

## **1. APPENDIX 1 - COMMITTEE AUTHORITY**

Housing Committee on 8 October 1996 accepted the following recommendations:-

- 1.1. "That, subject to the provisions of the Housing Act 1985, the existing practice of not seeking possession of a property following a succession or assignment of the tenancy be confirmed :-
  - where there is under-occupation of the property by one bedroom;
  - when there is insufficient demand for specially adapted or provided accommodation.
  
- 13.2 That, subject to the provisions of the Housing Act 1985, the existing practice of not approving assignment of tenancies by way of an exchange be confirmed:-
  - where there would be under-occupation by more than one bedroom;
  - where under-occupation of any property subject to the exchange would be worsened by the exchange; or
  - where statutory overcrowding would result from the exchange;
  - where the tenant or a member of his / her family who propose to exchange into a sheltered or specially adapted property does not need the special facilities provided by the property;
  
- 13.3 That applications for joint tenancies be approved where:-
  - the housing or former tenant account of either party is not in arrears, and
  - the tenancy is not subject to a Court Order for Possession; and
  - the proposed joint tenant is not the tenant or owner of another home;
  - if the request is to include a partner, that partner must have lived in the property for at least the preceding 12 months, unless they are the husband or wife or civil partner of the tenant;
  - the proposed joint tenant has given up another City Council tenancy to move in with the existing sole tenant.
  
- 13.4 That requests to create a joint tenancy are not approved where:-
  - the sole tenant wishes another member of their family (other than their spouse/ civil partner) to become a joint tenant;
  - the sole tenant wishes a live-in carer or similar to become a joint tenant;
  
- 13.5 That the City Council recognise the rights of partners in same-sex relationships to be the same as those of common-law partners:-
  - to succeed to tenancies;
  - to be assigned a tenancy;
  - to become a joint tenant.
  
- 13.6 That the Housing Manager continues to exercise delegated authority to decide when to grant tenancies where no statutory right of succession applies."