



WDH Re-allocation

Creating a new joint tenancy

If you are thinking about asking us if you can have a joint tenancy with someone else, you should read this factsheet.

Q. What is a joint tenancy?

Joint tenancy is where more than one person has their name on the same tenancy. Each tenant has full legal rights and responsibilities. For example, each tenant is responsible for all the rent and for any breach of the tenancy.

Q. Can I just add someone's name to my tenancy?

No. To create a new joint tenancy you first need to give up your existing sole tenancy.

Q. What should I think about before asking you for a new joint tenancy?

We think you should give it careful consideration before making a request to create a new joint tenancy. Think about whether it is right for you. We suggest you get some advice. Here are some of the consequences.

- Before we create a new joint tenancy, we will need to officially end your existing tenancy. You don't have to move out, it's simply an administrative process that allows us to create the new joint tenancy.

- As joint tenants, you will both be responsible for paying the rent and looking after the tenancy. That means that even if the new joint tenant doesn't help towards the rent or causes trouble, we will hold both of you responsible.
- Either joint tenant can end the tenancy by giving us four week's written notice. We do not have to let the other joint tenant stay in the home. Our decision will be based on the circumstances at the time, but you could be asked to leave.
- Housing Benefit or Universal Credit could be affected so you should check first
- You don't need to be a joint tenant to exercise your Preserved right to buy with a partner. If we did create a new joint tenancy you would keep your preserved right to buy.

Q. Do I have a right to a new joint tenancy?

No. We do not have to legally agree to a request for a joint tenancy

Q. Can anyone apply to become a joint tenant?

No. We will only allow requests for a new joint tenancy if you:

- are an assured tenant;
- are married to, or in a Civil Partnership with, the proposed new joint tenant; or
- you and the proposed new joint tenant are in an established partnership and you have been living together, in your home, for at least 12 months.

Q. How can I apply?

Our decision will depend on your circumstances. We will check your tenancy and check the circumstances of the proposed new joint tenant. We will not turn down your request without good reason. Some of the reasons why we may refuse a request will include:

- you are in arrears or have other outstanding debts to WDH;
- you are in breach of your existing tenancy conditions;
- there is a history of relationship breakdowns between you and the proposed new joint tenant;
- if your property is not suitable due to its type or because of the number of people living there;
- the proposed new joint tenant is not aged over 18;

- The person you want to create a new joint tenancy with does not qualify for housing under our allocations policy for example due to previous debts or a history of antisocial behaviour;
- the proposed new joint tenant does not meet the required immigration status to hold a tenancy.

If we turn down your request, we will provide you with our reasons.

If you need further information, contact OneCALL on 0345 8 507 507.

We are committed to providing equal access to information. If you would like this information in another format, please phone us on 0345 8 507 507.