

Mutual Exchange Policy & Procedures

Date Approved	Proposed Review Date
November 2022	November 2025
Chair Person/Office Bearers Sign	ature:

CASSILTOUN HOUSING ASSOCIATION LIMITED 59 Machrie Road, Castlemilk, Glasgow G45 0AZ

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1. Background

The Association is committed to enabling tenants to exchange houses, wherever possible, in order to satisfy their housing need, to promote mobility and to make the best use of its housing stock. This aim is in accordance with the Housing (Scotland) Act 2001 which governs mutual exchanges and states that a landlord must not unreasonably refuse permission for the mutual exchange of a house. Details of how mutual exchanges will operate are contained within Cassiltoun Housing Association's Scottish Secure Tenancy Agreement and this policy.

2. General Principles

A mutual exchange does not need to be with another of Cassiltoun Housing Association's tenants, but must be with another house where the tenant holds a Scottish Secure Tenancy Agreement or a Short Scottish Secure tenancy Agreement. This may be with another housing association or local authority.

Mutual exchange is a useful tool to ensuring the housing stock is used efficiently. However, care must be taken to ensure that no abuse of the system is taking place i.e. tenants must have a genuine desire to exchange. As a result, the reasons for wishing to exchange must be examined before any further steps are taken.

All personal information provided in connection with a Mutual Exchange request will be treated as confidential and in line with the requirements of the General Data Protection Regulation. (GDPR).

3. Eligibility Criteria

All Association tenants will be eligible to apply for an exchange. More than two tenants may wish to exchange homes therefore, all parties will be required to complete a Mutual Exchange request form. (Appendix 1). Where any of the parties has a joint tenancy with another person, the joint tenant must also sign. The Association will not withhold consent unreasonably but may refuse an application to mutually exchange on tenancies on grounds that include: -

- > The rent account of one or more of the tenants has not been conducted in a satisfactorily and there are current arrears on the account.
- ➤ A Notice of Proceedings for Recovery of Possession has been served on the tenant specifying one of the 'conduct' grounds set out in paragraphs 1-7 of Schedule 2 of the Housing (Scotland) Act e.g. rent arrears, anti-social behaviour.
- ➤ A Court Order for Recovery of Possession has been granted against the tenant.
- The Association has reason to believe that one or more of the tenants has received a payment in cash or in kind to affect the Mutual Exchange.
- > There is substantial damage to the property caused by the tenant, a member of the household or a visitor to the property.
- ➤ The Mutual Exchange would lead to overcrowding or under-occupation of one or more of the properties in line with the Association's Allocation Policy.
- The Association intends to carry out substantial work on the property.
- The property was designed or substantially adapted for a person with additional needs (e.g. for wheelchair use) or additional services (e.g. sheltered housing) which are not required by the assignee.

- Any of the parties has been involved in the perpetration of anti-social behaviour as confirmed by another agency e.g. Police Scotland or has had an ASBO granted against them or a member of their household within the last 3 years.
- ➤ The house is not suitable for the prospective tenant's needs.
- Any of the parties has given false or misleading information about the application.
- There are current rechargeable repairs charges outstanding by any of the parties.

This list, while comprehensive is not exhaustive and each application will be fully assessed by a member of the Operations Team before granting or refusing consent.

