

Your guide to swapping your Council house



**Mutual
Housing
Exchanges**

This leaflet has been written to guide our named tenants through our mutual exchange process, for when you want to swap your rented property. Please note that any references to property inspections, safety checks, lock changes, etc., relate only to East Lothian Council properties, unless stated otherwise.

If you are the tenant of another Registered Social Landlord or local authority you will be subject to their policies and procedures regarding mutual exchanges.

East Lothian X-Changes

To make it easier for secure tenants in East Lothian to find an exchange, we run a joint list with East Lothian Housing Association (ELHA) called East Lothian X-Changes. The X-Changes list is easy to join and use.

You can join the list and search for a new home at www.eastlothian.gov.uk and on the ELHA website at www.elha.com – see page 11 for more information.

If you don't have access to the internet, you can fill out a paper application form at our local offices, or in the ELHA office.

Your address and property details will appear on the website, with a contact phone number or e-mail address, whichever you prefer. You do not have to provide contact details, but we will not contact you on someone else's behalf. This means that if you don't leave a phone number or e-mail address, anyone who wants to exchange with you will have to write to you or visit your home.

All tenants living in the property must agree to the exchange. Once all parties involved have submitted their application to us, we have 28 days to approve or refuse it. The process involves the following steps:

- When you have found a property you want to exchange to, you need to submit an application. If the mutual exchange is not with another Council tenant, you will also need to complete the new landlords exchange form.
 - The information you provide must be true and accurate. Following the exchange being approved, action may be considered by the Council to recover the tenancy if any information is found to be false.
 - **Please note:** if you, or the person you are exchanging with, have no intention of moving into the property and the exchange has been contrived so that someone can 'jump the queue' to a new home – we will take legal action to end your tenancy and force you to return to your home or end your tenancy.
 - Your Housing Officer will carry out tenancy checks, some of which are listed below.
1. Rent account check – your balance must be CLEAR and there is no tenancy related debt i.e. chargeable repairs.
 2. Household check – to make sure the property is suitable for your household's needs. We encourage tenants who are under occupying larger homes to exchange or downsize their properties. We give them the option of moving to a property that has one extra bedroom over and above their assessed household requirements (see table overleaf).

Family Group

Size of Property

Single person	Studio flat or 1 bedroom
Couple/civil partnership	1 or 2 bedrooms
Single parent with access to a child/children from a previous relationship	1 or 2 bedrooms
Couple/civil partnership or single parent with 1 permanently resident child	2 bedrooms
Couple/civil partnership or single parent with 2 permanently resident children	2 or 3 bedrooms
Couple/civil partnership or single parent with 3 permanently resident children	3 bedrooms
Couple/civil partnership who have permanently resident children of different sex, one of whom is over the age of 10	3 bedrooms
Couple/civil partnership or single parent with 4 or more permanently resident child	3 or 4 bedrooms

Resident children

You may be asked to provide Proof of Residency and checks may be carried out.

Definition of a child

A person is considered a child if they are aged 16 or under and still at school; or up to the age of 18 if they are in full time education. A person aged 16/17 and has left school, who may or may not be working, is considered an adult.

3. Adaptations. Has the property you are leaving, or has the property you wish to move to, been adapted? If yes, have you (or the person you wish to exchange with) been assessed by an occupational therapist (OT) as a person who needs the adaptation? You may have to provide proof of this from an OT otherwise your application may be refused.
4. Is there an active Notice of Proceedings for Recovery of Possession for a breach of tenancy e.g. untidy garden, condition of house?
5. Has any action been taken or is it being considered by the council on antisocial behaviour issues?
6. Are there any current court proceedings affecting your tenancy, i.e. Decree for Eviction?
7. Name of Tenant(s), for example, you may have a joint tenancy. Has the form been signed by the joint tenant(s)?

If there are no problems with these checks we will move to the next stage:

1. A property inspection and safety check will be arranged (see p7).
2. Tenancy references will be checked if you are not an ELC tenant.
3. Approval will be given once the property has passed the inspection and the tenancy reference are acceptable.
4. You will be notified of your date of entry and given an appointment with your new Housing Officer, to sign up for your new tenancy. This will normally be 7 to 14 days from the date approval was given.

5. Only when you have signed up for the new tenancy, can the exchange can take place.
6. We will, where possible, visit you on the tenancy start date in your newly exchanged property. The visit will be carried out by our repairs team and usually includes a gas and a further (visual only) electrical check. Lock changes will be carried out only if you request them. You will be charged for the cost.

Things you should NOT do:

- DON'T move before you sign your new Tenancy Agreement. Agreements for ALL tenancies involved in the exchange must be signed.
- DON'T arrange removals until final approval has been given and you are sure the exchange will go ahead as planned.
- DON'T carry out any work at the new address before you exchange e.g. decorating.
- DON'T leave items in your old house or garden unless you have a written agreement (signed by the other applicant(s)) stating that these can stay.

You will be recharged if the tenant moving in to your old house asks us to clear items, whether or not you consider that there was a verbal agreement.

- DON'T transfer your personal details before you sign your Tenancy Agreement.

Things to DO:

- DO make sure you arrange for items you no longer need to be uplifted, or to be disposed of properly before you move. You can arrange for unwanted items in good condition to be recycled free of charge by contacting Recycling First in Macmerry, T **01875 615797** who may uplift from your home.
www.recyclingfirstel.org.uk
- DO pay your rent and council tax up to the exchange date.
- DO complete a change of circumstances for housing benefit or update your Universal Credit details.

