



CHESTERFIELD
BOROUGH COUNCIL



Ending a tenancy due to the bereavement of a council tenant who lived alone

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Please accept our condolences for your loss.

Coping with the death of a friend or relative is never easy and dealing with their affairs can be complicated and upsetting. This leaflet aims to help you through this difficult time by explaining what you need to do when a council tenant who lived alone dies.

If the tenant did not live alone, please see our leaflet bereavement of a council tenant who shared their home.

Please ask us if there is anything that you are unsure of.

What to do in the first few days after someone has died

- Notify the GP
- Register the death at a register office
- Locate a will (this may have been placed with a solicitor)
- Contact an undertaker
- If the person did not leave a will, you can apply for a grant of representation by contacting the Probate Registry
- Contact the Tell Us Once service (A registrar will do this with you or will give you a unique reference number so you can use the service yourself)

Tell Us Once service

Derbyshire County Council's Tell Us Once scheme passes information collected by the registrar through to other agencies on your behalf. This will help you to get benefits sorted out quickly, avoid the need to send copies of the certificate by post to other organisations. It will also stop you from receiving mail from these agencies addressed to your friend or family member that has passed away.

Relevant information is passed to:

- Department for Work and Pensions
- HM Revenue and Customs (for tax, credits and benefits)
- Identity and Passport Service
- Council Tax offices

You can also request information is passed to:

- Electoral services
- Libraries
- Children's services
- Blue Badge parking scheme
- Driver and Vehicle Licensing Agency

Once these organisations have the details they will use the information to update records, start or amend benefits and resolve outstanding issues.

Please note – contacting the Tell Us Once Service does not end the tenancy. You will need to contact our Home Options team to terminate the tenancy. You can get more information about the Tell Us Once service on 01629 533073 or from the registrar when you register a death.

Contacting Home Options

Please tell us of your loss as soon as you can. We can be contacted at:

01246 345700

home.options@chesterfield.gov.uk

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

Our opening times are:

- Monday, Tuesday, Thursday and Friday 9.00am to 2.00pm
- Wednesday 10.00am to 2.00pm

You will need to tell us:

- Your name, address and phone number
- The name and address of the tenant who has died
- The date that the person died
- What your relationship with the tenant was and whether you are the person responsible for carrying out the terms of their will or administering their estate (the 'estate' is the term used for a person's property and money at the time of death)
- The date when the property will be cleared of possessions and the keys will be returned to the Customer Service Centre

We will ask you to:

- Provide a copy of the death certificate
- Give notice in writing to terminate the tenancy

If you are telling us about the death of someone who has not made a will, you are not making yourself liable for their affairs just because you are the

person who informs us. If you are a friend of the deceased we will ask you for details of relatives that you may know about so that they can end the tenancy.

Ending the tenancy and rent payments

The tenancy does not end when the tenant dies or when you contact the Tell Us Once service. Notice in writing must be given to end the tenancy. Full rent will be charged until the tenancy ends.

You can give notice by completing the termination form at the back of this leaflet. Alternatively, you can write a letter or send us an email, giving the name and address of the tenant who has died, your own name, address and contact number as the person responsible for their affairs and the date when you want the tenancy to end.

The only people who can end a tenancy are:

- An executor: this is the person - named in the will - who will deal with the possessions of the person who has died
- An administrator: this person has applied to the Probate Registry and obtained letters of administration (or the grant of probate)
- Chesterfield Borough Council
- A next of kin

If there is no executor, administrator or next of kin, Chesterfield Borough Council must serve a 'notice to quit' on the public trustee. Tenancies are transferred temporarily to this public office if a tenant dies without a will, or with a will but without an executor. The tenancy will end four weeks after this notice is served. Rent will be charged during this time.

The executor, administrator or family members are not responsible for rent payment. Any charges will be made against the estate once the tenancy is ended.

Notice period

We normally require four weeks' notice in writing to terminate a tenancy. However, we will agree to shorten this if you are able to clear the property, provide a copy of the death certificate and return the keys to us sooner.

The notice period begins when we receive written notice to terminate the tenancy. Our tenancies terminate on Mondays. You must give the correct date for when your notice period ends, your notice won't be valid if the date is incorrect. Please check with us before entering the date on the termination form or in your letter to give notice.

The tenancy will not end until the keys are received at the Customer Service Centre.

Housing Benefit

If the person who has died was receiving Housing Benefit, the payment of benefit stops at the date of death and therefore will not cover any charges after this date.

Clearing the property

We politely ask you to leave the property in a clean and tidy condition.

This includes:

- 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

If a garage was rented from us, this will also need to be cleared.

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 of death, meter readings and a contact address for any future correspondence.

If the property is not left in a clean and tidy condition, we may have to charge the deceased tenant's estate for the necessary works.

Bulky waste

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.

Recycling

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, Freegle and Facebook Marketplace.

Returning the keys

All keys to the property including communal door entry keys and fobs, should be returned to the Customer Service Centre on a Monday.

If there is a delay, please let us know and we can discuss a new date for the keys to be handed in. The estate will be responsible for further rent if the keys are not received on time.

Please do not post the keys or leave them in the property as this might delay the time when we can end the tenancy. If you have a problem returning the keys to us, please ring 01246 345700 to make other arrangements.

Redirecting mail

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

Other people you may need to notify of the bereavement:

- Gas, electricity and water companies will need to be informed and meter readings should also be taken on the last day of the tenancy
- Insurance companies about car, travel, medical insurance etc
- Rental, hire purchase or loan agreement companies
- Pension providers/life insurance companies
- Banks and building societies
- Telephone, internet/TV companies
- Credit card providers/store cards
- Dentist and optician

Dealing with grief

Grief is a natural process, but it can be devastating. If you would like help to deal with grief, Cruse Bereavement Care offers free confidential support for adults and children.

Telephone 01246 550080 or ring the national helpline on freephone 0808 808 1677.

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 of Tenancy Form

Name of tenant:.....

Address:

.....

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The above passed away on:.....

Number on Death Certificate, if available:

I wish to terminate the tenancy of the above address.

I am giving notice that the property will be vacated and the keys handed in on:

Monday:

The keys will be handed into the Customer Service Centre, Town Hall, Rose Hill, Chesterfield, S40 1LP.

I understand that 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.

I understand that the tenant's estate may be charged for the cost of putting right any repairs which were the tenant's responsibility and for the removal of any rubbish or unwanted items left at the property.

Signed:..... **Date:**.....

Your name:

Address:

.....

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Your contact telephone number:

Relationship to tenant:

I also wish to terminate the tenancy of their garage on the same date.

Garage address:

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