

# NOTICE ONLY PACK - PREVIEW

Jurisdiction: Wales

Notice Type: Section 173 Notice (No-Fault) - Wales

## DOCUMENTS INCLUDED:

1. Section 173 Landlord's Notice (Wales)	Page 2
2. Service Instructions (Wales)	Page 5
3. Compliance Checklist (Wales)	Page 7
4. Next Steps Guide (Wales)	Page 9

## WHAT YOU GET:

- \* Court-ready legal documents
- \* Professional service instructions
- \* Pre-service compliance checklist
- \* Next steps guidance
- \* Lifetime dashboard access
- \* Free regeneration anytime

## IMPORTANT: This is a PREVIEW ONLY

Complete purchase (£29.99) to download full unredacted documents.

All documents are editable and can be regenerated anytime.

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## LANDLORD'S NOTICE UNDER SECTION 173

Renting Homes (Wales) Act 2016, Section 173

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TO: Bethan ContractHolder

OF: 200 Swansea Street  
Swansea  
SA1 1AA

FROM: Dafydd Landlord

ADDRESS: 100 Cardiff Road  
Cardiff  
CF10 1AA

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### 1. DETAILS OF THE DWELLING

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The dwelling which is the subject of this notice is:

\*\*200 Swansea Street  
Swansea  
SA1 1AA\*\*

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## 2. DETAILS OF THE OCCUPATION CONTRACT

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This notice relates to the occupation contract which began on **2023-01-01**.

The contract is a periodic contract.

**Contract Category:** standard

The current rent is **£800** payable **monthly**.

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## 3. NOTICE TO CONTRACT HOLDER

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**I/WE GIVE YOU NOTICE** under Section 173 of the Renting Homes (Wales) Act 2016 that I/we require possession of the dwelling described above.

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## 4. NOTICE PERIOD AND POSSESSION DATE

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This notice was served on: **2025-12-16**

**You must give up possession of the dwelling on or after:**

This notice provides you with the minimum statutory notice period required under Section 173 of the Renting Homes (Wales) Act 2016.

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## 5. IMPORTANT INFORMATION FOR CONTRACT HOLDERS

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### What This Notice Means

This is a formal legal notice that I/we intend to apply to the court for a possession order requiring you to give up possession of the dwelling.

Under a standard occupation contract, a landlord can serve a Section 173 notice without providing a reason for possession.

### What You Should Do

**1. Read this notice carefully** - It tells you when you must leave the property.

**2. Seek advice immediately** - Contact one or more of the following:

- Citizens Advice Cymru
- Shelter Cymru (housing charity)
- A solicitor (you may qualify for Legal Aid)
- Your local council housing department

**3. Do not ignore this notice** - If you do nothing, court proceedings will be started and you may have to pay the costs as well as giving up possession of your home.

**4. Respond** - If you believe this notice is not valid or you have concerns, get legal advice

immediately.

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## 6. COMPLIANCE REQUIREMENTS

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### Rent Smart Wales Registration

- The landlord confirms they are registered with Rent Smart Wales.

### Deposit Protection

- Your deposit of £0 is protected in MyDeposits Wales.
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## 7. PROHIBITED PERIOD (FIRST 6 MONTHS)

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**Important:** Under Section 173, a landlord cannot serve a Section 173 notice within the first 6 months of a standard occupation contract (the "prohibited period").

Contract Start Date: **2023-01-01**

Service Date: **2025-12-16**

This notice was served after the prohibited period ended.

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## 8. WHERE TO GET HELP

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### Citizens Advice Cymru:

- Website: [www.citizensadvice.org.uk/cymraeg/](http://www.citizensadvice.org.uk/cymraeg/)
- Phone: 0800 702 2020

### Shelter Cymru (Housing Charity):

- Website: [www.sheltercymru.org.uk](http://www.sheltercymru.org.uk)
- Phone: 0345 075 5005

### National Debtline:

- Website: [www.nationaldebtline.org](http://www.nationaldebtline.org)
- Phone: 0808 808 4000

### Local Council Housing Department:

- Contact your local council for advice on homelessness prevention

### Rent Smart Wales:

- Website: [www.rentsma.rt.gov.wales](http://www.rentsma.rt.gov.wales)
  - Phone: 03000 133 344
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## 9. COURT PROCEEDINGS

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If you do not leave the property by the date specified in Section 4, I/we may apply to the court for a possession order.

