



## Application to create a Joint Tenancy (subject to ending a current sole tenancy)

Please complete this application form if you are currently the sole tenant of a Bristol City Council property and you wish to apply for a person to become a joint tenant at your address

**We can only consider joint tenancy applications from married couples, civil partners and couples living together as if a spouse or civil partner.**

### **Completing the application form**

This form must be completed and signed by the current tenant and the proposed joint tenant.

The information you provide on this form allows Bristol City Council to assess the eligibility of the person that you are requesting to be considered as a joint tenant. It is important that you answer all the questions and provide copies of the documents requested. Incomplete applications will automatically be declined.

When you have completed, signed and dated your form, please send it with the required proof to the address on the back page of this form or take it to the Citizen Service Point at 100 Temple Street. Please do not send original documents.

### **Privacy statement**

This information is being collected by Bristol City Council. The information will be used to, plan, monitor and manage your tenancy more efficiently. This will enable us to improve the quality service, by meeting individual tenant needs. Bristol City Council is committed to protecting your privacy and processes data in compliance with the GDPR and other relevant legislation. If necessary, information about any support or communication needs you have told us about may be passed to contractors undertaking work on behalf of the council, in order to provide you with an effective service. We recognise our responsibility in ensuring that your personal data is kept secure and confidential and that data is processed fairly and lawfully. We will be happy to update and amend your data when necessary and will keep data no longer than necessary. Any statistics created from the information provided, will not contain personal information.

You have the right to see Personal Data held about you by Bristol City Council. If you wish to do so please contact us. For further information on Data Protection or if you have a comment or complaint, visit [www.bristol.gov.uk](http://www.bristol.gov.uk) or contact your local Customer Service Point.

### **Tenancy fraud**

Tenancy fraud, which includes fraudulent claims for a succession is a crime. Making a false declaration or submitting fraudulent documents to obtain a council tenancy is a criminal offence under the *Fraud Act 2006*, which carries a maximum sentence of 10 years in prison, an unlimited fine or both. Subletting and parting with possession of a property may also be prosecuted under the *Prevention of Social Housing Fraud Act 2013* which carries a sentence of up to 2 years and a fine of up to £5,000.

**Bristol City Council may prosecute any individual found to have given false information in order to obtain a tenancy.**

# 1. Current Tenant Details

Title					
First name(s)					
Last name					
Date of Birth			Sex		
Address					
Postcode					
Telephone number					
Email address					
Type of tenancy held (circle one)	Secure	Introductory	Unsecure	Demoted	Don't know

## **Providing proof**

Please submit the relevant evidence to support your application. We require one form of ID and one proof of address for existing tenants at your current address. Acceptable evidence includes:

- Passport
- Driving licence
- Birth certificate
- Bank statements or utility bills
- Benefits letter / Letter from HMRC

**If you are applying for a joint tenancy with your spouse or civil partner then we will require a copy of your marriage certificate / registration of civil partnership.**

## 2. Proposed Joint Tenant Details

**ONLY YOUR SPOUSE, CIVIL PARTNER OR LONG-TERM PARTNER WILL BE CONSIDERED FOR A JOINT TENANCY**

Title			
First Name(s)			
Last name			
Current address			
Postcode			
What is your relationship?			
Date of Birth		Sex	
Telephone number			
Email Address			
National Insurance Number			

### **Providing proof**

You must provide the following for the proposed joint tenant:

- One proof of identity including your date of birth – for example a passport, driving licence, birth certificate or home office papers
- One proof of address, for example a utility bill or bank statement
- Married couples and civil partners must provide a copy of their marriage or civil partnerships certificate
- Long term partners (other than spouses and civil partners) must provide proof that they have resided together at the address for at least 12 months. We will require proof of residence to cover the full 12 month period.

**If you are applying for a joint tenancy with your spouse or civil partner then we will require a copy of your marriage certificate / registration of civil partnership.**



## 4. Address History for proposed tenant

How long have you lived at the address with the current tenant? .....

Do you currently have a tenancy (including a Joint tenancy) with a landlord?

Yes  No

If you have answered yes, please provide further details:

Secure or Introductory Council tenant

Unsecure Council tenant

If yes, which Council? .....

Housing Association Assured

Assured shorthold or secure

If yes, which Housing Association? .....

