



Know Your Rights as a Tenant

Overview

This section covers your rights around:

- Succession and Assignment
- Lodgers and Subtenants
- Right to Buy
- General Data Protection Regulation

Succession and Assignment

Succession means that when a tenant dies, certain family members living in the property can inherit the tenancy. When this takes place, the tenancy is 'assigned' to them. The following applies in these cases:

- A partner or joint tenant living with you in your home or another family member or close relative who has lived with you for at least 1 year is allowed to claim your tenancy after death.
- If you have a secure tenancy that was granted before 1 April 2012, other family members are also eligible to claim the tenancy. They must have lived with you for at least 1 year. Other family members include:
 - parents
 - grandparents
 - children (including adopted and stepchildren)
 - grandchildren
 - siblings
 - aunts and uncles
 - nieces and nephews

Applications may be refused if:

- we have started possession proceedings against the original tenant
- the property has been adapted and the applicant does not need these adaptations

Lodgers & Subtenants

As a tenant you have the right to take in a lodger at any time without seeking permission. However, we ask that you contact us so we can update your household details.

When you wish to sub-let you will have to obtain our written consent first. Taking in someone else can have some implications as this may affect the amount of Housing Benefit you receive.

Additionally, for any nuisance your lodger or subtenant causes, you will be held accountable. When you leave the property, you must ensure the lodger or subtenant also leaves.

Right to Buy

If you were a secure tenant of Westminster City Council who transferred to WECH in April 1992 or if you are a family member of a secure tenant, you still have the right to buy your home. People who have become tenants since 1992 do not have the right to buy. The price of the property will depend upon a current valuation and a discount set by the government.

General Data Protection Regulation

In 2018 new legislation regarding storage and handling of personal data was introduced. This legislation is called the General Data Protection Regulation, also known as GDPR.

Personal Data is any information that can identify you. This information goes from name and phone number to date of birth but could also be card details or information about other tenants living with you.

Your Rights

GDPR legislation states you have the right to:

- Know what information WECH holds and processes about you and the reason for doing so
- Request access to your personal data
- Require WECH to erase, change or block inaccurate information
- Prevent processing for direct marketing purposes or processing that could cause damage or distress

Privacy of Information

To assure privacy, your identity will be checked after requesting access to your information.

All statutory organisations (such as Housing Benefit, Social Services, Local Authority and Probation Services) must request information in writing.

Accessing your Personal Data

In some cases, WECH will be expected to decline your request. This is when:

- Your requested data may reveal another person's identity
- Your requested data may include data about someone else
- Your request is considered unfounded

Generally, your requested data will be provided to you within 1 month and free of charge. In some cases, WECH is allowed to extend the period of time with a reasonable amount or charge a reasonable fee based on administration costs.