You will be sent:

- A copy of the court claim
- A defence form
- Information about the court hearing

**You have the right to:**

- Attend the court hearing
- Present your case to the judge
- Be represented by a solicitor (legal aid may be available)
- Ask for more time to leave if possession is granted

### Court Costs

If possession is granted, you may be ordered to pay:

- The landlord's court fees
- The landlord's legal costs
- Any rent arrears

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## 10. AFTER A POSSESSION ORDER

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If the court grants a possession order:

- 1. Outright Possession Order** - You must leave by the date specified by the court
- 2. Suspended Possession Order** - You can stay if you keep to the conditions set by the court
- 3. If you don't leave** - The landlord can apply for a bailiff's warrant to evict you

4. **Illegal eviction** - Your landlord cannot evict you without a court order and bailiff. It is a criminal offence for a landlord to force you to leave without following the proper legal process.

## 11. WELSH LANGUAGE RIGHTS

You have the right to receive this notice and all court documents in Welsh. If you wish to receive documents in Welsh or conduct court proceedings in Welsh, please inform the court.

Mae gennych yr hawl i dderbyn y rhybudd hwn a'r holl ddogfennau llys yn Gymraeg. Os hoffech dderbyn dogfennau yn Gymraeg neu gynnal achosion llys yn Gymraeg, rhowch wybod i'r llys.

## 12. DECLARATION

I/We declare that the information given in this notice is correct to the best of my/our knowledge and belief.

Signed: \_\_\_\_\_

Name: Dafydd Landlord

Date: 2025-12-16

## 13. NOTES FOR LANDLORDS

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This notice must be served correctly to be valid:

1. **Personal service** - Hand it to the contract holder personally
2. **Substituted service** - Leave it at the property in a sealed envelope addressed to the contract holder
3. **Postal service** - Send by first class post to the contract holder's last known address

**Important:**

- Keep proof of service (certificate of posting, witness statement, etc.)
  - The notice period runs from the date the notice is served, not from the date it is prepared
  - You must be registered with Rent Smart Wales for this notice to be valid
  - This notice cannot be served within the first 6 months of a standard occupation contract
  - Consider whether Alternative Dispute Resolution might resolve the issue without court proceedings
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**END OF NOTICE**

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**PREVIEW DOCUMENT - NOT FOR LEGAL USE**

This is a preview generated by Landlord Heaven. A final, legally binding version will be provided upon payment.

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**Legal Disclaimer:** This notice has been generated based on the information provided. While every effort has been made to ensure accuracy and compliance with the Renting Homes (Wales) Act 2016, this service does not constitute legal advice. You should seek independent legal advice before taking any action based on this document. Landlord Heaven is not responsible for any consequences arising from the use of this document.

# SERVICE INSTRUCTIONS

## Serving Your Section 173 Notice in Wales

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### IMPORTANT: WALES-SPECIFIC REQUIREMENTS

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This guidance is for serving eviction notices under the **Renting Homes (Wales) Act 2016**.  This is NOT the same as England - Wales has different laws and procedures. Do not use English guidance or forms.

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### 1. BEFORE YOU SERVE THE NOTICE

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#### Check Your Compliance

You **MUST** have complied with all legal requirements before serving any notice:

- Rent Smart Wales Registration** - All landlords and letting agents in Wales must be registered with Rent Smart Wales - Check: [www.rentsma...](http://www.rentsma...) - Penalty: Serving a notice while unregistered may invalidate the notice
- Deposit Protection (if deposit taken)** - Must be protected in a Welsh government-approved scheme: - Deposit Protection Service Wales - MyDeposits Wales - Tenancy Deposit Scheme Wales - Must have provided prescribed information within 30 days - Penalty: Cannot serve Section 173 notice if deposit not protected
- Written Statement of Contract** - Must have provided contract-holder with written statement within 14 days of occupation - Penalty: Cannot serve possession notice until provided
- Gas Safety (if applicable)** - Annual gas safety check by Gas Safe engineer - Copy given to contract-holder
- Electrical Safety** - Electrical Installation Condition Report (EICR) within last 5 years - Copy given to contract-holder
- Smoke and Carbon Monoxide Alarms** - Working smoke alarms on each storey - Carbon monoxide alarms in rooms with solid fuel appliances - Tested at start of contract
- Prohibited Period (Section 173 only)** - Cannot serve Section 173 notice in first 6 months of contract - Contract start: 2023-01-01 - Earliest service date: 6 months after contract start

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### 2. METHODS OF SERVICE

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Under Welsh law, you can serve a notice by:

## **Option 1: Personal Service (RECOMMENDED)**

- Hand the notice directly to the contract-holder - Get them to sign a copy confirming receipt - If they refuse to sign, have a witness present

## **Option 2: Leaving at the Dwelling**

- Leave the notice at the dwelling in a sealed envelope - Address it to the contract-holder - Put it through the letterbox or hand it to an adult at the property

## **Option 3: Postal Service**

- Send by First Class post to the dwelling address - **RECOMMENDED:** Use Royal Mail Signed For or Special Delivery - Keep proof of postage (certificate of posting or tracking number) - Notice is deemed served when it would be delivered in ordinary course of post (usually 2 working days)

## **Option 4: Email (Only If Agreed in Contract)**

- Can only use email if the contract specifically allows it - Keep a copy of the sent email and any read receipts - Follow up with postal or personal service to be safe
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## **3. PROOF OF SERVICE**

**CRITICAL:** You will need to prove service when applying to court. Keep ALL of the following: -

- Original copy of the notice (for your records) -  Copy showing date of service -  Proof of service: - Personal service: Signed acknowledgment or witness statement - Postal service: Certificate of posting or tracking receipt - Email: Sent email with timestamp and read receipt

### **Create a Service Pack**

Make a file containing: 1. Copy of the notice served 2. Proof of service 3. Certificate of Service (template below) 4. Witness statement (if applicable)

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## **4. CERTIFICATE OF SERVICE TEMPLATE**

You can use this template to record service: ``` CERTIFICATE OF SERVICE Property: 200 Swansea Street Swansea SA1 1AA Contract-Holder(s): Bethan ContractHolder I certify that on [DATE], I served the Section 173 dated [NOTICE DATE] by: [✓] Personal service - handed to contract-holder at [TIME] on [DATE] [ ] Left at dwelling - left in sealed envelope at [TIME] on [DATE] [ ] Postal service - sent by [METHOD] on [DATE], tracking/reference: [REF] [ ] Email - sent to [EMAIL] at [TIME] on [DATE] Served by: \_\_\_\_\_ Signature: \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_ Witness (if applicable): \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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## 5. AFTER SERVING THE NOTICE

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### Wait for the Notice Period to Expire

**Section 173 Notice Period:** - Minimum 2 months from service date - Cannot apply to court before this date

### If Contract-Holder Does Not Leave

You **CANNOT**: - ✗ Change the locks - ✗ Remove their belongings - ✗ Cut off utilities - ✗ Harass or threaten them - ✗ Enter without permission **These are criminal offences in Wales** You **MUST**: -  Apply to the county court for a possession order -  Wait for the court hearing -  Only evict with a court order and bailiff

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## 6. APPLYING TO COURT (IF NEEDED)

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If the contract-holder does not leave after the notice expires: 1. **Complete Court Forms:** - Form N5 (Claim for Possession) - Particulars of Claim - Copy of the tenancy agreement - Copy of the notice with proof of service - Evidence of compliance (deposit protection, gas safety, etc.) 2. **Pay Court Fee:** - Online: [www.gov.uk/make-court-claim-for-money](http://www.gov.uk/make-court-claim-for-money) - Current fee: Check [www.gov.uk/government/publications/fees-in-the-civil-and-family-courts](http://www.gov.uk/government/publications/fees-in-the-civil-and-family-courts) 3. **Serve Court Papers:** - Court will serve the papers on the contract-holder - Or you can arrange service yourself 4. **Attend Court Hearing:** - Bring all evidence - Be prepared to answer questions from the judge

