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A company with a passion for communities

The right of assignment



Information for tenants

Other

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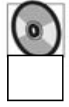
RRJX-YRTK-TACE, Leeds, LS7 3YJ.

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Formats



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Text



أود أن يكون هذا المستند باللغة العربية.

ARABIC



لطفاً ائین متن را به زبان فارسی در اختیار من قرار دهید.

FARSI



ئهم وەرەقیەم بە کوردی دەویت

KURDISH



Chciał(a)bym ci przysłać ten dokument w języku polskim.

POLISH



ئەم ئەمەتە ئام. ئەرەبە ژەنەزەبە.

TIGRINI



ئەم بە ئوردو ژەنەزەبە ئام. ئوردو ژەنەزەبە.

URDU



Another language (write in the box)

For more information call us on 0800 915 1600.

What is Assignment?

Assignment means the right to give away your tenancy to someone else, or swap your tenancy with another tenant. Three types of assignment are allowed by the Housing Act 1985:

- Giving away your tenancy to someone who would succeed to the property on your death
- Swapping your tenancy with another council or residential social housing tenant – this is known as mutual exchange (introductory tenants do not have this right)
- An assignment ordered by the court under family and child law (this is not dealt with in this leaflet – for more information you should speak to an independent advisor)

This leaflet only deals with the first of these three kinds of assignment.

Can I assign my tenancy?

You can assign your tenancy if you are a sole tenant (this means the tenancy is in your name only), and you have a secure or introductory tenancy. However, you cannot assign your tenancy if you:

- succeeded to the tenancy after 1981
- had the tenancy assigned to you
- live alone
- are a joint tenant – a joint tenancy cannot be assigned
- are a sole tenant after a joint tenant has died
- are not a secure or introductory tenant (eg you have breached a possession order)

- are an introductory tenant and your case has been referred to court for a possession hearing.

Who can I assign my tenancy to?

You can only assign your tenancy to a person who would be entitled to succeed to your tenancy on your death. This must be either:

- your husband, wife or civil partner who is currently living in the property; or
- a family member who has lived with you for at least 12 months – we will need to see proof that this was their main home. (A family member is a non-married, including same-sex, partner or a close relative through blood or marriage). The person to whom you give away your tenancy will take over all your rights as a tenant.

So if you are:

- a secure tenant, then that person will become a secure tenant
an introductory tenant, then that person will take over the remaining part of your introductory tenancy.

How do I assign my tenancy?

If you wish to assign your tenancy, you should contact your Housing Officer. They will send you the necessary forms – known as a deed of assignment. Once you have these forms, we strongly advise you to seek independent legal advice (eg from a solicitor) about the implications of assigning a tenancy. When you have completed these

forms you should send them back to your housing office. The assignment will not take effect until you have done this.

What rights do I have if I assign my tenancy?

When you assign your tenancy you are no longer the tenant of the property. All the rights you have as a secure or introductory tenant pass to the new tenant.

Can I add someone to my tenancy?

You do not have the legal right to have another person added to your tenancy. However, if you would like to discuss this, you should contact your housing office.

Will the Council give me another property if I assign my tenancy?

If you leave your home after assigning your tenancy, we may regard you as being intentionally homeless (this means that you caused your homelessness).

If this is the case, then we do not have to find you somewhere else to live.



Are we getting it right?

We're always trying to improve the quality of our information.

You can help us by filling in this form and:

- ✓ hand it in at any East North East Homes Leeds Housing Office
- ✓ send it to us at East North East Homes Leeds
FREEPOST RRJX-YRDK-TACE Leeds LS7 3YY

Thank you for your help

What do you think about this booklet overall?

Please tick whichever applies.

Good Average Poor

What part(s) of it should we improve?

Did you understand the information?

Yes No

If not, please say what you didn't understand

Do you think the layout is

Good Average Poor

How could we improve it?

Your name _____

Your address _____

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