

# A Guide to Terminating your Tenancy





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## When should I let you know that I am moving?

You must give the Association at least 28 days written notice that you are intending to terminate your tenancy. This means that your tenancy will not actually end until 28 days after you tell this office that you are terminating your tenancy and you will be responsible for paying the rent and making sure the house is secure right up until that day, even if you move out of the house before then.

You are therefore strongly advised to let the office know that you are moving out of the house as soon as possible.

## How do I give written notice?

The Association has Termination of Tenancy Forms that you must fill in. You and all joint tenants, if applicable, will be asked to sign 2 copies of the form. One must be returned to the Association and you should keep the other in a safe place as you may need it as proof of your termination date.

If you are married or are living with someone as a couple, your partner must also sign part of the form to confirm that they are happy for you, as the tenant, to end the tenancy and that they do not wish to invoke their occupancy rights.

## What are Occupancy Rights?

Under the Matrimonial Homes (Family Protection) (Scotland) Act 1981 a spouse or co-habitee who is not the tenant of the marital home is entitled to remain living in the house even if the tenant leaves. This is an automatic right for husbands and wives but people who are co-habiting need to apply to the courts to be given the right to remain in the house.

If your partner wishes to invoke his/her Occupancy Rights they must contact this office immediately.

## How will I know the date my tenancy will end on?

Once the Association receives your written notice, you will be sent a letter confirming the actual date your tenancy will end. On that date you must have the house cleared and be ready to hand the keys into the office.

## What if I change my mind before the 28 days notice expires?

Even if you give the Association written notice that you are terminating your tenancy, you are entitled to withdraw your notice at any time before the end of the 28-day period.

However, after 28 days, your tenancy will end and you are required to leave the house so it is important that you contact the office immediately if you change your mind.

## How will I know how much rent I will need to pay?

You will be responsible for the rent right up until the day your tenancy ends even if you move out before that date. You will be advised in writing of how much rent is due up to the termination date and it is very important that you pay this amount in full before you hand your keys into the office.

However, please remember, if you do not hand in your keys on the date your tenancy terminates, the Association will continue to charge you rent until the keys are returned to the office.

**If you do not pay the rent due before your tenancy ends, the amount outstanding will be treated as a former tenant arrear and the Association may pass the arrear to a debt collection agency or take court action for recovery of the money. This may affect any future application for housing you submit to this Association or any other public sector landlord.**

## What condition must I leave the house in?

We always advise our tenants to leave the property in the same condition that they would like to move in to. In particular you must make sure that you leave the house clean and tidy. This includes:

- Cleaning the house thoroughly taking specific care in the bathroom(s) and kitchen.
- Emptying and cleaning all kitchen cupboards.
- Carefully removing all carpets, floor coverings and vinyl (unless you have permission from the Association to leave them) and ensuring all floors are properly swept.

- Ensuring the house is clear of rubbish and furniture.
- Clearing out all cupboards, storage areas, garden sheds and loft space (if applicable).
- Carrying out all repairs to the property that are your responsibility.
- Leaving the internal decoration in a reasonable condition and ensuring any holes in the walls are filled and painted to match the existing paintwork.
- Tidying your garden.
- Leaving your wheelie bin and whirllig (if applicable) at the rear of the property.

Please bear in mind that if the house is not left in an acceptable condition, the Association will carry out any works required and recharge the costs to you.

### **How will I know what repairs are my responsibility?**

The Tenants Handbook detail what repairs is the responsibility of the tenant and you can refer to this for guidance.

However, the Association's Maintenance Officer will carry out an inspection of your house at least 2-3 weeks before your termination date. You will be told, in writing, of any repairs you need to do in the house and will be given a date by which these should be carried out.

Another inspection will be done after you have handed in your keys. If the repairs you were required to carry out have not been completed or are not to a satisfactory standard, the Association will carry out the work and the costs will be recharged to you.

In addition, there may be other repairs identified after you move out that were impossible to see at the time of the pre-termination inspection. The Association will also carry these out and the costs recharged to you, so it is in your own best interests to make the Maintenance Officer aware of any repairs you know about.

### **Is there anything else I need to do before I move out?**

In order to make your move go smoothly you are advised to:

- **Arrange to have your mail re-directed to your new address.**  
A re-direction form is available from the Post Office.
- **If you have a telephone, arrange for the line to be**

disconnected on the day you leave the house. You can sometimes arrange to have your telephone number transferred to your new address.

- If you receive state benefits you must advise the Social Security office of your new address.
- Inform agencies and organisations such as your doctor, bank etc of your new address.
- Arrange for the Cleansing Department to uplift any big items of rubbish or furniture. **UNDER NO CIRCUMSTANCES SHOULD ITEMS SUCH AS FRIDGES, COOKERS, OLD SUITES ETC BE JUST LEFT EITHER IN THE HOUSE OR AT THE BACK OF YOUR HOUSE.** You can contact Bulk Uplift on 01698 302010 and arrange a free uplift.
- Make sure you leave behind all information booklets and instruction manuals relating to appliances in the house such as the central heating systems, fires etc.
- Leave all keys for the window locks in the windows, ensuring that there is a key for every lock.
- On the day of your move, take final meter readings and advise your gas and electricity suppliers of these and your new address.

The Association will advise the Council Tax and Housing Benefit Department of your end of tenancy date and your new address.

## **When do I hand in my keys?**

All keys for the property should be handed into the Association's office by 12-noon on the day your tenancy ends.

Please ensure that you hand in all the keys including keys for:

- Door Entry Systems
- Front and Back Doors (2 sets of keys for older properties, 3 sets for new build houses)
- Bin Stores
- Car Park Keys
- External Stores
- Gas Meter

If any keys are missing you will be charged for getting new keys cut and, in some instances, this can prove to be very expensive, so please make sure you return all the keys for the property.

## **Will you need into my house before I leave?**

Normally, we will only need access to carry out the pre-termination inspection already mentioned. However, in order to re-allocate the property as quickly as possible we may also ask you to allow access for someone to view the house. We would greatly appreciate your co-operation if this should be required.

## **Who should I contact if I have any other questions on ending my tenancy with the Association?**

If you have any other questions relating to the termination of your tenancy please do not hesitate to contact the Association's office where a member of staff will be pleased to assist you. You can contact us at:

**Wishaw & District Housing Association Limited**  
**55 Kirk Road, Wishaw ML2 7BL**  
**Tel: 01698 377200/372776 • Fax: 01698 358712**  
**E-mail: [assoc@wishawdha.org.uk](mailto:assoc@wishawdha.org.uk)**

Open: Monday – Thursday: 9.00am – 4.30pm and  
Friday: 9.00am-4.00pm  
Closed for lunch: 12.30pm – 1.30pm

