

A Pickard's Guide To:

Assignments



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What is an assignment?

Assignment is a process that allows a tenant to transfer their tenancy to another person.

When a tenant is on a fixed term tenancy agreement, an assignment can allow a tenant to be released from their legal responsibility early.

What are my rights as a tenant?

Although there are some situations where a landlord can reasonably deny an assignment, the tenant does have a legal right to assign their obligation to a tenancy agreement to another person.

For more information, please refer to the Law of Property Act 1925.





When can an assignment take place?

An assignment can take place before or during a tenancy.

Although it is uncommon, if the fixed term of a tenancy is approaching its end, a landlord may have good reason to deny an assignment.

The assignment process typically takes around four weeks to complete.



When can an assignment not take place?

An assignment may not be possible if:

- There are outstanding tenants still due to sign the tenancy agreement (applicable to joint tenancy agreements).
- All parties involved are not in agreement that the assignment should take place.
- There are arrears on the tenancy.
- The incoming candidate is not eligible to resume the tenancy (e.g. not having a Right to Rent in the UK, cannot provide a guarantor, fail referencing).





Can multiple people assign out of a tenancy at once?

Multiple assignments can happen throughout a tenancy; however, only one assignment can be conducted at any one time. Once one assignment has been completed a second can then be organised and scheduled.



How long does the process take?

The assignment process is often dependent on how quickly all parties can act. Typically where all parties act promptly, an assignment can be completed within four weeks.

Is there a fee associated with assignment?

An assignment fee of £50.00 is due to be paid by the outgoing tenant. For information on assignment fees, please refer to the [Tenant Fee Act 2019](#).





What is the Landlord or Agents role?



The Landlord or Agent's role is to facilitate assignment on request. You can expect Pickard Properties to draw up the documentation, facilitate an assignment meeting, and make all arrangements for the exchange of monies (be that the deposit or rents).

It is the responsibility of the tenants to find an assigning tenant, perform viewings of the property, and organise a day and time that all parties can participate in an assignment meeting.





How does the process work?



If you would like to assign from your tenancy, the first step is to find a replacement tenant.

If you are part of a joint tenancy, speak to your cotenants; it is in everyone's best interests to help find a replacement tenant.

Advertising the room & property

If you do not already have someone in mind you may need to advertise the room. Before you place any adverts, confirm with your cotenants that you are advertising the bedroom that the new tenant will be moving into. To strengthen your adverts, we recommend utilising photos, videos, and floor plans from our website. Taking your own photos and videos may also be beneficial.





Where to place adverts?

Placing multiple adverts on different portals will increase your chances of finding a new tenant quickly. Examples of where you can place adverts include:

- The Unipol Notice Board
- Social Media
- SpareRoom
- Roomgo

Viewings

Potential candidates may want to view the property. Viewings are a responsibility of the tenants and are a great opportunity for the candidate to meet the continuing tenants they will be living with.

The candidate may have some questions about the property and the tenancy, so do be prepared. Having the tenancy documents and the most up to date How to Rent Guide to hand can help a candidate make a decision sooner.



Reviewing a candidate



If a candidate wishes to proceed, do first take a moment to discuss whether they are appropriate for the tenancy. You will need to consider:

Whether they understand the requirements of the tenancy

Your tenancy will most likely be on a fixed term; does the candidate understand that they will be liable to pay the rents until the tenancy has ended? If your tenancy is a joint tenancy agreement, does the candidate understand that they will be jointly and severally liable for all rents due and the condition of the whole property?

If the continuing tenants are happy to proceed

Those tenants staying on at the property will be living with this new candidate, are they happy to do so?

Whether the candidate can provide proof of their right to rent in the UK

If you or your candidate are unsure whether the candidate can prove their Right to Rent in the UK, contact Pickard Properties for support.

If the candidate can meet all the requirements of the tenancy agreement?

Does your tenancy require a Guarantor or referencing to be completed? Can the candidate contribute towards the deposit and make rent payments on time?