4. Mutual Exchange Procedures

- 4.1. Any tenants wishing to mutually exchange their homes must each (all) complete a mutual exchange application form which is available from this office. (Appendix 1). On receipt of the application forms, acknowledgement will be issued to both (all) tenants confirming that a member of the Operations Team will carry out all appropriate eligibility checks including carrying out a house visits to discuss the implications of the mutual exchange to both (all) tenants and to inspect the properties. (Appendix 2)
- 4.2. Where one or more of the applicants is the tenant of another landlord, a full tenancy reference will be requested from the landlord. (Appendix 3)
- 4.3. The house visit will be carried out within 5 days of receipt of the application and if applicable the tenant(s) will be advised in writing of any repair work that requires to be carried out prior to the exchange being approved and will be given 48 hours to complete the work. A follow-up visit will be arranged after the 48 hours is up to check that the repair work has been completed and to a satisfactory standard. (Appendix 4)
- 4.4. A gas, electrical and joiner safety inspections will be carried out by the Association on the date the exchange takes place and access will need to be provided. (Appendix 5).
- 4.5. Where applicable, the tenant will be advised of the Right to Compensation under the terms of the Housing (Scotland) Act 2001. (Appendix 6)
- 4.6. Disconnection and reconnection of cookers, washing machines, etc. are the responsibility of exchanging tenants, therefore, tenants must be advised of the Association's Policy and likely costs involved. (Appendix 7)
- 4.7. Meter readings are the responsibility of exchanging tenants, along with notifying appropriate suppliers.
- 4.8. If, after all necessary checks are completed, the exchange is then approved, the tenant will be notified in writing (appendix 8). If the exchange is not approved, the tenants will be advised in writing of the Association's decision and the reason for the refusal, along with their Right of Appeal (appendix 8a) and how this can be carried out. We will either grant or refuse the exchange in writing within 28 days of receiving the application.
- 4.9. New Scottish Secure Tenancy Agreement(s) require to be signed and the date for the exchange will be agreed with the tenant(s). On the date of entry, the gas and electric check will be carried out at and agreed time. (appendix 9)
- 4.10 Rent is due monthly in advance and tenant(s) must be advised of the rent payments due. (appendix 10).

5 Appeals Procedure

Any applicant unhappy about a decision relating to a mutual exchange request must submit a written appeal to the Housing Manager within 28 days of receiving the decision.

The Housing Manager will review the appeal and provide the applicant with the result of their decision in writing. They will consider the following:

- The parties' individual circumstances, especially their amount of housing need
- The justification for rejecting the exchange and any advantages that might result from authorising it for the Association

If the applicant is still dissatisfied, recourse can be sought through the Association's Complaints Policy and Procedure.

6. Equal Opportunities Statement

We recognise our pro-active role in valuing and promoting diversity, fairness, social justice and equality of opportunity by adopting and promoting fair policies and procedures. We will check this policy and associated procedures regularly for their equal opportunity implications, taking appropriate action to address inequalities likely to result or resulting from implementation of the policy and procedures. We are committed to providing fair and equal treatment to all applicants and tenants and will not discriminate against any on the grounds of race, colour, ethnic or national origin, religion, age, gender sex, sexual orientation, marital status, family circumstances, employment status or physical ability.

7. Processing Information – General Data Protection Regulations

Cassiltoun Housing Association will process information and data contained within the Housing Applications in accordance with its Policies and Procedures relating to the General Data Protection Regulations and all applicants will be issued with a Fair Processing Notice.

All staff members will be made aware of their responsibilities in relation to the General Data Protection Regulations and will be trained in the process that the Association has introduced to ensure compliance with GDPR.

8. Policy Review

This Policy will be reviewed on a 3 yearly basis or earlier if the legislation changes to ensure that its aims are being met.



Castlemilk Stables 59 Machrie Road Castlemilk Glasgow G45 0AZ

CASSILTOUN HOUSING ASSOCIATION LTD APPLICATION FOR MUTUAL EXCHANGE OF ACCOMMODATION

Tenant name: «First_Occup_Title» «First_Occup_Forenames» «First_Occup_Surname»
Joint tenant name: «Second_Occup_Title» «Second_Occup_Forenames» «Second_Occup_Surname»
Tenant date of birth: «Birth_Date_1»
Joint tenant date of birth: «Birth_Date_2»
Address: «Unit_Description» «House_Code» «Address_Line_1» «Postcode»
Tel number/s:
Date of Entry to Present Address:
Monthly Rent:
No. of Bedrooms
Name of Landlord: Cassiltoun Housing Association
Previous Address if less than 3 years:

Name	Date of Birth	Relationship to You
Do you have any relatives who a f yes, please give details:	are tenants of the Associ	ation? YES/NO
i yes, piease give details.		
Are you, or is anyone else in you		or
Otherwise connected with a mer Management Committee or Staf f yes, please give details:		YES/NO
il yes, piease give details.		120/110
Do you, or does any member of arrears of rent to your current or	your household, owe an	
Do you, or does any member of arrears of rent to your current or	your household, owe an	y
Do you, or does any member of arrears of rent to your current or lf yes, please give details:	your household, owe an	y
Do you, or does any member of arrears of rent to your current or If yes, please give details:	your household, owe and previous landlord?	y
Do you, or does any member of arrears of rent to your current or If yes, please give details:	your household, owe and previous landlord?	y

