

Application for Assignment of Tenancy



The Housing Act 1985 states that you can assign your tenancy to:

- Your spouse (husband or wife) or partner (someone you live with as husband and wife or same sex couples)
- Another member of your family (e.g parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew or niece including step or half relations) if they have been living with you for the last 12 months and it is their only or principle home
- Only one assignment will be allowed per tenancy
- We may refuse to the request to assign the tenancy if there are any breaches of tenancy including any legal action and including rent arrears
- Customers who have starter or an assured shorthold tenancy do not have this right
- An assignment to a family member will not be allowed if the property will be under-occupied by more than one bedroom

You cannot assign your tenancy to friends who live with you.

Once you assign your tenancy to another member of your family you no longer have any right to occupy your home.

Please note that the assignment is not complete until permission has been granted and both parties have signed a “Deed of Assignment”.

Any proposed tenant will be required to provide proof of identification and evidence of residency.

The following principles apply:

1. You can apply to assign your tenancy to another person who would qualify to succeed your tenancy upon death (see succession rules below)
2. Only one assignment will be allowed per tenancy
3. We may refuse to the request to assign the tenancy if there are any breaches of tenancy including rent arrears
4. Any application received from customers who have starter (assured shorthold) tenancy will be refused
5. An assignment to a family member will not be allowed if the property will be under-occupied by more than one bedroom

Any proposed tenant will be required to provide proof of identification and evidence of residency.

Succession Rules:

A person is qualified to succeed the tenancy if he/she occupied the property as his/her only principal home at the time of death of a tenant and either:

1. Was the spouse or was living with the tenant as husband, wife or civil partner
2. Is already a joint tenant
3. Is a family member i.e. parent or grandparent, child or grandchild, brother or sister, uncle or aunt, nephew or niece and has resided at the property for a minimum period of 12 months.

This form is to be completed by the current tenant

Please complete all sections and ensure that the form is signed by the both current and proposed tenant

Full Postal Address

Postcode:

Name of Current Tenant(s):

Tenant 1	
Tenant 2	
Contact Details	
Forwarding Address	

Details of person applying to take over the tenancy:

Full Name	
Date of Birth	
Relationship to current tenant	
Contact Details	
Reason for request	

Do you own/part own any property: **Yes / No***

If **Yes** please give details:

Type of Property (i.e. house/flat and no. of bedrooms):

--

If our checks are in order we will visit you at home to ask to see any appropriate evidence i.e. marriage certificate, check who is living at the property and make sure you understand the consequences of assigning your tenancy and answer your questions.

We will confirm our decision in writing – usually within 28 days of receiving your request. If your request is approved you will receive a confirmation letter which will include an appointment to come to our office to sign the Deed of Assignment. In some circumstances like a marriage breakdown, you can apply to Court to have the tenancy put in your name only. Assigning a tenancy following a court order to transfer the tenancy from one married partner to another is a much simpler process. In this case we do not need to carry out checks and you don't need to arrange a deed of assignment. Once we receive your Court Order we will arrange for a time for the assignee to come in and sign the tenancy agreement.

For office use only
File checks and recommendation

Type of tenancy

Previous Assignment? **Yes / No*** If **Yes** please give details:

Rent Arrears? **Yes / No*** If **Yes** please give details:

Any other breach of tenancy? **Yes / No*** If **Yes** please give details:

Is the tenancy subject to any notice seeking possession or court orders? **Yes / No***

If **Yes** please give details:

If **refused** details

Signed:

Name:

Position:

Date:

Authorisation

Having reviewed this application to assign the tenancy I hereby **give permission/refuse permission*** (if refused please give details below)

Reason for refusal

Signed:

Name:

Position:

Date: