



## CARE HOUSING ASSOCIATION TENANCY TERMINATION POLICY AND PROCEDURE

<b>Implementation Date</b>	<b>May 2019</b>
<b>Updated</b>	<b>Rachael Kaminski, April 2022 (Procedure updated August 2022)</b>
<b>Last Review Date</b>	<b>May 2022</b>
<b>Next Review Date</b>	<b>May 2025</b>

### 1. Purpose

This policy will provide guidance on the tenancy termination process.

### 2. Policy Statement

The aim of this policy is to set out Care Housing Association (Care)'s approach to ensuring that tenancies and licences are ended correctly and that all parties fulfil their respective responsibilities.

The key objectives supporting this aim are that:

- All tenants ending their tenancies are treated in a fair and equitable manner.
- Checks are carried out to confirm if tenancy conditions have been complied with and seek to ensure that outstanding rent is paid, damage is put right, recharges are raised and the property is left clean, tidy and in a reasonable state of decoration.
- The legal rights of the tenant are recognised and protected.

There may be occasions when Care decides to seek to terminate a tenancy or licence, for example if a resident has repeatedly breached the terms of their agreement. Such terminations are covered in other policies, including the Antisocial Behaviour Policy.

### 3. Responsibility

The designated officer responsible for implementation and monitoring of this policy will be the Chief Executive.

### 4. Equality and Diversity

Care is committed to respecting diversity in all aspects of our work and we will not tolerate any form of discrimination.

We recognise that there is the potential for impact across the characteristics of Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex or Sexual Orientation.

Where we are made aware of or identify customers with specific needs, we will be proactive in targeting our communication and support appropriately and consider any specific needs individually.

#### **5. Commitment and Review**

Care will formally review this policy every three years. Care will consult with residents if material changes to this policy are proposed.

## **TENANCY TERMINATION PROCEDURE**

### **1. Notice Period and Serving of Notice**

1.1 In order for a resident to terminate their tenancy or licence, they must give notice to Care as per the terms in their Tenancy or Licence Agreement. The vast majority of residents will have a Tenancy Agreement and be required to give a minimum of four weeks written notice, the last day of which must be a Sunday, as outlined in their Agreement. Care's Tenancy Agreements state either:

"If the Tenant wants to end the Tenancy, they may do so by giving the Association 4 weeks' notice in writing. The last day of the 4 week notice period must be a Sunday."

Or

"If you are going to move out (and end this tenancy) you must give us at least four weeks' written notice ending on a Sunday."

1.2 Care will accept written notices by letter or email from one of the following people:

- The tenant/licensee, where they have capacity to do so.
- A Deputy appointed by The Court of Protection (in cases where the resident lacks capacity to terminate their agreement under the Mental Capacity Act).
- A person who holds relevant Power of Attorney for property and affairs for the resident.
- The Statutory Authority where a best interest decision has been made as the resident lacks capacity and no Deputy has been court appointed.

1.3 A template letter can be requested from Care for a suitable party to sign and date in order to serve notice. Other written notices should include the name and address of the resident and the proposed date for the tenancy/licence to end. Further details may be requested by the Housing Officer.

## 2. Void Checks and Timescales

2.1 Once notice has been accepted, the Housing Officer should arrange to visit the property. They should refer to Care's minimum re-let standard (APPENDIX A) and complete the void inspection checklist (APPENDIX B). Guidance on interim electrical safety checks is provided in APPENDIX C. The Contracts Manager may visit instead or as well depending on the extent of works required.

2.2 Care aims to have void flats and bedrooms ready to re-let 2 weeks after the former tenancy ended. This will not always be possible if there are sensitive circumstances, such as an unexpected death, or if the property requires extensive work to bring it back up to standard. Housing Officers should communicate significant delays to the Operations Manager and discuss timescales with the nominating Local Authority/Support Provider if there is a nominated tenant waiting.

2.3 Ideally, void inspections and electrical checks should take place within 5 working days after the tenancy end date. Any necessary repairs, decoration, flooring etc should be requested to the Contracts Manager within 1 working day of the void checks who should arrange the works as soon as possible. Housing Officers should arrange cleaning if required and explain any particular urgency.

