

# Help and Advice for Relatives or Friends of a Tenant who has Died



When someone close to you dies, it is a particularly difficult time if you are also responsible for sorting out their affairs.

We will ensure that we support you and deal sensitively with any enquiries you make. Our staff will provide advice and assistance to ensure that you are able to resolve any tenancy matters promptly.

## What happens to the tenancy if I die?

If you die, your Scottish Secure Tenancy (SST) can be taken over by another member of the household. This is called succession.

Your Scottish Secure Tenancy can be succeeded to by:

- ✔ your husband, wife or civil partner
- ✔ an opposite-sex or same-sex partner, provided they have lived with you for at least twelve months
- ✔ another joint tenant.

If you don't have a partner or joint tenant, or if they choose not to succeed, another member of your family can succeed to your SST.

They must be living with you at the time of your death and also have lived with you for the previous 12 months (with Lochaber Housing Association's permission).

## What happens if no one will be succeeding to my tenancy?

If no-one is qualified to or wants to succeed, the SST will end. If someone living in your home who is qualified to succeed chooses not to take on the SST, they must give Lochaber Housing Association four weeks' notice in writing and leave the property within three months.

## What happens if the house has adaptations?

If your home has been adapted because of any disability or additional needs, the successor may be transferred to alternative accommodation if they do not require the adaptations.

Restart Lochaber provide a way to have unwanted furniture and household goods reused for the benefit of others in the community.

All reusable items are collected free of charge.

Contact Restart Lochaber on 01397 701624 if you would like to donate any unwanted items of furniture, household goods or electrical appliances.



## The following advice may be helpful:

- Advise Lochaber Housing Association straightaway.
- Tell us when you hope to return the keys and, on your authorisation, we will remove any items in the property you wish to have cleared. (The cost for this will be re-charged to the estate of the late tenant.)
- Remember to take the electricity meter reading before returning the keys and ensure you let us know who the fuel supplier is.
- Keys should be handed in by 10am at the end of the agreed notice period to avoid another week's key holding fee being charged. Under certain circumstances the Association can consider a discretionary 14 days rent free period, any further time will have a key holding fee charged to the executor.
- You will be given a receipt for the keys.
- If there is a balance on the account when the notice period ends we will either refund the balance or, if there is an outstanding balance, we will send you a letter within 3 weeks advising you of the amount due.
- We would only expect payment if there is an estate out of which monies can be paid; please let us know.

### **Important to note**

**To make sure you have the right to pass on your tenancy (through succession) you must keep your household details up to date.**

**Inform Lochaber Housing Association as soon as someone moves in to your property, including anyone who is caring for you, otherwise we may refuse any succession request.**

**A Scottish Secure Tenancy can only be inherited twice through succession. After that, the Scottish Secure Tenancy will usually end.**

## **Useful Contacts**

### **Lochaber Housing Association**

101 High Street, Fort William, PH33 6DG

Telephone: 01397 702530

Email: [housingmgt@lochaberhousing.org.uk](mailto:housingmgt@lochaberhousing.org.uk)

### **Lochaber Citizens Advice Bureau:**

Dudley Road, Fort William, PH33 6JB

Telephone: 01397 705311

Freephone: 0808 800 4444

