



CHESTERFIELD  
BOROUGH COUNCIL

# Ending a tenancy



# Ending your tenancy

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Your tenancy doesn't automatically end when you move out - your tenancy agreement is a legal document and can only be ended if you give us a valid notice of termination or through a court order.

You must give us at least four weeks' notice, in writing, and return your keys to the Customer Service Centre to end your tenancy. If you don't do this, you'll still be responsible for the rent after you leave and until the tenancy ends. This leaflet explains what you need to do to end your tenancy.

## Contacting Home Options

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Before you decide to leave your home, please contact us to discuss all of your options.

**We can be contacted on:**

**01246 345700**

**[home.options@chesterfield.gov.uk](mailto:home.options@chesterfield.gov.uk)**

**Customer Service Centre, Town Hall, Rose Hill, Chesterfield, S40 1LP**

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Our opening times are:

- Monday, Tuesday, Thursday and Friday 9am to 2pm
- Wednesday 10am to 2pm

## How to end your tenancy

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You can give notice by completing the termination form at the back of this leaflet. Alternatively, you can send us an email or write to us. Your letter should include:

- Your name and address
- The date your notice period ends
- Your forwarding address and contact telephone number in case we need to contact you after you have moved out

Your notice period cannot begin until we receive a valid notice.

## Notice period

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**You must give us at least four weeks' notice, in writing, to end your tenancy.**

The notice period must end on a Monday. You must give the correct date for when your notice period ends and it won't be valid if the date is incorrect. You will need to give a valid notice before the notice period can begin.

Please check with us before entering the date on the termination form or in your letter to give notice.

If you are transferring to another Chesterfield Borough Council tenancy or a housing association through Home Options, we may agree to accept a shorter notice period. However, this is subject to satisfactory pre-termination checks being completed and each case will be assessed on its own merit. We may also consider a shorter notice period following the death of a tenant or where the tenant has gone in to permanent care. This is subject to our discretion based on the circumstances of each case.

You will need to return your keys to us before your tenancy ends. We will arrange this with you when you sign for your new tenancy. If there are special circumstances that stop you giving us the required notice, please contact us.

## Leaving without giving notice

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**If you leave without giving notice this is called abandonment.**

Abandoning your tenancy does not end it. If you move out without giving us a valid notice of termination, your tenancy will not end until we are able to obtain a court order. You will continue to be responsible for rent payments until your tenancy is ended correctly. This could make it harder to find a new home as most social and private landlords ask to see references from previous landlords.

## Ending a joint tenancy

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**Joint tenants have equal rights and are jointly responsible for all of the conditions of the tenancy agreement.**

For example, joint tenants are each responsible for ensuring that all of the rent is paid and for any rent arrears that may occur.

If one joint tenant gives notice to end the tenancy, this will end the tenancy for all of the joint tenants, even if the other joint tenants do not know about the notice. You can give notice by completing the notice of termination of tenancy by one joint tenant form at the back of this leaflet.

If your relationship breaks down, it is important that you seek independent legal advice as soon as possible. We cannot exclude one joint tenant from the tenancy, or change the locks to stop a joint tenant from getting in.

In some circumstances we may grant a new sole tenancy when a joint tenant has given notice to terminate the tenancy. Before doing so we consider if the property would be under-occupied and, in the case of a house, if there are children under 16 years of age in the household. We also consider if there have been any breaches of the tenancy agreement such as rent arrears or anti-social behaviour.

If it is not possible to grant the remaining tenant a new tenancy for the property they occupy, we will help them to find suitable alternative accommodation.

A joint tenancy can be ended by a court order. This means that if your relationship with your partner has broken down, the court can end the existing tenancy and order a new tenancy to be granted. If this happens, we will follow the court's instructions. If a joint tenant has died, please see our leaflet Bereavement of a council tenant who shared their home.

## Rent

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You are responsible for rent payments up to the end of your tenancy. If there is a delay in returning your keys, you are responsible for rent until your keys are returned.