If any significant mess or belongings have been left, the tenant/representatives should be given 1 week to remove/clear things, then housing officers should arrange clearance and recharge the former tenant (if applicable).

Completed void checklists should be saved in the former tenant folder.

### **APPENDIX A - Minimum re-let standard for void properties**

The following, as applicable, should be checked when a room/property becomes vacant, and any necessary works should be arranged to bring the property up to standard promptly and before a new tenant moves in.

### 1. Compliance

- a. A copy of the current Building Regulations Approval Certificate (BRAC) for new Gas fired boiler installations or the Landlords Gas Safety Record (LGSR) will be available for issue.
- b. A copy of the current Domestic Electrical Installation Certificate (DEIC) or an Electrical Installation Condition Report (EICR) will be available for issue.
- c. A copy of the current Energy Performance Certificate (EPC) will be available for issue.
- d. There will be a copy of Care's Compliance Folder available for viewing on site. The folder will contain the relevant compliance certificates.
- e. Copies of the current certificates of compliance can be found in the relevant file in the Compliance Folder – in the Public Drive e.g. LGSRs can be found by property in Compliance – Gas Safety Management – Landlord Gas Safety Records.

### 2. Meters

- a. The readings on the gas, electric and water meters will have been taken and recorded as soon as possible after the property becomes vacant. Take a photo if possible.

### 3. Electrical

- a. All electrical outlets, switches, fittings and shall be free of any paint, cracks, scorching, frayed or damaged leads or cables.
- b. Any internal or external surface mounted wiring will be fixed securely and/or enclosed in appropriate trunking. There will be no loose trailing cables.
- c. Any dirty or grubby pull chords are to be cleaned or, if necessary, replaced.
- d. All light fittings will be complete with working light bulbs.
- e. Extractor fans will be clean, serviced and fully operational. Extractor fans should be free of grease and dust build up on the grille and the body of the unit (if visible, see picture).
- f. Where kitchen and/or other electrical appliances are supplied these will be free of grease, clean and fully operational.
- g. All electrical appliances over 12 months old with an accessible plug will have a PAT sticker attached which is less than 12 months old.
- h. Smoke/heat detectors and/or fire alarms will be fully operational and have been tested within the last 12 months or 6 months for communal fire alarms.



### 4. Plumbing and Heating

- a. All water outlets will have been checked and flushed during the void period, will be clean and operate smoothly and evenly.
- b. Showerheads are to be clean (and will be descaled in line with the legionella risk assessment).
- c. Shower curtains will be new.
- d. The toilet flush will operate smoothly and evenly.
- e. The toilet seat and lid will be new.
- f. All visible pipe runs, traps and u-bends will be visually checked for leaks.
- g. The pressure gauge on the combination boiler (if applicable) will have been checked to ensure the boiler is operating at optimal pressure.
- h. All radiators, TRVs and TMVs (if visible) to be free of damage and paint.

### 5. General

- a. A key safe will be fitted (if a whole property is void).