Have there been any incidents of anti-social behaviour Caused by you or any member of your household during this or previous tenancies? If yes, please give details:	YES/NO
Has any Legal Action been taken against you, or any member of your household, by your current or previous landlord? If yes, please give details:	YES/NO
Details of tenant with whom you propose exchanging house:	
Name	
Tel No	
Address	
Reasons for Mutual Exchange:	
	• • • • • • • • • • • • • • • • • • • •

Conditions of Exchange

- 1. The exchanged houses must have been occupied by all the persons included in the application for at least one year prior to the date of application.
- 2. Each party must remain in occupation for at least one year from Date of Entry to exchanged house.

Declaration

I certify that the information given in this application is correct and I consent to Cassiltoun Housing Association making enquires to confirm information.

I agree to advise the Association of any changes of circumstances which may affect this application.

I understand that any false or misleading information, or information deliberately withheld, may result in action being taken to reverse the mutual exchange and terminate the tenancy.

Signature of Applicant.....

Date			
Address			
For office use only			
	Date	Initials	
Rent Account checked			
Home Visit carried out			
Tenancy Report sent			
Tenancy report Received			

Your ref: «Tenant_Number»

Date: XXXXXX

```
«First_Occup_Title» «First_Occup_Forenames» «First_Occup_Surname»
«Unit_Description»
«House_Code» «Address_Line_1»
«Address_Line_2»
«Postcode»
```

Dear «First_Occup_Title» «First_Occup_Surname»,

MUTUAL EXCHANGE

Further to your recent application to exchange tenancies I would like to confirm acknowledgment of this application. I will house visit your tenancy on XXXXXXX at XXXXXXX to discuss this matter further.

I may be accompanied by our Technical Officer who will carry out a maintenance inspection of your property. If the arranged date or time is not suitable, please contact me immediately to make alternative arrangements.

If you wish a further explanation of the details contained in this letter or require a copy on large print, Braille, or an alternative language please let me know and I will arrange to have this done.

Yours sincerely

Name

VOID INSPECTION RECORD SHEET

Address:		
Void/Occupied:		
Property Type & Size:		
Designated Officer:		
	DATE / YES / NO	OFFICER/COMMENTS
Notice received		
Tenancy terminates		
Pre-void inspection date		
Tenant advised of outstanding work/repairs requiring finalising by end of tenancy		
Void inspection		
Electric/Gas check ordered		
Keys:	Proposed Date	Actual Date
Sets of keys for Property		
Keys passed to Housing Officer – ready to let		

END OF TENANCY INSPECTION SHEET AND CHECKLIST

HOUSING ASSOCIATION F	OUSE INSPECTION FORM
PROPERTY ADDRESS:	INSPECTING STAFF NAME/S:
TYPE OF PROPERTY:	SIGNATURE/S:
PROPERTY REFERENCE:	
	DATE OF INSPECTION:
LOCK CHANGE REQUIRED?	YES / NO

FORWARDING TEL.NO:		
TENANT RECHARGE?	YES/NO	
DETAILS/ARRANGEMENT:		
GARDEN	YES/NO	
CONDITION OF GARDEN:		
TYPE OF HEATING SYSTE	M:	
POWER CARD	YES/NO	
METER READINGS: GAS		_ ELECTRIC
SMOKE DETECTOR:	YES/NO	BATTERIES
HALL		
CLEANLINESS:		DOOR HANDLES:
DECORATION/PAINTWORK	< :	CARPETS/FLOORING?
LOCKS:		_SOCKETS/SWITCHES

