



# Tenancy Change Request.



Information to help you understand what happens when you request a tenancy change.

**Belle Isle Tenant Management Organisation**

Aberfield Gate, Belle Isle, Leeds LS10 3QH

General Enquiries: 0113 378 2188 | Emergency: 0113 376 0410

**Sometimes people ask to add a person to their tenancy. This can be for various reason, such as they've got married, or are planning for the future. In most circumstances these requests will be declined as there is no legal right to change a tenancy.**

**However if you are making a request like this,** It is important that you have information on the Policy around tenancy changes, and there are strict criteria and requirements to fulfil before you make a request. Letting you know this now helps you plan and manage expectations.

The law does NOT allow a person to be 'taken off' or 'added on' to either a joint tenancy or sole tenancy. It is NOT possible to terminate half of a joint tenancy. However, there are two options to facilitate these requests.

## **Option 1**

To terminate the tenancy and create a new tenancy. This would require a notice to terminate form to be completed and for a new tenancy agreement to be signed.

## **Option 2**

For the tenant to assign the tenancy. This would not require the tenancy to be terminated or to sign a new tenancy agreement, and this would use up the right of succession.

As you can see, there are two options, and you need to fully understand the advantages and disadvantages depending on your circumstances. **It is strongly advised that you should get independent legal advice before making a request so you understand the implications**

## **Eligibility Criteria : Option 1**

**End the existing SOLE tenancy and create a new JOINT tenancy**

You can ask BITMO to end an existing SOLE tenancy and create a new JOINT tenancy.

Requests for this type of change will ONLY be considered if the person who is to be a joint tenant is the **spouse, partner, or civil partner** of the existing sole tenant. Requests for other relatives like sons and daughters will not be accepted. Decisions will then be made on a case by case basis, and there is no guarantee that we will grant a new joint tenancy.

When making a decision, we will consider:

- the size of the property compared to the size of the household
- if you have rent arrears
- if there have been any tenancy issues, for example antisocial behaviour
- how long you have lived there and the information available that supports occupation for at least 12 months

## Eligibility Criteria : Option 2

### Assignment of a tenancy

When you transfer your tenancy to someone else this is called assigning your tenancy. Only secure tenants can assign their tenancy.

You can assign your tenancy to someone else to:

- remove yourself from a joint tenancy agreement so that the other tenant becomes the sole tenant
- create a joint tenancy with them

A tenancy can only be assigned to one of the following:

- a joint tenant (so that they become the sole tenant)
- husbands, wives, civil partners or partners, as long as they have been living at the property
- other family members who have lived at the property for 12 months or more

If a tenancy has been inherited or assigned before, it can't be inherited or assigned again. Choosing to assign your tenancy also means there's no further right to succession, meaning that if one of the tenants dies, other occupants or family members won't have the right to inherit the tenancy.



## Building a better future for Belle Isle.

For more information and support, contact us by:

### Telephone Enquiry

(including repairs and all BITMO services):

**0800 389 5503**

**0113 378 2188**

Out of hours emergency service:

**0113 376 0410**

### Email

**[bitmo.enquiries@belleisletmo.co.uk](mailto:bitmo.enquiries@belleisletmo.co.uk)**

Working in partnership with:



## Belle Isle Tenant Management Organisation

Registered Office: Aberfield Gate, Leeds LS10 3QH

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