

MUTUAL EXCHANGE APPLICATION

YOUR PERSONAL DETAILS

NAME OF TENANT(S)			
ADDRESS			
TELEPHONE NUMBERS	HOME		
	WORK		
	MOBILE		

YOUR PROPERTY DETAILS

Please tick your current landlord details

Clackmannanshire Council	<input type="checkbox"/>	Ochil View Housing Association	<input type="checkbox"/>
Other: Please give details			

Please provide your current property type, floor level and bedroom size

Type		Floor Level		Size	
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Has your property been medically adapted in any way? YES No

If yes, please provide details of the adaptations made

FAMILY COMPOSITION

PLEASE LIST DETAILS OF EVERYONE LIVING IN THE PROPERTY INCLUDING TENANT & JOINT TENANT			
NAME	DATE OF BIRTH	RELATIONSHIP TO TENANT	NATIONAL INSURANCE NUMBER
		TENANT	
		JOINT TENANT	

Please provide reasons you have applied for a Mutual Exchange

PLEASE PROVIDE DETAILS OF THE TENANT YOU PROPOSE TO EXCHANGE WITH

PERSONAL DETAILS

NAME OF TENANT(S)	
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ADDRESS	
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TELEPHONE NUMBERS	HOME	
	WORK	
	MOBILE	

PROPERTY DETAILS

Please confirm the current landlord details

Clackmannanshire Council		Ochil View Housing Association	
Other: Please give details			

Please provide details of property type, floor level and bedroom size

Type		Floor Level		Size	
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FAMILY COMPOSITION

PLEASE LIST DETAILS OF EVERYONE LIVING IN THE PROPERTY INCLUDING TENANT & JOINT TENANT		
NAME	DATE OF BIRTH	RELATIONSHIP TO TENANT
		TENANT
		JOINT TENANT

Are you related to an employee, elected member or committee member of Clackmannanshire Council or Ochil View Housing Association? YES No

If Yes please give details

Name		Relationship	
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Did you find your exchange partner on the House Exchange website? YES No

PLEASE NOTE THAT WRITTEN CONSENT MUST BE OBTAINED FROM YOUR LANDLORD BEFORE THE EXCHANGE CAN GO AHEAD

Signature of Tenant _____ Date _____

Signature of Joint Tenant _____ Date _____

Signature of Spouse/Civil Partner (who is not a joint tenant)
_____ Date _____

Mutual Exchange Guide

Introduction

Clackmannanshire Council and Ochil View Housing Association have a common Mutual Exchange application form. If you wish to exchange you must apply in writing using the attached form and return it to your own landlord. If you are exchanging with another tenant of any of the participating landlords, Clackmannanshire Council or Ochil View Housing Association the forms can be returned to any and these will be passed to the relevant landlords involved.

Important Information

- If the tenant applying for the mutual exchange is a joint tenant, the landlord must obtain the consent of the other joint tenants. Consent must also be given by the spouse living in the property as their matrimonial home.
- The landlord(s) will notify all tenants of their decision on the application to exchange within 28 days. This is in accordance with the Housing Scotland Act 2001 (section 33) and schedule 5, part 2. If a decision is not given within this timescale, then consent is deemed to have been given.
- Please do not arrange to move until you have received written permission from your landlord. If more than one landlord is involved then written permission will have to be from all landlords involved.
- Please inspect the house you wish to exchange to and be satisfied that it is in an acceptable condition to you. The landlord of the property will **not** carry out repairs or decoration other than repairs specified in the tenancy agreement.
- The property will be inspected by the landlord and any repairs identified as necessary as a result of negligence by the tenant must be repaired at the tenant's expense prior to the exchange being approved.
- Where the property inspection identifies non-standard fixtures and fittings and the new tenant wishes to keep this feature, a signed disclaimer must be completed before the exchange is permitted and the tenancy agreement signed. However, in some instances this may not be permitted and you would be asked to re-instate items back to the original fixtures and fittings. Please always ensure with your landlord that you are clear as to what work is required prior to the exchange being permitted.

- Tenancy references will be requested from the relevant landlord as part of the process.

Refusal of Consent

Your landlord cannot unreasonably withhold consent to a mutual exchange however, it may be refused if there are reasonable grounds. The following are some examples of grounds specified in the housing legislation for grounds of refusal:

- If a Notice of Proceedings to recover the tenancy has been served on the tenant.
- If an order for recovery of possession has been made against the tenant.
- If the house was provided by the landlord in connection with the tenant's employment.
- If granting consent would result in statutory overcrowding as defined by legislation.
- Either of the tenants has rent arrears or recharge arrears which includes legal expenses.
 - ↳ Please note that depending on your landlord and the landlord of the tenancy you wish to exchange to they may expect you to have a clear rent account **or** an arrangement in place which has been maintained for 3 months. Please contact your own landlord for advice on this matter.
- If either of the tenants have a history of antisocial behaviour.
- The tenancy is a Short Secure Tenancy.
- If any of our properties were designed or adapted for a person with particular needs and the house will not be lived in by someone with those particular needs.
- If any of our properties has been designed for occupancy by people within a particular age range, and there is no-one of that age in the proposed household.
- If any financial incentive has been offered to complete the exchange.
- The accommodation in the other property is substantially larger than required by the tenant and the tenant's family, or is not suitable to the needs of the tenant's family.

The grounds for refusal taken from legislation are not exhaustive. There is no definite list of grounds for refusing consent and each case will be assessed on its own merits.

Only in exceptional circumstances will Landlords grant a mutual exchange where:

- Either party has a history of antisocial behaviour which would affect the management of the tenancy to be exchanged.
- Either party has any outstanding liability such as rent arrears and no agreed arrangement has been made to pay the outstanding liability or an arrangement to pay the outstanding liability has been broken.

- Where a mutual exchange would result in overcrowding or under occupation. Consideration of such a request would take into account the availability of accommodation in the area, the particular circumstances of the families concerned and the extent the mutual exchange would address existing issues of housing need.

If you require assistance completing the form you can contact any of the organisations; contact details for both landlords are detailed below. If your first language is not English we can arrange for the form to be translated. We can also provide copies in larger print if you require this.

<p>Clackmannanshire Council Tenancy Management Team Kilncraigs Greenside Street Alloa FK10 1EB Tel: 01259 225100</p>	<p>Ochil View Housing Association Ochil House Marshall Alloa FK10 1AB Tel: 01259 722899 Email: housing@ochilviewha.co.uk</p>
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