

# Tenancy Succession

a guide for residents  
and their families

we can

family  
mosaic

# What is succession?

**When a tenant dies, it may be possible for someone to remain living in the property and take over the tenancy. This is called succession.**

**A person who succeeds to the tenancy is called a successor.**

**There can only be one succession. Family Mosaic's policy reflects the Law. Once a succession has taken place, there is no right to a second succession.**

## Who can Succeed?

Where there is a joint tenancy the surviving joint tenant is the successor, except where a succession has previously taken place.

A joint tenancy is where two people signed the tenancy agreement and share an equal interest in the tenancy

Where there is a sole tenancy, (i.e. where just the deceased person was named on the tenancy) the husband, wife or civil partner can succeed, or a qualifying family member.

A qualifying family member can be a son or daughter, a grandparent, a parent, a sibling, an aunt/uncle, a niece/nephew or another family

member who has lived at the property for at least 12 months prior to the date of death.

In some cases, other people may be eligible to succeed, for example carers or long-term lodgers.

If there are multiple qualifying applicants, they must decide amongst themselves.

## How to apply?

We understand it may be a very sad and difficult time, so we allow applicants 28 days from the date of death to submit an application. To apply contact us via the Customer Care Line or through the website.

## What happens then?

Once we receive your application, a home visit will be arranged with your Neighbourhood Manager who will assess your case.

You will be asked to prepare the following documents for the meeting:

<b>A</b>	Proof of ID	<b>B</b>	Proof of Residence (Monthly for 12 months)	<b>C</b>	Proof of Relationship
	At least one of: <ul style="list-style-type: none"> <li>• Passport</li> <li>• Driver's Licence</li> <li>• Freedom Pass</li> </ul>	3 or more of: <ul style="list-style-type: none"> <li>• Utility bills (gas, electricity, water)</li> <li>• Council Tax bill</li> <li>• Bank or credit card statements</li> <li>• Employment documents e.g. paylips</li> <li>• Car insurance or DVLA documents</li> <li>• DWP or Benefit Letters</li> <li>• Medical paperwork</li> <li>• Health insurance documents</li> </ul>	Where applicable: <ul style="list-style-type: none"> <li>• Birth certificate</li> <li>• Marriage certificate</li> <li>• Adoption certificate</li> <li>• And also, Birth certificates for all children living in the property</li> </ul>		

Your Neighbourhood Manager will then go through all your documents with you during the meeting to check that you meet the criteria for succession.

## **How long will it take to make a decision?**

A decision should usually be made fairly quickly and it may be given on the day of the home visit where all your documents are in order. If it is a discretionary case, it may take longer.

## **Can I stay in the same property?**

If you meet the succession criteria and if the property meets your current housing needs then yes.

However if you live in a property that is larger than you are eligible for or has any adaptations, you may be offered alternative, suitable accommodation.

In cases where you qualify for succession and the property is unsuitable, you will be placed on our Transfer List in the highest priority and eligible for Direct Matching in order to find a suitable property for you as quickly as possible.

## **Can Family Mosaic refuse a succession claim?**

Yes. Here are some common reasons for refusal:

- The deceased tenant had previously succeeded to the tenancy (including a person who was joint tenant and later became a sole tenant after the joint tenant died).

- The applicant asking for succession is unable to prove their relationship to the deceased tenant, or a minimum 12 months period of residence at the address.
- The deceased person had been living alone.
- There had previously been an assignment of the tenancy or property adjustment order under the Family Law Act.
- The deceased tenant had left the property and was not using it as their only home.
- The deceased tenant had left the property and been admitted to hospital or a residential home for long-term care or treatment.
- Where court proceedings had previously been commenced for possession of the property and a possession order had been granted which ended the tenancy.

In some cases, a discretionary decision can be made.

## What happens if the application is refused?

If your application to succeed is unsuccessful, we will advise you in writing. We will expect the applicant and any remaining occupants to vacate the property within 28 days.

Where we do not get vacant possession we will begin legal proceedings.

## What about rent?

If your succession claim is successful, you will be liable for rent from the date of the death of the person you are succeeding from.

Any monies you pay before succession is approved will be a 'use and occupation' charge for the period, not rent. Our Incomes Team will write to you about this.

# Access to our services

**There are a range of ways  
you can contact us:**



## **Dedicated Customer Care Line**

0300 123 3456 and press option 2  
to speak to a Housing Officer.



## **Via email**

[customer.care.line@familymosaic.co.uk](mailto:customer.care.line@familymosaic.co.uk)



## **Via letter**

Family Mosaic  
Albion House, 20 Queen Elizabeth Street,  
London, SE1 2RJ or  
Family Mosaic  
Pembroke House, Northlands Pavement,  
Pitsea, Essex SS13 3DU.



## **Through our web site**

[www.familymosaic.co.uk](http://www.familymosaic.co.uk)

This document gives you information about **Tenancy Succession - a guide for residents and their families**. If you need any part of this document in **large print or Braille** please contact us on 0300 123 3456.

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