Succession Application Form

What is Succession?

Succession is the right of a family member, or other qualified person, to take over the tenancy on the death of the tenant.

**Who can Succeed to a tenancy?**

The law on council tenancy succession is different for secure tenants (and household members) where a tenancy was created before 1 April 2012 and those created after this date. Where a tenancy was created before 1 April 2012, family members have a right to succeed to the tenancy.

This may be the tenant’s spouse or registered civil partner or could be a co-habiting partner or another family member(s). Family members seeking to succeed the tenancy will need to have lived at the property for at least 12 months before the tenant’s death.

Where a joint tenant dies, the other joint tenant becomes the sole tenant.

Where a tenancy was created on or after 1 April 2012, only a spouse, civil partner or a person who lives with the tenant as if they were a spouse or civil partner will have a statutory right to succession.

There can only be one statutory succession to a secure tenancy.

Minors/Trustees

Where the person who succeeds the tenancy is under the age of 18, the tenancy will temporarily be assigned to a trustee, until the successor turns 18, when they will take over the tenancy. The trustee will be responsible for paying the rent and any other tenant obligations. The trustee must be a relative or a someone authorised by social services to look after the minor.

Evidence to support your claim for succession

You will have to provide evidence to show that you are entitled to succeed.

• Proof of ID – provide 2 forms of ID, one of which must be Photo ID.

• Proof of residence – provide three different documents showing that you lived with the tenant during a twelve-month consecutive period before the tenant’s death.

• Proof of relationship to the deceased tenant.

• Proof that the property is your only or main home - Housing Services will carry out a credit check and will Contact council tax and electoral register to confirm if the property is your main home.

For family members and co-habiting partners for tenancies that started before 1 April 2012 Housing Services will also check you have been living at the address for 12 months prior to the date of application.

*For trustees we would just require 2 forms of ID, one of which must be Photo ID.*

If you have not already, please contact your Neighbourhood Team on 0800 137 111,

HM-HousingNorth@rbkc.gov.uk or HM-HousingSouth@rbkc.gov.uk for more information before making an application.

**A member of the Neighbourhood Team must see the originals of any documents provided –** please bring these into the office or show these to a Visiting Officer and they will arrange for digital or paper copies to be attached to your application.

**\*Mandatory Fields**

|  |
| --- |
| Details of deceased tenant: |
| Full Name \*  |  |
| Date of Birth \* |  |
| Address \* |  |
| Date of Death \* |  |
| Death Certificate attached \*:  | Yes [ ]  Already Provided [ ]  |
| If you are unsure about the tenancy details, please leave these blank |
| Tenancy start date |  |
| Tenancy type | Secure [ ]  Introductory [ ]  Other [ ]   |
| Is the tenancy in joint names? | Yes [ ]  No [ ]   |
| If yes, name of joint tenant |  |
|  |
| Details of the person applying to succeed: |
| Name \* |  |
| Date of Birth \* |  |
| National Insurance No.\* : |  |
| Address\* | Same as Deceased Tenant’s Address £Other: £ |
| Contact No. (Preferred)\*: |  |
| Contact No. (Additional): |  |
| Email Address: |  |
| Relationship to the deceased tenant\*: |  |
| How long have you lived at the current address?\*: |  |
| Address history for past 10 years with dates\*(cont. on separate paper if necessary) |  |
| Is the property your only or main home? | Yes £  | No £ |
| Do you have a tenancy with another landlord(includes private, council, housing association or any other tenancy) | Yes £ No £ |  |
| Are you a homeowner? | Yes £ No £ |  |
| If yes to either of the two questions above, please provide the address. |  |
|  |
| **Name of trustee** (if applicant is under 18): |  |
| **Relationship to Applicant:** |  |
|  |
| Members of the household who will be living at the address following a successful application to succeed: |
| **Title** | **First Name** | **Surname** | **DOB** | **Relationship to Main Tenant\*** | **Type of ID Provided\*** |
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| Continue on separate page if necessary |
|  |
| **Next of Kin 1** |
| Name |  |
| Relationship |  |
| Contact Number |  |
| **Next of Kin 2** |
| Name |  |
| Relationship |  |
| Contact Number |  |
|  |
| Equalities Data: |
| Religion or Belief: |  |
| Gender | Female £ / Male £ /Other or non-binary £ |
| Gender Reassignment | £ No, my gender is the same as my sex registered at birth£ Yes, my gender is different to my sex registered at birth |
| Sexual Orientation | £ Bisexual (attracted to more than one gender)£ Heterosexual or ‘straight’ (attracted to people of the opposite sex)£ Lesbian or Gay (attracted to people of the same sex)£ Other, self describe: |
| Country of Origin |  |
| Ethnicity | **Asian/British Asian** £ Bangladeshi£ Chinese£ Indian£ Pakistani£ Other Asian background**Black/Black British** £ African£ Caribbean£ Other Black background**Mixed Heritage**£ White and African£ White and Caribbean£ White and Asian£ Any other mixed/Multiple ethnic background**White**£ English/Welsh/Scottish/ Northern Irish/British£ Irish£ Gypsy/Irish Traveller£ Other, please state:**Other** £ Roma£ Arab/British Arab£ Any other ethnic group, please state: |
| Preferred Language |  |
| Disability or Long-Term Illness: (please tick all that apply) | No Disability [ ]  |
| [ ]  Mobility (difficulty getting around) [ ]  Wheelchair User [ ]  Hearing Impairment [ ]  Learning Issues [ ]  Mental Health [ ]  Sight Impairment [ ]  Physical Impairment [ ]  Other, please state: |
| Do you use Medical Equipment requiring an Electrical Supply?  | Yes [ ]  No [ ]  |
| Are you **unable** to exit a building **above** the ground floor **without** use of a lift?  | Yes [ ]  No [ ]  |
| Do any members of the household use Medical Equipment requiring an Electrical Supply?  | Yes [ ]  No [ ]  |
| Are any members of the household **unable** to exit a building **above** the ground floor **without** use of a lift? | Yes [ ]  No [ ]  |
|  |
| Proof of identify, residency and relationship: |
| You must submit **two** forms of ID, **one of which should be Photo ID**, as well as a proof of residency and a proof of relationship with the deceased tenant.**Spouses and civil partners must provide a copy of the marriage or civil partnership certificate.** Partners living as spouse or civil partner should contact your Neighbourhood Team for more information.For proof of residence, please provide **three** different documents, listed in the table below, showing that you lived with the deceased tenant during the 12-month period before their death.This list is non-exhaustive; however, preferred documentation types are stated in **bold**. If you cannot provide the items in **bold** you may be asked to provide further documentation to support your application.**A member of the Neighbourhood Team must see the originals of any documents provided –** please bring these into the office with your completed application or show these to a Visiting Officer, they will arrange for digital or paper copies to be attached to your application.  |
|  |
| **Proof of Identity** (provide **two**) | **Proof of Residency** (provide **three that** cover the 12-month period before the tenant’s death) | **Proof of Relationship** (provide one) |
| [ ]  **Current Valid Passport** | [ ]  Utility bill **with your current address.** | [ ]  **Marriage certificate**  |
| [ ]  **Full Photo Driver’s License or Provisional driving license** | [ ]  Full Photo Driver’s License or Provisional driving license **with your current address** | [ ]  **Civil partnership certificate**  |
| [ ]  **Valid Resident’s Permit or Identity Card (EU nationals)** | [ ]  P45 **with your current address.** | [ ]  **Birth certificate** (for tenancies dating before 1 April 2012) |
| [ ]  Full Birth Certificate(when combined with one of the above) | [ ]  DSS Documents (benefit/pension) **with your current address.** | [ ]  **Adoption certificate** (for tenancies dating before 1 April 2012) |
| [ ]  Freedom Pass (where no other photo ID is available) | [ ]  Bank Statement **with your current address.** | [ ]  Other, please state |
| [ ]  Immigration documents from the Home Office confirming your status. | [ ]  Immigration documents from the Home Office confirming your status **with your current address**. | [ ]  Letter from Housing Benefit, Schools, Hospitals, solicitors, or social services **with your current address.** |
| [ ]  Other, please state | [ ]  Wage slip **with your current address.** | [ ]  Other, please state: |