- b. The property will have been left clear of any of the previous tenant's belongings including furniture, soft furnishings and debris.
- c. Any adaptations and/or assistive technology specific to the previous tenant should have been removed (and returned to the provider if applicable) and surfaces made good.
- d. All door and window locks, furniture and fittings will be securely fixed and operate smoothly and easily.
- e. All entrance/external doors will have a 5 lever or multi point lock complete with three keys per lock.
- f. All entrance/external doors locks, furniture and fittings will be securely fixed and operate smoothly and easily.
- g. All internal door locks, furniture and fittings will be securely fixed and operate smoothly and easily.
- h. All fire doors will have complete smoke seals and intumescent strips, free from paint/damage.
- i. All doors will have doorstops unless there is potential that the doorstop will cause a trip hazard.
- j. All opening windows and locking mechanisms will operate correctly, smoothly and with ease. There will be restrictors, if required, and a minimum of 1 window key per escape window.
- k. All drawers and doors to kitchen units will be securely fixed and have a smooth and easy operation.
- l. Keys/fobs will be provided for the communal main entrances, post boxes, gas meter boxes, access gates and any stores allocated to the property (see y.)
- m. A fire blanket will be provided in the kitchen, if appropriate for the tenant and property as detailed in the Fire Risk Assessment.
- n. All silicon seals to the edges of sanitaryware, the junction of worktops and splashbacks will be complete and showing no signs of shrinkage, curling or discolouration.
- o. All splashback tiling and PVC-u wall boarding will be clean, free of grease with all grouting or silicon sealant full, clean and in, at least, fair to good condition.
- p. All kitchen appliances, work surfaces, kitchen cabinets, sanitaryware and bathroom fixtures and fittings will be clean.
- q. Decoration throughout the property will be neutral in colour and in, at least, good to fair and clean condition.
- r. There will be no nicotine, mould or water staining, graffiti, murals, etc.
- s. Any soft furnishings, blinds, carpets, matting, etc supplied will be securely fixed, free of any "rucking", major staining and in, at least, good to fair and clean condition. Any items which are in a poor or unsafe condition, badly stained or cannot be adequately cleaned should be removed or, if floor coverings, replaced.
- t. Any furnishings, fittings and appliances provided with the tenancy will be clean, presentable, free from major staining and unpleasant aromas.
- u. All surfaces and internal glazing will be clean and free of grease, smears and paint.
- v. The entire property, including glass to windows and partitions will be clean and presentable.
- w. The property will be free from unpleasant aromas.
- x. Any external areas associated solely with the property will be free from all rubbish and debris, and any grassed areas and flowerbeds will be in fair to good condition. Any flowers, shrubs, hedges and trees will be cut back and presentable.
- y. Any non-communal bins will be empty.
- z. The following minimum number of keys and/or fobs, if applicable, will be supplied per tenancy.
  - i. Communal entrance – 2
  - ii. Post boxes – 2
  - iii. Flat entrance – 2
  - iv. Meter boxes – 1 per lock type
  - v. Outside stores/bin stores/bike stores – 2
  - vi. Perimeter gates – 2

**APPENDIX B – Void Inspection and Interim Electrical Safety Checks**

When completing the void inspection and interim electrical safety checks, staff should refer to Care's Tenancy Termination Policy, Procedure and Appendices.

**Once completed, save this file in the tenant folder, rename the folder to include the TTD and move to 'Former Tenants' folder within 'Operations' folder.**

### **Part 1 – Tenancy details (HO)**

**TENANT:**

**PROPERTY ADDRESS (include room/flat number):**

**DATE AND METHOD NOTICE RECEIVED (if death, record the date of death and date notified):**

**WHO GAVE NOTICE, IS THIS LEGAL (as per policy)?**

**DATE MOVED OUT:**

**TENANCY TERMINATION DATE (TTD):**

**FORWARDING ADDRESS:**

**REASON FOR LEAVING:**

**If the tenant has passed away who is handling their affairs?**

**Other notes e.g. Appointee, POA or Deputy involved:**

### **Part 2 – Inspection (CM or HO, refer to the minimum re-let standard for void properties)**

**Date of inspection: \_\_\_\_\_**

**Carried out by (name and role): \_\_\_\_\_**

**List any repairs needed to the room/flat:**

**Does the room/flat require decoration and/or new floor coverings?**

**Does the room/flat need cleaning and/or items removing?**

**List damage/work that may be rechargeable to the tenant:**

**List any furniture left and its condition (e.g. '2-seater sofa – good'):**

**Does the room/flat have any adaptations?**

### **Part 3 – Interim Electrical Safety Checks (CM or HO)**

This checklist should only be used where both of the following conditions have been met:

- The installation is less than 5 years old or a full inspection and test has been undertaken by an Approved Electrician in the last 5 years and an Electrical Installation Condition Report (EICR) has been produced.
- Any necessary Category 1 and/or 2 Actions identified on the latest EICR have been addressed.

