
Removal of Joint / Main Tenant

Where a request has been made to remove a joint tenant when a joint tenant has left their spouse/partner and no longer lives in the property, the following procedure should be followed:

Where a joint tenancy is ending on a consent basis (i.e., the departing joint tenant agrees to have his/her name removed), Longford County Council can remove that tenant's name on the provision of the following

- A statement, signed by both parties, witnessed by their own individual Solicitor and on official Solicitor's headed paper confirming
 - (a) that the tenants have parted company,
 - (b) confirming who is now living in the property (tenancy address) and
 - (c) confirming what current address the party leaving the tenancy is residing at
 - (d) The statement must clearly confirm that the person who is leaving the house is doing so voluntarily and thus giving up his/her rights to the property (tenancy address)
 - (e) This statement must clearly confirm that the person who is moving out, voluntarily wishes to have their name taken off the Tenancy Agreement that was signed by both parties
 - (f) Written confirmation of who will be responsible for payment of all future rent and current arrears on the account (if any)
 - (g) Attach any separation agreements or divorce decree, where applicable
 - (h) Attach any court-issued documents that relate to barring order, safety order etc.

- It is important that the Solicitor also prints his/her name beside their signature and stamps it with the official stamp of the Solicitor
- Written confirmation from the Department of Social Welfare stating that both parties have now applied for separate allowances in view of the changed circumstances where appropriate should be sought
- Details of maintenance for any dependent children should be established

NB, we require the joint tenants to have the statement signed and witnessed by their own individual solicitor, a solicitor cannot witness both signatures.

The tenant remaining in the property should complete a new rent assessment form and submit all necessary income details as requested.

NB: In cases where a joint tenant refuses to take his/her name off the tenancy agreement, the remaining tenant needs to provide the Council with a deed of judicial separation or divorce where a Judge has ordered a transfer of a tenancy to the remaining tenant or an order of the court directing that the tenancy be transferred solely to the remaining tenant.

For any queries regarding this process please email housingliaison@longfordcoco.ie