



## Housing Strategic Policy Committee (SPC) Meeting on February 28<sup>th</sup> 2020.

### Agenda Item 6: Joint Tenancy / Tenant Purchase – Revised Policy

To the Chair each Member of the Housing SPC

To be eligible for the Tenant (Incremental) Purchase Scheme 2016, tenants must meet certain criteria, including having a minimum reckonable income of €15,000 per annum. Social welfare payments must be secondary to income from employment. In many cases and, in particular for Old Age Pensioners, tenants are in receipt of social welfare only and do not qualify for the Tenant Purchase Scheme 2016. This has led to applications being submitted by the adult children of elderly tenants requesting to be appointed as joint tenants so that their income will be included, therefore, allowing the Tenant Purchase sale to proceed. Current Galway City Council policy states:

*“A joint tenancy is where more than one tenant signs the Tenancy Agreement. If a dwelling is allocated to a household that includes a husband and wife, a joint tenancy will be put in place unless the Council decides otherwise. In cases other than husband and wife, joint tenancies may be put in place where it is considered appropriate by the Council.”*

Previously, Galway City Council has refused inter-generational (parent/child) joint tenancies. However, one of the objectives of the Housing Department is to facilitate home ownership. For that reason, Galway City Council has agreed to consider joint tenancy requests from adult children residing with a parent for the purposes of the Tenant Purchase Scheme. Galway City Council will consider these applications for joint tenancy under the following circumstances:

- A formal written application for joint tenancy must be made to Galway City Council. The application must be made jointly by the tenant and the proposed tenant and must coincide with a Tenant Purchase application. Applications will not be considered where they are issued in the absence of an application for Tenant Purchase.
- The joint tenancy application will be processed alongside the Tenant Purchase application. If for some reason, the Tenant Purchase application does not proceed, joint tenancy will not be granted.
- The applicant must demonstrate that:
  - (a) they have been resident in the dwelling for at least two years
  - (b) they are an approved member of the tenant’s household and included on the rent declaration form in respect of the dwelling for their period of residence at the property.

- (c) they meet the eligibility criteria to qualify for social housing support in accordance with Section 20 of the Housing (Miscellaneous Provisions) Act, 2009 and the Social Housing Assessment Regulations
- (d) they have not engaged in anti-social behaviour in accordance with the terms of Galway City Councils Anti- Social Behaviour Policy
- (e) they have not caused any breaches to the tenancy agreement while residing in the dwelling that necessitated the issue of a warning letter to the tenant under sections 7, 8 or 9 of the Housing (Miscellaneous Provisions) Act 2014

In these circumstances, Galway City Council may grant a joint tenancy to facilitate the purchase of a property under the Tenant Purchase Scheme.

If the Tenant Purchase application is successful, a letter of offer will issue in the names of both joint tenants. Tenants will be advised to seek legal advice as the property deeds will be in the name of both parties. The sale must be completed within 1 year of the letter of offer (as is the policy for all Tenant Purchase applications).

I am recommending that the Scheme of Letting Priorities / Allocations for Galway City Council be amended to reflect the proposal above.

Yours sincerely



Dermot Mahon  
A/Director of Services,  
Housing, Environment, Climate Change, Recreation & Amenity