

Moving home: ending your tenancy, exchanging homes, succession and right to buy or acquire

What this guide is about

This guide tells you what to do if you wish to succeed or transfer a tenancy, would like to exchange your home with another tenant, or are moving out of your home.

Who is this guide for

People who would like to live in a Progress Housing Group home.

Bitesize summary

- If you want to end your tenancy, you must give us four weeks' notice in writing
- You must leave the property clean and tidy, reinstate any alterations and return all the keys
- If you want to move to another social housing property, a mutual exchange is the fastest and easiest way

- If you have additional needs and want to stay in your home, we may be able to help with installing aids and adaptations.

If you wish to transfer a tenancy, would like to exchange your home with another tenant or are moving on, there are a few things you need to do.

Ending your tenancy

If you would like to move out of your property, you must give us four weeks written notice. Your four weeks' notice will begin on the first Monday after receiving your completed termination form.

You can find the tenancy termination form on our website, www.progressgroup.org.uk, or you can contact us at 0333 320 4555.

During these four weeks, we will arrange a pre-termination inspection.

When you move out, you should remove all your personal belongings. The house and garden should be left in a clean and tidy condition. We will charge you if we have to remove any of your belongings or clear out your rubbish.

However, if you believe that you have some fixtures such as carpets, curtains or blinds that are in good serviceable order and you would like to leave them for the incoming tenant (this doesn't apply to electrical or gas appliances, you will have to dispose of these yourself) you would need to get permission from your Housing Team by agreeing to have a pre-termination inspection (PTI) carried out during which you can get permission to leave items agreed with your housing officer.

If this process is completed, you will not be recharged for any items agreed to be left. However, suppose you do not obtain permission. You will be recharged in that case, so please don't assume you can leave items without authorisation. It is important to repair any damage or reinstate any alterations you have made before handing in your keys, or you will be recharged.

Before leaving the property, you must pay all your rent and any other charges.

Before you move out

- Make sure you have arranged to pay all your outstanding bills for your rent, council tax, gas, water, electricity, telephone, and any other services you receive
- Read all the meters and send a copy of the meter readings to the suppliers; keep a copy for your records
- Clean every room of the property and put any rubbish out for collection
- Repair any damage
- Reinstate any alterations, such as light fittings or laminate flooring
- Lock all the doors and windows
- Return all sets of keys to our reception at Sumner House in Leyland. If you wish to send your keys by post, please ensure you use recorded delivery
- Tell your local Benefits Office if you claim benefits to help with housing costs

- Turn the water off at the stop-cock (especially in winter)
- Turn gas and electricity off at the meters.

Don't forget to cancel milk and other regular deliveries, transfer your TV licence, and complete a post-redirection form at the Post Office.

Mutual exchange

A mutual exchange is where two tenants or more agree to swap homes. This is the fastest and easiest way to move. Although some exceptions exist, you have the right to exchange your home with any tenant of any other housing association or a local council in the UK. However, you must first obtain written permission from us and the landlord of the house you wish to swap with.

If you need help finding an exchange, we can look at matching you with someone already registered with us. We also participate in a scheme which keeps a national register of tenants wanting to swap their council or housing association home.

It is free to register your details, but in some cases, you may need to pay a small additional charge to access the details of a tenant on a different scheme to the one we currently participate in. Find out more at www.progressgroup.org.uk

We will normally grant permission for such a swap. However, below are some examples of when we will not give permission:

- If one of the homes is too small for the family's needs and the swap would lead to that family being overcrowded
- If one of the homes is too large for the family wanting to move there and is more suited to a larger family who may be waiting for this size of the property
- If one of the houses has been adapted to be used by an elderly or disabled tenant and no one in the new family needs the adaptations
- If we are taking legal action to gain possession of the house of the tenant requesting an exchange.

Before an exchange can go ahead:

- There must be no rent arrears
- Your house and garden must be in a good condition
- You must not have made changes or improvements to your home without obtaining our written permission.

Transferring to a new property

You may want to move from your present home for many reasons. It may have become too small or large for your family, or you may need to move nearer to relatives or a new job.

We operate our own transfer scheme for tenants as a part of our allocation schemes in different areas. You can register for a transfer, enabling you to bid for available homes. This differs from a mutual exchange as you do not have to find another tenant to swap homes with. We have a number of categories to prioritise those on the transfer waiting list. These categories are not given in order of preference, and other priority categories may be added in the future.

