

Housing Mutual Exchange Policy: Consultation Feedback and Our Responses

Thank you to all residents and members of our Tenant Panel, Subgroup and Reading Group whose feedback helped to shape the Housing Mutual Exchange Policy. Below are some of the key points raised and the Council's responses, explaining how your views will inform our approach.

Tenant feedback: Can you make the repair responsibilities clearer?

Our response: Thank you for raising this. We have amended the policy to encourage tenants to inspect the property carefully and consider its condition before proceeding with an exchange. The policy also explains that incoming tenants will be responsible for cleaning the property, removing any unwanted items or rubbish, undertaking internal decoration, and maintaining any fixtures and fittings left by the previous tenant that they agree to accept.

Tenant feedback: The policy could include a more thorough inspection of properties involved.

Our response: We agree that inspections are an important safeguard. When we receive a mutual exchange request, we will refer it to the Council's Building Services team, which will arrange a pre-exchange property inspection together with gas and electrical safety checks.

Following the inspection, we will tell the tenant whether any work must be completed before the exchange can be approved. Any repairs that are the tenant's responsibility must be completed before the exchange takes place.

Each incoming tenant will receive a copy of the relevant inspection report. This will identify any items requiring attention, any fixtures and fittings left by the previous tenant that the incoming tenant has agreed to accept, and any work that will become the incoming tenant's responsibility.

Tenant feedback: The policy covered everything and was easy to read.

Our response: Thank you for your positive feedback. We have aimed to explain clearly the mutual exchange opportunities available to eligible tenants and to provide an accessible and inclusive policy that supports greater choice and mobility.

Tenant feedback: The policy shows Tendring District Council are proactive on mutual exchanges.

Our response: Thank you for your feedback. We want all eligible tenants to understand the mutual exchange options and potential benefits available to them, and we will continue to provide clear information and support throughout the process.

Tenant feedback: Can incentives encourage abuse?

Our response: We agree that incentives could be misused. The policy therefore makes clear that tenants must not offer or accept money or any other incentive to secure or encourage an exchange. Where this occurs, the exchange will be refused and, if a tenancy has been obtained in this way, the Council may consider taking tenancy enforcement action, including possession proceedings where appropriate.

Tenant feedback: Can the policy include extenuating circumstances?

Our response: Thank you for raising this. Appendix 1 explains that the grounds for refusing a mutual exchange are based on Schedule 3 to the Housing Act 1985. We have also added a section explaining that the Council may use its discretion, where the law permits, to allow an exchange to proceed despite there being potential grounds for refusal. This may include circumstances where an exchange could help a tenant affected by rent arrears or changes to Housing Benefit or Universal Credit to reduce their housing costs, such as by downsizing. We may also consider exceptional circumstances where an exchange would benefit the health or welfare of the tenant or a member of their household. In appropriate cases, this discretion may also include considering an exchange request from an introductory tenant. Each case will be considered individually, taking account of the relevant circumstances and legal requirements.

Tenant feedback: I like that the procedure is clearly set out and numbered. I also liked the use of empty bullet points on the 'When you find a property' section which tenants could use as a checklist.

Our response: Thank you for your positive feedback. We have used numbered steps and bullet points to make the mutual exchange process easier to follow. The checklist in the 'When you find a property' section is intended to help tenants consider the key points before deciding whether to proceed.

Tenant feedback: Can you put a cap on numbers in the chain of a mutual exchange?

Our response: Thank you for this suggestion. We cannot set a fixed limit on the number of households involved in a mutual exchange chain. However, we recognise that larger chains can be more complex, so our officers will provide guidance, coordinate communication and keep tenants informed as the exchange progresses.