



ENDING A TENANCY POLICY

Version Number: 1

Approval Date: November 2025

Approved by: CEO

Next Review Date: September 2026

Responsible Officer: CEO

1.0 Introduction

- 1.1 HYELM is committed to providing high-quality accommodation for young people in employment who cannot afford to rent or buy on the open market in London. We recognise that all tenancies eventually come to an end and it is important that there are clear, fair, and legally compliant procedures for managing this process.
- 1.2 This policy sets out HYELM's approach to ending a tenancy. It covers circumstances where tenants choose to leave, where HYELM seeks possession of a property, situations following the death of a tenant, and positive move-on arrangements. It also explains how suspected abandonment will be managed.
- 1.3 The aim of this policy is to ensure that all tenancy endings are managed in a way that is legally accurate, transparent, sensitive to residents' needs, and consistent with HYELM's mission to provide safe, affordable housing.

2.0 Policy Objectives

- 2.1 The objectives of this policy are to:
 - Ensure compliance with all relevant housing law, including the Housing Act 1988 and the Protection from Eviction Act 1977.
 - Provide residents with clear information about their rights and responsibilities when ending a tenancy.
 - Protect HYELM from the risks associated with unlawful eviction or tenancy disputes.
 - Support positive move-on and ensure that properties are returned to a good standard for re-letting.
 - Handle sensitive situations, such as bereavement, with care and compassion.

3.0 Legal and Regulatory Framework

- 3.1 This policy complies with the following legislation and regulatory standards:



- Housing Act 1988 (as amended)
- Protection from Eviction Act
- Civil Procedure Rules – including the Pre-Action Protocol for Possession Claims
- Data Protection Act 2018 and UK GDPR
- Renters' Rights Act 2024–25

4.0 Scope

- 4.1 This policy applies to all Assured Shorthold Tenancies (ASTs) granted by HYELM.
- 4.2 It applies to all staff involved in tenancy management and ending tenancies.
- 4.3 It should be read alongside HYELM's Lettings Policy, Starting a Tenancy Procedure, and Complaints Policy.

5.0 Tenant-Initiated Endings

- 5.1 Tenants have the legal right to end their tenancy by serving a valid written notice to quit. The length of notice is at least one full calendar month.
- 5.2 Notices must be provided in writing, either by letter or email. HYELM will acknowledge all notices in writing and confirm the exact tenancy end date.
- 5.3 Rent and charges remain payable until the tenancy legally ends and all keys are returned. If keys are not returned, tenants may be charged until HYELM regains possession.
- 5.4 A pre-exit inspection will be offered to all tenants. Properties must be returned in a lettable standard: clean, free from rubbish, and with no intentional damage. Where tenants fail to meet this standard, HYELM may recharge for clearance or repair costs.
- 5.5 In joint tenancies, both tenants will need to give notice to end the tenancy. This will end the tenancy for all joint tenants, unless otherwise agreed in writing.

6.0 Landlord-Initiated Endings

- 6.1 HYELM will only end a tenancy through lawful processes. No tenant will ever be evicted without a court order and the involvement of an independent judge.
- 6.2 Under the Renters' Rights Act 2025, "no-fault" evictions (previously issued under Section 21 of the Housing Act 1988) have been abolished. HYELM can no longer end a tenancy without providing a valid statutory ground.
- 6.3 HYELM may seek possession only on the strengthened or revised grounds set out in the Renters' Rights Act, including but not limited to:



- Serious or persistent rent arrears
- Anti-social behaviour or criminal behaviour
- Domestic abuse
- Breach of tenancy terms
- Landlord requires the property for redevelopment, demolition or substantial works
- Tenant no longer meets the criteria, or the property was let for a particular period, which has now ended
- Other statutory grounds as defined by the Act

The correct notice and documentation required by the Act will always be used (see Appendix A).