LIVING ROOM	
CLEANLINESS:	DOOR HANDLES:
DECORATION/PAINTWORK:	SOCKETS/SWITCHES:
FIRE:	HEATERS
WALLS:	WINDOWS: GLAZING
CEILING:	HANDLES
CARPET/FLOORING:	LOCKS
LIGHT FITTINGS:	
BEDROOM 1	
CLEANLINESS:	DOOR HANDLES:
DECORATION/PAINTWORK:	SOCKETS/SWITCHES:
LIGHT FITTINGS:	HEATERS
WALLS:	WINDOWS: GLAZING
CEILING:	HANDLES
CARPET/FLOORING:	LOCKS
BEDROOM 2	
CLEANLINESS:	DOOR HANDLES:
DECORATION/PAINTWORK:	SOCKETS/SWITCHES:
LIGHT FITTINGS:	HEATERS
WALLS:	WINDOWS: GLAZING
CEILING:	HANDLES
CARPET/FLOORING:	LOCKS

BEDROOM 3	
CLEANLINESS:	DOOR HANDLES:
DECORATION/PAINTWORK:	SOCKETS/SWITCHES:
LIGHT FITTINGS:	HEATERS
WALLS:	WINDOWS: GLAZING
CEILING:	HANDLES
CARPET/FLOORING:	LOCKS
BEDROOM 4	
CLEANLINESS:	DOOR HANDLES:
DECORATION/PAINTWORK:	SOCKETS/SWITCHES:
LIGHT FITTINGS:	HEATERS
WALLS:	WINDOWS: GLAZING
CEILING:	HANDLES
CARPET/FLOORING:	LOCKS
BEDROOM 5	
CLEANLINESS:	DOOR HANDLES:
DECORATION/PAINTWORK:	SOCKETS/SWITCHES:
LIGHT FITTINGS:	HEATERS
WALLS:	WINDOWS: GLAZING
CEILING:	HANDLES
CARPET/FLOORING:	LOCKS

BATHROOM	
DECORATION/ PAINTWORK	CLEANLINESS:
SOCKETS/SWITCHES:	WINDOWS: GLAZING:
CEILING:	HANDLES
BATH:	LOCKS
WC:	WHB
FLOORING:	LIGHT FITTINGS
KITOUEN	
KITCHEN	
GAS:	ELECTRIC
DECORATION/PAINTWORK:	FLOORING:
CLEANLINESS:	UNITS:
SOCKETS & SWITCHES:	WINDOWS: GLAZING
SINK:	HANDLES
CEILING:	
LOCKS	
LIGHT FITTINGS:	
W.C. ROOM/CLOAKROOM	
DECORATION/PAINTWORK	CLEANLINESS:
SOCKETS/SWITCHES:	WINDOWS: GLAZING:
CEILING:	HANDLES:
BATH:	LOCKS:
WC:	WHB
FLOORING:	LIGHT FITTINGS:

ARE THERE ANY IMPROVEMENTS THAT THE TENANT HAS MADE TO THE PROPERTY?
REPAIRS REQUIRED:
REDECORATION REQUIRED:
REDECORATION ALLOWANCE?VALUE:DATE ALLOCATED
EXPECTED REPAIRS COMPLETION DATE:
ANY OTHER COMMENTS:
I agree all items identified above are correct.
Tenant Signature:
Cassiltoun H.A. Signature:
Any other items identified when flat is vacated not listed above will be deemed as damaged by tenant which is an offence for which you are liable.
SIGNATURE OF STAFF MEMBER:
DATE:

DECLARATION

I,agree that on accepting the tenancy at	
Fully understand that the following items below will be my responsibility throughout th duration of my tenancy. i.e.	ıe
Signed:	
Witnessed:	
Dated:	

TENANCY REFERENCE REQUEST – CASSILTOUN HOUSING ASSOCIATION LTD				
Name				
Address				
Current/ Former Landlord				
Date Tenancy Commenced/ Date Tenancy Completed//				
Household Details (Description Of Present/Former Residence):				
Total Bedrooms	Double Sin	gle		
Family Details				
Name	Date of Birth	Relationship to Applicant		
Rent £ Weekly/Monthly				
None 2 Weekly/Worlding				
Benefits: No Housing Benefit/ Full Housing Benefit/ Partial Housing Benefit/ Universal Credit				
Amount:				
Currently Rent Balance?	YES/ NO			
Have Rent Payments Been Ma	YES/ NO			
Is Any Existing Balance Likely	enefit? YES/ NO			
Has An Arrangement Been Ma	YES/ NO			
How Long Has The Arrangement Been Running?				
Has It Been Kept?	YES/ NO			
If "NO" Please Give Details:				
Has Legal Action Ever Been Taken Against The Tenant For Rent Arrears? YES/				
NO If "YES" Please Give Details:				
·				

