

Make a claim to evict tenants: accelerated possession

Checklist of next steps

☐ 1. Print copies of the form

Keep one copy for your records, and send all the others to the court.

☐ 2. Find a court

- go to courtribunalfinder.service.gov.uk to find the court to send your completed form and documents
- enter postcode and select 'housing possession' under area of law
- write court details in **black ink** at the top of the **front page** of all copies of the claim form

☐ 3. Sign the statement of truth

You need to complete and sign the statement of truth in **black ink** on the **back page** of all copies of the claim form.



Signed J. Smith Date 0 1 0 1 2 0 1 4

Full name Mr John Smith

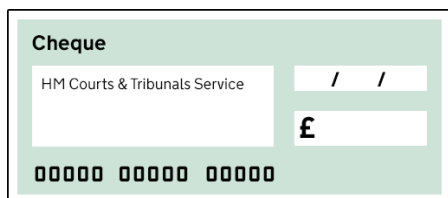
Name of claimant's solicitor's firm

Position or office held

☐ 4. Include the £280 court fee

Pay by cheque or postal order
(made payable to 'HM Courts & Tribunals Service').

For alternative payment methods contact your local court.



Cheque

HM Courts & Tribunals Service

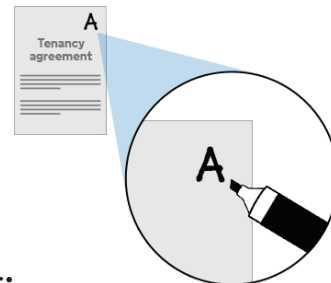
£

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☐ 5. Include required documents

All documents must be **copies** not originals.

Use black ink to write a letter on each document.
See below for details.



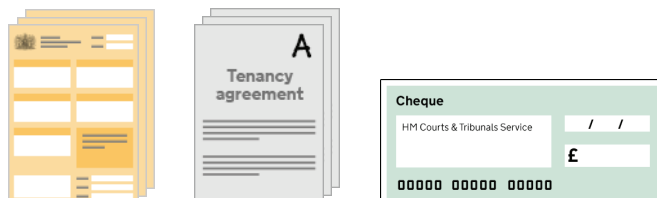
Your required documents:



☐ 6. Post your claim to court

Include the following:

- all copies of the claim form (keep 1 copy for your records)
- the court fee
- copies of all required documents





Claim form for possession of property

(accelerated procedure)
(assured shorthold tenancy)

Name of court

Claim no.

- Please write clearly using black ink.
- All documentation must be included with the claim form.
- The full names and addresses, including postcode must be completed on the claim form together with the full address of the premises for which possession is sought.

Seal

Claimant — (name(s) and address(es))

Postcode

Postcode

Defendant(s) — (name(s) and address(es))

Postcode

Postcode

The claimant is claiming possession of:

Postcode

for the reasons given in the following pages.

- ☐ The claimant is also asking for an order that you pay the costs of the claim.

IMPORTANT – TO THE DEFENDANT(S)

This claim means that the court will decide whether or not you have to leave the premises and, if so, when. There will not normally be a court hearing. You must act immediately.

Get help and advice from an advice agency or a solicitor.

Read all the pages of this form and the papers delivered with it.

Fill in the defence form (N11B) and return it **within 14 days** of receiving this form.

Defendant's name and address for service

Postcode

Court fee £

Solicitor's costs £

Total amount £

Issue date

/ /

If you are a registered social landlord or a private registered provider of social housing claiming possession of premises let under a demoted assured shorthold tenancy, you should complete **only** sections 1 and 5 to 9.

1. The claimant seeks an order that the defendant(s) give possession of:

(If the premises of which you seek possession are part of a building identify the part eg. Flat 3, Rooms 6 and 7)

Postcode

('the premises') which is ☐ a dwelling house ☐ part of a dwellinghouse

Is it a demoted tenancy? ☐ Yes ☐ No

If Yes, complete the following:

On the // , the _____ County Court made a demotion order. A copy of the most recent (assured) (secure) tenancy agreement marked 'A' and a copy of the demotion order marked 'B' is attached to this claim form. The defendant was previously (an assured) (a secure) tenant.

2. On the // , the claimant entered into a written tenancy agreement with the defendant(s).

A copy of it, marked 'A' is attached to this claim form. The tenancy did not immediately follow an assured tenancy which was not an assured shorthold tenancy.

[One or more subsequent written tenancy agreements have been entered into. A copy of the most recent one, made on // , marked 'A1', is also attached to this claim form.]

