Housing Rights

https://www.housingrights.org.uk/landlords/ending-tenancy/end-fixed-term

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End of a fixed term

This information is for private landlords of properties in Northern Ireland.

If you are a tenant, you can find advice here.

If you are a landlord or letting agent in Northern Ireland seeking advice, you can:

- send a message to Landlord Advice, or
- call 028 90 245 640 (Option 1)

A fixed term lasts for a set time, which will be stated on the tenancy agreement. The most common fixed term is a year.

Your tenancy agreement should say what happens at the end of the fixed term. Check the agreement carefully so you know how to proceed.

Deciding what to do at the end of a fixed term

In most cases, at the end of the fixed term either:

- you may sign a new tenancy agreement with your tenant which will have another fixed term or
- the tenancy will become a periodic tenancy

A periodic tenancy is sometimes described as 'rolling month to month.' It continues until either:

- the landlord ends the tenancy by following the correct process or
- the tenant ends the tenancy

Your tenants are free to leave at the end of the fixed term, even if they have not given you a notice to quit. You may wish to contact the tenants a couple of months in advance to find out their plans.

Ending a fixed term agreement

You and the tenants might agree that they will leave at the end of the fixed term. In this case, it is still good practice to serve a notice to quit which ends at the end of the fixed term. This will:

- ensure everyone knows what is happening
- mean that you may ask a solicitor to start the court process if your tenants do not leave when they're supposed to.

Circumstances can change and your tenants may wish to stay longer in the property. Our mediation service can help you come to a new agreement with the tenants.

Your tenants can leave at the end of the fixed term without giving you a notice to quit.

The tenancy agreement may say the tenants must give notice to quit. It can say they need to do this if they want to leave at the end of the fixed term as well. However, this could be considered an unfair term. If a term in a contract is unfair, it cannot be enforced.

Continuing the tenancy

If you decide to renew the tenancy, you'll need to discuss any changes to the terms, before signing a new contract.

If you and the tenant do not agree to a new contract, the tenancy will become periodic. The terms of the initial tenancy agreement will continue. For example, the same repairing obligations will apply. These can only be changed by giving 28 days' written notice. You can do this by using a Notice of Variation.

If you wish to increase the rent, you must always give three months' notice in writing of the increase. This is the case even if you are signing a new tenancy agreement.

Tenants want to leave early

Your tenants may want to move out before the fixed-term contract ends. Most tenancy agreements are legally binding until the end date.

Your tenant can try to end the tenancy before then if:

- they believe you have broken the contract and will not fix this breach or
- there is a clause in the contract giving you and the tenant equal rights to end the agreement early

If this happens, you can:

- agree to end the agreement early with no further liability
- agree to end the agreement early under certain conditions
- try to resolve any dispute with the tenants that has led to them wanting to leave
- try to sue the tenants for unpaid rent

If your tenants need to end the contract early for another reason, you can both agree to end the tenancy early. Keep a written record of the agreement you reach.

More advice

- Tenancy agreement
- How to end a tenancy
- Going to court