



Assignment

(Giving your Tenancy to Someone Else)

1. What is this fact sheet about?

Members of the Co-operative who have a Scottish Secure Tenancy Agreement have a right, under certain conditions, to ask that their tenancy is given to someone else if they no longer want to live in the property. This fact sheet provides a summary of what to do if you wish to exercise this right and how the Co-operative will deal with your request. It does not affect your rights; it is not intended to have a contractual element and is not binding by law.

2. Who is eligible to take over a tenancy (assignee)?

Anyone who is aged 16 years of age and over. The person can only be considered where the property has been the assignee's only or principal home throughout the period of 6 months prior to the date of application.

3. What should you do next?

You should write to the Co-operative to advise when you want the change to take place, detailing who you would like to give your tenancy to (the "Assignee"). The Co-operative also needs to know the persons date of birth and how long they have lived in your property –we require official written proof of at least 6 months occupancy, for example phone bills, bank statements. We also need a letter from the assignee confirming that they want to take over the tenancy and that they understand and accept the terms and conditions of the tenancy.

4. How long will it take?

The Co-operative will process your request within one month of receipt. Your Housing Officer will consider your request in relation to the Co-operative's Allocation Policy. If any information is missing your application will be refused – you can reapply with the missing information. **YOU MUST be clear that if your request is granted, you will no longer be the tenant and so will relinquish all your rights to the tenancy**

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5. When would a request be refused?

Usually, if you meet the criteria above permission would not be refused. However, there are circumstances listed below when permission would not be granted:

- You have rent arrears or other outstanding debts with the Co-operative;
- Membership Approval has not been granted;
- The Co-operative is taking action to end your tenancy due to your conduct;
- The Co-operative has a Decree (court order) agreeing to your eviction;
- Where a person (assignee) cannot provide relevant proof of occupancy required;
- There has been a financial transaction between you and the assignee which is considered to be unreasonable;
- Where someone would become a member who would not meet the criteria identified in the Co-operative's Allocation Policy;
- You have a specially adapted property and the person you are assigning the property to does not have a need for the adaptations.

5. What happens next?

Once membership approval has been sought, you would receive a letter advising that you have been successful, or not. If the assignation is granted then you will both be required to sign an Assignment Form which will complete the contract. The incoming member would be required to pay £1 for their share certificate.

All applications will be considered individually and in accordance with any legal requirements. If permission is refused you should speak to your Housing Officer in the first instance. If you are not satisfied you can then contact the Housing Manager in relation to the Co-operatives Complaints Procedure.

If you would like more information and advice or would like to comment on your views of our service please contact us:

<p><u>Tenants First Housing Co-operative</u> 23 Albert Street, Aberdeen AB25 1XX Telephone 01224 628400, Fax 01224 628428 e-mail enq@tenantsfirst.com</p>	<p><u>Tenants First Housing Co-operative</u> 27 Slains Court, Peterhead AB42 2YF Telephone 01799 474282, Fax 01779 871969 e-mail enq@tenantsfirst.com (between 12.30 and 1.30pm every day the office closes)</p>
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Please note that both offices close on Wednesday morning for training

Our web site address is www.tenantsfirst.com