



# Ferguslie Park Housing Association

## **Assignment, Subletting & Joint Tenancies**

When you sign a tenancy with Ferguslie Park Housing Association you enter into a contract with us, this contract (Tenancy Agreement) sets out your responsibilities as a tenant, and our responsibilities as your landlord.

There have been changes to the tenancy agreements since the Housing (Scotland) Act 2001 with the most recent changes being brought in by the Housing (Scotland) Act 2014. Please see details of these changes as they can affect who you can pass your tenancy onto, who can apply to become a joint tenant, and when you can apply to sublet your property.

If you want to:

- Assign your tenancy (pass it onto another person)
- Sublet your tenancy
- Request a Mutual Exchange
- Take in a lodger
- Add a Joint Tenant

then you need our written permission.

Any tenant seeking to assign their tenancy (pass it onto another person(s)), sublet the property, or add to it a joint tenant is subject to a 12-month qualifying period.

This means that you must have notified us in writing that the person you wish to assign the tenancy to or add as a joint tenant is living in the property as has been for no less than 12 months previous to the application.

To be able to sublet the property, the property must have been your only or principal home for 12 months before you make a written request to sublet.

The qualifying period is 12 months from when we are notified that the person(s) have moved into your property.

You can notify us of an update in your household in writing, via email, or by using your online account through My Home.

We would not normally give permission to sublet or assign the tenancy if it is going to lead to overcrowding.

If you assign your tenancy to another person(s) then they assume responsibility for the tenancy and enter into the tenancy contract with us.

If you want to take in a lodger then please consider that:

- If you are in receipt of Housing Benefit or Universal Credit this may change the amount you are due
- You must declare the additional household members to Renfrewshire Council Tax department, Department of Work & Pensions etc.
- You are still responsible for the tenancy and the responsibilities within the tenancy agreement
- As the tenant, you are responsible for the behaviour of the household members
- It is your responsibility to ensure the lodger vacates the property if you choose to end your tenancy with us.

If you want to sublet your property then please consider that:

- You can sublet your home if you are moving temporarily but plan to return
- You are still the legal tenant and responsible for the rent charge being paid and the other tenant responsibilities with the tenancy agreement
- You must have our written permission to sublet the property and advise the amount of rent and any other payments (including a deposit) you propose charging (if any)
- The dates of the sublet starting and ending – the maximum period that you can sublet for is one year.