3. Both the [first] tenancy and the agreement for it were made on or after 28 February 1997.

- a) No notice was served on the defendant stating that the tenancy would not be, or continue to be, an assured shorthold tenancy.
- b) There is no provision in the tenancy agreement which states that it is not an assured shorthold tenancy.
- c) The 'agricultural worker condition' defined in Schedule 3 to the Housing Act 1988 is not fulfilled with respect to the property.

(or)

Both the [first] tenancy and the agreement for it were made on or after 15 January 1989.

- a) The [first] tenancy agreement was for a fixed term of not less than six months.
- b) There was no power for the landlord to end the tenancy earlier than six months after it began.
- c) On the // (before the tenancy began) a notice in writing, stating that the tenancy was to be an assured shorthold tenancy, was served on the defendant(s). It was served by:

- d) Attached to this claim form is a copy of that notice marked 'B' [and proof of service marked 'B1'].

4. Whenever a new tenancy agreement has replaced the first tenancy agreement or has replaced a replacement tenancy agreement,

- a) has it been of the same, or substantially the same, premises? ☐ Yes ☐ No ☐ N/A
- b) was the landlord and tenant the same people at the start of the replacement tenancy as the landlord and tenant at the end of the tenancy which it replaced? ☐ Yes ☐ No ☐ N/A

5. On the / / , a notice in writing, saying that possession of the premises was required, was served upon the defendant(s). It was served by:

The notice expired on the / /

Attached to this claim form is a copy of that notice marked 'C' [and proof of service marked 'C1'].

6. Is the property part of a house in multiple occupation? ☐ Yes ☐ No

If Yes, complete the following:

(a) The property is part of a house in multiple occupation and is required to be licensed under part 2 of the Housing Act 2004 and has a valid licence.

The licence was issued by
(name of authority)

on / /

If the licence application is outstanding with the local housing authority, evidence of the application should be attached to this claim form marked 'D'.

Is the property required to be licensed under Part 3 of the Housing Act 2004? ☐ Yes ☐ No

If Yes, complete the following:

(b) The property is licensed under part 3 of the Housing Act.

The licence was issued by
(name of authority)

on / /

If the licence application is outstanding with the local housing authority, evidence of the application should be attached to this claim form marked 'E'.

7. The following section must be completed in all cases

(a) was a money deposit received on or after 6 April 2007? ☐ Yes ☐ No

If Yes, at the date of service of the Section 21 Notice:

(i) The deposit was held under a Tenancy Deposit Scheme (TDS) authorised under

Part 6 of the Housing Act 2004. My reference number is

(ii) The initial requirements of the TDS had been complied with in relation to the deposit.

(iii) The claimant had given the defendant and anyone who paid the deposit on behalf of the defendant the prescribed information in relation to the deposit and the operation of the TDS.

(b) Did the claimant received a deposit in the form of property on or after 6 April 2007? ☐ Yes ☐ No

If Yes, at the date of service of the section 21 Notice that property had been returned to the person from whom it was received.

8. If the defendant(s) seek(s) postponement of possession on the grounds of exceptional hardship, is the claimant content that the request be considered without a hearing? ☐ Yes ☐ No

9. The claimant asks the court to order that the defendant(s)

☐ deliver up possession of the property.

☐ to pay the costs of this claim.

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

Statement of Truth

*(I believe)(The claimant believes) that the facts stated in this claim form (and any attached sheets) are true.

* I am duly authorised by the claimant to sign this statement.

Signed

Date

*(Claimant)(Litigation friend(*where claimant is a child or a protected party*))(Claimant's solicitor)

**delete as appropriate*

Full name

Name of claimant's solicitor's firm

Position or office held

(if signing on behalf of firm or company)

Claimant's or claimant's solicitor's address to which documents should be sent if different from that on the front page.

Postcode

If applicable

Ref. no.

Fax no.

DX no.

e-mail

Tel. no.

CERTIFICATE OF SERVICE *(completed on court copy only)*

I certify that the claim form of which this is a true copy was served by me on

by posting it to the defendant(s) on

at the address stated on the first page of the claim form.

OR

The claim form has not been served for the following reasons:

Officer of the Court

You may qualify for assistance from Community Legal Service Fund (CLS F) to meet some or all of your legal costs. Ask about the CLS F at any county court office or any information or help point which displays this logo.

Community
Legal Service



Returning the forms

Send your completed form and other documents to the court office at

Telephone:

Fax:

Please address all correspondence to 'The Court Manager'.