

## Policy

<b>Policy Title</b>	<b>Mutual Exchange of Properties</b>
<b>Policy Number</b>	<b>TEN012</b>
<b>Department</b>	<b>CHP, Habitat for Humanity Australia</b>
<b>Version</b>	<b>1.0</b>
<b>Authorised By</b>	<b>B Tasker</b>
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### Objective

HFHA's Mutual Exchange Policy outlines HFHA's approach to tenants who want to find another tenant with whom they can exchange properties.

Mutual exchange provides an option for tenants who wish to move to a location they prefer, or to find accommodation more suited to their needs. This policy applies to all HFHA tenants.

### Policy

HFHA respects the rights of its tenants to exchange their home with another social housing tenant. A mutual exchange can only take place when HFHA and/or another social housing provider have provided approval for the exchange to occur.

HFHA has established reasonable conditions and checks within its mutual exchange policy to support and protect tenants undertaking a mutual exchange. It will therefore ensure that it maintains their privacy and that it acts in accordance with the *Residential Tenancies Act 2010*.

A tenant seeking to exchange properties must first contact and be approved by HFHA to ensure they are eligible. To be approved tenants must:

- Have rent, water and tenancy debt accounts paid up to date
- Not have substantiated nuisance and annoyance complaints against them
- Maintained their property in line with the Residential Tenancy Agreement

Tenants should contact HFHA first to determine if they are eligible to pursue a mutual exchange.

Once a tenant is deemed eligible, they will be responsible for seeking the mutual exchange. Tenants may choose to advertise for an exchange by contacting existing HFHA tenants or other community housing providers.

HFHA will never share information about individual tenants or their circumstances without their consent.

### Approval for a mutual exchange

Tenants seek formal approval for a mutual exchange by completing a HFHA Mutual Exchange Form, which is available at [www.habitat.org.au](http://www.habitat.org.au).

### Approval process

Once a request is approved and the tenant has identified a suitable property exchange, all requests for mutual exchange will be assessed within 28 days. HFHA will generally approve a mutual exchange if any of the following criteria apply:

- The tenants meet the basic eligibility for the property in terms of size, bedroom complement or modifications required
- The exchanging tenant is eligible for the program under which the exchange property is provided
- Neither party has offered financial or other incentives or used threatening behaviour to encourage the other tenant to exchange
- Exchanging tenants are eligible for certain programs such as transitional fixed term tenancies
- Tenants do not have rent or non-rent debt
- Are not in breach of their Residential Tenancy Agreement
- Have not committed acts of violence, for example, physical attacks or serious verbal threats directed at neighbours or HFHA staff or their agents or any other social housing provider
- Neither property has been identified for sale or re- development
- Have not been convicted of arson or deliberate damage to any property managed by HFHA or any other social housing provider

### What happens after HFHA has approved a mutual exchange

Mutual exchanges must be approved by HFHA in writing before either of the tenants move. Moving without approval is a breach of the Residential Tenancy Agreement.

Tenants will be responsible for meeting their own relocation costs. Tenants will need to ensure that their

account is up to date prior to their tenancy ending and that they leave their property in an appropriate condition.

### Complaints and appeals

#### This is an appealable policy.

If a tenant is not satisfied with a service provided by HFHA or does not agree with a decision it has made, they can ask for a formal review. To do this, the tenant can complete either a **“I want to complain”** form or a **“I want to appeal”** form, details of which appear in the HFHA's Complaints and Appeals Policy. This policy, and a helpful information leaflet, is available from HFHA's office or they can be downloaded from our website [www.habitat.org.au](http://www.habitat.org.au).

If a tenant is unhappy with the outcome of an appeal to HFHA, they can lodge a second level appeal with the Housing Appeals Committee. The Housing Appeals Committee is an independent agency that reviews certain decisions made by staff of Community Housing organisations and Housing NSW. For information on the Housing Appeals Committee call 1800 629 794 or go to [www.hac.nsw.gov.au](http://www.hac.nsw.gov.au).

#### Documents supporting this policy

- Mutual Exchange Form
- Access Policy
- Starting a Tenancy Policy
- Ending a Tenancy Policy