

Guidance notes for customers:

Grounds for refusing a Mutual Exchange

Right to exchange – Schedule 3 of the 1985 Housing Act

(Please note that 'assignee' means the person proposing to move to a new address).

Ground One

The tenant or proposed assignee is obliged to give up possession of the dwelling-house of which he is the secure tenant in pursuance of an order of the court, or will be obliged at a date specified in such an order.

Ground Two

Proceedings have commenced for possession of the dwelling-house of which the tenant or the proposed assignee is the secure tenant on one or more grounds 1 to 6 in Part 1 of Schedule 2 (grounds on which possession may be ordered despite absence of suitable alternative accommodation), or there has been served on the tenant or the proposed assignee a notice under section 83 (notice of proceedings for possession) which specified one or more of those grounds and is still in force.

Ground Three

The accommodation afforded by the dwelling-house is substantially more extensive than is reasonably required by the proposed assignee.

Ground Four

The extent of the accommodation afforded by the dwelling-house is not reasonably suitable to the needs of the proposed assignee and his family.

Ground Five (part)

The premises were let in consequence of employment, and form part of, or are in the grounds of, a non-housing building or a cemetery. Full details of this ground will be given if refusal is made on these grounds.

Ground Six

The landlord is a charity and the proposed assignee's occupation would conflict with its objects.

Ground Seven

The dwelling-house has features which are substantially different from those of ordinary dwelling-houses and which are designed to make it suitable for occupation by the physically disabled person who requires accommodation of the kind provided by the dwelling-house and if the assignment were made there would no longer be such a person residing in the dwelling-house.

Ground Eight

The landlord is a housing association or housing trust which lets dwelling-houses only for occupation (alone or with others) by persons whose circumstances (other than merely financial circumstances) make it especially difficult for them to satisfy their need for housing and if the assignment were made there would no longer be such a person residing in the dwelling-house.

Ground Nine

The dwelling-house is one of a group of dwelling-houses which it is the practice of the landlord to let for occupation by persons with special needs and a social service or special facility is provided in close proximity to the group of dwelling-houses in order to assist persons with those special needs and if the assignment were made there would no longer be a person with those special needs residing in the dwelling-house.