Has There Been Any Outstanding Re-cha	urgeable?		
Condition Of Garden – If Applicable			
Details Of Pets			
Condition Of Interior Of Property			
Have Problems Other Than Rent Been Experienced With This Tenant? Has There Been Any History Of Anti-Social Behaviour, Or Any Other Relevant Breach Of Tenancy?			
YES/ NO			
If 'YES' Please Give Details:			
Any other comments you may wish to ma	ke that could assist us in assessing the suitability of		
Any other comments you may wish to make that could assist us in assessing the suitability of this applicant: -			
CICNATURE	DATE		
	DATE		
AUTHORITY	CASSILTOUN REF		
CONTACT INFORMATION			

Your ref: «Tenant_Number»

Date: XXXXXX

```
«First_Occup_Title» «First_Occup_Forenames» «First_Occup_Surname»
«Unit_Description»
«House_Code» «Address_Line_1»
«Address_Line_2»
«Postcode»
```

Dear «First_Occup_Title» «First_Occup_Surname»,

MUTUAL EXCHANGE

Further to the recent inspection carried out on XXXXXXX, I write to confirm details of works which you are required to carry out prior to us being able to approve your mutual exchange:

- 1.
- 2.
- 3.

Please have this work completed by XXXXXXXX when I will re-inspect your tenancy.

I trust the above is of assistance to you, but if you wish to discuss any of the above, please do not hesitate to contact me at the office.

If you wish a further explanation of the details contained in this letter or require a copy on large print, Braille, or an alternative language please let me know and I will arrange to have this done.

Yours sincerely

Name

Appendix 5

Our ref: CHA/ME/05

Your ref: «Tenant_Number»

Date: XXXXXX

```
«First_Occup_Title» «First_Occup_Forenames» «First_Occup_Surname»
«Unit_Description»
«House_Code» «Address_Line_1»
«Address_Line_2»
«Postcode»
```

Dear «First_Occup_Title» «First_Occup_Surname»,

MUTUAL EXCHANGE

Further to your recent application to exchange tenancies, I must advise that if this exchange is approved, it is necessary for safety inspections to be carried out by our Gas Engineer, Electrical Engineer and Joiner on the date of the exchange and access must be provided for this.

Your cooker must be disconnected by either a Gas Safe registered Gas Engineer or approved Electrician and appropriate certificates submitted to our office. The Association will not be responsible for disconnecting or reconnecting these appliances.

I trust the above is of assistance to you, but if you wish to discuss this further please do not hesitate to contact me at the office.

If you wish a further explanation of the details contained in this letter or require a copy on large print, Braille, or an alternative language please let me know and I will arrange to have this done.

Yours sincerely

Name **Designation**

Your ref: «Tenant_Number»

Date: XXXXXX

```
«First_Occup_Title» «First_Occup_Forenames» «First_Occup_Surname»
«Unit_Description»
«House_Code» «Address_Line_1»
«Address_Line_2»
«Postcode»
```

Dear «First_Occup_Title» «First_Occup_Surname»,

RIGHT TO COMPENSATION

Further to the recent inspection carried out at your tenancy, I have noted you may be entitled to payments under the Right to Compensation.

In order that we can discuss this further, I have made an appointment for you to see me on XXXXXXXXX.

If the above appointment is not convenient, please contact me at the office to arrange a suitable alternative.

If you wish a further explanation of the details contained in this letter or require a copy on large print, Braille, or an alternative language please let me know and I will arrange to have this done.

Yours sincerely

Name

Your ref: «Tenant_Number»

Date: XXXXXX

```
«First_Occup_Title» «First_Occup_Forenames» «First_Occup_Surname»
«Unit_Description»
«House_Code» «Address_Line_1»
«Address_Line_2»
«Postcode»
```

Dear «First_Occup_Title» «First_Occup_Surname»,

MUTUAL EXCHANGE

Further to your recent application to exchange tenancies, I must advise that if this exchange is approved, it is necessary for safety inspections to be carried out by our Gas Engineer, Electrical Engineer and Joiner prior to the new tenant moving into your house and you will be responsible for all costs incurred to carry out these inspections.

