

A Guide to Terminating a Tenancy for a Next of Kin or an Executor



Thank you for notifying the Association of the death of one of our tenants. We realise that this is a sad and difficult time for you and your family but unfortunately there are things that you, as the next-of-kin or executor, are required to do in order to ensure that the tenancy is correctly ended.

The Association is keen to make this as easy as possible for you and your family and we would therefore be grateful if you would take the time to read through these guidance notes on ending the tenancy.

However, before you or any other member of your family formally end the tenancy, please make sure that there is no-one that has succession rights to the tenancy. If you are unclear as to who could succeed to the tenancy, please contact the office immediately as all claims for succession must be submitted to the Association within 28 days of the tenant's death.

INFORMATION YOU HAVE TO GIVE THE ASSOCIATION

Enclosed with this information leaflet is a form for you to fill in giving details of the tenant who has died and the date of death.

We also ask that you provide the name, address and contact telephone numbers of the person who is taking responsibility for winding up the deceased's affairs, including emptying the house and ending the tenancy. It is extremely important that the Association has someone that we can contact regarding the house.

When you return this form to the Association please include a copy of the death certificate as proof of the date of death. This is required because the tenancy legally ends on the date of death and all housing benefit payments will cease from that date.

HANDING IN THE KEYS FOR THE HOUSE

Although the tenancy actually ends on the day the tenant dies, the Association understands that family members need time to make arrangements and to clear the house. You are therefore allowed two weeks from the date of death to empty the house. No rent will be due for that 2 week period.

However, if you wish to keep the keys longer this can be arranged following a request from you but, regrettably, there will be a charge for every additional day you keep the keys. If you do wish to have a longer period of time to clear out the house, please contact the Association's office and speak to a member of staff.

Under no circumstances should you hold onto the keys beyond the two week period without the consent of the Association.



RENT DUE

If the tenant's account is clear and you hand the keys into the office within 2 weeks of the tenant's death, there will be no charge made to you or against the estate of the deceased. However, an invoice will be sent to you for any days you keep the keys beyond the 2 week period allowed.

Where there is a substantial arrear in the rent account or where there are any other monies owed to the Association, the Association may make a claim against the estate for the outstanding debt.

Any credit in the account will be paid out to the next-of-kin or the executor of the estate within one month of the tenancy being ended.

CONDITION OF THE HOUSE

Before you hand in the keys of the house we would greatly appreciate it if you would ensure that the house is left in a clean and tidy condition. This should include;

- 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 that 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).
- Leaving the wheelie bin and whirlygig (if applicable) at the rear of the property.
- Leaving the garden in a satisfactory condition.

We would also ask that you leave all information booklets and instruction manuals relating to the appliances in the house such as the central heating systems, fires etc, in a prominent place.

CONTACTING OTHER AGENCIES

In order to make the process of winding up the deceased's estate and ending the tenancy go as smoothly as possible, you are advised to;

- Arrange to have the mail re-directed to the address of the person taking responsibility for dealing with the deceased's affairs. A re-direction form is available from the Post Office.
- If there is a telephone in the house, arrange for the line to be disconnected.
- If the deceased received state benefits you must advise the Social Security office of the death. You should also contact the administrators of any private or works pensions that the person received.
- Inform agencies such as the deceased's doctor, bank etc of the death.
- 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 the property where they could be a danger to children in the area.** You can contact Bulk Refuse on **01698 302010** and arrange a **FREE** uplift.
- Leave all keys for the window locks in the windows, ensuring that there is a key for every lock.
- Take final meter readings and advise the gas and electricity suppliers of the date the tenancy is ending.

The Association will advise the Council Tax and Housing Benefit Department of the tenant's death and the date the tenancy is ending.



HANDING IN THE KEYS

All keys for the property must be handed into the Association's offices by **12 noon** on the day the tenancy is ending. **Please remember that this must be no more than 2 weeks after the date of death unless you have made an arrangement with the Association.**

We would be grateful if you could try to ensure that all keys for the property are handed into the office, including the keys for;

- Door Entry Systems
- Front and Back Doors (there should be 2 sets for each door for older properties and 3 sets for new build houses)
- Bin Stores
- Car Park Keys
- External Stores
- Gas Meter

ANY OTHER QUESTIONS?

Wishaw and District Housing Association greatly appreciate your help in clearing out the house and carrying out the legal requirements for ending the tenancy correctly. We realise that this will be a sad and difficult time for you and your family and we are here to assist you in any way we can. We hope this information leaflet has been of some assistance to you but if you have any other questions relating to ending the tenancy and clearing the house, please do not hesitate to contact the Association's offices where a member of staff will be pleased to help. You can contact us at;

Wishaw and District Housing Association
55 Kirk Road
Wishaw
ML2 7BL

Tel: 01698 377200/372776 Fax: 01698 358712

E-mail: assoc@wishawdha.org.uk
Website: www.wishawdha.org.uk

PLEASE NOTE OUR OFFICE OPENING HOURS AS FOLLOWS:

Mon-Thurs: 9am-4.30pm, Fri: 9am-4pm
Closed for Lunch: 12.30pm-1.30pm