



Mutual exchange  
(swapping your property  
with another tenant)  
including Mutual  
Exchange Application

A guide for residents

This leaflet contains information and guidance on how to move or swap your property with another tenant of a housing association or a council in a process called a 'mutual' or 'direct' exchange.

## General information

Tenants who want to move, but do not have a high priority on a waiting or transfer list, are encouraged to try to exchange (or swap) with another tenant. They can be one of our tenants or a tenant of another housing association or council.

As a JRHT tenant you have the right to exchange with another tenant, provided you have written consent from us.

You can display details of your property at The Garth, White Rose Avenue, New Earswick. Telephone 0800 5870211 (freephone). The form is attached to this leaflet. Please note that your personal contact details will be on public display.

Once you have identified a suitable partner or partners for an exchange you must fill in a Mutual Exchange request form (available from Neighbourhood Service Officers at The Garth) and return to us.

## What happens next

Once we have received your completed written request form we have 42 days to deal with your request. During that period we will either:

1. give our written consent to your exchange request;
2. give our written conditional consent to your exchange request – we will tell you what these conditions are and what you have to do; or
3. write advising that your request is refused – we will tell you why you cannot assign (exchange) your tenancy.

If we agree to your request then all parties involved will need to agree a date for you to move. Before then you will need to sign a Deed of Assignment. You cannot move until you have signed this document.

We will maintain the structure and fittings of the property under the tenancy agreement. Tenants who exchange accept the property “as seen”. Any damage caused by the outgoing tenant becomes the responsibility of the incoming tenant, who is liable either to carry out, or pay for, the repair.

## Terms and conditions of exchanging tenancies

- Tenancies are usually exchanged by a Deed of Assignment;
- We will deal with your request to exchange within 42 days of receiving your written request;
- We will only refuse consent for you to exchange under one of the grounds contained in Schedule 3 of the Housing Act 1985;
- Providing the following conditions are met it is unlikely that we would refuse your request to exchange:
  - You have consent in writing from both us and any other landlord involved, before you move;
  - You do not owe any housing-related debt to us;
  - Your tenancy has been conducted in a satisfactory manner – there is not a Notice of Seeking Possession (NSP) or Suspended Possession Order (SPO) currently in force;
  - The exchange will not result in overcrowding or under-occupation\*;

- \* *one bedroom more than your family needs would not be seen as under-occupation.*
- If there has been a minor breach of tenancy, which you can easily correct, for example small arrears or minor damage to the property, we may give you conditional consent to exchange.

## Mutual Exchanges: for your information

You should think carefully before you agree to assign (exchange) your tenancy with another person. If you subsequently withdraw from the exchange, you may be liable for any loss and/or damages that the other person suffers. You may want to get independent advice about exchanging your tenancy from a lawyer, the CAB or other adviser.

## Exchange Information Sheet

Name:

Address

Telephone number

Postcode

Landlord's name, address and telephone no.

Council Tax Band

A

B

C

D

E

Property offered

Area:

No of bedrooms:

Type of property: e.g. flat, house

Layout of property: e.g. dining area,  
downstairs WC

Garden: e.g. size, front, back	
Parking: e.g. driveway	
Other features: e.g. security measures	
Local amenities: e.g. schools, shops, bus stops, GP	
Property wanted	Area:
	No of bedrooms:
Type of property: e.g. flat, house	
Layout of property: e.g. dining area, downstairs WC	
Garden: e.g. size, front, back	

Parking: e.g. driveway	
Other features: e.g. security measures	
Local amenities: e.g. schools, shops, bus stops, GP	
Date of application:	To be withdrawn
Extended to:	To be withdrawn
Extended to:	To be withdrawn
Signed:	
Date:	

By signing this form, I agree to my personal contact details being displayed in public.

Joseph Rowntree Housing Trust  
The Garth  
White Rose Avenue  
New Earswick  
YORK  
YO32 4TZ

Open Monday to Friday from 8.30am to 5.00pm. Please be aware the office opens at 10.00am on Wednesday mornings due to staff training.

Tel: 0800 5870211 (freephone from landlines and some mobile networks)

Fax: 01904 735001

We welcome calls using typetalk.

Email: [information@jrht.org.uk](mailto:information@jrht.org.uk)



JRHT is a registered housing association, managing around 2,500 homes, and is a registered provider of care services.

[www.jrht.org.uk](http://www.jrht.org.uk)

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Chinese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja moze być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (ہولی) میں بھی مہیا کی جا سکتی ہیں۔ (Urdu)

It is also available in other formats (such as large print, Braille or audio) from the Communications Department at JRF  
Tel: 01904 615979 Email: [info@jrf.org.uk](mailto:info@jrf.org.uk).

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