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S T A T U T O R Y I N S T R U M E N T S

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**2021 No. 562**

**LANDLORD AND TENANT, ENGLAND**

**The Assured Tenancies and Agricultural Occupancies (Forms) (England) (Amendment) and Suspension (Coronavirus) Regulations 2021**

*Made* - - - - - *11th May 2021*

*Laid before Parliament* *12th May 2021*

*Coming into force* - - - *1st June 2021*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 8(3) and 21(8) of the Housing Act 1988(a) and section 88(1) of the Coronavirus Act 2020(b).

**Citation, commencement and application**

- 1.—(1) These Regulations may be cited as the Assured Tenancies and Agricultural Occupancies (Forms) (England) (Amendment) and Suspension (Coronavirus) Regulations 2021.
- (2) These Regulations come into force on 1st June 2021.
- (3) These Regulations apply in relation to England.

**Suspension of paragraph 12(1) of Schedule 29 to the Coronavirus Act 2020**

2. Paragraph 12(1) of Schedule 29 to the Coronavirus Act 2020 is suspended.

**Amendment of the Assured Tenancies and Agricultural Occupancies (Forms) (England) Regulations 2015**

3. In the Schedule to the Assured Tenancies and Agricultural Occupancies (Forms) (England) Regulations 2015(c) for Form No. 3 and Form No. 6A set out in the Schedule to those Regulations, substitute the equivalent Form set out in the Schedule to these Regulations.

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(a) 1988 c. 50. Section 8(3) was amended by section 151 of the Housing Act 1996 (c. 52) and section 97(2)(a) of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12). Section 21(8) was inserted by section 37 of the Deregulation Act 2015 (c. 20).

(b) 2020 c. 7. The powers conferred by section 88(1) of the Coronavirus Act 2020 are exercisable in England by a Minister of the Crown. “Relevant national authority” is defined in section 88(7) of that Act.

(c) S.I. 2015/620, as amended by S.I. 2015/1646 (which was itself amended by S.I. 2015/1725), 2016/443, 2016/1118, 2016/915 and S.I. 2021/518.

- Where the landlord proposes to rely on condition 2: within 12 months of the court's finding that the injunction has been breached (or if the finding is appealed: within 12 months of the conclusion of the appeal);
  - Where the landlord proposes to rely on condition 4: within 3 months of the closure order (or if the order is appealed: within 3 months of the conclusion of the appeal).
- (j) Where the landlord is seeking possession on ground 14 (with or without other grounds other than ground 7A), court proceedings cannot begin before the date this notice is served.
- (k) Where the landlord is seeking possession on ground 14A, court proceedings cannot begin unless the landlord has served, or has taken all reasonable steps to serve, a copy of this notice on the partner who has left the property.
- (l) After the date shown in section 5, unless a breathing space has started, court proceedings may be begun at once but not later than 12 months from the date on which this notice is served. After this time the notice will lapse and a new notice must be served before possession can be sought. If a breathing space started after this notice has been served, this deadline may be different. If you are unsure about when court proceedings can begin, you should seek advice on your individual circumstances.

**6 Name and address of landlord/licensor\*.**

*To be signed and dated by the landlord or licensor or the landlord's or licensor's agent (someone acting for the landlord or licensor). If there are joint landlords each landlord or the agent must sign unless one signs on behalf of the rest with their agreement.*

*Signed* ..... *Date* .....

.....

*Please specify whether: landlord / licensor / joint landlords / landlord's agent*

*Name(s) (Block Capitals)*.....

.....

*Address* .....

.....

*Telephone:* Daytime ..... Evening .....

