**Assignment and Succession**

**Assignment**

Assignment is the legal term used when a secure tenancy passes from one person to another. Once the assignment has taken place, all the rights and responsibilities of the tenancy are passed from the original tenant to the new tenant.

Assignment can take various forms:

* Mutual Exchange – when two tenants swap their home
* Assignment to a potential successor – when the original tenant passes their tenancy to another.

Secure tenants can only assign their tenancy to certain people:

* Their spouse or registered civil partner, as long as she/he is living with you
* Another member of your family (this includes cohabiting partners, children, parents, siblings and most other close relatives) as long as the person you want to assign the tenancy to has been living with you for at least one year.

You can only assign your tenancy with permission from Dovecotes TMO. Assignment is a legal process, and all parties need to agree to the assignment.

For more information or to make an application to assign a tenancy please speak to your Housing Officer

**Succession**

When a tenant dies, the tenancy does not automatically end. A tenancy can legally be passed on to the spouse or civil partner of a tenancy and, in some cases, another family member. This process is called ‘succession’.

If someone succeeds to a tenancy, they will have the same type of tenancy as the person who died.

There can only be one succession to a tenancy. If a joint tenant dies, the surviving joint tenant will have taken over the tenancy by succession. There can be no further right of succession by any other person.

If you are not the spouse or civil partner, and you succeed to a tenancy that is larger than you need this is known as ‘under occupation’. We will work with you to find accommodation which is more suitable for your needs. In some cases legal action may be taken to re-possess the property because of the under occupation.

Following the death of the tenant, anyone left in the property should contact us as soon as possible. We will need to see a copy of the death certificate and we will make a decision about the succession within 28 days.