- 6.4 Before any formal action is taken, staff will speak directly with the tenant, attempt to resolve the issue, and follow up in writing. All conversations, support offered, and agreements will be recorded.
- 6.5 A decision will be made by the Housing Manager (with CEO approval) on whether to take a formal or informal actions:
- Informal:
Advice, support and problem-solving with the tenant. Where helpful, an agreed action plan will be created and monitored.
 - Formal:
HYELM will seek legal advice from a solicitor and confirm which statutory ground(s) apply before issuing a notice.
- 6.6 Where the formal route is taken, the following process will apply:
1. Solicitor prepares and issues the correct statutory notice to the tenant.
 2. If the issue is not resolved within the notice period, the solicitor will submit an application to the court for possession.
 3. HYELM will prepare for the court hearing and provide full evidence.
 4. The tenant will be supported to understand the process and will be signposted to independent advice (e.g., Shelter, local law centres).
 5. HYELM will comply fully with the Pre-Action Protocol for Possession Claims, including demonstrating all reasonable attempts to resolve the matter and documenting communication.
- 6.7 HYELM will act proportionately, compassionately and fairly. Possession proceedings will always be a last resort, after all reasonable support options, adjustments or interventions have been explored.
- 6.8 In joint tenancies, notices and court action will apply to all joint tenants unless a legally valid alternative arrangement is formally agreed in writing

7.0 Death of a Tenant

- 7.1 When HYELM is notified of the death of a tenant, we will ask the person making the notification (for example, a family member, next of kin, or representative) to provide a copy of the death certificate.

- 7.2 Where a death certificate is not immediately available, HYELM will take reasonable steps to confirm the death through appropriate enquiries. This may include contacting the next of kin, the executor of the estate, or verifying the information through public records.
- 7.3 Once the death has been confirmed, HYELM will serve a Notice to Quit on the property, addressed to “The Personal Representatives of [Tenant’s Name], deceased”. Copies will also be sent to the next of kin and the Public Trustee.
- 7.4 A minimum of four weeks’ notice will normally be given, to allow sufficient time for the family or representatives to clear the property and manage the tenant’s affairs.
- 7.5 HYELM recognises that bereavement can be a difficult and distressing time. We will deal with all such cases sensitively, offering support where appropriate and providing flexibility in timescales where it is reasonable to do so.

8.0 Abandonment

- 8.1 If HYELM suspects that the tenancy has been abandoned, HYELM will carry out a thorough investigation, including property inspections, contact attempts with the tenant, enquiries with next of kin, and review of CCTV and fob usage. Local hospitals and Police may also be contacted. This investigation will be completed within a maximum of 3 weeks from the date of suspicion of abandonment.
- 8.2 At the end of the 3-week investigation period (i.e., entering the 4th week), the Housing Manager, with approval from the CEO, will make a decision on the next steps.
- 8.3 Legal advice will be sought and proceedings will commence thereafter.
- 8.4 HYELM will take particular care where the tenant is vulnerable, or where there are safeguarding concerns. In such cases, HYELM will ensure that no action is taken that could amount to an unlawful eviction: the tenant will be properly contacted, advised of rights, and afforded a reasonable opportunity to respond.

9.0 Positive Move-On

- 9.1 HYELM recognises that its accommodation is intended as move-on housing and supports residents to transition into longer-term or independent housing when they are ready.
- 9.2 Positive move-on will be treated as a standard tenant-initiated ending, with the same requirements for notice, property condition, and key return.
- 9.3 HYELM may provide references, advice, or signposting to other housing providers to support residents in their next steps.

10.0 Appeals and Complaints

- 10.1 Tenants who are dissatisfied with how the ending of their tenancy has been managed may raise a complaint under HYELM's Complaints Policy.
- 10.2 If still dissatisfied, tenants may escalate their complaint to the Housing Ombudsman Service.

11.0 Monitoring and Review

- 11.1 HYELM will monitor tenancy terminations to ensure fairness and compliance with this policy.
- 11.2 Data will be collected on tenancy end reasons, legal actions, and recharges, and reviewed annually by the Executive Team.
- 11.3 This policy will be reviewed every three years, or sooner if there are changes in law, regulation, or HYELM practice.

12.0 Linked Documents and Related Policies

- Lettings Policy
- Starting a Tenancy Procedure
- Complaints Policy
- Safeguarding Policy
- Rent Management Policy
- Pre-Action Protocol Checklist

13. Appendices

- Appendix A: NOSP Notices and Documentation Checklist
- Appendix B: NOSP Flowchart

Version Control Table

Status (draft/ approved)	Version #	Date	Amendments
Approved	1	Nov 2025	New Policy