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## 7. COMMON MISTAKES TO AVOID

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✗ **Wrong notice period** - Check the minimum period for your notice type ✗ **Wrong dates** - Ensure all dates are calculated correctly ✗ **Not registered with Rent Smart Wales** - Register before serving ✗ **Deposit not protected** - Protect deposit before serving Section 173 ✗ **Prohibited period** - Cannot serve Section 173 in first 6 months ✗ **Retaliatory eviction** - Cannot serve within 6 months of legitimate complaint ✗ **Poor proof of service** - Always get proof ✗ **Self-help eviction** - Never change locks or remove belongings without court order

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## 8. GET LEGAL ADVICE

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**⚠ This is not legal advice** - These are instructions for serving a notice only. Consider getting advice from: - **Shelter Cymru Landlord Advisory Service: 0300 124 0021 - Solicitor specializing in Welsh housing law** - **Landlord association** (e.g., Residential Landlords Association Wales)

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## 9. USEFUL CONTACTS

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**Rent Smart Wales:** - Website: [www.rentsmart.gov.wales](http://www.rentsmart.gov.wales) - Phone: 03000 133 344 **HM Courts & Tribunals Service:** - Website: [www.gov.uk/government/organisations/hm-courts-and-tribunals-service](http://www.gov.uk/government/organisations/hm-courts-and-tribunals-service) - Phone: 0300 123 1372 **Shelter Cymru (for contract-holder rights):** - Website: [www.sheltercymru.org.uk](http://www.sheltercymru.org.uk) - Phone: 0345 075 5005 **Citizens Advice Cymru:** - Website: [www.citizensadvice.org.uk/cymraeg/](http://www.citizensadvice.org.uk/cymraeg/) - Phone: 0800 702 2020

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## Compliance Checklist - Pre-Service Checks

### ✓ Pre-Service Compliance Check

Complete this checklist BEFORE serving your notice. Missing any of these requirements could invalidate your notice and waste months of time and court fees.

**Property:** ,

**Tenancy Start Date:**

**Notice Type:** Section 8 (Fault-Based)

### Critical Compliance Requirements

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## 1. Deposit Protection

- ✓ Not a blocker for Section 8

**Note:** Deposit not protected, but this doesn't prevent Section 8 proceedings. However, you should still protect it to avoid fines (up to 3x deposit amount).

### Evidence Required:

- Certificate of deposit protection from scheme
- Copy of prescribed information served to tenant
- Proof of service (email or letter with proof of posting)

## 2. Gas Safety Certificate

 Should be compliant

**Note:** Gas safety certificates are legally required regardless of eviction route. Ensure you have one and have served it to the tenant.

### Evidence Required:

- Copy of gas safety certificate (issued within last 12 months)
- Proof you served it to the tenant (email or letter with proof of posting)

### 3. Energy Performance Certificate (EPC)

 Should have been provided

**Note:** EPCs are legally required before any new tenancy. Ensure you have one.

#### Evidence Required:

- Copy of valid EPC (issued within last 10 years)
- Proof you served it to the tenant

#### 4. "How to Rent" Guide

⚠ Should have been provided

**Note:** The "How to Rent" guide should have been given at the start of the tenancy. Download from: [gov.uk](https://www.gov.uk)

#### Evidence Required:

- Copy of the How to Rent guide (version given to tenant)
- Proof of service (email or letter with proof of posting)

#### Pre-Service Checklist Summary

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**Before serving your Section 8 notice, confirm:**

Deposit is protected (and prescribed info served)

Gas safety certificate is current and served

EPC is valid (rating E or above) and served

"How to Rent" guide was served

All evidence of service is saved and accessible

Tenancy agreement is signed and valid

Notice is filled out correctly with accurate dates

**⚠ FINAL CHECK:** If ANY of the above requirements are not met for Section 21, DO NOT serve the notice. It will be invalid and you'll waste time and court fees. Either fix the compliance issues first, or use Section 8 instead (which has fewer compliance requirements).

