

## How to end a tenancy

This information is for private landlords. Private tenants can find information and advice [here](#).

Landlords and tenants both must follow the correct process to end a tenancy. You can end up in court if you, or your agent, do not follow this process.

### Legal process to end a tenancy

You must follow the right process to end a tenancy or evict a tenant.

This means:

- sending a written notice to quit at the right time
- [applying for a court order](#) if the tenant does not leave
- asking the courts to enforce that order if the tenant still does not leave

It is illegal to force a tenant to leave a rented property without following these steps. The council can prosecute you and the tenant can sue you for damages.

### Giving a notice to quit to a tenant

For your notice to quit to be valid, it must:

- be in writing
- comply with the correct legal notice period

Make sure your tenants get the notice at the right time. [Check below for the correct length of notice](#) you need to give.

For example, if you're giving a tenant four weeks' notice to quit, the tenant should get the notice four weeks before you expect them to leave.

You can give the written notice to your tenant:

- in person
- by email, text or messaging app, or
- by post, allowing enough time for delivery

Some contracts state that a notice to quit must be served by post. Check your contract carefully before issuing a notice to quit.

If you do not have a written agreement with your tenant, you can only end the tenancy during the first six months if:

- the contract was for a fixed term of less than six months, or
- the tenant has breached the terms of the contract and cannot fix this

## **Length of notice to quit**

Your notice is only valid if it complies with the minimum legal timeframes.

Your tenant should get:

- 4 weeks' notice if they've rented the property for less than 1 year
- 8 weeks' notice if they've rented the property for between 1 and 10 years
- 12 weeks' notice if they've rented the property for more than 10 years

You cannot backdate the notice if you get the date wrong. You'll have to start again.

You had to give 12 weeks' notice in all cases if you gave your tenant notice to quit between 4 May 2020 and 4 May 2022.

## **Form of notice to quit**

Your notice to quit does not need to be in a specific form. But it must be clear about when the tenancy ends.

You do not need to include reasons for ending the tenancy if:

- the tenancy agreement has already ended, and
- your tenants did not sign a new contract

## **Tenant gives notice to quit to a landlord**

Your tenant must give you written notice if they want to end the tenancy.

They must give you:

- 4 weeks' notice if they rented the property for less than 10 years
- 12 weeks' notice if they rented the property for more than 10 years

Your tenancy agreement can ask the tenants to give more notice than the law requires. It cannot ask them to give less notice than the law requires.

## **Ending a tenancy during the contract term**

Your tenant has a right to live in the property until the contract term ends.

You can only try to end the tenancy before then if:

- your tenant has broken the agreement and cannot fix this breach, or
- there is a contract clause giving you and the tenant equal rights to end the agreement early

You can:

1. write to the tenant if they are in breach of the contract
2. give them a chance to remedy the breach
3. give them notice that you intend to go to court to end the tenancy if they do not remedy the breach

## **Harassment and illegal eviction**

Make sure to follow the right process when ending a tenancy.

The council can prosecute you and your tenant can sue you if you:

- change the locks

- threaten or force the tenant into leaving
- cut off any supplies or services to the property
- remove or interfere with the tenant's belongings

Police will not get involved in disputes between a landlord and a tenant unless a crime has taken place.

## **Footnotes**