



Succession Policy - Quick Guide (V1.0).

What happens to a tenancy when a tenant dies

This quick guide provides a short overview of succession. Full legal detail is available in the Portsmouth Homes Succession Policy.

What is succession? (See policy: What is Succession? p.4)

Succession is the process by which a tenancy may be passed to someone else following the death of a tenant.

- Right to the **tenancy**, not automatically the **property**
- **One succession only to a tenancy**
- The rules depend on the relationship to the tenant and when the tenancy began

Types of succession (See policy: Succession Types, p.4-5)

Joint tenancy (survivorship) - automatic transfer to surviving joint tenant

Statutory succession – spouse/partner or qualifying family member; usually 12 months' occupation; rules differ pre/post April 2012

Non-Statutory succession (Discretionary) – exceptional cases only; new tenancy may be offered, possibly at a different home.

Who may be considered? (See policy: Who might be considered? p.5)

Eligibility depends on tenancy type, start date, and household circumstances.

- Spouse, civil partner or partner living in the home at time of death
- Qualifying family member with long-term residence (mainly pre-2012 tenancies)
- Carer or household member with exceptional circumstances

Evidence may be required, such as proof of residence, relationship, or length of occupation.

Property suitability (See policy: What Happens If the Home Is Too Big? & Adapted Homes, p. 7-8)

Where succession is approved, the property must still meet the current housing need.

If the home is:

- Larger than required, or
- Specially adapted and those adaptations are not needed

A move to a more suitable property may be required.

Where succession is not possible (See policy: What If I Don't Qualify? p. 7)

If succession cannot be approved, housing advice and support will be provided. The tenancy will be ended in line with legal requirements. Use and occupation charges and household bills may apply where occupation continues, until possession is obtained.

What needs to happen (See policy: Your Responsibilities & Our Responsibilities, p. 3-4)

- The tenant's death should be reported as soon as possible (normally within 28 days)
- Relevant documents should be provided promptly
- Household circumstances should be kept up to date through tenancy update visits (TUVs).
- Co-operation is required where alternative housing is needed

Reviews and appeals (See policy: What If I Disagree with the Decision? p. 8)

- Decisions may be appealed within 14 working days
- Reviews are carried out by a manager not involved in the original decision
- Appeals are upheld where policy or legal requirements have not been correctly applied

Further information

For full details, including legal definitions, examples, and exceptions, refer to the Portsmouth Homes Succession Policy or contact Portsmouth Homes for advice and support.

Information is available in alternative formats on request.

[Link- Succession Policy](#)

