



# Ferguslie Park Housing Association

## Succession of Tenancy Information

When you sign a tenancy with Ferguslie Park Housing Association you enter into a contract with us, this contract (Tenancy Agreement) sets out your responsibilities as a tenant, and our responsibilities as your landlord.

It is important that you let us know if there are any changes to who is living with you, as if we do not have a record of who is living with you, then they will be unable to succeed to the tenancy after your death.

The qualifying period is 12 months from when we are notified, in writing, that the person(s) have moved into your property.

You can notify us of an update in your household in writing via letter or email, or by using your online account through My Home.

There are three levels of succession on the death of a tenant, they are:

### Level One

- Your spouse, civil partner or co-habitee if the house was their only or principal home on your death; OR
- a joint tenant, if the house was his or her only or principal home on your death.

From 1 November 2019 a co-habitee must also have occupied the house as his/her only or principal home for at least 12 months immediately before your death.

The 12 month period cannot begin unless we have been told that the individual is living in the property as their only or principal home. We must have been told that by you, a joint tenant, or the person who wishes to succeed to the tenancy. The length of time they have been living in the property starts from the date we are notified that the person is living in the property as their only or principal home.

If more than one person qualifies for the tenancy under Level One, they must decide among themselves who should get the tenancy. If they cannot agree, we will decide.

### **Level Two**

If no-one qualifies at Level One, or a qualified person does not want the tenancy, it may be inherited by a member of your family as long as:

- he or she is aged at least 16 at the date of death;
- the house was his or her only or principal home at the date of death.

From 1 November 2019 the member of your family must have occupied the house as his/her only or principal home for at least 12 months immediately before your death to qualify to succeed to the tenancy. The 12 month period cannot begin unless we have been told that your family member is living in the property as their only or principal home. We must have been told that by you, a joint tenant or the person who wishes to succeed to the tenancy. The length of time they have been living in the property starts from the date we are notified that the person is living in the property as their only or principal home.

If more than one person qualifies for the tenancy under Level Two, they must decide among themselves who should get the tenancy. If they cannot agree, we will decide.

### **Level Three**

If no-one qualifies at Level One or Level Two, or a qualified person does not want the tenancy, it will be inherited by a carer as long as:

- he or she is aged at least 16 at the date of death;
- the house was his or her only or principal home at the date of death;
- he or she gave up another only or principal home before the death of the tenant;
- he or she is providing, or has provided care for the tenant or a member of the tenant's family.

From 1 November 2019 the carer must have occupied the house as his/her only or principal home for at least 12 months immediately before your death to qualify to succeed to the tenancy. The 12 month period cannot begin unless we have been told that your carer is living in the property as their only or principal home. We must have been told that by you, a joint tenant or the person who wishes to succeed to the tenancy. The length of time they have been living in the property starts from the date we are notified that the person is living in the property as their only or principal home.

If more than one person qualifies for the tenancy under Level Three, they must decide among themselves who should get the tenancy. If they cannot agree, we will decide.