

Transfers

(Formerly Assignment & Mutual Exchange)

Policy

Policy Owner	Stuart Middleton, Head of Housing & Communities
Date of Policy	September 2026
Next Review Date	September 2029
Version	Version 2
Approved by	Emma Morgan, Director for Customers, Support & Improvement

Version Control
Version 1 - December 2022
Version 2 - September 2026

Changes Made	Section	Date
New overarching policy and procedure	all	December 2022
New Introduction	Introduction	September 2026
New Scope of policy	Scope	September 2026
New Aims of policy	Aims	September 2026
Expanding definitions	Definitions	September 2026
New Tenants Rights & Responsibilities	Tenants' Rights & Responsibilities	September 2026

Our Values

In applying this policy, we will be guided by our values. Our values determine how we behave towards our customers, our colleagues, our partners and our work:

Kind - We recognise that relationships are at the heart of everything we do, at the heart of good relationships is kindness.

Innovative - We continuously strive to be the best we can whilst seeking creative ideas to improve and grow.

Trusting - We trust people to do the right thing, because good relationships are built on mutual trust and respect.

Accountable - We accept the responsibilities of our role and are accountable for our actions and for doing what is right.

Introduction

Under the Renting Homes (Wales) Act 2016 (RHWa), tenants on a secure contract may be able to transfer their tenancy in certain circumstances.

This policy explains the circumstances in which a tenancy may be transferred, the rights and responsibilities of tenants, and how Caredig will assess transfer requests. It aims to ensure that all decisions are made fairly, consistently and in accordance with legislation

The Scope

This policy applies to all Caredig tenants on secure contracts whose tenancy includes rights of transfer under the Renting Homes (Wales) Act 2016.

The policy covers:

- Transfers between eligible tenants (formerly known as mutual exchanges or home swaps).
- Transfers to a person who would be entitled to succeed to the tenancy.
- Other transfers permitted under legislation.
- The rights and responsibilities of tenants involved in a transfer.

This policy does not cover:

- Succession following the death of a tenant.
- Requests to add or remove a joint tenant.
- Management transfers or decants.
- Transfers required by a court order or family law proceedings.
- Ending a tenancy.
- A move to another Caredig property.

These matters are covered by separate policies and procedures.

The Aims

The aim of this policy is to:

- Ensure all transfer requests are managed in accordance with the RHWa.
- Provide a clear, fair and consistent approach to assessing transfer applications.
- Protect the rights of existing tenants, incoming tenants and potential successors.
- Ensure tenants understand their rights, responsibilities and any conditions that may apply to a transfer.
- Support the effective use of Caredig's homes by enabling tenants to move where this is permitted by law and better meets their housing needs.
- Safeguard the interests of tenants, potential successors and Caredig when considering transfer requests.
- Promote sustainable tenancies and thriving communities.

Caredig will consider each application on its individual merits and will make decisions that are lawful, transparent, proportionate and consistent.

Definitions

- **'Tenant'** is used to describe the Contract Holder
- **'Tenancy'** is used to describe an Occupation Contract

Tenants' Rights & Responsibilities

Tenants have the right to:

- Receive clear information about the transfer process and the requirements that apply.
- Have their application considered fairly, consistently and within a reasonable timescale.
- Be given a written decision where a transfer request is refused, including the reasons for the decision.

- Be treated fairly and without discrimination throughout the process.

Tenants requesting a transfer must:

- Submit a completed application and provide any information or documents required to assess the request.
- Cooperate with any enquiries or checks required by Caredig.
- Ensure the information they provide is accurate and complete.
- Continue to comply with the terms of their tenancy, including paying rent and other charges, while the application is being considered.
- Not move or allow another person to occupy the property until written consent has been granted and all legal requirements have been completed.
- Notify Caredig immediately if there is any change in circumstances.

A transfer does not take effect until Caredig has provided written consent and all legal documentation has been completed. Any unauthorised transfer, assignment or occupation of a property may be a breach of the contract and could lead to enforcement action.

Caredig will work with tenants throughout the process to ensure transfer requests are considered fairly, while protecting the rights of all parties involved and making best use of our homes.

Roles and Responsibilities

- Operational Managers, Community Housing Officers, Service Coordinators, Team Leaders and Extra Care Managers are responsible for the decisions and actions.
- The Head of Housing & Communities, Head of Specialised Housing & Support, Operational Managers for Housing Management, Supported Living and Extra Care are responsible for the decisions, actions and overall performance management.
- The Head of Housing & Communities has overall responsibility for this area including review and monitoring.
- The Director for Customers, Support & Improvements has overall responsibility for the policy area.

Legal Framework

The policy will be implemented in line with relevant Welsh and UK legislation, including but not limited to the Renting Homes (Wales) Act 2016, Housing (Wales) Act 2014, Equality Act 2010, Human Rights Act 1998, and associated safeguarding and data protection legislation.

Equal Opportunities

Caredig is committed to ensuring that its policy and procedures are non-discriminatory and that all applicants can access the service, especially taking account of any vulnerability or other specific needs, and also the needs of different groups protected by the Equality Act 2010. An Equality Impact Assessment has been undertaken and as a result, we will ensure we take account of individual circumstances both in term of how we communicate and manage tenancies and support provision.

References to other relevant policies and procedures

- Ending Contracts
- Possession & Evictions
- Gas Safety Management Procedure
- Abandonment of properties
- Complaints and Concerns