

Registered Social Landlords Fact Sheet

Succession and Assignment

Succession to a tenancy can only be achieved if permitted by statute or tenancy agreement.

Secure Tenancies

Section 87 Housing Act 1985 enables a secure tenancy to be passed to spouse or a member of tenant's family if occupying dwellinghouse as principle home at time of death of tenant, unless tenant himself was successor (including where joint tenancy became sole tenancy by virtue of a death)

Succession to same tenancy

- Record succession on file but don't execute a new tenancy agreement which could result in further succession entitlement.
- Successor is bound by same terms as first tenant.

Rent Act Tenancies

Can be succeeded to by virtue of Section 39 Housing Act 1988 and Part 1 Schedule 1 Rent Act 1977. Complex rules surrounding these provisions.

Second succession becomes an assured tenant.

Assured Tenancies

Only if permitted by contract. Most RSLs agree that assured tenancies may be succeeded on similar terms to secure tenants.

If you need help with this or any other Housing Law issue please email john.murray@emsleys.co.uk or elizabeth.berry@emsleys.co.uk. Both Elizabeth and John can be contacted by phone on **0113 2014900**.

