

Tenancy Succession

What you need to know

What is Succession?

Succession happens when a tenancy is passed to someone else after a tenant passes away. The new tenant is called a successor. Usually, a tenancy can only be succeeded once.

Who can succeed?

Succession may be possible if:

- The law allows it – Usually for a joint tenant, spouse, civil partner, or cohabiting partner. Some family members may qualify, depending on the tenancy agreement.
- The tenancy agreement provides extra rights – Some agreements allow more rights beyond the law, with specific conditions.
- We grant a new tenancy – In rare cases, we may offer a tenancy to someone not legally entitled, like an adult child who always lived there. This is decided case by case.

What documents are needed?

To apply, you'll need to prove you lived in the property for at least 12 months before the tenant's death. Required documents may include:

- Photo ID
- Utility bills or benefit letters showing your address
- Proof of your relationship with the tenant

What happens if you succeed?

If approved, you'll either:

- Continue under the existing tenancy, or
- Be offered a new agreement with different terms - If the property isn't suitable (e.g., too large or specially adapted), we may not allow succession but could offer a more suitable home.

What if no one can succeed?

If no one qualifies, we will assess any vulnerabilities before making a final decision. In some cases, we may serve notice and seek a possession order. If you are at risk of homelessness, seek legal advice and contact Birmingham City Council.

Can you appeal a refused Succession?

Request our Customer Appeals Policy by calling 0121 748 8100.