Confirm the above (tick)

Date of interim electrical safety checks: \_\_\_\_\_

Carried out by (name and role): \_\_\_\_\_

<b>Consumer Unit (Fusebox/Distribution Board)</b>	
1) All covers are in place and fitted correctly.	<input type="checkbox"/>
2) There are no gaps on the fuse board where blanking plates should have been fitted.	<input type="checkbox"/>
3) The Residual Current Device (RCD) trips when the test button is pressed.	<input type="checkbox"/>
4) All switches in the Consumer Unit are switched to the on position and do not immediately trip out.	<input type="checkbox"/>
5) Combustible materials are not stored in the meter cupboard	<input type="checkbox"/>
<b>Sockets and Lighting</b>	
1) Socket outlets, light fittings and switches are securely fixed and in good condition.	<input type="checkbox"/>
2) Socket outlets, Light fittings and switches show no signs of overheating.	<input type="checkbox"/>
3) Flexible cables are not in a position where they are likely to suffer damage.	<input type="checkbox"/>
4) Socket outlets are not overloaded with too many appliances.	<input type="checkbox"/>
<b>Electrical Appliances</b>	
1) The casings to electrical appliances are securely in place and in good condition.	<input type="checkbox"/>
2) All visible power cables are securely attached to the appliance and the plug.	<input type="checkbox"/>
3) All visible power cables are in a satisfactory condition and show no signs of deterioration.	<input type="checkbox"/>
<b>Additional Safety Checks</b>	
1) The alarm on smoke/heat detector sounds when the test button is operated (n/a if detectors are Part 1 type and linked to panel)	<input type="checkbox"/>
2) In properties with gas appliances, the alarm on carbon monoxide detectors sounds when the test button is operated.	<input type="checkbox"/>

If unsure of anything in part 3, take photos and seek guidance from Care's Surveyor

**Electrical safety risks identified – observations and comments:**

	<b>Location</b>	<b>Risks Identified</b>	<b>Action Taken</b>
<b>1</b>			
<b>2</b>			
<b>3</b>			
<b>4</b>			
<b>5</b>			
<b>6</b>			
<b>7</b>			
<b>8</b>			

*Add more rows if needed*

**Other observations and comments re electrical safety:**



**Part 4 – Checklist**

Task	Who	Initial and date
Gather details from outgoing tenant and complete form part 1	HO	
Refer to minimum re-let standard and complete void inspection and form part 2	HO/CM	
Complete interim electrical safety checks and form part 3 (see guidance notes)	HO/CM	
Confirm all compliance certificates are available (as per point 1 of the minimum re-let standard)	HO	
Confirm tenancy termination with nominating body and ask if anyone has been identified for this property?	HO	
Inform Operations Manager of termination (Via monthly report - for void and SSH monitoring)	HO	
Check tenancy agreement – is all provided furniture and white goods still in place and have all keys/fobs been returned?	HO	
Tenancy terminated on Active H (do this and untick provisional by 10am on the Monday following the tenancy termination date where possible)	HO	
Housing Benefit/Appointee informed of tenancy termination	HO	
Remove Expected Benefit Wizard on rent account (if applicable), check if any rent arrears and issue invoices for this and any recharges	HO	
Arrange any necessary repairs, decoration and/or keys, discuss cleaning and item clearance if required	CM	
Inform Admin Officer of tenancy end date to remove birthday from cards list	HO	
<b>If the whole house/flat will be void also complete the tasks below</b>		
Inform council tax of Care’s liability and seek any exemptions	HO	
Inform gardener and cleaner to pause visits (if applicable)	HO	
Inform compliance contractors to pause visits (if applicable, in terms of water risk – regular safety visits should still go ahead and access be provided to the contractor as required)	CM	
Inform insurer if whole property will be void over 30 days (see spreadsheet of property insurance contacts)	HO	
Discuss regular void checks, flushing and security arrangements with Operations Manager	HO	
Once completed, save this file in the tenant folder, rename the folder to include the TTD and move to ‘Former Tenants’ folder within ‘Operations’.	HO	