If you are on Housing Benefit or Universal Credit, and apply to exchange into a property where you will have a spare room, you will have an under occupation charge deducted from your Housing Benefit or the rent element of Universal Credit. You may be able to claim a Discretionary Housing Payment from East Lothian Council to cover this shortfall.

- DO complete a new council tax form.

The Property Inspection

Your housing officer and a property maintenance officer will carry out a joint inspection of your existing home. An electrical safety check must be carried out before the exchange date can be approved. A gas safety check will be carried out on the date of the exchange.

We may also carry out an Asbestos Survey of the property to identify any removal work needed. This will not stop the exchange taking place, as long as both tenants are aware of, and agree to, any asbestos removal work that is needed. In extreme cases however, you may have to be temporarily moved (decanted) in order for the work to be completed.

Any tenant wishing to move into a house where asbestos must be removed, is entitled to withdraw from the exchange and reapply once the work is completed.

If you are not an East Lothian Council tenant, your home visit/ inspection will be carried out by a housing officer working for your own landlord. An East Lothian Council housing officer will visit you during the exchange process as well, to check your details.

What are we looking for?

- We check that the property is clean and tidy.
- We check that gardens are neat and tidy.
- We check that no damage has been caused to our property by you or members of your household.
- We check that there are no missing fixtures or fittings.
- We check that no unauthorised alterations have been carried out, e.g. walls removed. We note any repairs needed and advise whether you will be recharged for them.

Confirming Your Responsibility

- You accept the condition of the exchange property including garden areas, outbuildings and any other features such as decking, fencing, patios, concrete bases.
- You take ownership and become responsible for the maintenance of any fixtures and fittings that are not the responsibility of the Council on a day to day repair or planned maintenance basis.
- Please note that any planned maintenance such as kitchen/ bathroom replacement or re-wire will not be brought forward as a result of the exchange.
- Any outstanding day-to-day or other repairs will not be given higher priority because of the exchange.

Grants

You may be eligible for one of two grants if your exchange is approved.

- 1. Downsizing grant.** This is payable to any ELC tenant moving to a smaller East Lothian council house. The amount you get will depend on the size of the property you are moving from and to.
- 2. Mutual exchange grant.** This is paid to any council tenant moving to another social tenancy in East Lothian.
- 3.** Please note you will not receive the mutual exchange grant if you qualify for the downsizing grant. Nor will you receive the grant if you have previously exchanged within the last two years. You can ask your housing officer for further details about the amounts payable and any time restrictions.

Please note: If you have outstanding debt to East Lothian Council (such as council tax) it will be offset against the grant and you will receive the remainder if any money is left over.

What if my application is not approved?

If we cannot approve your exchange within the 28 day period we will write to you to let you know that your application has been refused. Our letter will include the reason(s) and a leaflet explaining your right to appeal. If the refusal is because we have identified issues with the other applicant you will not be given details of the reason(s). It will be up to the other applicant to decide whether they want to tell you.

Appeals

If we refuse the exchange, all parties wishing to exchange can appeal our decision by writing to the local Area Housing Manager. They should do this within 21 days of receiving their mutual exchange refusal letter. If your appeal is successful, you do not need to reapply because we will notify you of the outcome in writing and your Housing Officer will confirm a date for your exchange to take place.

Contact us

To find out more about mutual exchanges, or to discuss your individual circumstances, you can get in touch by telephoning your local area housing office (see back cover for details).

East Lothian X-Changes

How to advertise your exchange and search for properties online. Visit www.eastlothian.gov.uk or www.elha.com

Advertising

When advertising your exchange you will be asked for details of how to contact you. Remember, if people do not have a way to contact you, you will not be offered any exchanges. If you have reasons not to identify yourself, please contact your housing office for assistance.

Once you have entered your details you will be asked questions about your present home. Please fill in as much detail on the form as you can give, so that potential exchangers have a clear picture of what your house is like. Your housing officer can help if you are not sure what to say.

Information About Your Home

Property Type
House

Bedrooms ★
1

Heating type ★
heating type is a required field

Council tax band
A

More information
e.g. Local amenities, medical adaptations, garden, rent, etc

Above – property advertising form

East Lothian X Changes

Mutual Exchange Search

You can search for available exchange properties here. Please note that you should make contact with the tenant you wish to exchange with, not us, to arrange a mutual exchange.

Please note that some landlords may have restrictions in place for some properties, e.g. no works vans, no pets, etc. Please check if a property you want to move to has any restrictions before applying for an exchange.

Area ★
All

Type of Property ★
Any

Number of Bedrooms ★
Any

Search

If you are already on our exchange list, and you would like to make changes to your information, please use our [change form](#).

East Lothian X-Changes is powered by elha.com

Left – Mutual Exchange search

Searching

If you are looking for a house, selecting the type and location will narrow your search.

Get in Touch



AREA OFFICES

Call **01620 827 827**, email us or visit your nearest housing office.

MUSSELBURGH	The Brunton, Ladywell Way musselburgharea@eastlothian.gov.uk
PRESTONPANS	Aldhammer House, High Street prestonpansarea@eastlothian.gov.uk
TRANENT	George Johnston Centre, Sanderson's Wynd tranentarea@eastlothian.gov.uk
HADDINGTON	John Muir House, Brewery Park haddeast@eastlothian.gov.uk
NORTH BERWICK	Library & Customer Services, School Road housingnorthberwick@eastlothian.gov.uk
DUNBAR	Bleachingfield Centre, Countess Crescent housingdunbar@eastlothian.gov.uk

To make a comment, suggestion or complaint about a council service, visit our website at **www.eastlothian.gov.uk**



Versions of this leaflet can be supplied in Braille, large print, audiotape or in your own language. Please phone customer services if you require assistance on 01620 827 199