You will be able to apply for a transfer if:

- Your family has increased in size, and therefore you need more bedrooms
- Your family has decreased in size, and therefore you need fewer bedrooms
- A member of your family is chronically ill or disabled, and your present home cannot meet their needs
- You are over 55 years old and would like to move to independent living accommodation
- Social reasons, for example, a new job in another part of the country or the need to care for a chronically sick relative
- You are experiencing threats of violence or harassment
- You are living in shared or supported living accommodation and would benefit from having self-contained accommodation.

However, you may need to have a local connection for some schemes.

If you wish to ask about a transfer:

- Contact us to find out which housing association or local council offers properties in the area that you wish to transfer to
- Give as much information as possible so that your circumstances can be assessed fully.

If your rent account is in arrears, you must have entered into and kept to a repayment plan. It is difficult to guide you on how long it will take to move because it will depend on availability in the area and the type of home you are looking to move to.

Ending a tenancy in the event of a death

We realise that a relative or close friend's death is difficult and emotional. We will be as sympathetic and supportive as possible during this bereavement period. However, we would appreciate you letting us know when a tenant has died as soon as possible. You will need to let us know the date of death and give details of the person dealing with the deceased's estate. It would also help if you could let us know who will remove the deceased person's belongings.

The tenancy does not automatically end as soon as a tenant dies. Once notified, we will apply the four-week notice period, as stated in the tenancy agreement; the rent will be due during this period. If the keys are returned before the end of the notice period, and we are able to process the property to achieve a relet before the notice period ends, we will adjust the notice period and, therefore, any debt to reflect this. You should also be aware that any housing-related benefit cannot be claimed during this time, and rent will have to be paid for by the deceased's estate.

We understand that making the necessary arrangements and clearing the property may take some time. If this is going to take longer than four weeks, please let us know. If any items have been left behind in the property when the keys are returned to us, we will dispose of them; we may recharge the estate for this service.

However, if you believe that you have some fixtures such as carpets, curtains or blinds that are in good serviceable order and you would like to leave them for the incoming tenant (this doesn't apply to electrical or gas appliances, you will have to dispose of these yourself) you would need to get permission from your Housing Team by agreeing to have a pre-termination inspection (PTI) carried out during which you can get permission to leave items agreed with your housing officer. If this process is completed, there will be no recharges for any items agreed to be left. However, if you do not obtain permission, you will be recharged. Please don't assume that you can leave items without authorisation.

If any rent arrears are outstanding, or if the account is in credit, we will notify the person(s) dealing with the estate of the deceased of the amount so that they can settle the account out of any funds left by the deceased, or add the credit to the estate.

If there are insufficient funds to clear the debt, we will respond sympathetically, and in some circumstances, the debt may be written off.

The deceased person's relatives or friends are not responsible for settling outstanding arrears unless they are dealing with the estate. We would not expect people in this situation to suffer financial hardship by settling such arrears.

If you have any queries about how to deal with tenancy matters on the death of a relative or friend, please contact us at 0333 320 4555.

Taking over a deceased spouse or partner's tenancy

If you are the deceased's wife, husband or civil partner, you should be able to take over the deceased's tenancy. This is called succession and is where a tenant has died, and their tenancy is taken over by another person who is legally entitled to do so.

In most cases, you will be able to succeed in a housing association tenancy if:

- You are the spouse, civil partner or cohabitee of the tenant, and;
- You were resident in the property at the time of death
- The property is your only or main home, and;
- There has been no previous succession.

It is not normally possible for other family members (such as children) to take over a housing association tenancy by succession unless:

- The tenancy is a secure housing association tenancy
- The other family member had been living in the home for at least 12 months before the tenant's death, and;
- There is no surviving spouse or partner who is eligible to succeed.

To determine whether you are eligible to succeed as a family member, please email us at enquiries@progressgroup.org.uk or call 0333 320 4555.

The tenancy could not be transferred again if your deceased partner or spouse was a successor. The only exception is when there is a joint tenancy and one of the tenants has died. In this case, the remaining tenant continues with the tenancy as a sole tenant.

Exceptions (succession)

We may allow succession to take place or offer a new tenancy where there is no legal right to it in these two circumstances:

- Where one succession has already taken place and a second request for succession is being made by a husband, wife or civil partner (or those who had been living together as a husband, wife or civil partner)
- Where there is no husband, wife or civil partner, a member of the deceased tenant's family may be entitled to succeed a tenancy provided they lived with the deceased tenant for at least 12 months before their death.

Please remember that where there is no legal right to succeed, we have absolute discretion regarding whether we allow succession to occur.

