would lose an advantage gained from a previous transfer.
- The exchange property is not suitable for the tenant.

## Standards in responding to requests for mutual exchange

The process of assessing and responding to requests for mutual exchange will take no longer than 28 days from the date of receipt. If a delay is likely to occur, we will notify the tenants of the expected timeframe and the reasons for this.

All requests will be responded to in writing. If a request is declined, the letter will include the reason/s for the decision.

Tenants can appeal decisions made about mutual exchange.

## Approved requests for mutual exchange

If we approve a request for mutual exchange, we will arrange to sign new Residential Tenancy Agreements with both tenants. The original condition reports will be transferred to the new tenancies. Both tenants will need to accept the in-going condition outlined in this report as part of the new lease agreement they will be signing for the exchanged properties.

Residential Tenancy Agreements will only be signed on a business day.

Tenants are responsible for arranging and paying for removalists/moving their belongings and exchanging keys.

## Policy information

Authorised By: The Board Policy and Procedures Maintained By: operation Manager	Original Version: April 2019
Review date: May 2025	This Version: 2