**What to do if this notice is served on you**

- (a) This notice is the first step requiring you to give up possession of your home. You should read it very carefully.
- (b) Your landlord cannot make you leave your home without an order for possession issued by a court. By issuing this notice your landlord is informing you that he intends to seek such an order. If you are willing to give up possession without a court order, you should tell the person who signed this notice as soon as possible and say when you are prepared to leave.
- (c) Whichever grounds are set out in section 3 of this form, the court may allow any of the other grounds to be added at a later date. If this is done, you will be told about it so you can discuss the additional grounds at the court hearing as well as the grounds set out in section 3.
- (d) If you need advice about this notice, and what you should do about it, take it immediately to a citizens' advice bureau, a housing advice centre, a law centre or a solicitor.
- (e) If you have been served this notice and a breathing space has started, you should inform your debt advisor.
- (f) If you require advice on problem debt including rent arrears, you can contact a professional debt advice provider. The Money Advice Service provides guidance on finding a debt advisor on its website.

1. To:

*Name(s) of tenant(s) (Block Capitals)*

.....  
.....

2. You are required to leave the below address after [ ]<sup>1</sup>. If you do not leave, your landlord may apply to the court for an order under Section 21(1) or (4) of the Housing Act 1988 requiring you to give up possession.

*Address of premises*

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.....  
.....  
.....

3. This notice is valid for *eight months only* from the date of issue unless you have a periodic tenancy under which more than *four months' notice* is required in which case this notice is valid for four months only from the date specified in section 2 above.

4. Name and address of landlord

*To be signed and dated by the landlord or their agent (someone acting for them). If there are joint landlords each landlord or the agent should sign unless one signs on behalf of the rest with their agreement.*

*Signed* ..... *Date* .....

.....  
.....

*Please specify whether:*  landlord  joint landlords  landlord's agent

*Name(s) (Block Capitals)*

.....  
.....  
.....

*Address(es) of signatory/signatories*

.....  
.....  
.....

*Telephone number of signatory/signatories*

.....  
.....

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<sup>1</sup> Landlords should insert a calendar date here. The date should allow sufficient time to ensure that the notice is properly served on the tenant(s). This will depend on the method of service being used and landlords should check whether the tenancy agreement makes specific provision about service. Where landlords are seeking an order for possession on a periodic tenancy under section 21(4) of the Housing Act 1988, the notice period should also not be shorter than the period of the tenancy (up to a maximum of six months), e.g. where there is a periodic tenancy which is six-monthly or annual you must be given at least six months' notice.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

The Assured Tenancies and Agricultural Occupancies (Forms) (England) (Amendment) and Suspension (Coronavirus) Regulations 2021 come into force on 1st June 2021.

Sections 8(3) and 21(8) of the Housing Act 1988 (c. 50) (“the 1998 Act”) give the Secretary of State power to prescribe the form of a notice of intention to seek possession of a dwelling house in England in relation to an assured and an assured shorthold tenancy respectively. The relevant forms are prescribed in the Assured Tenancies and Agricultural Occupancies (Forms) (England) Regulations 2015 (S.I. 2015/620).

Sections 8 and 21 of the 1988 Act were modified respectively by paragraphs 6 and 7 of Schedule 29 to the Coronavirus Act 2020 (c. 7) (“the Schedule”) in relation to notices of intention to seek possession of a dwelling house during the relevant period which began on 25th March 2020 and ends on 30th September 2021. The relevant period (which is defined in paragraph 1 of the Schedule) was extended in relation to England by S.I. 2020/914, S.I. 2021/284 and S.I. 2021/564. S.I. 2020/924 and S.I. 2021/564 also amended paragraphs 6 and 7 of the Schedule.

These Regulations also make amendments to Form No. 3 and Form 6A to reflect the notice periods in sections 8 and 21 (respectively) of the 1988 Act as modified by paragraphs 6 and 7 of the Schedule.

A copy of the amended forms can be obtained as follows:

<https://www.gov.uk/guidance/assured-tenancy-forms>

Or in writing from:

Ministry for Housing, Communities and Local Government, Fry Building, 2 Marsham Street, London SW1P 4DF

A full impact assessment has not been produced for this instrument due to the temporary nature of the modifications made to sections 8 and 21 of the Housing Act 1988 made by Schedule 29 to the Coronavirus Act 2020 as amended by S.I. 2021/564.

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