

MOVING OUT OF YOUR HOME

Everything you need to know about ending your tenancy and leaving your home.





ABOUT THIS GUIDE

YOU WILL FIND INFORMATION ABOUT:

- ✓ The different ways to end your tenancy
- ✓ What happens when you decide to leave your home
- ✓ Frequently asked questions and answers





DIFFERENT WAYS TO END YOUR TENANCY



GIVING NOTICE

You must give at least 28 days' notice in writing if you wish to end your tenancy. You must also let us know if you are married, in a civil partnership, or if you live the house with another person as husband and wife. If you do, their written agreement is also needed.

BY COURT ORDER

We can apply to the court for an order to repossess your tenancy by way of eviction. We will only ask for this if you have broken the terms of your tenancy agreement. You have the right to defend any legal action we take against you.

ABANDONMENT BY YOU

We can end your tenancy if we have reasonable grounds to believe you have abandoned your property and are no longer using it as your home. To end the tenancy this way, we must serve a notice. This gives you four weeks' notice that we suspect that you are not living there.

We may force entry to the property to make it secure during these four weeks and your tenancy will end if you have not responded to this notice within the stated period. You have a right to apply to the court against this within six months of the tenancy being ended.

ABANDONMENT BY A JOINT TENANT

We can serve notice on a joint tenant if we believe that they have abandoned the property. The process is like the abandonment by you but the joint tenant's interest in the tenancy is ended eight weeks after the notice. The remaining tenant's tenancy is not affected.



DIFFERENT WAYS TO END YOUR TENANCY (CONTINUED)

TERMINATION BY A JOINT TENANT

A joint tenant can end their interest in the tenancy by giving us and their joint tenant written notice. The remaining tenant's tenancy is not affected.



BY DEATH

Your tenancy will end on your death unless it is being passed to someone who lived with you in the property through the Succession Process. Upon request to end the tenancy, the family or next of kin will be required to provide a copy of the death certificate.

BY BEST INTEREST DECISION

Where it has been decided by way of 'Best Interest' that the tenancy or property is no longer suitable, the tenancy can only be lawfully ended by someone acting under the Power of Attorney or Deputyship, or alternatively a Court Order. A person with the relevant powers acting on behalf of the tenant is required to give 28 days' notice in writing to end the tenancy.

If the property no longer meets your needs and you move out permanently and lack mental capacity to provide 28 days' notice to terminate your tenancy. Encircle Housing may issue you with 28 days' Notice to Quit Your Tenancy, subject to written confirmation from adult social care or medical professionals confirming that you will not return to the property.

BY SURRENDER

Written agreement between Encircle Housing and the tenant or a person with Power of Attorney for the tenant or a Deputy appointed by the Court of Protection to end the tenancy with immediate effect.





WHAT HAPPENS WHEN YOU DECIDE TO LEAVE YOUR HOME

You will need to let us know at least four weeks before the date you plan to leave your home. You need to send a letter or email to your housing officer. All tenancies end at 12.01am on a Monday.



ENCIRCLE HOUSING'S RESPONSIBILITIES

- **Written Notice:** We will acknowledge that we have received your notice in writing and arrange a visit
- **Visit your home:** We will check the condition of the property and identify if there is any damage that you are responsible for
- **Notice to Terminate A Tenancy Form:** The form will be completed during our visit to your home
- **If work is to be completed:** If needed, we will provide you with a list of any repairs or redecoration works that should be completed before you move out
- **End of Tenancy Questionnaire:** Please fill in the questionnaire as your views matter to us

TENANT'S RESPONSIBILITIES

- **Return keys:** Give your keys for the property to your Housing Officer or Service Manager by 12 noon on the day that your tenancy ends. If you do not return the keys, you may have to pay an extra charge
- **New address:** Please advise us with your forwarding address
- **Rent:** You need to be completely up to date with paying your rent and other charges

IMPORTANT INFORMATION

- ✓ We will recharge you for any repairs or redecoration work that you should have carried out but failed to do, and for any damaged or missing fittings
- ✓ We will charge you for the cost of removing any rubbish that you leave behind
- ✓ If Encircle Housing has provided you with a wheelie bin, you should leave this behind for the next tenant



MOVING OUT CHECKLIST

Before handing in the keys for the property, please make sure you have done everything on this list.

RENT

- Your rent account is up-to-date, or you have made a repayment plan with us

THE PROPERTY

- All your furniture and belongings have been removed, including in sheds, outdoor spaces and lofts
- You have removed any of your fittings and put back our standard fittings, such as lights
- You have arranged to have your cooker disconnected and removed (if applicable)
- The property is clean and that you have wiped down all bathrooms, worktops, windowsills, kitchen units and tiled floors
- No rubbish is left in the house or garden

REPAIRS AND DECORATION

- You have done any repairs or redecoration work that are your responsibility. If you do not do this, and we have to carry out the work, we will charge you for the cost of the work once you have left

OTHER AGENCIES

- If you claim any benefits, you have told Housing Benefit, Jobs and Benefits and Revenue and Customs that you are moving
- You have contacted the water, gas and electricity companies to give them your meter readings. Keep a note of your meter readings so you can check they are correct on your final bill
- You have contacted your telephone, broadband provider and TV licensing to let them know you are moving
- You have made arrangements to have your post redirected; the Post Office can help you arrange this

NEW ADDRESS

- You have notified your doctor and dentist of your new address
- Changed your address with your bank and/or building society



QUESTIONS AND ANSWERS

WHAT IS THE NOTICE PERIOD OF ENDING A TENANCY?

If you want to move out, you must let us know in writing at least four weeks before the date you want to end your tenancy. In the following weeks you must make various arrangements and tell others you are moving. See the 'Moving out checklist'.

WHAT ABOUT ANY CHANGES YOU HAVE MADE TO YOUR HOME?

If you have removed any fixture or fittings, such as light fittings, handles, kitchen units or doors, you must put them back or provide a replacement, unless we agree that this is not necessary. If you do not do this, we will charge you for doing it on your behalf.

WHAT IF YOU STILL OWE RENT OR OTHER CHARGES WHEN YOU LEAVE?

If you do not pay everything you owe us, or have not made a repayment plan with us, we will take you to court. We may also use a debt collection agency.

WHO REMOVES THE ITEMS THAT YOU NO LONGER WANT?

You must remove all your furniture, personal belongings, and any rubbish before your tenancy ends. We will charge you for removing anything once the keys have been handed in, including rubbish. You can take any unwanted items or large amounts of rubbish to your local household recycling centre, or you can arrange for your local council to collect them.

WHERE AND WHEN DO YOU HAVE TO RETURN YOUR KEYS?

Your tenancy will end at 12.01am on a Monday. The keys and/or fobs for the property need to be returned to the Service Manager or Housing Officer by 12 noon on the same day that your tenancy ends. If you do not hand them back on time you may pay an extra charge.

WHAT HAPPENS IF A TENANT HAS PASSED AWAY?

A tenancy will continue for up to four weeks after a tenant has passed away to enable family members to take all their loved one's belongings and clear the property. Rent must continue to be paid until the keys are given back to us by the Executor or family member.



CONTACT US

If you have any questions or would like some help and advice, please get in touch:

Call: 0330 390 0517

Email: contactus@encircleha.co.uk

To report a repair call: 0330 094 0142

Email: repairs@encircleha.co.uk

Encircle Housing, First Floor, Lister House, Lister Hill, Horsforth, Leeds LS18 5AZ

Encircle Housing. Registered Provider of Social Housing number 4784 and Co-operative and Community Benefit Society FCA Number 8071. Encircle Housing has charitable rules.