

SERVICE INSTRUCTIONS

Section 8 Notice

Important

Landlord Heaven provides document generation and general information only. We are not a law firm and do not provide legal advice. Court outcomes depend on your evidence, service, and the facts of the case.

Property:	10 Downing Street, London, SW1A 2AA
Tenant:	Mr Smith
Notice Type:	Section 8
Service Date:	6 February 2026
Expiry Date:	20 February 2026

1 How to Serve This Notice

Under the Housing Act 1988, you have several options for serving the notice. Choose the method that gives you the best evidence of service.

RECOMMENDED: Hand Delivery

- **Hand-deliver through the letterbox** at the property
- **Date:** Deliver on or after 6 February 2026
- **Witness:** Take a witness with you who can confirm delivery
- **Evidence:** Take a photo of the letterbox with the notice visible
- **Time:** Note the exact time of delivery
- **Witness Statement:** Get your witness to sign a statement confirming what they saw

Why This is Best

Clear evidence of when and where the notice was delivered. If the tenant denies receiving it, you have photographic proof and witness testimony.

Alternative: First Class Post

- **Send via Royal Mail First Class** post
- **Keep proof of postage receipt** (Royal Mail will provide this when you post)
- **Deemed served:** Notice is deemed served 2 days after posting (excluding Sundays and bank holidays)
- **Safety margin:** Add 2-3 extra days to your notice period if using this method

Note

First class post is legally acceptable, but provides less certainty than hand delivery. The tenant can claim they never received it, and you'll only have proof of posting, not receipt.

Alternative: Recorded Delivery

- **Send via Royal Mail Recorded Delivery**
- **Tracking:** You'll receive a tracking number
- **Proof of delivery:** Royal Mail provides proof when it's delivered
- **Signature required:** Someone must sign for it

Risk

If the tenant refuses to sign or doesn't answer the door, the notice may not be deemed served. Use this method only if you're confident the tenant will accept it.

NOT RECOMMENDED: Email or Text

- **Do NOT email or text the notice** unless your tenancy agreement specifically allows electronic service
- Most tenancy agreements do NOT allow electronic service
- If you email/text and the tenancy doesn't allow it, your notice is invalid
- You'll waste time and money and have to start again

Evidence You Must Keep

If you go to court, you must **prove you served the notice correctly**. The court will ask for evidence. Keep the following:

Service Evidence Checklist:

- Photo of notice being delivered (letterbox shot with notice visible)
- Witness statement (name, address, what they saw, signature)
- Proof of postage (if posted)
- Recorded delivery receipt (if used)
- Copy of the notice you served (this exact document)
- Date and time of service (written down immediately)
- Any correspondence with tenant acknowledging receipt

Witness Statement Template:

I, [Witness Name], of [Witness Address],

confirm that on [Date] at [Time], I witnessed [Your Name] hand-deliver a notice through the letterbox at [Property Address].

The notice was fully inserted into the letterbox and dropped inside the property.

Signed: _____

Date: _____

What Happens After Service?

Waiting Period

After serving the notice, you must wait until the expiry date: **20 February 2026**

Service Evidence Checklist

- The tenant does NOT have to leave immediately
- They have until the expiry date to leave voluntarily
- During this period, they should continue paying rent
- You cannot change the locks or force them out (this is illegal)

If They Leave Voluntarily

If the tenant leaves before or on the expiry date:

- Great! You've avoided court proceedings
- Do a final inspection with them present (if possible)
- Complete the check-out inventory
- Return their deposit within 10 days (if protected)
- Settle any disputes about deductions

If They Don't Leave

If the tenant is still in the property after **20 February 2026**:

- DO NOT** change the locks (illegal eviction - you could face criminal charges)
- DO NOT** remove their belongings (illegal)
- DO NOT** harass them or cut off utilities (illegal)
- DO** apply to court for a possession order

Court Application: You'll need to use Form N5 (standard possession claim). If you purchased the Complete Pack, these forms are included. Otherwise, you'll need to upgrade or obtain them separately.

Common Mistakes to Avoid

- Serving the notice too early (before arrears reach required level for your ground)
- Getting the expiry date wrong (too short or not aligned with rent period)
- Not keeping evidence of service
- Serving by email when the tenancy doesn't allow it
- Changing locks before getting a court order (illegal eviction)
- Failing to specify adequate particulars for each ground claimed

Legal Basis

Service Requirements: Housing Act 1988, Section 8

Proof of Service: Civil Procedure Rules, Part 6

Illegal Eviction: Protection from Eviction Act 1977

Important: This is guidance only and does not constitute legal advice. If you're unsure about any step, consult a solicitor or legal advisor.

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