

EARLY RELEASE FROM HOUSING CONTRACTS

The Advice Centre has recently received a number of enquiries from students asking for advice on early release from their tenancies.

Contract type

Whether you can be released from your accommodation early usually depends on your contract.

You need to first establish what type of contract you have. If you're not sure check the tenancy checker tool here:

https://england.shelter.org.uk/housing_advice/downloads_and_tools/tenancy_rights_checker.

Some contracts, such as licenses, may allow you to be released if you give the required notice or may not require notice.

Other contracts, such as assured shorthold tenancies, give different rights and responsibilities. For these types of agreement you may have to look for a 'break clause', negotiate with the landlord, or find and agree a replacement tenant.

Break clause

If your contract has something called a 'break clause', a term allowing you to move out earlier than the end of the original fixed term, then you may be able to finish your contract early. Very often break clauses require that you inform the landlord in writing you wish to leave and give the landlord a specific timeframe ('notice'), for example 1 month, at the end of which you will be able to leave the accommodation.

If your contract does not contain a break clause, you may need to negotiate with the landlord and obtain any agreements in writing. Alternatively, with the landlord's written permission, you may be able to advertise the property and find a 'replacement tenant', who would take over your contract.

If you share a property, it's important you keep housemates informed of your intentions.

Keeping on good terms where possible with your landlord, agent and housemates is likely to be to your advantage.

IMPORTANT!

Until you get an official confirmation of being released from the contract and/or a new tenant takes over your contract, you are still liable for rent, bills and any other terms and conditions of the tenancy.

Halls*

The University of Southampton halls contract is usually fixed for a specific time period. The University has a discretion (not an obligation) to release students from their halls contract, however you usually must provide justification and evidence supporting your early release request. For example, if you are in financial hardship, you are ill or have any other 'crisis', which requires you to move out early, make sure you write to accommodation@soton.ac.uk and provide as much detail and evidence as possible. Otherwise, if you suspend or withdraw from your course, the University will release you from your contract automatically.

*Halls release due Coronavirus outbreak

The University of Southampton has decided to allow early release from halls for those students affected by Coronavirus outbreak.

Students who have vacated their rooms in University of Southampton accommodation by Sunday 29th March will not have to pay their third term accommodation fees, which are due on the 29th March. For those who have pre-paid their hall fees, the third term fees will be refunded in due course.

To be able to qualify for this release students should:

- Have vacated their room and removed all their possessions by Sunday 29th March,

OR

- Have vacated their room and consent to the University packing and storing any possessions left in the room if necessary for collection in the future

AND

- Completed the online form to notify the University of halls residency status by Friday 3 April, using the online form: [here](#).

Once the student has completed the form the University will cancel the RCP for payment scheduled for 20 April 2020. If the form is not completed by 3 April 2020 and the student remains in halls, the collection will occur as usual and the student will receive an email confirming this.

For more information and if you have any questions regarding the above, email: accommodation@soton.ac.uk.

Private 'halls' providers

There are a number of private providers of 'Halls' in the city also. Each private provider will have different tenancy agreements and terms, and their stance on early release and replacements may vary.

Next steps

- Read your contract and try to identify what type of contract it is and whether it contains a 'break clause'
- If your contract has a 'break clause', contact your landlord/agency in writing and provide them with the required notice
- Check to establish if conditions apply to any replacements you secure (especially for private providers of 'Halls')
- If you don't have a 'break clause' in your contract, speak to your landlord and ask whether they will be willing to release you early
- Any agreements for early release, including permission to find a replacement tenant, should be made in writing (email is fine)

If you need help with identifying 'break clause' or with advertising your room, flat or house for replacement, contact advice@susu.org

Useful links

For more information on early release from a contract please see following useful guides:

- Shelter:
[How to end a fixed term tenancy early](#)
- Citizens Advice Bureau:
[Student housing - ending your agreement in halls](#)
[Ending your tenancy](#)
- Unipol:
[Student housing advice and information](#)

If you have any further questions, or need advice email us on advice@susu.org