

Changes in your circumstances



Raven Housing Trust

This leaflet outlines what will happen to your tenancy if your circumstances change. The leaflet offers general guidance. If you want specific advice about your own circumstances, please speak to your Community Housing Manager.

TENANCY DEFINITIONS

Sole tenancy

This is a tenancy agreement signed by just one person.

Joint tenancy

This is a tenancy agreement signed by more than one person. It means that all tenants are equally responsible for making sure the tenancy conditions are kept. For example, if one joint tenant does not pay the rent, we can ask the others to pay all the rent owed.

All joint tenants have equal rights to live in the home until the tenancy is ended. Any tenant can end a joint tenancy, without the permission of the others, by giving us 28 days' notice in writing. This would mean that everyone would need to move from the house at the end of the notice period.

CHANGE OF CIRCUMSTANCES

What happens if I marry?

If you have a tenancy in just your name and you marry, you can ask us to put the tenancy in your joint names. This would be a new tenancy. In some circumstances we'll not grant a new joint tenancy. For example, if you have any rent arrears, we'll ask you to clear them before we consider your request.

What happens if my relationship breaks down?

If you have a joint tenancy, all tenants named on the agreement have equal rights to use the home, unless a court order says otherwise.

If you have a sole tenancy, others living with you may still have certain rights even though they are not named on the tenancy agreement.

In these circumstances, please contact your Community Housing Manager for initial advice. We also suggest you get independent legal advice from the local Law Centre, the Citizens Advice Bureau or a solicitor.

YOUR RIGHT TO PASS ON YOUR TENANCY

The right to pass on a tenancy is known as the 'right to assign'. In some cases, if you have an assured tenancy you have the right to pass your tenancy to someone else, which is called assignment.

When do I have the right to assign my tenancy?

- As a result of a court order made under section 24 of the Matrimonial Causes Act 1973. A court can order that the property should pass from one married partner to another.
- By a mutual exchange with another tenant. Our Mutual Exchanges leaflet gives more details about this.
- To a person who would qualify to succeed to your tenancy after your death.

Before you assign your tenancy you must get our written permission. The assignment needs to be made by a legal document called a deed, which we can arrange to draw up for you.

WHO CAN TAKE OVER MY TENANCY IF I DIE?

When you die, any surviving joint tenants, and certain other people who live with you, may have the right to take over the tenancy. This right is known as succession, and the person taking over your tenancy is known as a 'successor'. If you die, provided you are not already a successor with Raven, we will grant the right of succession to:

- your husband or wife and any surviving joint tenants, if your home was their only or main home at the time of your death

or

- certain members of your family or your partner, if they had lived with you in the home (as their only or main home) for the 12 months before your death.

In certain circumstances, we may consider applications from people such as unpaid live-in carers.

If your husband or wife takes over your tenancy, he or she will not have to move from your home. However, if another member of the family takes over your tenancy, he or she may have to move to a smaller property that better suits their needs.

If you wish to discuss your right to succession, please contact your Community Housing Manager.

CUSTOMER CHARTER

We have a Customer Charter listing the standards of service you can expect from us. The Customer Charter is available from all our offices.

An audio version of this leaflet is available on request and we can provide it in large print and in other languages. Please let us know what you want.



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