

Assignment and Succession

This guide explains how you can pass on your Wakefield and District Housing (WDH) tenancy to someone else. This is called 'succession', or 'assignment'.

What is 'succession' and how does it work?

- If you die, a member of your family might be able to take over your tenancy. This is called 'succession'.
- Your husband, wife, or partner, or person you live with, has the first claim on your tenancy. If you have no husband, wife or partner, another family member might be able to take over your tenancy. This could include your:
 - parent
 - grandparent
 - son
 - daughter
 - grandchild
 - brother
 - sister
 - aunt
 - uncle
 - nephew
 - niece
- For another family member to take over your tenancy they must have been living with you for 12 months in a row before you died and you must have been living in the home as your only or main home.
- If the property has been designed for someone with a disability, or for people with other special needs and no one living there needs them, we will offer the person taking over your tenancy another property.
- Family housing is limited. So, if the property is too large and you want to move to a smaller, more suitable home, contact your local Service Access Point (SAP) to discuss this as soon as you can.

- A tenancy can only be passed on once by succession or assignment. However, if the tenancy has already been assigned or succeeded before, you should contact your local SAP for more information. If your tenancy was passed on while you were a Wakefield Council tenant, we will not count that as succession or assignment.
- If you live in the property but don't qualify to take over the tenancy you may not be able to stay there. But, in some cases the Area Manager may be able to offer you other housing. You should contact your local SAP to discuss this as soon as you can.

What is 'assignment' and how does it work?

- Assignment is when you pass your tenancy on to another member of your family so that you will no longer be the tenant.
- Generally, you can only assign your tenancy by a transfer order under the Matrimonial Causes Act 1973 (more information is available at your local SAP) an exchange (see our leaflet 'Exchanging your tenancy'), or by passing your tenancy to a member of your family who would qualify to take over your tenancy if you died.
- You can only pass on your tenancy once by assignment or succession. This rule does not apply to assignments under the Matrimonial Causes Act 1973 or the right to exchange (more information is available at your local SAP).
- You cannot pass on your tenancy without our permission, as the tenancy can only be passed on once and you must do so by deed (a legal document).
- If you want to pass your tenancy on to someone in your family, ask your local SAP for a form, fill it in and return it to us. We will then consider your application.
- No one is able to take over or pass on one of our tenancies without getting our permission in writing first and then signing the correct legal documents.

We are committed to providing equal access to information. If you would like this information in another language or format, please phone us on 0845 8 507 507.

