

Ending your Tenancy

THIS INFORMATION HELPS EXPLAIN THE RULES THAT APPLY TO YOUR TENANCY

THE RIGHT TO A PERMANENT HOME

You are now a secure tenant, this means that except in very special circumstances, you can live in your home for as long as you wish. While you are a tenant of the Council you are expected to keep to the rules set out in your tenancy agreement.

We would only be able to make you leave your home by taking you to court, and to do so we must prove to a judge that we have "grounds for possession," because you have broken the rules you agreed to when you signed your tenancy agreement.

ENDING YOUR TENANCY

If you want to end your tenancy you must give at least 4 weeks notice **in writing** from a Monday to your local Housing Office. A property inspection will be arranged before you are due to leave your home.

When you leave, everyone who occupied the property with you must move out and you should leave the property clean and tidy. If the council has to clean, remove belongings or rubbish you have left behind or repair any damage to the property after you leave you will probably have to pay for the work that we do.

When you leave your rent account must be up to date.

If you carried out any improvements yourself you must either leave the property as it is, or restore it to its original condition. If you wish to take out the improvement, please contact your local Housing Office for further advice. Some improvements such as central heating must be left in, but you may be entitled to some compensation.

If you leave your home before the end of tenancy date, you will normally be charged for the rent until the 4 week period ends. When you leave, you must ensure you return ALL keys for your home to your local Housing Office or Customer First Office, where you will be requested to sign a key receipt and disclaimer form.

If you are the next of kin for the tenant you will be asked to confirm your relationship and details for future contact.

CHANGING YOUR TENANCY

SUCCESSION

Sometimes council tenancies can be transferred to other people if the tenant dies. This is called "the right to succession".

Succession generally applies when the secure tenant dies and depending on the circumstances, the tenancy may be transferred to:

- the husband, wife or civil partner, providing they are living with the tenant at the time of their death; **or**
- a partner or close relative, providing they have been living at the property for at least **12 months** before the tenant's death.

In some cases the property you live in may not be suitable for the needs of the surviving partner or relative. It may be adapted for a disabled person or it may be bigger than is needed. If this is the case the Council will assess the situation and may offer an alternative property. The right to succession to the tenancy does not always mean that it is possible to stay in a particular property.

All cases are judged on their merits and sympathetic consideration will be given in all circumstances and you will need to contact your local Housing Office for further advice and guidance.

ASSIGNMENT - GIVING YOUR TENANCY TO SOMEONE ELSE

If you want to put your tenancy into someone else's name you may only do so if that person would be entitled to take it over under the rules of succession or if an Order has been made granting the transfer of the tenancy to a person as part of court proceedings.

The other way of assigning your tenancy is if you wish to exchange tenancies with another tenant. In this case the rules applying to mutual exchange will be applied. Please see our **Moving House** section for further details.

JOINT TENANCIES

If you have a joint tenancy with another person **both** of you are fully responsible for the tenancy. You are **both** bound by the conditions of tenancy set out in the Tenancy Agreement.

- If you are joint tenants, either one of you can end the tenancy by giving the council four weeks' notice. The Council does not legally have to allow the other joint tenant(s) to stay in the home - it depends on your circumstances and whether the property would be more suitable for another type of household (like a family for instance).

CARE HOME ADMISSIONS

GUIDANCE NOTES ON TERMINATION OF TENANCY AND RENT PAYMENTS

If you are a Council tenant and you are considering a move to a Care Home then the following notes will help explain how your tenancy will be brought to an end:

1. Council tenancies start and finish on a Monday (up to 12 noon) and you are normally required to give 4 weeks notice in writing where possible to your local Housing Office, so please ensure that you do this at the earliest opportunity.
2. Please inform us immediately of the Care Home address where you will be staying.
3. When you move into a Care Home, you will still be required to give 4 weeks notice of termination of your tenancy. If you are in receipt of Housing Benefit this will cease from the time your permanent move takes place and you will be charged full rent on your home for the notice period.
4. You will need to inform Social Services if you cannot afford to pay your rent whilst staying in the Care Home and they may consider assisting you towards your costs.
5. Housing Benefit may continue to be paid for as long as your stay in the Care Home remains temporary.
6. You will continue to be liable for rent for each week until the keys are returned and you will be charged up to the next Monday of the rent week.
7. Housing Benefit will cease to be paid once the Care Home becomes your permanent home.
8. If you decide to stay at the Care Home on a permanent basis you must inform your local Housing Office and return the keys to the property as soon as possible once it has been emptied of all your personal belongings.

If you have any concerns, please contact your local Housing Office or the Housing Benefit Section.

**PLEASE MAKE SURE YOU TELL US IF YOUR CIRCUMSTANCES CHANGE IN ANY WAY.
IF YOU HAVE ANY CONCERNS/QUERIES ABOUT YOUR TENANCY CALL INTO YOUR LOCAL HOUSING OFFICE. THEY WILL OFFER YOU HELP AND ADVICE.**

SHOULD YOU WISH TO DO SO YOU CAN SEEK INDEPENDENT HOUSING/LEGAL ADVICE FROM A SOLICITOR OR THE CAB.