If there are exceptional circumstances that mean you are not able to clear your rent in full before your tenancy ends, it is important that you contact the Customer Service Centre on **01246 345345** to make arrangements to clear the debt. It may be possible to pay the debt in instalments.

## Housing Benefit

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If you are entitled to Housing Benefit you will need to stop any benefit being paid on your old address and claim at your new address. The benefits team can be contacted on:

**01246 345484 or 01246 345507**

**[benefits@chesterfield.gov.uk](mailto:benefits@chesterfield.gov.uk)**

**Customer Service Centre, Town Hall, Rose Hill, Chesterfield, S40 1LP**

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## Clearing the property

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Please leave the property in a clean and tidy condition. This includes:

- Cleaning the kitchen and bathroom units, sinks, baths, basins and toilets
- Removing all furniture, carpets, curtains and rubbish
- Clearing the loft of all items
- Ensuring that both the front and back gardens are tidy and free of rubbish
- Clearing the shed, outbuildings and storage cupboards of all items

The decorations must also be in a good condition when you leave.

Before handing over the keys to the Customer Service Centre, please turn off the water at the stop tap, take the meter readings for gas, electricity and water and notify the utility companies of the date that your tenancy ends. They will ask for a contact address for any future correspondence.

Chesterfield Borough Council does not accept any responsibility for your possessions or items that you leave behind when you move out of your property.

We will inspect the property after you leave. If the property is not left in a clean and tidy condition, we may have to charge you for any necessary works.

If you have made any alterations to the property or garden without our permission, depending upon the quality of the workmanship, you may need to remove the alteration and put the property and garden back into a reasonable condition before your tenancy ends. If you do not do so, we may charge you for the costs that we incur in doing this work.

## Bulky waste

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Chesterfield Borough Council's bulky waste service can take away large items of free standing furniture, domestic appliances and other general household waste. For details of charges or to arrange a collection, phone **01246 345345**.

You can also arrange a collection via the My Chesterfield platform:  
**[www.chesterfield.gov.uk/my-chesterfield](http://www.chesterfield.gov.uk/my-chesterfield)**.

## Recycling

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Before booking a bulky waste collection for any good but unwanted items, please consider other recycling options. Many local charities will be happy to take unwanted furniture, electricals, bric-a-brac and clothes, as well as toys, CDs, DVDs and sporting items that are in good condition. You can take items to a local charity shop or you may find that they will visit you to collect them.

You can pass on usable items for free to other people online using sites such as Freecycle and Freegle. There are other online gifting sites available, as well as groups on Facebook Marketplace where you can advertise your unwanted items free to a good home.

## Returning the keys

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All keys to the property, including communal door entry keys and fobs, should be returned to the Customer Service Centre on the Monday when the tenancy terminates. Please check the latest opening times on our website.

Please do not post the keys or leave them in the property as this will delay the time when we can end the tenancy. If there is a delay in returning keys, please let us know and we can discuss a new date for the keys to be handed in. You will be responsible for payment of rent until the keys are received at the Customer Service Centre.

You may, of course return keys to us before the notice period ends, but you will still be charged rent up to the end of your tenancy. Please leave keys for windows and sheds at the property.

## Redirecting mail

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Royal Mail will re-direct mail for a small charge. Call **03457 740740** for more information or call into any post office for a form.

## Further advice

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We hope that we have covered most of the questions which are often raised but please call us if you are still unsure of anything or if you need clarification.

You can seek independent legal advice from a solicitor or from:

### Citizens Advice

6-8 Broad Pavement

Chesterfield

Derbyshire

S40 1RP

**01246 209 164**

**0808 278 7843** (advice line)

### Derbyshire Law Centre

1 Rose Hill East

Chesterfield S40 1NU

**01246 550674**

Freephone **0800 707 6990**



Notice of termination form and notice of termination of tenancy by one joint tenant form

## Notice of termination

Name of tenant(s): \_\_\_\_\_

Address: \_\_\_\_\_

Address of garage/garage plot (if any): \_\_\_\_\_

Date of termination: Monday \_\_\_\_\_

New address or name/address of next of kin/representative: \_\_\_\_\_

If tenant deceased, number of Death Certificate (if available): \_\_\_\_\_

### Reason for termination:

**Termination reason** \*tick boxes next to options

- Notice given by tenant
- Eviction (rent arrears)
- Mutual exchange
- Death of tenant
- Eviction (ASB)
- Garage
- Property abandoned
- Eviction (rent arrears & ASB)