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| **Declaration:** |
| I declare that to the best of my knowledge and belief the information given is accurate, true and correct. I am aware that to provide false or misleading information or to omit information for the purpose of obtaining housing, legal action could be taken against me or my representative, including prosecution, and that any tenancy granted to me could be terminated. Section 171 of the Housing Act 1996, Part VI, as amended, makes it an offence to knowingly or recklessly give false information or to knowingly withhold information which the Council has reasonably requested in connection with their application. This would include providing false information on an application form for social housing or in response to a request for further information or during review proceedings. If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years’ imprisonment or an unlimited fine, or both. I understand that my information will be held securely under the terms of the General Data Protection Regulation. I also understand that I have the right to see the information held about me by the Council. We will only share the information you have provided with partner agencies and third parties which request the information in accordance with the law. If the application is successful the council will hold this information for the duration of the tenancy, plus 6 years. If the application is unsuccessful the council will hold this information for 2 years following the conclusion of any enquiries or investigation. |
|  **Person applying to succeed to the tenancy:** |
| Signature |  |
| Print name |  |
| Date |  |
| Date of Birth (if under 18) |  |
| **Trustee (if applicant is under 18):** |
| Signature |  |
| Print name |  |
| Relationship to the applicant |  |
| Date |  |
|  |
| **What happens next?**We will send you an acknowledgment letter within 5 working days of receiving your applicationWhen all supporting documentation has been provided, Housing Services will assess your application and send a letter confirming the outcome within 28 days. |
| **Office use only:** |
| **RBKC Staff Member viewing original documentation****Please also initial next to each document seen i.e. Death Certificate, as well as ID for tenant and all household members** |
| Signature |  |
| Print name |  |
| Date |  |
| **Reason for change:**  |
| [ ]  Statutory Succession[ ]  Discretionary tenancy[ ]  Same sex succession[ ]  Sole to joint tenancy[ ]  Will of Deceased tenant | [ ]  Homes Across London[ ]  Joint to sole tenancy[ ]  Assignment by written request[ ]  Succession[ ]  Transfer  |
| **Has the residency qualification been satisfied?**(Must be 12 continuous months prior to the death of the tenant) |
| [ ]  Statutory Succession[ ]  Discretionary tenancy[ ]  Same sex succession[ ]  Sole to joint tenancy[ ]  Will of Deceased tenant | [ ]  Homes Across London[ ]  Joint to sole tenancy[ ]  Assignment by written request[ ]  Succession[ ]  Transfer  |
| If other, please give details:  |
| Will court action be necessary after 6 months:  Yes [ ]      No [ ]                        |
| If yes, please indicate the earliest date action should commence  |
| Note in your diary and advise team leader if successor but under occupying a NSP is to be served within 12 months of previous tenant’s death - on grounds 16 if under occupying current property.If married – exempt from this and allowed to remain in current property if they wish to.Change of tenancy agreement:      If no, give reasons for refusal: |