



Housing Options Service

GROUNDS FOR POSSESSION

(When a Notice is not served under Section 21)

If your Landlord has served you with a Notice it means that they wish to regain possession of the property.

Your Landlord must state the reasons for serving Notice and will have to prove to the Courts that there is enough evidence to start possession proceedings.

The Courts will then decide whether it is reasonable to grant an Order for Possession.

The Notice is only valid if it is in writing and states that the Landlord intends to gain possession of the property.

It must also include the Ground(s) for Possession (the reasons for serving Notice).

The Notice should also include a timescale (e.g 2 weeks / 2 months).

The Landlord has **14** Grounds for Possession to choose from:

<u>Grounds 1-8</u>	<u>Notice Period</u>
1. Owner Occupation	2 months
2. Repossession by Lender	2 months
3. Out of Season Holiday Let	2 weeks
4. Vacation Lets of Student Accom	2 weeks
5. Minister of Religion	2 months
6. Redevelopment	2 months
7. Inherited Tenancy	2 months
8. Serious Rent Arrears	2 weeks

If your Landlord can prove any of these grounds (1-8), the Court must order possession and cannot adjourn or suspend proceedings. **If your Landlord serves Notice on Grounds 1-5 they must have informed the tenant in writing before the start of the tenancy. If they have not done this the Courts cannot grant possession.** (There are some exceptions for Ground 1 and 2)

<u>Grounds 9-14</u>	<u>Notice Period</u>
9. Suitable Alternative Accom	2 months
10. Rent Arrears	2 weeks
11. Persistent Delay in Paying Rent	2 weeks
12. Breach of Tenancy Obligation	2 weeks
13. Deterioration in Condition of Property	2 weeks
14. Nuisance, Annoyance, Illegal Use of Property	Immediate

If your Landlord can prove any of these grounds (9-14) an Order for Possession will be issued if the Courts consider it is reasonable to do so. The Courts have the power to adjourn cases.

We would recommend seeking legal advice - If you are able to offer a defence against the proceedings you may be entitled to assistance with this. Providing a defence can sometimes stop the proceedings altogether or if not, postpone them. This will allow you more time to secure alternative accommodation.

During your interview the Housing Options Officer will also discuss the Court process and what to expect. They will give you advice on how to secure alternative, affordable accommodation incase you do have to leave your current home.

Citizens Advice
 **08444 772020**
 www.citizensadvice.org.uk

Shelter Cymru
 **01792 469400**
 www.sheltercymru.org.uk