



Housing Options Service

RELATIONSHIP BREAKDOWN

If you have recently split up with your partner it is important to consider your Housing Rights.

If the property is in your name (jointly or solely) you are responsible for paying the rent - even if you leave.

HOUSING RIGHTS

Joint Owners / Tenants

- You both have equal rights to stay in the home.

Sole Owners / Tenants

- The person named on the tenancy or mortgage deeds has the right to stay in the home.
- If you are the spouse or civil partner of the owner/tenant you will have Home Rights - this gives you similar rights to a joint owner/tenant (see below for further info).
- If you are co-habiting with the owner/tenant and have made a financial contribution to the home (eg rent or mortgage payments) you may be able to remain at the property, providing you can prove that you have a beneficial interest.

Home Rights

- Home Rights allow you to live in the property as if you were the owner/tenant.
- They also give you the right to pay the rent or mortgage.
- If you register your Home Rights you can stop your partner ending the tenancy / selling the home. You will also be notified of any Court action regarding the property.

- Home Rights apply if you are the owner/tenant of the property (whether jointly or solely), if you are the spouse or civil partner of the owner/tenant.
- Home Rights end following divorce or dissolution of a civil partnership, although they can be extended by the courts in some circumstances.

Occupations Orders

- Occupation Orders can allow you to stay in the property, or return to the property if you've left. They can prevent your ex partner from entering the property or neighbourhood.
- Occupation Orders override any Home Rights that your ex partner has.
- You will need to apply at the County or Magistrates Court by completing an application form - you should seek legal advice from a Family Solicitor, who practices Family Law, for help with this.

If you are entitled to remain in the home then you may wish to exercise this right. However, if you wish to find alternative accommodation the Housing Options Service will give you advice but will not have a duty to provide the accommodation for you.

If you do not have the right to remain at the property, the Housing Options Service may have a duty to provide you with accommodation depending on your personal circumstances - this will be discussed in more detail during your interview.

Citizens Advice

☎ 08444 772020

💻 www.citizensadvice.org.uk

Shelter Cymru

☎ 01792 469400

💻 www.sheltercymru.org.uk