Under-occupancy

If you succeed in a tenancy and you were not the spouse or civil partner of the deceased tenant, and you would be under-occupying the property by at least one bedroom (or two-bed spaces), we may require that you move to more suitable accommodation. Under new government rules, you will also receive a reduction in Universal Credit. This reduction will be higher the more bedrooms you under occupy.

Applying for succession

If you feel you have the right to succeed in a tenancy, then you must put your request in writing. You will need to provide a copy of the previous tenant's death certificate. We can arrange for the certificate to be copied at no cost if you have the original.

If you are the husband, wife or civil partner of the deceased tenant, we will need to see a copy of your marriage or civil partnership certificate (or other evidence of your marriage or civil partnership).

If we require any further information, you will be contacted directly.

Assured shorthold tenancies

There is no right of succession to an assured shorthold tenancy.

Assignment

An assignment is the transfer of a tenancy to someone else and is not allowed except where a court orders it or with our written consent. In two instances, we will give written permission to assign a tenancy to someone else. They are:

- When exercising the right to exchange (commonly called a mutual exchange)

- When assigning the tenancy to a household member who would have qualified to succeed the tenancy if the tenant had died. The decision to assign a property this way is at our discretion and is not a right.

Applying to have a tenancy assigned

Please remember, unless a court has ordered your tenancy to be assigned or you are undertaking a mutual exchange, you do not have the legal right to assign your tenancy. To apply for an assignment of your tenancy, please put your request in writing, explaining the reasons for your request fully. If you have a court order, we will need to have a copy of the order.

There are some circumstances where it is unlikely we will allow an assignment of a tenancy. These are:

- Where you owe rent arrears
- If we have taken legal action against you or anybody living with you or visiting your home for a breach of your tenancy agreement

- The person you are asking your tenancy to be assigned to owes rent, or we have had to take legal action against them
- The person you are asking your tenancy to be assigned to does not meet:
 - the criteria of a local lettings plan that has been agreed upon in your area
 - the criteria set out in any planning consent for your property or agreed criteria for your property (for example, a young person living in an independent living scheme).

However, a Progress Housing Group employee will discuss any issues of concern with you.

If you assign a tenancy to someone else without getting a court order or our written consent first, we may commence legal action to recover possession of the property.

Right to buy or acquire

If you are a tenant who has resided in a housing association property for a specified period, you may have the Right to Buy the home you live in at a discounted rate.

Whether you have such an entitlement and the amount of discount you are eligible for depends on the type of home and the length of time you have been a qualifying tenant. The rules are quite complicated, so we advise you to contact us for specific advice.

There are exceptions to the Right to Buy, such as independent living and temporary accommodation. If you require any further information regarding current levels of discount, qualifying tenancies or have any further queries, please contact us on 0333 320 4555.

You could be eligible for the Right to Acquire scheme if you do not qualify for the Right to Buy. More information is available on our website, www.progressgroup.org.uk

Adaptations to your home

We provide an aids and adaptations service to meet the needs of people with disabilities and help them maintain their independence and remain in their homes.

You or someone on your behalf can request an aid or adaptation by getting in touch at 0333 320 4555 or on our website.

If your property is unsuitable for an adaptation, we will discuss with you the available alternatives.

You may also be interested in

- Mutual exchange
- Downsizing or transferring
- Shared ownership
- Independent living schemes for those over 55
- Adapting your existing property you rent with us to make it more suited for your needs.

Get in touch

The quickest way to get in touch is online at www.progressgroup.org.uk by:

- Logging into your online tenant account
- Emailing us
- Live chat – available Monday to Friday, 8am to 5pm.

You can also:

- Call us on 0333 320 4555
- Visit or write to us - Sumner House, 21 King Street, Leyland, Lancashire, PR25 2LW.

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Moving on/2023

Report or track a repair or check your rent balance

You can pay your rent, check your rent balance and report or track a non-emergency repair online 24/7.

Log in or sign up for your online tenant account at www.progressgroup.org.uk

Complaints and compliments

Your feedback is very important to us and helps us to improve our services. If you want to tell us that we have been doing something well or are unhappy about something, please tell us using the contact details on the left.

Our Complaints Policy and process follow the standards set out in the Housing Ombudsmen's Complaint Handling Code. You can read more on our website or let us know if you would like a leaflet.

Information in another format or language

This leaflet is available in the following formats:

- EasyRead
- Audio
- Large print
- Braille
- Other languages.

More information is available at www.progressgroup.org.uk/access