OCHIL VIEW
Housing Association Ltd.

Advice & Support on the Death of a Tenant

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Advice and support

Dealing with the loss of a loved one is a difficult time. Death in itself is distressing and the administrative procedures involved can be an additional burden. This leaflet lets you know what to do at this difficult time.

Notifying the Association

Following the death of an Association tenant, please contact us as soon as possible by phoning 01259 722899 or email us at housing@ochilviewha.co.uk

When you call or email we will require the following details:

- Name of deceased;
- Address of deceased;
- Date of death;
- Contact name, address and telephone number of next of kin/executor;
- Estimated date for returning of keys;
- Death Certificate (a member of staff will need to have sight of this and a photo copy will be made).

If you or anyone else were living in the property when the tenant passed away, you/they may be able to continue living there. Please contact the Housing Services Officer for further information.

Ending the tenancy & handing back the property

the late tenant, you are advised that legally the tenancy ends on the day the tenant passed away.

The Association would request keys for the property are returned to Ochil View Housing Association, Ochil House, Marshill, Alloa, FK10 1AB as soon as possible. The Housing Services Officer will discuss arrangements for the return of keys with you.

The property should be cleared of all possessions and left in a clean and tidy condition. If you are unable to clear the property, you should contact the Association as soon as possible to discuss this. Ochil View HA offer our tenants a reduced cost uplift service which is provided by Clackmannanshire Council. An uplift can be arranged by contacting Clackmannanshire Council on 01259 450000. This service is suitable for oversized items that will not fit into a standard wheelie bin but is limited to 5 items per uplift.

We would remind you to take final meter readings of the gas and electricity meters and submit these to the relevant utility company. Please leave any keys/cards for pre-paid meters alongside the meters.

Should the keys not be returned within a reasonable timeframe and no contact made to discuss, the Association reserves the right to change the locks and remove any remaining personal items from the property.

If any credit remains on accounts, this will be refunded to the tenant's Estate. We would require a copy of the tenant's will with details of the executor(s) or confirming details of the next of kin.

Can I inherit the tenancy?

A tenancy can be inherited by one of the following people:

Level One:

- Tenant's surviving spouse; or
- Surviving joint tenant; or
- Tenant's co-habitee or same sex partner, provided the property had been their only or principal home for at least 6 months immediately before the tenant died. The tenant must have notified the Association in writing of the person living in the property and consent must have been given to the proposed residency in the property.

Level Two:

If no-one qualifies at Level One to inherit the tenancy, or a qualifying person does not want the tenancy, it may be inherited by a member of the tenant's family as long as:

- They are at least 16 years old at the date of the tenant's death, and
- They were residing in the property as their only or principal home at the date of the tenant's death and had been so for a period of not less than 6 months prior to the date of death of the tenant and
- The Association had been notified of in writing, and had given consent to, the proposed successor's residency in the property.
- If more than one person qualifies for the tenancy under Level Two, they must decide among themselves who should get the tenancy. If they cannot agree, the Association will decide who will become the tenant.

Level Three:

If no-one qualifies at Level One or Level Two, or a qualified person does not want the tenancy, it may be inherited by a carer as long as:

- They are aged at least 16 at the date of death and
- The house was their only or principal home at the date of death of the tenant and for a period of at least 6 months prior to the date of death of the tenant and
- They gave up another only or principal home before the death of the tenant and
- They are providing, or has provided, care for the tenant or a member of the tenant's family and
- The Association had been notified in writing of and had given consent to the proposed successor's residency in the property

If more than one person qualifies for the tenancy under Level Three, they must decide among themselves who should get the tenancy. If they cannot agree, the Association will decide who will become the tenant.

Are there special rules for wheelchair adapted housing?

By law, where a social rented house has been designed or substantially adapted for use by a person with special needs, then only a husband, wife, co-habitee joint tenant or person who needs the special features or adaptations in the house themselves can inherit the house. However, if a member of the family or carer would have been entitled to succeed if the house had not been special needs housing, the Association will find suitable alternative accommodation for them.

If the person succeeding to the tenancy dies, then it can only be inherited a second time if the person qualifying to succeed needs the special features of the house themselves.

The reason for these rules is to try to make sure adapted housing is available for people who need the special features of the property.

Notifying other agencies

If the late tenant received Housing Benefit/Council Tax Benefit, you should inform Revenues at the local council office to cancel the benefit claim, the contact numbers are below:

Clackmannanshire Council – 01259 450000 or email benefits@clacks.gov.uk

Fife Council – 03451 55 11 55 or email benctax@fife.gov.uk

If the late tenant was in receipt of Universal Credit, you should contact the DWP (Department of Work and Pensions) on 0800 328 5644.

Contact Us

01259 722899

Housing@ochilviewha.co.uk

https://www.ochilviewha.co.uk/

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