

## Abandonment

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

Act carefully if you think your tenant has moved out without telling you.

While you might assume your tenant has no intention of returning, they could sue you if:

- you get rid of any items they've left behind, or
- you change the locks or move new tenants in without a court order

### Check for signs your tenant has moved out

Your tenants should tell you if they are going to move out. Although they may not have to tell you if they are moving out at the end of a fixed-tenancy term.

You may think that your tenants have left without telling you, if:

- your tenant stops replying to you
- their rent or benefit payments stop
- another landlord asks you for a reference
- your tenant sends the keys back to you or an agent
- you travel past the property and it seems to be empty
- neighbours tell you they have seen the tenant packing up

### Try to contact your tenant

You must still act carefully until you have confirmation from the tenant about their plans.

Contact your tenant, or the tenant's guarantor, if you think they have moved out without telling you. Explain that:

- you want to inspect the property, and
- you need a reply as soon as possible

Keep a record of your attempts to contact your tenant.

## **Visiting the property**

You can call to the property if the tenant does not reply, but you cannot let yourself in.

While you are there, you can:

- call your tenant to explain why you are outside
- check for signs of disturbance in case your tenant needs help
- ask neighbours if they have seen your tenant recently

Bring a letter with you and put this in the letterbox. The letter should explain that:

- you're planning to do an inspection on a set date
- your tenant should contact you to confirm they've received the letter, and
- your tenant remains legally responsible for paying rent until the tenancy ends

Contact your local council's environmental health department if the tenant does not reply.

## **Contacting the council if you think your tenant has moved out**

The environmental health department in the local council deals with complaints about harassment and illegal eviction.

They can prosecute you if your tenant complains that you've evicted them without going to court. You may be able to defend yourself if you can prove that you had reason to believe your tenant had moved out.

Contact council officers before you enter the property or take any action to secure the property. Explain your reasons for suspecting your tenant has moved on. Ask that the council keep a record of your query.

## **Changing the locks and reletting the property**

You should not change locks or relet the property, unless your tenant agrees to give up the tenancy in writing.

The proper way to end a tenancy is to [issue a notice to quit](#) and then [apply for a court order](#) if your tenant doesn't leave. This can take several months.

[Evicting a tenant without following the correct process is illegal.](#)

There is a risk that your tenant, or the council, will take you to court if you end the tenancy without a court order. This is why it's important to let the council know if you think the property has been abandoned.

## **Dealing with items left behind by a tenant**

You have a responsibility to store any items your tenant leaves in the property. You can charge your tenant for this storage.

Your tenant can sue you if you dispose of their items. You should:

1. make a list of the items left behind, including a description of their condition
2. send a copy of the list to all addresses you have for your tenant and their guarantor
3. explain that your tenant has an obligation to collect these items
4. explain that your tenant must pay the costs for storing these items
5. ask the tenant to confirm in writing if they want you to dispose of the items

It's best to have a solicitor help you prepare this letter.

If your tenant does not respond, speak to your solicitor about how to move forward.

## More advice

- [How to end a tenancy](#)
- [Going to court](#)
- [Illegal eviction and harassment](#)

## Footnotes