**Legal Basis:** Housing Act 1988, Housing Act 2004 (HMOs), Energy Efficiency Regulations 2015, Tenancy Deposit Protection Regulations 2007

**Generated:**

**Landlord Heaven Notice Only Pack | England**

## Next Steps Guide - After Serving Your Notice

**Notice Type:** Section 8 (Fault-Based Eviction)

**Service Date:** 16/12/2025

**Notice Expiry Date:** 30/12/2025

**Property:** ,

**i What Happens Next:** You've served your notice. Now you wait until the expiry date. If the tenant doesn't leave voluntarily, you'll need to apply to court for a possession order. This guide explains the complete timeline and process.

### Complete Timeline

**NOW → 30/12/2025:** Waiting period. Tenant should leave voluntarily.

**30/12/2025:** Notice expiry date. Tenant should vacate by end of this day.

**Day After Expiry:** If tenant hasn't left, you can apply to court (do NOT change locks).

**2-3 Weeks Later:** Court hearing date set.

**4-8 Weeks Later:** Court hearing. Judge makes decision.

**2 Weeks After Hearing:** If possession granted, tenant gets 14 days to leave (or 28 days if judge extends).

**If Still There:** Apply for bailiff warrant (£130 fee). Bailiff evicts tenant.

**Total Timeline Estimate:** 8-16 weeks from notice expiry to tenant physically removed (if they don't leave voluntarily).

### **Scenario 1: Tenant Leaves Voluntarily ✓**

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**Best Case Scenario:** The tenant leaves on or before 30/12/2025. You avoid court proceedings, save money, and regain possession quickly.

## What to Do:

- **Arrange final inspection:** Schedule with tenant if possible (gives them chance to clean/repair)
- **Check inventory:** Compare move-out condition to move-in inventory
- **Take photos:** Document property condition thoroughly
- **Collect keys:** Get all keys, fobs, garage remotes, etc.
- **Check utilities:** Take final meter readings, close accounts if in your name
- **Return deposit:** Within 10 days if deposit protected, or immediately if not
- **Handle deductions:** If deducting for damages, follow deposit scheme dispute process

**⚠ Deposit Deductions:** You can only deduct for legitimate damages or unpaid rent. Normal wear and tear is NOT deductible. If you make unfair deductions, the tenant can challenge you through the deposit scheme and you could lose.

## Scenario 2: Tenant Doesn't Leave

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**⚠ CRITICAL:** If the tenant is still in the property after 30/12/2025, DO NOT change the locks, remove their belongings, or cut off utilities. This is illegal eviction and you could face criminal charges, fines up to £50,000, and the tenant could sue you for damages.

## What to Do Instead:

You MUST apply to court for a possession order. Here's how:

### Step 1: Choose Your Court Form

#### Section 8 - Standard Procedure Only:

You must use Form N5 (standard possession claim). There is no accelerated procedure for Section 8.

### Step 2: Gather Required Documents

You'll need to submit the following with your court application:

- ✓ Completed court form (N5 or N5B)
- ✓ Copy of tenancy agreement
- ✓ Copy of the notice you served (Section 8 or Section 21)

- ✓ Proof of service (photos, witness statement, recorded delivery receipt)
- ✓ Rent account showing arrears (if Section 8 for rent arrears)
- ✓ Any other evidence supporting your claim

### **Step 3: Pay Court Fees**

**Court Fees (England & Wales):**

<b>Item</b>	<b>Cost</b>
Possession claim (Form N5)	£355
Accelerated procedure (Form N5B)	£355
Bailiff warrant (if needed later)	£130
<b>Total Estimate</b>	<b>£355 - £485</b>

**Note:** You can claim these fees back from the tenant if you win, but actually collecting them may be difficult if they have no money.

