

A guide to applying for an exchange

This guide is designed to explain to tenants the requirements and procedures involved in applying for an exchange.

An exchange is when 2 or more tenants agree to swap their homes. All secure (Council) and most assured (housing association) tenants have the right to exchange, **subject to specific legal requirements and conditions. Introductory tenants do not have this right.**

Requirements

Once you have found your exchange partner, all tenants must complete the yellow form called **“Application for an Exchange”**. You can obtain a form from ‘The One Stop Shop’ Swindon Borough Council, Wat Tyler House East, Beckhampton Street, Swindon SN1 2JH or by contacting the New Tenancy and Exchange Officer on 01793 463288 or 01793 464309 and asking for one to be posted to you or by downloading one from the Council’s website www.swindon.gov.uk/housing

All tenants must have a clear rent account, no outstanding housing-related debts and Council tenants must make sure that their tenancy is secure.

It is your responsibility to make arrangements to view any property considered for the exchange. This is very important because when you exchange, you are agreeing to take the property in its present condition, which may mean taking responsibility for alterations that the existing tenant has carried out. Once you submit your exchange request, we will assume that you have already viewed each other’s property and that you want to exchange with each other.

Landlord’s Consent

All exchange requests will be considered, **subject to specific legal requirements and conditions**. However, many exchange requests fail because of one of the following reasons:

- The council has a possession order for your property, given by the court
- The council has started possession proceedings against your tenancy
- The property into which you wish to exchange is substantially bigger than is reasonable for the needs of your family
- The property into which you wish to exchange is not reasonably suitable to the needs of your family
- The property into which you wish to exchange has been designed or adapted to make it suitable for occupation by a disabled person and the proposed assignee is not disabled and has no need of these adaptations.

If consent to your exchange request is **refused**, you will be informed of this decision in writing, within 42 days of receipt of the request, explaining why it cannot proceed. **The process is completed at this stage.**

If your request is accepted, we will write to you within 42 days of receipt of the request, confirming that consent to the exchange is given subject to the following conditions:

- That you have paid your rent up-to-date
- That you have not broken the terms and obligations of your tenancy agreement
- That the tenant with whom you wish to exchange has the written permission of their landlord.

What Happens Next?

If you are a tenant of Swindon Borough Council, your Neighbourhood Housing Officer will call on you at an agreed time, to verify the information you have given on your application form and to carry out a property inspection. Inspectors from Swindon Commercial Services Ltd will call on you at an agreed time, to carry out gas and electrical safety inspections.

Please note:

It is your responsibility as the tenant to ensure that your property is in good order and to carry out any repairs requested of you by any of the inspectors. If your property fails one of its inspections, a further inspection will be carried out if appropriate to ensure all works are carried out to the satisfaction of the Council.

When the signed-off property inspection report, tenancy information and the gas and electrical safety certificates have been received, your rent account will be checked again. Once a date has been agreed, an appointment will be made for both tenants to come to Housing Reception, to complete the exchange.

Completing the Exchange

This is done by Deed of Assignment, signed by both the outgoing tenant and the incoming assignee and witnessed by an officer of your landlord. This Deed transfers the existing tenancy of the property from one tenant to the other tenant, without creating any new tenancies.

Please ensure that you have a clear rent account at time of sign-up. Each rent account will be checked for the final time on the morning of the scheduled appointment. If your rent account shows there is rent owing, it is your responsibility to pay this in full, before the Deed of Assignment can be signed and witnessed and before you can move.

Please understand that **you must not move** before a Deed of assignment has been completed. Should you do so, you will lose your security of tenure and the Council will take legal action against you.

Once the Deed of Assignment has been signed and witnessed, the exchange has been completed and you must move.

Removal arrangements and costs are your responsibility and you must ensure that on moving day, your property and garden are left clean, tidy and rubbish-free. The council will not usually remove any rubbish left behind after an exchange, but if it is necessary, you will be recharged for the costs involved.

Useful Tips

- Arrange to have your mail redirected by the Post Office
- Read your meters and keep a note of the readings
- Contact your utility providers, e.g. gas, electricity, water, telephone
- Contact other agencies, e.g. Council tax, housing benefits, benefits agency

Important Message

If you are an existing housing benefit claimant in the borough of Swindon or you are moving into the borough and need to make a fresh claim, you must contact the housing benefits section immediately after completing your exchange:

Telephone number 08458 500962

Housing Benefits Reception - opening hours Monday – Friday,
9.00 a.m. – 4.30 p.m.

Unauthorised changes to property.

On a number of occasions an application for mutual exchange is delayed as tenants carry out work without obtaining the necessary permission from Swindon Borough Council, before starting work.

The main types of unauthorised works that are carried out include the following:

1. New doors.
2. New bathrooms
3. New kitchens
4. New patio doors
5. New laminate flooring
6. Conservatories and out buildings
7. New banister rail

If you have carried out unauthorised work, and to speed up your exchange request, it will be necessary for you to write to the address below to seek retrospective written permission from us for the work to be carried out.

**Housing
Customer Modification Request
Swindon Borough Council
Civic Offices
Euclid Street
Swindon
SN1 2JH.**

This information about A Guide to Applying for an Exchange is available on the internet at www.swindon.gov.uk.

It can be produced in a range of languages and formats (such as large print, Braille or other accessible formats) by contacting the Customer Services Department.

Tel: 01793 445500 Fax: 01793 463331

E-mail: customerservices@swindon.gov.uk

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