

## Mental Capacity Act 2005 & Tenancy Agreements



Many local authorities and other organisations struggle with the law concerning the creation of tenancy agreements for those lacking mental capacity. A number of court judgments have illustrated the common problems faced by staff, and the consequences of unlawful tenancy agreements.

This course will consider how staff should assess mental capacity in relation to tenancy agreements and the key case law in this area. It will also consider the legal validity of tenancy agreements signed by, or on behalf of, those lacking capacity; and when people lacking capacity may be placed without a tenancy agreement being in place.

Delegates will be provided with examples of when applications to the Court of Protection may be required and the practical procedures relating to this. The role of attorneys and deputies, in relation to tenancy agreements, will also be discussed.

### The day will include the following key topics:

- Mental capacity assessments - overview and in relation to tenancy agreements
- Best interests assessments - overview and in relation to tenancy agreements
- Accepting and signing a tenancy agreement on behalf of those lacking capacity
- Defining a tenancy agreement
- Lasting Powers of Attorney & Deputies
- Case law - supported living
- Court of Protection - when to make an application
- Court of Protection - bulk applications, forms and practical matters

Exercises will consolidate the learning process and allow delegates to explore the subject matter in more depth.

Q & A - The day will end with a question and answer session to clarify any outstanding queries.

### Course date & location



#### Date

29th May 2015



#### Time

10:00am to 4:00pm



#### Venue

Lincoln's Inn  
London  
WC2A 3TL  
(Chancery Lane or Holborn underground stations)

### Booking details

Places are limited so early booking is recommended.

To book and pay online go to



EventBrite.co.uk and

search for: **Mental Capacity Act 2005 & Tenancy Agreements**

OR



For a booking form and invoice,  
email: [events@edgetraining.org.uk](mailto:events@edgetraining.org.uk)

### Cost

£115 +VAT including refreshments (but not lunch) and all course materials

**Aasya Mughal** is a director of Edge. She currently provides legal representation for individuals and businesses in civil law matters in the county courts including landlord and tenant proceedings. She has previously gained considerable experience as an in-patient advocate, working with detained patients on a number of mental health wards and has appeared before the Court of Protection in this role.

She is co-author of two books, an App and three wall charts on the Mental Health Act and Mental Capacity Act used by local authorities, hospitals, universities and lawyers. She has also provided legal information and advice to the public on human rights law through the organisation Liberty on a pro bono basis.