Private Tenant

Tiered accommodation with a job

If yes please provide full address and name of landlord:

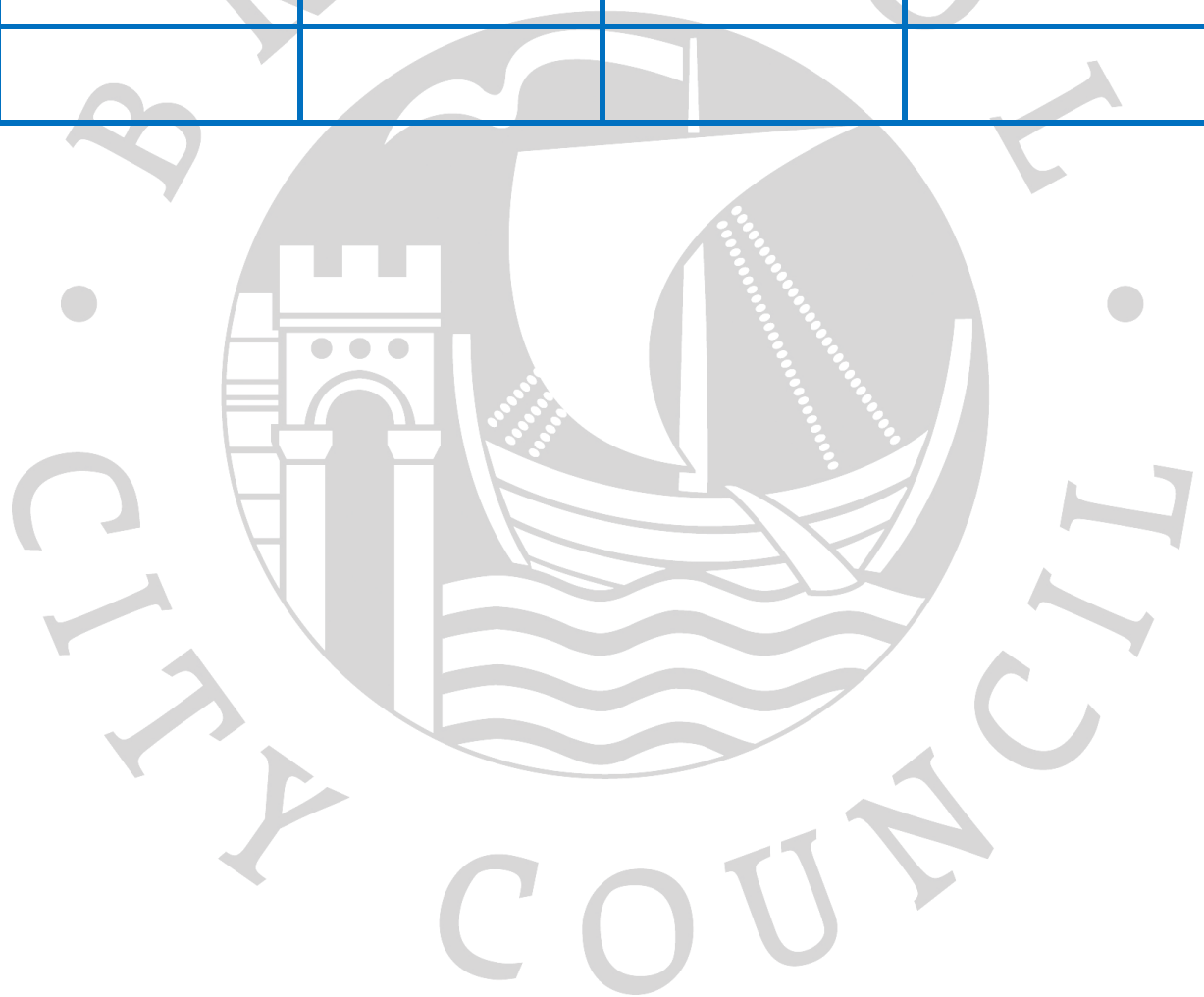
Are you currently a Homeowner?

Yes  No

If yes please provide full address:

Apart from your current address where else in the UK have you lived in the past 5 years?

Address	Dates lived there	Type of property (e.g. Council/Private tenancy)	Reason for leaving



## 5. Eligibility

The following questions will allow us to assess if the proposed joint tenant is eligible to hold a Bristol City Council tenancy.

### Eligibility & Immigration status

Are you a:

British Citizen?

Irish Citizen?

EEA National?

Indefinite leave to remain?

Limited leave to remain?

Discretionary leave to remain?

Asylum seeker?

Refugee?

Other, please state.....

Proof required

- You must provide one proof confirming your eligibility; for example a passport or Home Office documents
- EEA Nationals will need to provide 3 months' payslips and contract of employment

Please do not include original documents with your application; however we may ask to see your original documents at a later date.

