

# MUTUAL EXCHANGE POLICY

Mutual exchanges can be useful in helping people move to a home which is closer to family, friends or places of work and better meets their needs. They involve swapping a home with another Onward customer, or a customer from another registered social landlord.

Over the next few pages, we'll tell you about our approach to mutual exchanges and how we carry them out in line with legal requirements.

This policy may include some unfamiliar words and phrases, so we have provided a description of what they mean at the end of the policy.

If you are interested in swapping your home through a mutual exchange, please visit our website ([onward.co.uk/mutual-exchange](https://onward.co.uk/mutual-exchange)), email [customerservices@onward.co.uk](mailto:customerservices@onward.co.uk) or call **0300 555 0600** to find out more.

If you need any help understanding the information in this document, please give us a call on **0300 555 0600**, send us a message on WhatsApp to **07418 344 603** or send an email to [customerservices@onward.co.uk](mailto:customerservices@onward.co.uk).

Linked documents	Tenancy Policy, Adaptations Policy, Neighbourhood Management Policy, Lettings Policy and Mutual Exchange Procedure.
Date implemented	September 2025
Policy lead	Joanne Danaher, Director of Housing and Home Ownership
Approved by	Executive Team
Approved on	16 December 2025
Date of next review	December 2027
Version	3
Reference number	MEX03
Document replaces	MEX02

## **POLICY OVERVIEW.**

Mutual exchanges involve swapping a home with another Onward customer, or a customer from another registered social landlord. Onward are committed to supporting customers where possible to mutually exchange their homes and promote a free of charge service to help enable this.

### **Our approach to mutual exchange involves:**

- Promoting the mutual exchange process to our customers.
- Providing information, guidance and assistance to customers throughout the process  
Completing a fair and accurate assessment of whether a customer has a right to exchange their home.
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- Ensuring that all customers participating in the exchange have consent from Onward or their own landlord(s).
- Working to a set timescale of 42 days to approve or refuse an application.
- Having clear reasons for why an application may be refused.
- Telling customers about the result of exchanging a home without Onward's consent.
- Monitoring, reviewing and reporting on mutual exchanges to ensure applications are assessed and timescales are met in line with our policy.

# MUTUAL EXCHANGE - FULL POLICY.

## 1. Aim:

- 1.1. Onward recognises the benefits that mutual exchanges can provide in terms of supporting customers to find a home that better suits their needs. We are committed to promoting mutual exchanges and supporting customers in order to help them find more suitable homes, make best use of housing stock, maximise rental income and help to create sustainable tenancies.
- 1.2. The key aims of this policy are to:
  - a. Set out Onward's approach to mutual exchanges
  - b. Provide guidance and assistance to tenants wishing to carry out a mutual exchange
  - c. Ensure that mutual exchanges are carried out fairly, usually by way of assignment and that they comply with the law

## 2. Scope

- 2.1. For the purpose of this policy, mutual exchange is defined as the exchange of properties by a tenant or tenants of Onward with a tenant or tenants of Onward, another housing association or local authority. Exchanges can only take place between social housing tenants.

## 3. Tenant's rights of exchange

- 3.1. The Housing Act 1985 allows secure tenants to exchange their tenancy with another individual by way of mutual assignment. Mutual exchange is not formally granted by the Housing Act 1988, however, if you have an Assured tenancy, you have a contractual right to a mutual exchange if it's written into the terms of your tenancy agreement.. Starter tenants, shared owners and those on licence agreements are not eligible to carry out mutual exchange.
- 3.2. Onward does not recognise the Preserved Right to Buy Status of an incoming preserved rights tenant when facilitating mutual exchanges from one housing provider to another. We will however ensure that any tenants affected by this are notified.

## 4. Promoting and applying for a mutual exchange

- 4.1. Onward will provide a mutual exchange service which allows customers who are eligible for mutual exchange easy and free access to finding potential matches. We will promote this service widely to our customers through a variety of different means.
- 4.2. We will support and provide guidance to customers throughout the process, clarifying any questions or queries relating to implications on tenure, rent, service charges and repairs.
- 4.3. We will ensure that the application process is easy to understand and managed fairly and to reasonable timescales.

