**Notice to Set Aside**

**Almshouse Association Template**

[Date]

Dear [resident]

**Re: Your occupation of [address]**

I am instructed to write to you by the Trustees of [name of almshouse charity]. The Trustees [met] / [held a special meeting] on the [date]. After careful consideration of the facts surrounding your occupation of [address] the Trustees consider that in their opinion your appointment as a beneficiary of [name of almshouse charity] should be set aside.

The terms of your occupancy were set out in your letter of appointment [as supplemented by the Residents’ Handbook]. On the [date] you countersigned the letter of appointment signifying your agreement to the terms and conditions set out in that letter [as supplemented by the Residents’ Handbook]. Along with an obligation to pay a [weekly] / [monthly] maintenance contribution the letter of appointment set out and included several other conditions which you agreed to. The Trustees all agree that you are in breach of the terms stated in the letter of appointment. Your attention is drawn to clause(s) [insert clauses breached] (among others).

The Trustees consider that every effort has been made to help you however it has become obvious that you are no longer suited to be a resident at [description of property e.g. Dickens House] by reason of your conduct and breach of the terms of your licence to occupy. You have recently

* [List breaches of letter of appointment]

which, in the opinion of the Trustees, is sufficient to justify setting aside your appointment. [The Trustees owe a duty to the [staff] [other residents] of the Charity to protect them from such behaviour.]

Setting aside your appointment as a beneficiary means that any right you have to occupy [address] also terminates. Despite this there are two further legal steps which need to be done before the Trustees can take physical possession of [property address].

The first step is to give you formal notice to determine your licence to occupy the almshouse. The relevant Notice is enclosed for your information. Careful reading of the Notice shows that you are given a minimum of 28 days to vacate. The notice expires on [date], after which the Trustees require possession of the almshouse.

After this date, the Trustees are entitled to apply to the Court for an order granting them possession of the [house /flat/cottage]. This is the second necessary step. You should take steps to secure alternative accommodation as soon as possible. If you access help from local authority agencies, they may be able to assist you.

Yours sincerely

…………………………………………………………………………………………..............

**(Endorsement to be completed and added to the duplicate copy of the letter and notice)**

I acknowledge safe receipt of the original [letter] [notice] of which this is a true copy.

Signed: ………………………………………………………………………………………............................

Name: ………………………………………………………………………………………………………………….

Date: ………………………………………………………………………………………………………………….