Your application can not be accepted without this information.

## 6.Income

We require information about your income in order to assess your eligibility for housing.

What is your weekly income?

What is your total savings?

Where does this income come from?

Employment

Benefits

Interest payments or dividends

Do you own a property in the UK?

Yes

No

Do you own a property overseas?

Yes

No

Have you owned a property in the UK or overseas in the past 5 years?

Yes

No

Do you receive an income from renting a property in the UK or overseas?

Yes

No

Have you previously exercised the Right to Buy or the Right to Acquire with any council or registered provider?

Yes

If you have answered yes to any of the above questions please provide further details:



## 7.Reasons for Refusal

There are certain circumstances under which Bristol City Council will decline your request to create a joint tenancy, such as but not limited to:

- the property is under-occupied / overcrowded
- another person's rights may be affected
- you're going to be evicted because of your behaviour
- the person applying isn't eligible for council housing
- there has already been a succession or assignment of the tenancy
- we do not believe that the tenant is entering into the agreement of their own free will
- you have excessive rent arrears or other charges owing to BCC or have been served with a Notice of Seeking Possession
- we have taken formal action against your tenancy or a member of your household

If we refuse your application for a joint tenancy we will notify you of the reasons why in a letter. You will also be advised of how to appeal if you disagree with our decision.

**We will generally approve joint tenancy requests where there are rent arrears or other recoverable debts owed to Bristol City Council by the current tenant or proposed joint tenant. However these will need to be cleared in full before the new tenancy agreement can be signed.**

**We will only consider joint tenancy applications from married couples, civil partners and couples living together as partners.**

## **8.Important advice:**

**Entering in to a joint tenancy is a significant legal responsibility and as such Bristol City Council advises that you seek independent legal advice. Please read the information below carefully and consider your legal interest as a secure council tenant.**

- 1. Joint tenants are jointly and individually liable to comply with all the tenancy conditions, for example, if one tenant breaches a condition, they will both be held responsible.**
- 2. If one tenant dies, the other will become the sole tenant by way of survivorship. There will be no further right of succession. There is no right to assign a joint tenancy to a potential successor.**
- 3. If one of the joint tenants formally ends the tenancy by signing a Notice to Quit then the tenancy will be ended for both joint tenants. You may not be guaranteed a new tenancy at the address and Bristol City Council may consider taking legal action to gain possession of the property.**
- 4. Both joint tenants remain jointly and severally liable for the tenancy even if one tenant is absent from the property for a period of time. Both joint tenants have equal rights to the tenancy.**
- 5. Bristol City Council will require you to end your sole tenancy before you can sign for a new joint tenancy.**
- 6. In the event that your relationship breaks down we will not be able to remove one joint tenant from the tenancy. There is no right to assign a joint tenancy. If your relationship breaks down you may be able to apply to the courts for a Property Adjustment order or alternatively you can sign a Notice to Quit to end the tenancy. Please be advised that if you end your tenancy by way of a notice you might not be able to stay at the property.**
- 7. If you receive housing or welfare benefits then you must notify the relevant benefit service or Department of Work & Pensions in writing immediately regarding your change of circumstances. A joint tenancy may affect your benefit entitlement.**
- 8. You may wish to seek independent legal advice before deciding to create a joint tenancy.**

## 9. Declaration

### Current sole tenant

- I confirm that I have read the advice provided on the previous page
- I confirm that I have not been subject to any pressure or coercion and that the decision I have made is of my own free will
- I acknowledge that I have been advised by Bristol City Council to obtain independent legal advice
- I agree with the request that I end my sole tenancy and create a new joint tenancy
- I confirm that I have been advised that Tenancy fraud is a crime. Making a false declaration or submitting fraudulent documents to obtain a council tenancy is a criminal offence under the *Fraud Act 2006*, which carries a maximum sentence of 10 years in prison, an unlimited fine or both. Subletting and parting with possession of a property may also be prosecuted under the *Prevention of Social Housing Fraud Act 2013* which carries a sentence of up to 2 years and a fine of up to £5,000 .

Full name.....

Signature (current sole tenant)

Date.....

### Proposed joint tenant

- I confirm that I have read the advice provided on the previous page
- I confirm that I have not been subject to any pressure or coercion and that the decision I have made is of my own free will
- I understand that in becoming a joint tenant (subject to approval) I will enter into a legal agreement with Bristol City Council
- I confirm that I have been advised that Tenancy fraud is a crime. Making a false declaration or submitting fraudulent documents to obtain a council tenancy is a criminal offence under the *Fraud Act 2006*, which carries a maximum sentence of 10 years in prison, an unlimited fine or both. Subletting and parting with possession of a property may also be prosecuted under the *Prevention of Social Housing Fraud Act 2013* which carries a sentence of up to 2 years and a fine of up to £5,000 .