## **5. Process, refusal and/or conditions for mutual exchange**

- 5.1. In order to progress a mutual exchange, the written consent of Onward is required. We will seek to provide permission for mutual exchanges unless any of the following grounds, as determined by Schedule 3 of the Housing Act 1985, apply:
- a. The tenant or proposed assignee is subject to a Possession Order.
  - b. A Notice of Seeking Possession (NSP) is in force against either tenant(s),
  - c. Proceedings have been begun for possession of the home
  - d. The home is subject to a closure notice or closure order.
  - e. Specialist housing is involved, such as Sheltered Housing for the elderly or an adapted property designed for a physically disabled person and the adaptation(s) is not required by the incoming tenant.
  - f. Under occupation will result from the exchange.
  - g. Overcrowding will result from the exchange.
  - h. Any other landlord legitimately refuses permission for the exchange.
  - i. The type of dwelling is 'not reasonably suited to the needs' of the proposed tenant and family.
  - j. Where a court order is in force against a tenant, proposed tenant, or any person who is residing with either of them, which is based on antisocial behaviour, e.g. a suspended possession order, an Injunction order and/or a criminal behaviour order.
- 5.2. Onward will not normally withhold consent to exchange for any other reason than those detailed in the Housing Act 1985.
- 5.3. In cases where there are rent arrears or outstanding chargeable repairs then consent may be made conditional on the arrears being repaid or the repairs being carried out/paid for before the exchange proceeds.
- 5.4. If an application for mutual exchange is refused or conditional consent given, the decision should be confirmed in writing to the applicant within 5 working days of the decision being made and the reasons explicitly stated.
- 5.5. In any case, any approval or withholding of consent must be provided within the statutory timescale of 42 days from the date Onward receives the completed application form.
- 5.6. The applicant should be advised that if they exchange homes without Onward's prior consent they would lose their security of tenure, and we may seek possession of the property
- 5.7. It is also a requirement that all other tenants participating in the exchange must have obtained consent from their landlord(s).

## **6. Responsibility and monitoring**

- 6.1. Heads of Neighbourhood Services and Neighbourhood Delivery Managers are responsible for ensuring the policy is complied with.
- 6.2. Neighbourhood Specialists will be responsible for facilitating and managing mutual exchanges.

<b>Assignment</b>	Assignment is when one customer transfers their tenancy to another person.
<b>Secure customers/tenants</b>	This is a type of tenancy held by existing customers where their tenancy start date was before the 15th January 1989. In a secure tenancy you can normally live in your home for the rest of your life if you wanted to, as long as you do not break the terms of your tenancy agreement and pay your rent. This type of tenancy provides significant security.
<b>Assured customers/tenants</b>	This is a type of tenancy that is now offered to most of Onward's customers. In an assured tenancy you can normally live in your home for the rest of your life if you wanted to, as long as you do not break the terms of your tenancy agreement and pay your rent. This type of tenancy provides significant security.
<b>Starter customers/tenants</b>	This is a type of tenancy that lasts for 12 months and equates to a trial period. Following the 12 months, this tenancy will transfer to an assured or fixed term tenancy, unless we have extended the starter tenancy have started eviction actions. This type of tenancy is not used very often.
<b>Preserved right to buy</b>	This is when a property is transferred from one landlord whose customer has the right to buy it, to another landlord whose customers do not. In this case, the original tenant will still be eligible to purchase the property. This is most common when council customers become customers of a housing association following a stock transfer.

## GLOSSARY (cont.).

<b>Possession order</b>	This is an order made by a court directing that the possession of property is to be given to the owner or another claimant. A possession order is obtained by Onward in cases when we are pursuing an eviction. There are two types of possession orders, an outright one which sets a date for possession and a suspended one which allows the customer to stay in their home so long as they comply with certain conditions that are set out within the order.
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### GET INVOLVED.

Members of our Customer Engagement Community help to improve the services you receive by sharing their concerns, views and ideas, as well as taking part in activities to improve your neighbourhood and local area. The Community also works with us to shape our policies and helped to make this one easier to understand.

If you are interested in joining our Customer Engagement Community, please visit our website ([onward.co.uk/get-involved](https://onward.co.uk/get-involved)), call **0300 555 0600**, or email [customerengagement@onward.co.uk](mailto:customerengagement@onward.co.uk).

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Jeśli potrzebujesz pomocy w zrozumieniu tego dokumentu, zadzwoń do nas na numer 0300 555 0600, wyślij nam wiadomość na WhatsApp na numer 07418 344603 lub wyślij e-mail na adres [customerservices@onward.co.uk](mailto:customerservices@onward.co.uk).

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