## Step 4: Submit to Court

- **Online:** Some courts accept online submissions via HMCTS portal
- **Post:** Send to your local county court (find via [gov.uk/find-court-tribunal](http://gov.uk/find-court-tribunal))
- **In Person:** Hand deliver to court office during business hours

**Processing Time:** Court will usually acknowledge within 2-5 working days and set a hearing date within 4-8 weeks.

## Step 5: Prepare for Court Hearing

Section 8 hearings are usually scheduled 4-8 weeks after application. You MUST attend (or have a representative attend).

### What to Bring to Hearing:

- ✓ All evidence (original documents + 3 copies)

- ✓ Witness statements (if applicable)
- ✓ Photos of property damage (if claiming for that)
- ✓ Rent account ledger showing arrears
- ✓ Copy of notice and proof of service
- ✓ Any correspondence with tenant

### **What Happens at Hearing:**

1. Judge reviews your evidence
2. Tenant can defend (rare, but they might claim you didn't serve properly or notice invalid)
3. Judge asks questions
4. Judge makes decision (usually same day)

**Success Rate:** If you've followed all steps correctly and have proper evidence, possession is usually granted.

## Step 6: After Possession Order Granted

If judge grants possession, the tenant gets:

- **14 days to leave** (standard)
- **28 days to leave** (if judge grants extended time due to hardship)
- **42 days maximum** (in exceptional circumstances)

 **Still Can't Force Them Out:** Even with a possession order, you still can't change locks or force the tenant out yourself. If they don't leave by the court-ordered date, proceed to Step 7.

## Step 7: Apply for Bailiff Warrant (If Needed)

If tenant still hasn't left after the possession order deadline:

- **Fill in Form N325:** Request for bailiff warrant
- **Pay £130 fee**
- **Submit to court**

- **Wait 2-4 weeks:** Bailiff appointment scheduled
- **Eviction Day:** County court bailiff physically removes tenant and their belongings

**i Bailiff Eviction:** Only a county court bailiff can physically evict someone. They will attend the property, remove the tenant and possessions, change the locks, and hand keys to you. The tenant's belongings are typically left on the street (unless weather is very bad, in which case they may be stored for a short period).

## Costs Summary

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PREVIEW - Complete Purchase (E29.95)

<b>Stage</b>	<b>Cost</b>	<b>Timeline</b>
Notice Only Pack	£29.99	Immediate
Serve notice & wait	£0	2-8 weeks (depending on ground)
Court application (N5/N5B)	£355	4-8 weeks to hearing
Bailiff warrant (if needed)	£130	2-4 weeks to eviction
<b>Total (if tenant doesn't leave)</b>	<b>£514.99</b>	<b>8-20 weeks total</b>

**Can you claim costs back?** Yes, you can request the court orders the tenant to pay your costs. However, actually collecting is difficult if they have no money. Don't rely on recovering costs.

## Upgrade to Complete Pack

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 **Need Court Forms?**

If your tenant doesn't leave voluntarily, you'll need court forms (N5, N5B, N119) and additional documents (witness statements, particulars of claim, etc.).

**Complete Pack Includes:**

- ✓ Everything in Notice Only Pack
- ✓ N5 claim form (pre-filled)
- ✓ N5B accelerated procedure form (pre-filled, Section 21 only)
- ✓ N119 particulars of claim
- ✓ Witness statement template
- ✓ Evidence checklist for court
- ✓ Hearing preparation guide

**Price:** £79.99 (save time and ensure court-ready documents)

**Key Reminders**

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- ✓ **Never illegally evict:** No changing locks, removing belongings, or cutting utilities
- ✓ **Keep all evidence:** Photos, receipts, correspondence, proof of service
- ✓ **Attend all court hearings:** Failure to attend usually means automatic loss
- ✓ **Follow court timelines:** Miss a deadline and you may have to start over
- ✓ **Be professional:** Don't argue with tenant, let court handle it
- ✓ **Document everything:** Assume you'll need to prove everything in court

**Legal Basis:** Housing Act 1988, Civil Procedure Rules, Protection from Eviction Act 1977

**Generated:**

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**Support:** For questions or assistance, visit our help center or contact support.