

Voluntary Right to Buy policy
WM Housing
Tenant Eligibility
Criteria

As a tenant, or if you are applying as joint tenants:

you are eligible if all the following apply:

- you meet the minimum qualifying period which means you can prove you have been a tenant of social or affordable housing for at least three years (this need not have been with the same landlord, or continuous); and
- you currently hold an un-demoted secure tenancy, an assured tenancy, or a fixed term tenancy granted under the terms of the Localism Act 2011; and
- you can demonstrate that the property is your main home and that you have resided in it for at least the last 12 months; and
- where applying jointly with family members, you can demonstrate that the property is the main home of those family members and that they have resided in the property for at least the last 12 months (family members can include your spouse or civil partner, your parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece); and
- you can demonstrate that you and any joint applicants have the right to reside in the UK and can demonstrate that you all meet the immigration status checks.

Note:

- *No joint applicant can be added to or removed from the application once it has been made without voiding the application.*
- *Joint applications where any applicant is deemed ineligible will be voided.*

you are not eligible if any of the following apply:

- you have a statutory Right to Buy including the Preserved Right to Buy;
- at the time of application, you hold an assured shorthold tenancy (other than a Localism Act fixed term tenancy), a contractual (non-assured, non-secure) tenancy or are a licensee;
- you have a fixed term tenancy of less than two years, or you have a periodic assured shorthold tenancy (including a starter tenancy which has not converted);
- you do not have the right to reside in the UK and cannot demonstrate that you meet the immigration status checks;
- you currently have a mortgage rescue scheme tenancy;
- you are a resident of an almshouse, or a co-operative housing association;
- you have any rent arrears or other debts with us;
- you or any joint applicant are subject to bankruptcy proceedings or unfulfilled credit arrangements;
- you have committed anti-social behaviour as defined in the Paragraph 11 of Schedule 11 to the Anti-Social Behaviour, Crime and Policing Act 2014 and legal proceedings are in progress;
- you are currently subject to legal proceedings in respect of your tenancy, e.g. injunction proceedings have been issued or a notice of seeking possession (NOSP) has been served;
- at any time between when you make your application and completion of purchase, you become subject to legal proceedings;
- you own a property when you make your application and would not end that ownership before completion of purchase under the voluntary right to buy;
- you hold an assured fixed term tenancy where the original term was 21 years or more (i.e. a long tenancy);

- you occupy only a room, or rooms in a shared house or flat, even if the terms of the occupancy amount to an assured tenancy;
- you are a shared ownership tenant.

Qualifying Period

The qualifying period for eligibility and for discount entitlement, can include:

- non-consecutive periods as public sector tenants
- all undemoted secure or assured tenancies
- fixed term assured shorthold tenancies as long as they don't apply to the property being purchased;
- any probationary periods as long as they have been completed or do not apply to the property being purchased;
- any period spent as a public sector licensee (e.g. alms house; MoD accommodation) even though you cannot buy such a property under the scheme.

The qualifying period cannot include time spent as a non-tenant adult in a parental home;

The onus is on you to demonstrate you qualify for the whole eligibility period being claimed; in exceptional circumstances, you can make a statutory declaration, but this would need to be supported by some indirect evidence (e.g. that a public sector landlord owned the relevant property for the period in question).

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