TOWER HAMLETS COMMUNITY HOUSING

ASSIGNMENT AND MUTUAL EXCHANGES (assured tenants) – Policy

1. Statement of Intent

1.1 THCH will deal with all applications for assignment promptly, fairly and efficiently. Where an assignment is decreed by the Court THCH will act in accordance with the Court's determination. Where an application is made by a tenant wishing to assign their tenancy to a potential successor, THCH will investigate to confirm the circumstances of the assignee, and determine whether the assignment is permitted within the terms of the tenancy agreement

2. Guidelines

2.1 An assignment is a transfer of a tenancy to another person/body, usually be legal deed. Section 15 of the Housing Act 1988 includes an implied provision of all assured tenancies that assignment is not permitted except in strictly defined circumstances.

2.2 THCH will consider applications for assignment in the following circumstances:

2.2.1 an assignment by way of a mutual exchange
2.2.2 an assignment where a court has made a property adjustment order in Matrimonial Proceedings.
2.2.3 an assignment to a potential successor.

2.3 THCH is committed to promoting mutual exchange schemes and will assist tenants seeking alternative accommodation by way of exchange both within its own stock, and with tenants of other landlords.

2.4 Where applications for assignment are agreed by THCH, it will make the necessary administrative changes quickly. Where applications are turned down, THCH will inform the tenant of this, stating the reasons for the refusal in writing.

2.5 The rights to assignment are permitted by the Housing Act 1988 to assured tenants. THCH has no right of assignment to any assured shorthold tenancy that we may grant.