

A guide to applying for an exchange

Gathering of personal information statement

The information you provide will be used to assess your exchange application and may be shared with other local authorities or registered social landlords for the purposes of agreeing or refusing consent to the exchange and for compiling statistics.

Guide to applying for an exchange

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

- An exchange is when two or more tenants agree to swap their homes.
- All secure (council) and most assured (housing association) tenants have the right to exchange their homes, **subject to specific legal requirements and conditions**.
- If you are in receipt of housing benefit and you have any queries or concerns regarding applications to exchange, please contact housing management services using the contact details at the back of this leaflet.

Tenants on introductory tenancies **do not** have a right to exchange.

Requirements

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

If you have debts, your request to exchange will be consented to, but only upon the condition that your rent account or debt is first cleared.

If you are a council tenant on an introductory tenancy, your request to exchange will initially be declined. However, once your tenancy has become secure, this decision can be reconsidered.

It is your responsibility to make arrangements to view any properties 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 due to 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 you wish to exchange with yours is substantially bigger than is reasonable for the needs of your family.
- The property you wish to exchange with yours is not suitable for the needs of your family.
- The property you wish to exchange with yours 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.

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

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

What happens next?

If you are a tenant of Wiltshire Council, your neighbourhood manager 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. Contractors working on behalf of Wiltshire Council will contact you to arrange carrying 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, it is your responsibility to contact the inspector directly to arrange a re-inspection, once the required repairs have been carried out.

When the signed property inspection report and the tenancy information and gas and electrical safety certificates have been received, your rent account will be checked again. If the rent account is clear, we will contact you to ask you for the date on which you want to move. Once a date has been agreed, an appointment will be made for both tenants to come to housing reception to complete the exchange.

The process will differ slightly where an exchange involves an assured tenant, as two sets of exchange requests with two different housing providers must be completed and signed before the exchange can proceed. In such cases, your neighbourhood manager will advise you of the procedures for completing 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 or your landlord.

This deed transfers the existing tenancy of the property from one tenant to the other tenant, without creating any new tenancies.

If you exchange with a housing association tenant or tenant of another registered social landlord, you will have to undergo two sets of deed assignments, one with us and another with the other housing provider.

Please ensure that you have a clear rent account at the time of sign-up.

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.

Contact us

If you require any further information, please contact us:

Postal address: Housing Management, Department of Neighbourhood and Planning, P.O. Box 2281, Wiltshire Council, Salisbury, SP2 2HX.

Telephone: 01722 434294 or 0300 456 0100 (low cost call)

In person: Housing Management, Department of Neighbourhood and Planning, 25-27 Milford Street, Salisbury, SP1 2AP.



Information about Wiltshire Council's services can be made available on request in other languages and formats such as large print and audio. Please contact the council on 0300 456 0100, by textphone on 01225 712500 or by email on customerservices@wiltshire.gov.uk