

Assignment and mutual exchange Policy

Policy Statement

Bron Afon is committed to promoting our mutual exchange scheme. We will assist tenants seeking alternative accommodation by way of exchange.

Bron Afon will deal with all applications for assignment promptly, fairly and efficiently. Where an assignment is ordered by the court, we will act in accordance with the court's determination.

Where applications for assignment are agreed, we will make the necessary administrative changes quickly. Where applications are turned down, we will inform the tenant of this, stating our reasons for the refusal in writing.

Mutual Exchanges

Bron Afon will maintain a register of tenants wishing to exchange homes and ensure that all tenants have access to the register.

We will ensure that information about mutual exchanges is publicised through the Tenants Handbook and Newsletters.

Tenants can exchange homes with another tenant of Bron Afon, a local authority or another registered social landlord, but only if:

- They have permission to do so; and
- The other tenant(s) has permission from his or her landlord (or from us if he or she is also our tenant).

We will apply the rules on exchange as if section 92 of the Housing Act 1985 applied to the tenancy i.e. as if this were a council secure tenancy.

Assessing mutual exchange applications

Bron Afon will investigate each request for a mutual exchange by carrying out a home visit to assess the property's state of repair and decorative condition and making requests to other landlords for references.

Tenants who request a mutual exchange will be advised of any changes in their rights and terms of tenancy resulting from an exchange with a tenant of another landlord.

Within 42 days of receipt of a written request for a mutual exchange, applicants will be informed if permission to exchange has been given or refused. If the request is refused, Bron Afon will not tell the other parties why.

Tenants who exchange, accept the new home 'as seen' and any damage caused by the outgoing tenant will become the responsibility of the incoming tenant and will need to be repaired at his/her own expense.

Reasons why a mutual exchange application may be refused

We can refuse the tenant permission to exchange homes for any of the following reasons:

- The tenant is in rent arrears, until they have paid off the arrears.
- They have broken the terms of their tenancy agreement, until they put the breach right.
- We have obtained a court order against the tenant requiring them to leave their home.
- We have begun court proceedings against the tenant requiring them to leave their home or served them with a notice that we intend to take court proceedings.
- The tenant's home is larger than is reasonably needed by the person(s) whom the tenant is proposing to exchange with.
- Where we provide the property to certain categories of people, (for example, people with physical disabilities) and the exchange would result in it being occupied by someone without those needs.
- Where we provide specialist support or specialist accommodation for people with special needs and the exchange would result in the property being occupied by someone without

those needs.

Assignment

Assessing applications to assign

Bron Afon will consider applications for assignment in the following circumstances:

- A Court in family proceedings orders the tenant to transfer the tenancy.
- The tenant exchanges homes with our permission.
- The tenant transfers (assigns) the tenancy in the circumstances allowed (paragraph 7.2 of the Tenancy Agreement)

Where is assignment allowed?

Assignment is allowed only if the tenant has not succeeded to the tenancy from someone else. We can advise the tenant if this is the case. Assignment is only permitted to:

- Husband, wife or partner*.
- A member of the tenant's family** who has lived with the tenant throughout the last 12 months.

*Partner means a man and woman living together as husband and wife and same sex partners living together whether or not they have also registered as civil partners.

**The following people count as members of the family: parent, grandparent, child (including step-child), grandchild, brother, sister, uncle, aunt, nephew, niece).