Full name.....

Signature (proposed joint tenant)

Date.....



# 10. Equality & Diversity Monitoring

(To be completed by proposed Joint Tenant)

We ask for the following information to help us ensure that all applicants are treated fairly and that housing is provided on an equal basis to all.

The following section is voluntary, you do not have to answer these questions and it will not affect the service that we give you.

**Do you have any care or support needs that you would like us to consider when contacting or visiting your household at the property?**

**Are your day-to-day activities limited because of a health problem or disability which has lasted or is expected to last, at least 12 months?**

- |  |  |
|--|--|
| <input type="checkbox"/> Yes, limited a little | <input type="checkbox"/> No                |
| <input type="checkbox"/> Yes, limited a lot    | <input type="checkbox"/> Prefer not to say |

**If you answered 'yes' to question 2, please indicate your disability:**

- Vision (e.g. due to blindness or partial sight)
- Hearing (e.g. due to deafness or partial hearing)
- Mobility, such as difficulty walking short distances, climbing stairs, lifting and carrying objects
- Learning or concentrating or remembering
- Mental Health
- Stamina or breathing difficulty
- Social or behavioural issues (e.g. due to neuro diverse conditions such as Autism, Attention Deficit Disorder or Asperger's Syndrome)
- Other impairment
- Prefer not to say

**What is your ethnic group?**

**White**

- |  |   |
|--|---|
| <input type="checkbox"/> Welsh / English / Scottish / Northern Irish / British | <input type="checkbox"/> Gypsy or Irish Traveller |
| <input type="checkbox"/> Irish   |   |
| <input type="checkbox"/> Any other White background, please write in.....      |   |

**Mixed / Multiple ethnic groups**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> White and Black Caribbean | <input type="checkbox"/> White and Black African | <input type="checkbox"/> White and Asian |
|--|--|--|

Any other mixed background, please write in.....

**Asian / Asian British**

Indian  Bangladeshi

Pakistani  Chinese

Any other Asian background, please write in.....

**Black / African / Caribbean / Black British**

Caribbean  African

Any other Black background, please write in.....

**Other ethnic group**

Arab

Any other, please write in .....

Prefer not to say

**What is your sex?**

Male  Intersex

Female  Prefer not to say

**What is your religion?**

No religion

Atheist

Buddhist

Christian (including Church of England, Catholic, Protestant and all other Christian denominations)

Hindu  Muslim

Jewish  Sikh

Any other religion, please write in.....

Prefer not to say

**Which of the following options best describes your sexual orientation?**

Heterosexual / straight

Lesbian

Gay

Bisexual

Other

Prefer not to say

# JOINT TENANCY APPLICATION CHECKLIST

Please make sure that you have read the application form carefully and have provided all requested ID & other information to support your application. If you do not provide all requested information then your application will be declined.

**We will only consider joint tenancy applications from married couples, civil partners and couples living together as partners.**

	Provided?	Office use only	
<b>ID for current tenant</b>			
<b>Name:</b>			
<b>ID for proposed joint tenant</b>			
<b>Name:</b>			
<b>Proof of address for current tenant</b>			
<b>Proof of address for proposed joint tenant</b>			
<b>Copy of marriage certificate/ civil partnership registration certificate</b>			
<b>Proof of 12 month residency (if not spouse/civil partner) for proposed joint tenant</b>			
<b>Proof of Eligibility (if not British / Irish Citizen)</b>			
<b>3 months payslip / Contract of employment</b>			

## ABS / HO (OFFICE USE ONLY)

## HO (OFFICE USE ONLY)

These documents, as well as this form can to be taken to Bristol City Council Citizen Service Point at 100 Temple Street or submitted to [estates@bristol.gov.uk](mailto:estates@bristol.gov.uk).

Alternatively you can send them by post to:

Estate Management

100 Temple Street

PO Box 3399,

Bristol

BS3 9FS

**Tenancy fraud is a crime. Making a false declaration or submitting fraudulent documents to obtain a council tenancy is a criminal offence under the *Fraud Act 2006*, which carries a maximum sentence of 10 years in prison, an unlimited fine or both. Subletting and parting with possession of a property may also be prosecuted under the *Prevention of Social Housing Fraud Act 2013* which carries a sentence of up to 2 years and a fine of up to £5,000 .**