

145b Mutual Exchange Policy

1. Policy

Link Housing is supportive of Link Housing tenants organising a mutual exchange between them. Link Housing is also supportive of tenants who are interested in exchanging their property with a tenant from another community housing provider.

Link Housing has set out some conditions which tenants seeking to exchange their properties need to meet.

2. Definition

A mutual exchange occurs where one household exchanges their property with the property of another household.

3. Conditions

A mutual exchange will be approved as long as:

- Both households' rent accounts are up to date
- All other accounts including water usage accounts are up to date
- The number of bedrooms is appropriate to the size of the household
- Any damage to the current dwelling is fixed before moving
- The household's income level does not exceed the income eligibility limits
- There are no substantiated nuisance and annoyance complaints against the tenants
- The tenants agrees to accept the relevant type and length of lease when they move
- The tenants meet both the property and program eligibility criteria.

Link Housing won't approve a mutual exchange if:

- The property has been modified and the proposed tenant does not require modifications
- The property is due for disposal, hand back or redevelopment.

4. Procedure

Tenants who want to exchange their property with another tenant need to send their request to their Housing Manager.

Link Housing may visit the tenant at home to assess the property and property condition.

5. Consent

If one of the applicants for the mutual exchange is from another community housing provider, they need to give Link Housing written permission for Link Housing to exchange information with the other community housing provider.

External applicants must also give written permission for Link Housing to exchange information with support provider/health professional (where applicable).

6. Timeframes

The final decision will be given in writing. If Link Housing does not agree to the mutual exchange, it will let you know why.

Decisions with reasons and avenues for appeal will be given within three weeks (21 days).

7. Approval process

A mutual exchange **must** be approved in writing before the tenants move. Moving without approval is a breach of the tenancy agreement. If the tenants move before approval is given they may have to return to their previous dwellings.

If they do not do so the exchange will be classified as an illegal assignment and the tenants place their tenancies at risk.

8. Finalising a mutual exchange

Both tenants must submit a letter terminating their existing tenancy on a set date. The tenants must sign a new Tenancy Agreement for the new home for the same date. Both tenants should sign a new agreement at the same time, preferably in the same office.

9. Rent and bond

The tenants will be expected to pay two weeks rent and, if required, two weeks bond on signing up.

When agreeing to an exchange tenants need to be aware that market rents and bonds will differ.

10. Tenure

Tenants also need to be aware that property 'type' and program will affect security of tenure. This means that if a tenant who lives in one of Link Housing's capital properties wants to exchange with a tenant who lives in one of Link Housing's leasehold properties, the tenants moving to the leasehold property will be advised that these properties are not always long term and that the tenants have to move if the owner wants the property back.

11. Costs and other arrangements

Tenants are responsible for all costs associated with the mutual exchange including but not limited to:

- arranging/exchanging keys
- paying removal costs
- paying for any connection, disconnection costs
- cleaning

12. Legislative and Regulatory Framework

- Residential Tenancies Act 2010

13. Related Policies

- Eligibility for Social Housing Policy
- Social Housing Eligibility and Allocations Policy Supplement
- Matching Social Housing Applicants to Properties
- Management Transfer Policy

14. Complaints and Appeals

A tenant who is not happy with a decision made by Link Housing can appeal using the Appeals policy. If a tenant is not happy with the standard of service provided by Link Housing, they can complain using the Client Feedback policy. A copy of this is available at www.linkhousing.org.au or by phoning Link Housing on 9412 5111.

15. Privacy and Confidentiality

Link Housing will keep applicants', tenants' and residents' information and feedback confidential, in line with privacy laws and standards