



Abandonment Procedure

1. Introduction

- 1.1 Some tenants surrender their tenancy through abandonment. If they do, we must ensure that the tenancy is ended correctly and the property re-let as quickly as possible.

2. Policy

- 2.1 Co-op Homes does not have a policy for Abandonment. This procedure applies to Co-op Homes short life and permanent tenants, as well as Co-ops tenants.

3. Procedure

- 3.1 Receive information that a property is abandoned. Investigate immediately to establish the status of the tenancy.
- 3.2 Visit the property to check:
- whether it is secure.
 - Whether there are signs of anybody living there
 - When neighbours last noticed the tenant
- 3.3 Secure property if necessary.
- 3.4 In order to decide whether the property is abandoned the following need to be investigated:
- Whether there is a recent history of non payment of rent
 - Whether there is insufficient furniture and household goods left in the premises for the usual needs of a person to live e.g. no bedding, or no cooking facilities and no sign of personal belongings
 - Whether there is an accumulation of mail
 - Whether neighbours have seen the tenant move out or they have been absent for a long period of time.
 - Whether the tenant is absent through work, hospital or care institution, holiday or prison
 - Whether reasonable enquiries have been made to locate the tenant e.g. known relatives, social services and other statutory services, council tax/ housing benefit
- 3.5 Where through carrying out the above checks there is some doubt as to whether the property is abandoned send a `seven day letter`.
- 3.6 If a person comes forward claiming to be the tenant seek confirmation:
- That they are the tenant
 - Whether they intend to leave, if so, ensure the tenancy is surrendered properly
 - If they intend to stay explain the problem and monitor the situation



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- 3.7 Where there is no response to the 7 day letter or it is clear from investigations that the property has been abandoned prepare Notice to Quit (NTQ) and report with recommendations to the Housing Manager.
- 3.8 The NTQ should be served at the property and at any other known address of the tenant.
- 3.9 If the tenant responds, interview them and take appropriate action.
- 3.10 If at the expiry of the notice period there has been no response and the property remains abandoned refer the case to the Housing Manager and on their approval arrange for the locks to be changed i.e. take possession.
- 3.11 Make the property void and available for re-letting.
- 3.12 Complete an inventory and take photographs of items left in the property with another officer.

4 Guidance Notes

- 4.1 If the tenant is illegally evicted then Co-op Homes could become liable for 2/3 of the market value of the property in fines. Therefore, it is crucial to ensure that thorough checks have been carried out to confirm that the tenancy has been abandoned.
- 4.2 Possessions left in the property that are of minimal or no value should be disposed of immediately. Where the possessions are of some value they should be stored in a safe and secure place such as a garage for a period of 3 months. A notice must be displayed on the door of the property informing the tenant to contact Co-op Homes regarding the collection of said goods and the 3 month deadline. The notice must advise that the tenant will be charge for storage at £x per week. A bailment notice should be served on the property. After 3 months the possessions should be disposed or if they are of value refer to the Housing Manager for advice on their disposal.
- 4.3 Where the NTQ has expired and there may be some doubt as to whether the property has been abandoned, apply for a possession order in the county court.
- 4.4 If there is a person present in the property follow the squatter procedure