



# ***Ending Tenancies Procedure***

## **1. Introduction**

1.1 Tenants must be encouraged to end their tenancy correctly by giving four weeks notice in writing. We should deal with tenancy terminations efficiently to minimise void loss and prevent squatting.

A Tenancy can be ended in the following ways:

- Notice to Quit by the tenant
- Surrender by the tenant (abandonment)
- Notice to Quit by us
- Court order

## **2. Policy**

2.1 Co-op Homes requires tenants to end their tenancy by giving 4 weeks notice in writing (shorthold tenancies must be after the first 6 months). Tenants are required to remove all furniture, possessions and rubbish, and to leave the property in a good lettable condition and repair, otherwise pay the cost of so doing. Co-op Homes accepts no responsibility for anything left at the premises by the tenant at the end of the tenancy.

2.2 This procedure applies to Co-op Homes short life and permanent tenants, as well as Co-ops tenants

## **3. Procedure**

### Notice to Quit by the Tenant

3.1 Receive notification from the tenant or their representative (who has written authority to act on their behalf) that they will be terminating the tenancy. Write to the tenant informing them of the tenancy end date and request a forwarding address.

3.2 When the keys are handed in issue a key receipt and tenancy termination form. Confirm with the tenant that the property is cleared of all rubbish and possessions and that vacant possession has been given. Update Omni Ledger in the void details terminating the tenancy on expiry of the notice period or when the keys have been returned whichever is the later. If the keys are returned later than 12 noon on Monday terminate the tenancy the following Monday and charge rent for a further week.

3.3 Register the keys and ensure that they are labelled and held securely in the key cabinet.

3.4 Notify the relevant local authority if the tenant was in receipt of housing benefit. Issue the tenant with a closing rent account statement and ensure that any relevant adjustments are made to the account once it has been ended.



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- 3.5 Remove the tenants file records and forward them either to the Area Team responsible for the Area they have moved to, place in storage or refer to former tenant arrear collection agency, within 10 days of the tenancy ending.
- 3.6 Where notice has been given but the keys have not been returned carry out one or all of the following:
  - Contact the tenant and find out why there has been a delay. If they are still at the property find out the reasons and take action as appropriate. This may include agreeing a new termination date or for the NTQ to be withdrawn. However, this decision must be made by the Housing Manager.
  - If the tenant cannot be contacted visit the property on the day the notice expires and if the property is cleared of possessions and vacant arrange a lock change. (See also the abandonment procedure)

### Notice to Quit by Co-op Homes

- 3.7 Where the tenant has died and the keys have not been returned by an authorised representative or executor, Notice to Quit must be served on the personal representative of the deceased and a copy is sent to the Public Trustee.
- 3.8 Where the tenant has not died but is no longer using the property as their main or principal home serve notice at the property and any other property we have reason to believe they may be residing at.
- 3.9 After expiry of the NTQ, terminate the tenancy and where there is someone remaining in the property treat them as an illegal occupier and refer to our solicitors if necessary via the Housing Manager for a court order for possession of the property. See also the abandonment procedure.
- 3.10 Where the court awards possession and the person is still in occupation apply for a bailiffs warrant. Once the occupier has been removed or left, secure the property, remove any possessions.

## **4 Guidance Notes**

- 4.1 Where possessions have been left in a property ensure that an inventory and photographs are taken and it is witnessed by another employee. The inventory should make clear the condition of the items. Where the possessions have any monetary value they must be stored for a minimum period of 3 months. During this time reasonable efforts (2 letters and regular phone calls) must be made to contact the tenant to arrange for their removal or disposal. Unless the items are of significant value or are likely to deteriorate, they should be stored in a garage. Where it is not possible to access items or they appear of little value and too numerous (old clothes for instance) photographs should be taken and a note made on the list. Any money that is found must be forwarded to Finance the same day.
- 4.2 Where keys are returned but vacant possession has not been given refer to the squatters procedure. However, if the occupier was left in residence by the former tenant they will not be treated as a squatter but as an unauthorised occupier.