

# Joint Tenancies



the **MORAY** council

[www.moray.gov.uk](http://www.moray.gov.uk)

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## **What is a joint tenant?**

Joint tenants share the tenancy of the home with another person. If you are a tenant, you can apply to add a joint tenant.

## **Why you might want a joint tenancy**

You may want to add someone who already lives with you, or who will be moving in with you, to your tenancy. This may include your:

- son or daughter;
- husband, wife or civil partner, or someone you live with as if they were your husband, wife or civil partner;
- mother or father; or
- brother or sister.

## **How to apply?**

If you want to change your tenancy to a joint tenancy, you must fill in an application form. You can get this from your local area access point or from our website at [www.moray.gov.uk](http://www.moray.gov.uk). Details of our access points are given at the end of this leaflet.

If you have a husband, wife or civil partner, you must get their agreement to create a joint tenancy. (A civil partner is someone you have a civil partnership with. A civil partnership is a formal arrangement that gives same-sex partners the same legal rights as a married couple.)

We may arrange to interview you and the person you want to share your tenancy with (known as the proposed joint tenant) to collect more information. When we have all the information we need, we will give you our decision in writing within 28 days.

If we refuse your application we will tell you why. We will only refuse your application if we have a good reason to.

## **When we will not give permission for a joint tenancy**

We will not give you permission for a joint tenancy if, for example:

- the proposed joint tenant is under 16;
- you, or the proposed joint tenant, have an ASBO or have been convicted of antisocial behaviour in the last 12 months;
- we have given you notice warning you that we may take action to evict you;
- we have evicted you or the proposed joint tenant in the past;
- the proposed joint tenant owes us rent on an old tenancy;
- your home is in a poor condition;
- the proposed joint tenant will make your home overcrowded;
- the proposed joint tenant doesn't plan to live in the property as his or her main home;
- the proposed joint tenant does not have the legal right to live in the UK;
- the proposed joint tenant is a registered sex offender;
- the property does not suit the proposed joint tenant's physical needs;

- we believe that the proposed joint tenant is forcing you to make the application; or
- the proposed joint tenant cannot understand the situation because of a serious learning disability.

Also, we may refuse to add a joint tenant if you do not give us all the information we need within 28 days of sending us your application. If we do not give our permission because of this, you can apply again when you have all the information.

### **What you can do if you don't agree with our decision**

You can appeal against our decision by writing to your Area Housing Manager within 28 days of receiving our decision letter. If the Area Housing Manager cannot sort the matter out it will be passed to an independent appeals panel. The proposed joint tenant cannot appeal against our decision.

## **What will happen next**

When we have agreed to make your tenancy a joint tenancy, we will arrange to meet you and the new joint tenant to discuss the final arrangements. We will agree a date that the joint tenancy will begin.

We will give the new joint tenant a copy of the tenancy agreement, information on relevant policies, and information about his or her rights and responsibilities as a joint tenant.

We will arrange for you to get a new rent payment card containing your name and the joint tenant's name.

## **Ending the joint tenancy**

There are different circumstances when you may want to end a joint tenancy.

- Joint tenants may want to end the tenancy and move out of the property.
- One joint tenant may want to be taken off the tenancy and move out of the property.
- One joint tenant may want to be taken off the tenancy but still live in the property.

- One joint tenant could die and the other tenant may want to take over the tenancy and stay in the property.

If you want to end a joint tenancy for any reason, contact your local area access point. They will tell you what to do.









### **Important points**

- All joint tenants will be equally responsible for paying the rent, and if the rent is not paid we can take action against one or both tenants.
- You must tell us about any change in your circumstances.
- Any right you had to buy the property will continue when your tenancy becomes a joint tenancy.
- If you need to, you can get independent legal advice from a solicitor or an organisation such as Citizens Advice.



**For more information, please contact your local area access point**

**Access Points**

<p>Buckie 13 Cluny Square Buckie AB56 1AJ</p> <p> 0300 1234566  <a href="mailto:housing@moray.gov.uk">housing@moray.gov.uk</a></p>	<p>Elgin Council Office High Street Elgin IV30 1BX</p> <p> 0300 1234566  <a href="mailto:housing@moray.gov.uk">housing@moray.gov.uk</a></p>
<p>Forres Auchernack High Street Forres IV36 1DX</p> <p> 0300 1234566  <a href="mailto:housing@moray.gov.uk">housing@moray.gov.uk</a></p>	<p>Keith The Institute Mid Street Keith AB55 5BJ</p> <p> 0300 1234566  <a href="mailto:housing@moray.gov.uk">housing@moray.gov.uk</a></p>

For alternative formats, languages or further information, please ask an English speaking friend or relative to:

Phone: 01343 563319  
Email: [equalopportunities@moray.gov.uk](mailto:equalopportunities@moray.gov.uk)  
Write to: Project Officer (Equal Opportunities)  
Chief Executive's Office  
High Street  
Elgin  
IV30 1BX

如要索取其他的版式、各種語文的翻譯本，或需要更詳細的資訊，請叫一位會說英語的朋友或親屬與我們聯繫：

電話： 01343 563319  
電郵： [equalopportunities@moray.gov.uk](mailto:equalopportunities@moray.gov.uk)  
信件郵寄地址： 計劃主任(平等機會)  
Project Officer (Equal Opportunities)  
Chief Executive's Office  
High Street  
Elgin  
IV30 1BX

Jeżeli chcieliby Państwo otrzymać informacje w innym formacie, języku lub dodatkowe informacje, mówiący po angielsku znajomy lub członek rodziny może do nas:

Zadzwoń na numer: 01343 563319  
Wysłać mail: [equalopportunities@moray.gov.uk](mailto:equalopportunities@moray.gov.uk)  
Adres korespondencyjny: Project Officer (Equal Opportunities)  
(Urzędnik ds. Jednakowego Traktowania  
Mniejszości Narodowych)  
Chief Executive's Office  
High Street  
Elgin  
IV30 1BX

Para outros formatos, idiomas ou para obter mais informações, peça para um amigo ou parente que fale a língua inglesa entrar em contato conosco:

Telephone: 01343 563319  
Email: [equalopportunities@moray.gov.uk](mailto:equalopportunities@moray.gov.uk)  
Endereço: Project Officer (Equal Opportunities)  
Chief Executive's Office  
High Street  
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Crystal  
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Clarity approved by  
Plain English Campaign

