

Ending Private Sector Tenancies and Covid 19

Student's renting in the private sector:

As you may be aware, the University has taken the decision to allow students who wish to leave their campus accommodation early to be released from 31st March. As an SU we really welcome this decision.

Unfortunately the situation for students living in privately rented off-campus accommodation is not quite so straightforward.

The legal bit:

Most students living in private accommodation will be considered an Assured Shorthold Tenant – usually with a fixed period agreement in place. However, depending on the type of agreement you have, you may be subject to slightly different rights – please speak to [SU Advice](#) if you are unsure.

It is important to note that Landlords/Agents are under no obligation to release tenants from their agreements before the end of the fixed term period (unless there is a break clause in your tenancy agreement that would grant this). This means that if you are asking to leave your tenancy agreement before the end date you will need to contact your landlord/agent and negotiate with them to see if this is something they would agree to.

If as a tenant, you leave early/stop paying your rent without reaching an agreement, landlords/agents may take action to contact any guarantors in place in the first instance. They also have the option to take court action against you (and your guarantors) to reclaim any unpaid rent – they have up to 6 years to take legal action. You are also unlikely to have any deposits returned to you as this will be used to offset any un-paid rent.

Negotiating early release:

Obviously, this is an extremely difficult time for everyone and it may be financially difficult for landlords to agree to release their tenants early. If a request to end the tenancy early is not accepted, you may wish to offer other options – e.g. requesting to pay a reduced rent for the remainder of a tenancy period. Again it is important to reach an agreement on this, and there is no obligation for your landlord to agree.

Other options might to request a 'rent holiday' for a set period of time (e.g. 3 months). Again be clear with your landlord on the terms of this rent holiday – will they expect you to make up the payments for the holiday period at a later date or will they agree to cancel the rent entirely for that period?

How to contact your landlord/agent:

We would always advise that any contact made is done in writing so that you can keep copies for your own records. At the very least, make sure any agreement made is put in writing to ensure everyone is clear on the terms agreed to.

SU Advice has put together a suggested template letter that you might want to use and adapt to your own situation.

Where can I get more help?

Our SU Advice service has now moved online, offering you free confidential advice and support on anything you need help with during this time. We can support you by email,

over the phone or by zoom appointment and full details are online here: <https://www.essexstudent.com/advice>

If you are experiencing financial difficulties as a result of the current situation, both the SU and the University have financial support options available. Find out more on the following web pages:

- [SU Advice Hardship Loan](#)
- [University of Essex Hardship Fund](#)