

**Possession notices (England) –
Served between 29 August 2020 and 31 March 2021**

Notices	The Grounds	From 29 August 2020
ASSURED TENANCIES		
<u>Notice Seeking Possession</u> (s.8 HA88) Grounds 7A & 14 HA88	<ul style="list-style-type: none"> ▪ Absolute ground (7A) ▪ ASB discretionary ground (14) 	<ul style="list-style-type: none"> ▪ CVA20 changes re Grounds 7A & 14 suspended ▪ Reverts to pre-CVA20 position even if pleaded with other grounds ▪ Ground 14 notice therefore may state that proceedings may be begun immediately ▪ And Ground 7A must give 28 days (periodic) or 1 month's (fixed term) notice
Grounds 8, 10 and 11	<ul style="list-style-type: none"> ▪ The rent arrears grounds 	<ul style="list-style-type: none"> ▪ 6 months notice period if arrears are less than 6 months when the notice is served ▪ 4 weeks notice period if at least 6 months arrears when the notice is served and notice does not also rely on grounds 1-6, 9, 12, 13, 15 or 16
Grounds 1-6, 9, 12, 13, 15, 16	<ul style="list-style-type: none"> ▪ Where any of these grounds are relied upon 	<ul style="list-style-type: none"> ▪ 6 months notice period
Grounds 7, 7B	<ul style="list-style-type: none"> ▪ Tenancy devolved under will/intestacy (7) ▪ No right to rent (7B) 	<ul style="list-style-type: none"> ▪ 3 months notice period so long as grounds 1-6, 9, 12, 13, 15 or 16 and/or grounds 8, 10 or 11 (if less than 6 months rent arrears at time notice is served) are not also relied upon
Grounds 14A, 14ZA and 17	<ul style="list-style-type: none"> ▪ Conviction of indictable offence at time of riot (14A) ▪ Domestic violence (14ZA) 	<ul style="list-style-type: none"> ▪ 2 week notice period so long as grounds 1-6, 7, 7B, 8-13, 15 or 16 not also relied upon

	<ul style="list-style-type: none"> Tenancy by false statement (17) 	
ASSURED SHORTHOLD TENANCIES (s.21)		
<u>Notice Requiring Possession</u> s.21(1)(4) HA88	<ul style="list-style-type: none"> 'Life' of s.21 notice extended from 6 to 10 months 	<ul style="list-style-type: none"> 6 months notice period
SECURE TENANCIES		
<u>Notice Seeking Possession</u> (s.83 HA85) Ground 1 Ground 2	<ul style="list-style-type: none"> Rent arrears / breach of tenancy (1) Anti-Social behaviour (2) 	<ul style="list-style-type: none"> For Ground 1, 4 weeks notice if at least 6 months' rent is unpaid at the date the notice is served <u>and</u> it is the only ground relied on (other than grounds 2ZA, 2A or 5) CVA20 changes re Ground 2 suspended and therefore the notice can state that proceedings may be begun immediately
Grounds 2ZA, 2A or 5 HA85	<ul style="list-style-type: none"> Conviction of indictable offence at time of riot (2ZA) Domestic violence (2A) Tenancy by false statement (5) 	<ul style="list-style-type: none"> 4 weeks notice if only ground(s) relied on (other than ground 1)
Section 83ZA HA85	Absolute ground – HA85	<ul style="list-style-type: none"> CVA20 changes re ASB absolute ground suspended Reverts to pre-CVA20 position Must therefore give 28 days (periodic) or 1 month's (fixed term) notice
Other grounds		<ul style="list-style-type: none"> 6 months notice
FLEXIBLE TENANCIES		
<u>Notice of Possession</u> <u>Proceedings</u> s.107D HA85		<ul style="list-style-type: none"> 6 months notice
INTRODUCTORY TENANCIES		

<u>Notice of Proceedings for Possession</u> s.128 HA96	<ul style="list-style-type: none"> ▪ Notice period reduced only if “ASB reason” relied upon ▪ “ASB reason” means a reason which corresponds to any of those set out in section 84A(3) to (7) of the Housing Act 1985 or Grounds 2, 2ZA and 2A of Schedule 2 to that Act. 	<ul style="list-style-type: none"> ▪ For ASB reason (whether or not there are other reasons), 4 weeks notice ▪ For other reasons, 6 months notice
DEMOTED TENANCIES		
<u>Notice seeking possession / Demotion notice</u> s.83 HA85 / s.6A HA88	<ul style="list-style-type: none"> ▪ Notice period reduced only if “ASB reason” relied upon ▪ “ASB reason” means a reason which corresponds to any of those set out in section 84A(3) to (7) of the Housing Act 1985 or Grounds 2, 2ZA and 2A of Schedule 2 to that Act.” 	<ul style="list-style-type: none"> ▪ For ASB reason (whether or not there are other reasons), 4 weeks notice ▪ For other reasons, 6 months notice
RENT ACT TENANCIES		
<u>Notice to quit</u> Protected tenancies Case 2, Schedule 15 Rent arrears	<ul style="list-style-type: none"> ▪ Case 2 is ASB ground 	<ul style="list-style-type: none"> ▪ For case 2 (whether or not other grounds are also relied upon) 4 weeks notice ▪ Also, 4 weeks notice if more than 6 months rent is unpaid at the time the notice is served
Case 10A	<ul style="list-style-type: none"> ▪ Right to rent - Immigration status ground 	<ul style="list-style-type: none"> ▪ 3 months notice so long as no other circumstances in Schedule 15 apply and any rent arrears are not more than 6 months
Other Schedule 15 grounds	<ul style="list-style-type: none"> ▪ Where the above does not apply 	<ul style="list-style-type: none"> ▪ 6 months notice
Statutory tenancies	<ul style="list-style-type: none"> ▪ As above 	<ul style="list-style-type: none"> ▪ As with protected tenancies

CVA20 Coronavirus Act 2020
HA85 Housing Act 1985
HA88 Housing Act 1988

HA96

Housing Act 1996

Amendments to the CVA20 brought in by the Coronavirus Act 2020 (Residential Tenancies: Protection from Eviction) (Amendment) (England) Regulations 2020 – in force from 29 August 2020