

TENANCY & ESTATES POLICY SUMMARY

ASSIGNATIONS

If you are living in a Council house and want to sign the tenancy over to someone who lives with you, you can apply to assign the tenancy. You and the person you want to take over the tenancy will need to pass some checks before the signing goes ahead.

Anyone who wants to be assigned a tenancy, needs to pass a two point test first, so they need to:

- Have been living at the address for the previous **12 months; and**
- Notify us as the landlord when they started living there.

NB: The qualifying period only begins when the person has been added to the household details. There are other grounds for refusal, so if you need more information you can discuss these with the Tenancy & Estates Team on 01382 307301 / or 7401 option 5.

If the tenancy is in rent arrears at the time of the assignment, the assignment may still go ahead, but the assignee will become solely responsible for these arrears. You will be made fully aware of this and you will be asked to sign something to say you are aware and accepting the arrears as yours. If you do not acknowledge and agree, the assignment will not proceed.

Different rules apply for Sheltered Housing and housing which has been designed or substantially adapted for those with special needs. Our staff can give you more details and advice.

If you want to assign your tenancy to someone, you need to fill in an Assignment Application Form. You can get one of these at one of the District Offices or at Dundee House. A member of staff can help you complete the form.

When we make a decision about your application, we will write to you within 28 days. If you do not qualify to have the tenancy assigned to you, we will write to you to tell you why. You can appeal our decision, and we will supply you with details at the time about how to do this. Our Housing Options colleagues can also help you to find suitable housing if you need this.

When an assignment is approved, we will call or write to you to advise this. We will also offer to come out and get the new Tenancy Agreement signed, although you can have an office signing if you want.

If you need general advice or guidance, please contact us to discuss. You can also contact a solicitor or an independent advice agency such as the Citizens Advice Bureau.