



HOUSING MANAGEMENT
MUTUAL EXCHANGE POLICY
September 2026
September 2029

Policy:	Mutual Exchange Policy
Compliant with the Scottish Social Housing Charter:	Charter Outcome Ref No 1: Equalities Social Landlords perform all aspects of their housing service so that: "every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services". Charter Outcome Ref No 2: Communication Social landlords manage their businesses so that: "tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides." Charter Outcome Ref No 8 & 9: Housing Options Social Landlords must ensure that: "Tenants and people on housing lists can review their housing options. Social landlords work together to ensure appropriate advice and assistance is available to those who may become homeless." "People at risk of losing their homes receive advice and assistance to enable them to remain in their homes wherever possible." Outcome 10: Access to Social Housing Social landlords ensure that: People looking for housing find it easy to apply for the widest choice of social housing available and are given housing that meets their needs as quickly as possible
Compliant with New Regulatory Framework:	Regulatory Standards of Governance and Financial Management: Standards 3, 4 & 7
Compliant with Connected Communities/Customer Involvement Strategy	Yes
Compliant with Equalities and Diversity:	Equalities Impact Assessment completed
Compliant with Business Plan:	Responsive Services
Date Approved:	September 2026
Date for Review:	September 2029
Responsible Officer:	Director of Housing

1. PURPOSE

Paisley Housing Association recognise that circumstances change and that existing tenants may wish to move to alternative accommodation without applying through the housing list.

The purpose of this policy is to set out how the Association will consider requests for mutual exchange and ensure that requests are dealt with fairly, consistently and in accordance with legislative requirements.

This policy aims to:

- Facilitate tenant mobility.
- Make best use of housing stock.
- Support tenancy sustainment.
- Ensure legal and regulatory compliance.
- Promote fair and transparent decision-making.

2. SCOPE

This policy applies to:

- Scottish Secure Tenants (SSTs)
- Short Scottish Secure Tenants (where exchange rights apply)
- Tenants of other Registered Social Landlords
- Local Authority tenants seeking exchange with Association tenants

3. LEGAL FRAMEWORK

This policy is implemented in accordance with:

- Housing (Scotland) Act 2001
- Housing (Scotland) Act 2014
- Housing (Scotland) Act 2025
- Scottish Secure Tenancy Agreement
- Equality Act 2010
- Data Protection Act 2018
- UK General Data Protection Regulation (UK GDPR)

The Association will have regard to any future legislative amendments affecting mutual exchange rights.

4. DEFINITIONS

A mutual exchange occurs when:

- Two or more tenants agree to exchange homes; and
- The landlords involved grant consent.

No exchange may take place without the written consent of all landlords involved.

5. RIGHT TO APPLY

Tenants may apply to exchange their tenancy with another tenant whose landlord permits mutual exchanges.

Applications must be made in writing using the Association's Mutual Exchange Application Form.

The exchange must not proceed until written approval has been received from all landlords.

6. CONDITIONS FOR APPROVAL

The Association will not unreasonably withhold consent.

When considering applications, the Association will assess:

6.1 Property suitability

Whether the property would be suitable for the incoming household taking account of:

- Household size
- Potential overcrowding
- Significant under-occupation
- Property adaptations
- Medical requirements

6.2 Tenancy conduct

Whether tenants have complied with their tenancy obligations.

6.3 Housing Management Considerations

Including:

- Community sustainability
- Estate management issues
- Ongoing investigations
- Property condition

7. GROUNDS FOR REFUSAL

The Association may refuse consent were permitted by legislation.

Examples include:

7.1 Property Size

Where the exchange would result in:

- Statutory overcrowding; or
- Significant under-occupation contrary to the efficient use of housing stock.

7.2 Legal Action

Where:

- Possession proceedings have commenced.
- A Notice of Proceedings has been served.
- A court order relating to the tenancy is in force.

7.3 Accommodation Not Suitable

Where:

- The property has been substantially adapted and the incoming tenant does not require the adaptations.
- The accommodation is otherwise unsuitable for the proposed household.

7.4 Property Condition

Where:

- The tenant has carried out unauthorised alterations.
- Significant rechargeable repairs remain outstanding.
- There are serious breaches of tenancy conditions.

Any refusal will clearly state the reasons and advise the tenant of their right to request a review.

8. PROPERTY INSPECTIONS

Before approval is granted the Association may:

- Inspect the property.
- Identify rechargeable repairs.
- Assess unauthorised alterations.
- Confirm occupancy details.
- Verify household composition.

Tenants may be required to rectify outstanding issues before approval is granted.

9. APPLICATION PROCESS

The application process is as follows -

9.1 Stage 1 – Application

The tenant submits a completed Mutual Exchange Application Form.

9.2 Stage 2 – Assessment

The Association will:

- Review tenancy records.
- Complete relevant checks.
- Assess property suitability.
- Liaise with other landlords where applicable.

9.3 Stage 3 – Decision

The Association will notify the tenant in writing of its decision within 28 days of receiving all necessary information.

Where the Association fails to notify the tenant within the statutory timescale, consent may be deemed to have been granted in accordance with legislative requirements.

10. OUTCOME

Where consent is granted:

- New tenancy agreements or assignation documentation will be completed as appropriate.
- A date for exchange will be agreed.
- Relevant housing management systems will be updated.

Responsibility for rent and tenancy obligations transfers on the agreed date of exchange.

11. REVIEW OF DECISIONS

Applicants may request a review of a refusal decision.

The review request should be submitted in writing within 14 days of notification of the decision.

The review will be undertaken by a manager not involved in the original decision wherever possible.

The outcome of the review will be confirmed in writing.

If the applicant remains dissatisfied, they may use the Association's Complaints Policy.

12. EQUALITY, DIVERSITY AND INCLUSION

The Association is committed to ensuring that mutual exchange applications are considered fairly and consistently.

In applying this policy, the Association will:

- Comply with the Equality Act 2010.
- Promote equality of opportunity.
- Eliminate unlawful discrimination.
- Make reasonable adjustments where required.
- Provide information in accessible formats.

An Equality Impact Assessment will be maintained and reviewed alongside this policy.

13. DATA PROTECTION

Personal information gathered during the mutual exchange process will be processed in accordance with:

- Data Protection Act 2018
- UK GDPR

- Association Data Protection Policies

Information will only be shared where lawful and necessary to process the application.

14. MONITORING AND REVIEW

The Association will monitor:

- Number of applications received.
- Number approved and refused.
- Reasons for refusals.
- Equality impacts.
- Complaints relating to mutual exchange decisions.

The policy will be reviewed at least every three years or sooner if legislative changes require revision.