CM or HO

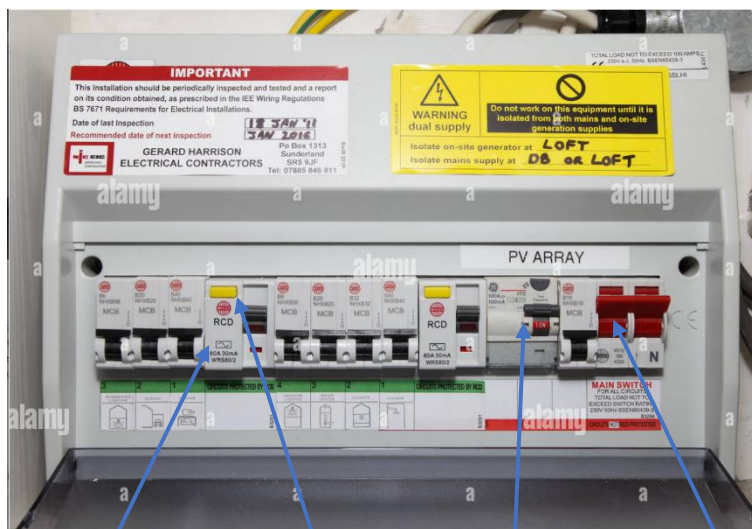
Record closing meter readings below (if applicable), confirm suppliers and ask Admin Officer to transfer gas & electric account to Care’s name, update utilities spreadsheet and inform water supplier that property will be empty		Date of readings:
Gas – Supplier – Credit or prepay?	Electric – Supplier – Credit or prepay?	Water – Supplier –

**APPENDIX C - Void Property - Interim Electrical Safety Check Guidance**



This is a typical domestic Consumer Unit (CU) also known as a Distribution Board. It connects and distributes to the incoming electrical supply to the various circuits in the property. You will find a number of the older cabinets are made out of plastic but the 18<sup>th</sup> edition of the IEE Regulations now require the cabinets are made from a non-combustible material and so newer cabinets are commonly made from steel.

The CU contains the main electrical switch for the electrical circuits. The circuits are usually separated on the board – lighting, sockets, kitchen, etc. The fuses will trip to protect the circuit if there is a problem, often an issue with a small electrical appliance like an iron, a dryer, extension lead, etc. Sometimes a blown light bulb will trip the lighting circuit out.



- Residual Current Device (RCD)
- Test button for RCD
- Miniature Circuit Breaker (MCB)
- Mains Switch

This example is a typical plastic consumer unit which will be identified for improvement on a Periodic Electrical Inspection (PEI). There should be a sticker on the cabinet with the date of the last PEI and the date of the next. All the slots in the CU should have a fuse or a blanking plate so there are no gaps at all. The fuses should be named and ideally have pictograms to show which fuses cover which circuits. The CU in the picture has the relevant sticker indicating when it was last tested and when the next test is due. This particular property also has Solar Panels feeding into the supply and there are stickers warning any electrician that might work on the electrical installation.

Modern CUs have additional protection in the form of RCDs and MCBs.

RCDs are life saving devices. RCDs are finely tuned to “trip out” if it detects a fault on the circuit or any appliances on the circuit. RCDs often trip out if there are appliances which have some connection with moisture or steam such as irons, tumble dryers or kettles. The issue may be temporary and will be fine once the RCD is reset. If the problem persists the issue should be reported to the CM and an Electrical Contractor will attend.

MCBs provided protection to the electrical installation from power surges or spikes in the incoming supply from the grid. The MCB will break the circuit to prevent the surge passing into the circuits and potentially damaging the CU and/or appliances such as TVs, computers, kettles etc. MCBs do not have a test button.



Sockets can be damaged by faulty appliances or plugs overheating. The socket outlet will need to be replaced and the electrician checked if there are any signs of overheating (example left).

There are signs of water staining around this double socket outlet example (right). Although the socket outlet looks ok, it is possible that the steel back box could have rusted and there could be issues with the connections. In which case the fuse will have activated the trip switch for the circuit. The electrician will need to be made safe immediately. The possible water ingress will need to be investigated and if found to be ongoing resolved before any electrical work is carried out.



Any switches, socket outlets or pendant which have cracks or sections missing will need to be replaced.

Any light switches, socket outlets, light fittings, flex, etc should not have paint on them as the paint might mask underlying cracks or damage. Paint can be removed but it might be more economical to replace the fitting. The bulb holder of pendant light drop (left) is also damaged and the flex and ceiling rose have paint on. It would be cheaper to replace the complete drop.

