

Appendix B: Refusal Grounds for Mutual Exchange

Number in Act	Ground for refusing consent to the exchange ¹
1	When any rent lawfully due from a tenant under one of the existing tenancies has not been paid.
2	When an obligation under one of the existing tenancies has been broken or not performed.
3	A court order for possession or a suspended possession order has been made for either property.
4 & 5	The landlord has served a notice of seeking possession and the notice is still in force, or possession proceedings have commenced
6	An injunction order under section 153 of the Housing Act 1996 or an anti-social behaviour order or a Demotion Order or a possession order under Ground 2 for secure tenancies or Ground 14 for assured tenancies is in force or an application for one of those is pending either against the tenant, the proposed assignee or a person who resides with either of them.
7	The property is substantially larger than is reasonably needed by the proposed assignee.
8	The property is not reasonably suitable to the needs of the proposed assignee and their household.
9	The property is part of or close to a building that is held for non-housing purposes, or it is situated in a cemetery and was let in connection with employment with the landlord or with a local authority, a new town corporation, housing action trust, an urban development corporation, or the governors of a grant-aided school.
10	The landlord is a charity and the proposed assignee's occupation of the property would conflict with the objects of the charity.
11	The property has been substantially adapted for occupation by a physically disabled person, and if the assignment went ahead a physically disabled person would not be living there.
12	The landlord lets properties to people in difficult circumstances (other than merely financial circumstances) and the proposed assignee would not fulfil these criteria.

¹ <https://www.legislation.gov.uk/ukpga/2011/20/schedule/14/enacted>

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13	The property is let to people with special needs and there is a social service or special facility nearby to the properties to assist people with those special needs, and if the assignment was to go ahead no person with those special needs would be living there.
14	The dwelling is the subject of a management agreement where the manager is a housing association of which at least half the members are tenants subject to the agreement and at least half of the tenants of the dwellings are members of the association, and also that the proposed assignee is not such a member nor is willing to become one.