I have attached the costs involved and would also advise you that you are also responsible for having any household appliances disconnected and pay for any costs involved. Your cooker must be disconnected by either a Corgi registered Gas Engineer or approved Electrician and appropriate certificates submitted to our office.

I trust the above is of assistance to you, but if you wish to discuss this further please do not hesitate to contact me at the office.

If you wish a further explanation of the details contained in this letter or require a copy on large print, Braille, or an alternative language please let me know and I will arrange to have this done.

Yours sincerely

Name **Designation**

Your ref: «Tenant_Number»

Date: XXXXXX

```
«First_Occup_Title» «First_Occup_Forenames» «First_Occup_Surname»
«Unit_Description»
«House_Code» «Address_Line_1»
«Address_Line_2»
«Postcode»
```

Dear «First_Occup_Title» «First_Occup_Surname»,

MUTUAL EXCHANGE

Further to your request to exchange tenancies to XXXXXXXXX, I write to confirm that all necessary checks have now been carried out and this exchange has been approved.

In order that I can confirm suitable dates for the removal, please contact me at the office immediately to discuss this.

If you wish a further explanation of the details contained in this letter or require a copy in large print, Braille or an alternative language, please let me know and I will arrange to have this done.

Yours sincerely

Name

Our ref: CHA/ME/08.A Your ref: «Tenant_Number»

Date: XXXXXX

```
«First_Occup_Title» «First_Occup_Forenames» «First_Occup_Surname»
«Unit_Description»
«House_Code» «Address_Line_1»
«Address_Line_2»
«Postcode»
```

Dear «First_Occup_Title» «First_Occup_Surname»,

MUTUAL EXCHANGE

Further to your request to exchange tenancies to XXXXXXXXX, I write to confirm that all necessary checks have been carried out and unfortunately, I cannot approve this exchange.

The reason(s) for this are as follows:

- 1.
- 2.
- 3.

If you do not agreed with this decision you can, in the first instance, contact myself. If you are still dissatisfied after this, you should appeal, in writing, to the Association's Housing Manager. If this matter is not resolved by this stage, recourse can be sought through the Association's Complaints Policy and Procedure.

. Where, after following the above procedures, you still disagree with the decision taken, you may appeal to Scottish Public Services Ombudsman, 99 McDonald Road, Edinburgh EH7 4NS.

If you wish a further explanation of the details contained in this letter or require a copy in large print, Braille or an alternative language, please let me know and I will arrange to have this done.

I trust all of the above is of assistance to you.

Yours sincerely

Name

Your ref: «Tenant_Number»

Date: XXXXXX

```
«First_Occup_Title» «First_Occup_Forenames» «First_Occup_Surname»
«Unit_Description»
«House_Code» «Address_Line_1»
«Address_Line_2»
«Postcode»
```

Dear «First_Occup_Title» «First_Occup_Surname»,

MUTUAL EXCHANGE

Further to our recent discussion regarding the above, I write to confirm that your keys should be handed into our office on XXXXXXXX (date) by XXXXXXX (time).

If you wish a further explanation of the details contained in this letter or require a copy on large print, Braille, or an alternative language please let me know and I will arrange to have this done.

Yours sincerely

Name **Designation**

Your ref: «Tenant_Number»

Date: XXXXXX

```
«First_Occup_Title» «First_Occup_Forenames» «First_Occup_Surname»
«Unit_Description»
«House_Code» «Address_Line_1»
«Address_Line_2»
«Postcode»
```

Dear «First_Occup_Title» «First_Occup_Surname»,

MUTUAL EXCHANGE

As your request to exchange tenancies has now been approved, I write to confirm your date of moving is XXXXXX (date). This means you will be due to pay £XXXXX to cover the rent due to this date.

You must contact this office immediately to make this payment to your account as this could affect your Mutual Exchange.

If you wish a further explanation of the details contained in this letter, or require a copy in large print, Braille or an alternative language, please let me know and I will arrange to have this done.

I trust all of the above is of assistance to you.

Yours sincerely

Name