If Council tax is a factor

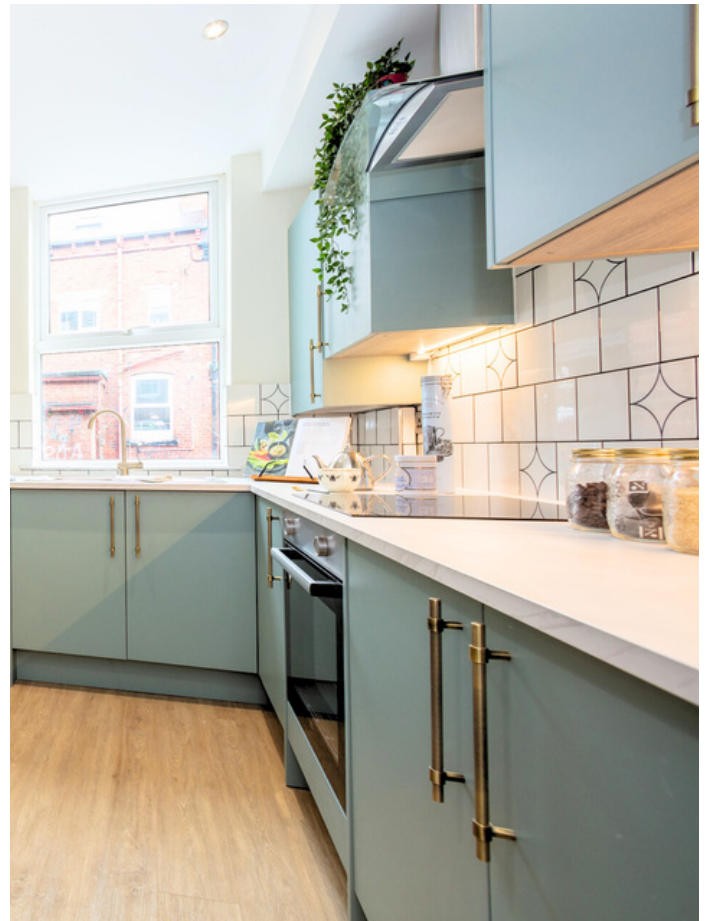
Especially in situations where a working professional wants to move into a property with students, the obligation to pay Council tax for the property can be a burden.

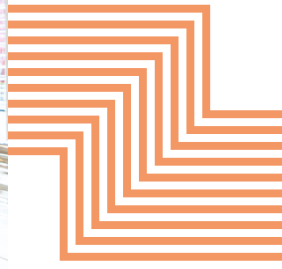


Now contact Pickard Properties

Once you're happy that you have a candidate which is eligible to proceed with assignment, get in touch. In the first instance, email pickard@pickardproperties.co.uk with the candidate's full name, email address, and phone number. If there is anything else you think we need to know, please include this in the email.

Next, a member of Pickard Properties Customer Relationship Team will introduce themselves to your candidate. All being well, for their consideration, the candidate will be sent read-only draft copies of the tenancy documents.





Organising the assignment

To move forward, the candidate will need to return to the Customer Relationship Team and confirm their intent to proceed. The team will then reach out to all parties regarding the following steps:

Handover

What date would the new tenant like to resume the tenancy from? Consequently, this would be the date in which the exiting tenant would be released from the terms of the tenancy. Typically, we aim to handover two weeks' after the candidate has confirmed that they wish to proceed.

Inspection

If the tenancy has begun, a bedroom inspection will be required. You will need to confirm which bedroom requires an inspection and provide a date when the bedroom will be emptied and cleaned, ready for inspection. The inspection will need to take place well in advance of the assignment meeting. Be mindful that when a tenancy has already begun, it is the tenant's responsibility to ensure the room is clean and ready for the new tenant.

Meeting

To complete an assignment, a meeting is mandatory. The meeting can be in person or conducted remotely (typically via Microsoft Teams). It is imperative that the exiting tenant, the new candidate, and any continuing tenants are present for this meeting. Typically, the meeting takes place on the handover date. The Customer Relationship Team will coordinate with you to determine a suitable date and time.



Things to prepare before the meeting

Before or during the meeting there are steps that the incoming candidate and the outgoing tenant must fulfil:

Where applicable the **Incoming Candidate** must:

- Complete their Right to Rent in the UK and a likeness check
- Provide Guarantor information
- Contribute towards the deposit
- Make an initial rent payment
- Complete referencing

Where applicable the **Outgoing Tenant** must:

- Make any outstanding payments
- Pay the assignment fee (it may be possible to deduct the fee from any overpayment of rent or contribution towards the deposit).



Details on how to complete the above will be provided at the time.





When relationships in a household have soured, tenants may look to leave the property. For an assignment to be successful, it is important that all tenants of a property are in communication and cooperation.

When a tenant wishes to leave a tenancy, it is generally beneficial for all parties to cooperate with the assignment process. Before requesting an assignment, it is important to first speak to your housemates to ensure they are happy to proceed. Maintaining a civil and respectful attitude fosters a positive environment and contributes to a smoother and more pleasant process overall.

Although there is not often a quick fix to disagreements in a household, if you require support or advice, please contact our [Customer Relationship Team](#).

Breakdown in communication





We're serious about what we do

