



Applying for a joint tenancy

Guidelines

This application form is for you to fill in if you would like Solihull Community Housing (SCH) to consider granting you a joint tenancy.

There is no legal obligation for SCH to grant you a joint tenancy. However, we will consider your circumstances carefully and we will grant you a joint tenancy if we are satisfied that you meet the criteria as set out below.

As well as filling in the application form, you will have to send us various pieces of proof to confirm the proposed joint tenant's identity and circumstances.

What does it mean to have a joint tenancy?

A joint tenancy allows more than one person to share the rights and responsibilities of the tenancy. Equal rights and responsibilities mean that both parties have the right to live in the property and are responsible for paying the rent and ensuring that the conditions of tenancy are not broken.

Who could become your joint tenant?

SCH will consider applications for joint tenancies for the following groups of people:

Married couples and civil partners

If you are applying for your husband, wife or civil partner to become your joint tenant, please make sure you include a photocopy of your marriage or civil partnership certificate with your application form.

Partners (including same-sex partners)

If your proposed joint tenant is your partner, you must include proof that they have lived with you for 12 whole months.

Proof could include utility bills or bank statements from 12 months ago with the proposed joint tenant's name and your address on.



Conditions your proposed joint tenant must meet

Your proposed joint tenant must be aged 18 years or over. If your proposed joint tenant is not a UK national, he or she must be able to prove they are in the UK legally.

Here are some reasons why SCH might turn your application down:

- The proposed new joint tenant is a sole tenant or joint tenant of SCH or any other local authority or Housing Association.
- The proposed joint tenant owns property.
- There is a valid county court order for possession of your tenancy.
- A notice of seeking possession has been served for any breach of tenancy condition.
- You owe money to SCH e.g. rent, repair charge or overpayment of housing benefit.
- The proposed new joint tenant owes former SCH charges e.g. rent, repair charges or overpayment of housing benefit.
- You succeeded to the tenancy either through survivorship or upon the death of the previous sole tenant.
- The tenancy was assigned to you.
- Granting a joint tenancy would make the property overcrowded.
- The property is currently being under-occupied.

- You or the proposed joint tenant is subject to any current anti-social behaviour investigation, type of active anti-social behaviour agreement, injunction, good neighbour agreement or relevant criminal conviction or caution.

If you are currently the sole tenant you might want to consider the following facts before making this very important decision.

Rights and responsibilities of joint tenants

- Both parties have equal rights to the tenancy and either party can impose those rights on behalf of both.
- Joint tenants are both liable for the obligations of the tenancy, such as, paying the whole rent.
- One joint tenant cannot exclude the other from occupying the property without a court order.
- If one joint tenant decides to leave, the tenancy continues to be a joint tenancy and does not automatically revert to a sole tenancy. The absent tenant can return at any time and claim their tenancy rights.
- A joint tenancy can continue providing one of the joint tenants remains in occupation. However, the consent and signature of the other joint tenant is legally required, should the remaining tenant wish to transfer or mutually exchange tenancies.
- Both tenants can enforce the tenancy rights; therefore either tenant can end the tenancy by serving the landlord with a notice to quit, and without the consent or knowledge of the other tenant. As the law currently stands, the landlord would have to act on it.



Application form

Data sharing notice

Solihull Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Section 1: for the tenant to fill in

Section 1: Tenant's details (please write as clearly as you can)

Title (please tick box)

Mr

Miss

Mrs

Ms

Other (please give):

First name

Surname

Address

Postcode

Phone number

Number of bedrooms in your property

Date tenancy started



Section 2: Tenant to complete

Full name	Relationship to you	Date of birth	How long have they lived with you?



Section 3: for the proposed joint tenant to fill in

Section 3: Details of the proposed joint tenant (please write as clearly as you can)

Title (please tick box)

Mr

Miss

Mrs

Ms

Other (please give):

First name:

Surname:

Date of birth:

Your relationship to the tenant:

What is your national insurance number?

Where have you lived in the last five years? (Include your current address and previous addresses over the last five years. Please use a separate sheet if necessary.)

Date from date to	Full address	Name of landlord	Reason for leaving



Section 3 continued

Do you own a property, own a share in a property or do you have a financial interest in any property?

Yes No

If the answer is yes, please give details:

Have you lived outside of the UK in the last five years?

Yes No

If the answer is yes, please supply details of your family members' current status in relation to the conditions of residence in the UK:



Section 4: For the tenant and the proposed joint tenant to

Section 4: Declaration

Please check the information you have provided is correct. Please read the following statements before signing the declaration.

We declare that, to the best of our knowledge that the information supplied on this form is correct and that we will inform Solihull Council or Solihull Community Housing of any changes in our circumstances.

We understand that under the Housing Act 1996 section 171 that it is an offence to make a false statement, either knowingly or recklessly, to a local authority in connection with any request for housing assistance. It is also an offence to withhold information, which is requested by Solihull Home Options, Solihull Council, Solihull Community Housing or the partner housing associations.

We understand that any person found guilty of an offence under this section is liable to a fine of up to £5,000. Where a tenancy has been granted and it is later found that false or misleading information has been given or information has been withheld, the Council or partner housing associations may commence possession proceedings for the recovery of the property. In these circumstances we may lose the right to be re-housed by Solihull Council and partner housing associations.

We understand that Solihull Council or Solihull Community Housing will make enquires regarding this application. We hereby give permission for contact with any third party named on this form (except those listed below) about this application including any medical, financial, or personal information.

If a joint tenancy is granted, I agree to be bound by the terms of the existing tenancy agreement.

Tick this box to confirm that either you or your proposed joint tenant will use the property as your only (or main) home.

Tenant's signature

Date

Proposed joint tenant's signature

Date



How to send in your application form

Tear off the front page along the dotted line.

Post your completed application form to the freepost address (no stamp required) or hand it in at one of our area offices. Our freepost address is:

Freepost RLSS-UEBA-RTUZ

Solihull Community Housing

Endeavour House

Meriden Drive

Solihull B37 6BX

What happens next?

1. We will write to you to let you know whether or not we have granted the joint tenancy. If we refuse the request we will explain why.
2. If you haven't sent the right items of proof with your application form (or enough items of proof) we will contact you to let you know what's missing. In order to save both your time and ours, please make sure you have included all the relevant items of proof.

Checklist of items of proof (about proposed joint tenant)

Use this checklist to make sure you have included copies of all the items you need.

Send in photocopies rather than the original documents.

Proof of identity that includes a photo (for example driving licence, passport or other form of identity)

Birth certificate

Marriage or civil partnership certificate

(if married to – or in civil partnership with – tenant)

Two examples of bills or bank statements with your name and date on to prove you have lived with tenant for 12 months (not needed if you can prove you are married or civil partners)

Completion statement or letter from solicitor (only needed if proposed joint tenant has previously owned property to prove they no longer have any financial interest in it)

Proof (such as carer's allowance) that proposed joint tenant is tenant's carer (only needed if proposed joint tenant is applying as tenant's carer)

Proof that proposed joint tenant has legal right to live in the UK (only needed if proposed joint tenant is not a UK national)

Letter of intent (only needed if proposed joint tenant is close relative or carer). Letter should say that proposed joint tenant is committed to living with tenant long term