**New tenure** \*tick boxes next to options

- CBC transfer
- Other Council (not CBC)

- Residential care
- Lodging with friends/other
- Other CBC (e.g., decant)
- Private rented
- Lodging with family
- Housing Association
- Owner occupation
- Prison
- Other – please specify

**Reason for moving** \*tick boxes next to options

- Welfare reform
- Rent arrears
- For work
- Transfer Incentive Scheme
- Smaller property needed
- ASB/neighbour problems
- More affordable property
- Medical reasons
- Larger property needed
- To provide/receive support
- Relationship breakdown
- Other – please specify

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**Please read carefully:** I hereby give notice to terminate the tenancy of the above property. I understand that I must give vacant possession of the property. I understand that I must ensure the water, gas and electricity supply are left safe and that all belongings, including curtains, floor coverings and cooker are cleared from the dwelling and any outbuildings. I authorise Chesterfield Borough Council to dispose of any remaining contents within the property. I accept the Council's policy of recharging any expense it incurs for disposing of effects, making safe the water, gas or electricity supply, changing the locks (should I leave without returning the keys), or making good any damage to the property deemed not to be due to fair wear and tear. The keys are to be returned to the Customer Service Centre on the date of termination. Rent and other charges will continue to be charged at the weekly rate until the keys are returned or possession is granted by the Court.

**Signed**

**Date**

**Signed**

**Date**

# Notice of termination of tenancy by one joint tenant

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Name of tenant(s): \_\_\_\_\_

Address: \_\_\_\_\_

Address of garage/garage plot (if any): \_\_\_\_\_

Date of termination: Monday \_\_\_\_\_

New address: \_\_\_\_\_

## **Important - Please read before signing**

I have been advised that in signing this termination notice it will bring the joint tenancy which I hold with \_\_\_\_\_ to an end.

I have been advised to seek independent legal advice before signing this termination notice. I understand that a new sole tenancy will not automatically be awarded to \_\_\_\_\_ at \_\_\_\_\_

If there is any rent owing, I understand that I am jointly responsible for this debt up to the end of the joint tenancy.

**Signed** \_\_\_\_\_ **Date** \_\_\_\_\_

# Useful contacts



<b>Customer service centre</b>	
<b>Environmental services, Rent recovery, Housing benefit</b>	<b>01246 345 345</b>
<b>Reporting repairs (during office hours) Freephone</b>	<b>0800 587 5659</b>
<b>Email</b>	<b>repair.requests@chesterfield.gov.uk</b>
<b>Repairs - emergency only (out of hours)</b>	<b>01246 345 041</b>
<b>Tenancy management</b>	<b>01246 345 071</b>
<b>Email</b>	<b>housingmanagement@chesterfield.gov.uk</b>
<b>Tenancy support</b>	<b>01246 345 354</b>
<b>Email</b>	<b>tenancy.support.referrals@chesterfield.gov.uk</b>
<b>Home options team</b>	<b>01246 345 700</b>
<b>Email</b>	<b>home.options@chesterfield.gov.uk</b>
<b>Homelessness prevention team</b>	<b>01246 345 825</b>
<b>Email</b>	<b>homelessness.prevention@chesterfield.gov.uk</b>
<b>Homelessness (out of hours)</b>	<b>0808 169 2333</b>
<b>Careline</b>	<b>0300 303 3378</b>
<b>Derbyshire Law Centre</b>	<b>01246 550 674 / 0800 707 6990</b>
<b>Citizens Advice</b>	<b>01246 209 164 / 0808 278 7843 (advice line)</b>
<b>Derbyshire Unemployed Workers Centre</b>	<b>01246 231 441</b>

If you are concerned about the welfare of a child or vulnerable adult, call Derbyshire County Council on **01629 533 190**



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