

STATUTORY INSTRUMENTS

**1998 No. 3132**

**The Civil Procedure Rules 1998**

**[<sup>F1</sup>PART 56**

**LANDLORD AND TENANT CLAIMS AND MISCELLANEOUS  
PROVISIONS ABOUT LAND [<sup>F1</sup>AND CLAIMS  
UNDER THE RENTING HOMES (WALES) ACT 2016]**

**[<sup>F1</sup>I—LANDLORD AND TENANT CLAIMS**

**Textual Amendments**

- F1** Pt. 56 inserted (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 2](#) (with [rule 31](#))

**Scope and interpretation**

**56.1.**—(1) In this Section of this Part “landlord and tenant claim” means a claim under—

- (a) the Landlord and Tenant Act 1927(**1**);
- (b) the Leasehold Property (Repairs) Act 1938(**2**);
- (c) the Landlord and Tenant Act 1954(**3**);
- (d) the Landlord and Tenant Act 1985(**4**); <sup>F2</sup>...
- (e) the Landlord and Tenant Act 1987(**5**)[<sup>F3</sup>, or]

[ section 214 of the Housing Act 2004.]  
<sup>F4</sup>(f)

(2) A practice direction may set out special provisions with regard to any particular category of landlord and tenant claim.

**Textual Amendments**

- F2** Word in [rule 56.1\(1\)\(d\)](#) omitted (1.10.2008) by virtue of [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), [rules 1\(2\)](#), [29\(a\)\(i\)](#)
- F3** Word in [rule 56.1\(1\)\(e\)](#) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), [rules 1\(2\)](#), [29\(a\)\(ii\)](#)

- (1) 1978 c. 33.  
(2) 1981 c. 54. Section 35A was inserted by the Administration of Justice Act 1982 (c. 53), section 15(1), Schedule 1, Part I.  
(3) 1984 c. 28. Section 69 was amended by the Courts and Legal Services Act 1990 (c. 41), section 125(3), Schedule 18, paragraph 46.  
(4) 1997 c. 27.  
(5) 1980 c. 58.

**F4** Rule 56.1(1)(f) inserted (1.10.2008) by The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **29(a)(iii)**

**Starting the claim**

**56.2.**—<sup>F5</sup>(1) In the County Court—

- (a) the claim may be made at any County Court hearing centre, unless paragraph (2) applies or an enactment provides otherwise;
- (b) the claim will be issued by the hearing centre where the claim is made; and
- (c) if the claim is not made at the County Court hearing centre which serves the address where the land is situated, the claim will be sent to the hearing centre serving that address.

(Practice Direction 56 includes further direction in respect of claims which are not made at the County Court hearing centre which serves the address where the land is situated.)

(2) <sup>F6</sup>Unless an enactment provides otherwise, the claim] may be started in the High Court if the claimant files with <sup>F7</sup>the] claim form a certificate stating the reasons for bringing the claim in that court verified by a statement of truth <sup>F8</sup>....

(3) <sup>F9</sup>Practice Direction 55A] refers to circumstances which may justify starting the claim in the High Court.

<sup>F10</sup>(4) .....

**Textual Amendments**

- F5** Rule 56.2(1) substituted (22.4.2014) by The Civil Procedure (Amendment) Rules 2014 (S.I. 2014/407), rules 2(1), **23**; S.I. 2014/954, art. 2(a)
- F6** Words in rule 56.2 substituted (1.10.2008) by The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **29(b)(i)**
- F7** Word in rule 56.2 substituted (1.10.2008) by The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **29(b)(ii)**
- F8** Words in rule 56.2(2) omitted (1.10.2023 immediately after S.I. 2023/572 comes into force) by virtue of The Civil Procedure (Amendment No. 3) Rules 2023 (S.I. 2023/788), rules 1(1), **26**
- F9** Words in rule 56.2(3) substituted (6.4.2010) by The Civil Procedure (Amendment No.2) Rules 2009 (S.I. 2009/3390), rules 1(2), **31(a)**
- F10** Rule 56.2(4) omitted (1.6.2004) by virtue of The Civil Procedure (Amendment) Rules 2004 (S.I. 2004/1306), rules 1(a), **15(b)** (with rule 20(1))

**<sup>F11</sup>Claims for a new tenancy under section 24 and for the termination of a tenancy under section 29(2) of the Landlord and Tenant Act 1954**

**56.3.**—(1) This rule applies to a claim for a new tenancy under section 24 and to a claim for the termination of a tenancy under section 29(2) of the 1954 Act.

(2) In this rule—

- (a) “the 1954 Act” means the Landlord and Tenant Act 1954;
- (b) “an unopposed claim” means a claim for a new tenancy under section 24 of the 1954 Act in circumstances where the grant of a new tenancy is not opposed;
- (c) “an opposed claim” means a claim for—
  - (i) a new tenancy under section 24 of the 1954 Act in circumstances where the grant of a new tenancy is opposed; or

- (ii) the termination of a tenancy under section 29(2) of the 1954 Act.
  - (3) Where the claim is an unopposed claim—
    - (a) the claimant must use the Part 8 procedure, but the following rules do not apply—
      - (i) rule 8.5; and
      - (ii) rule 8.6; <sup>F12</sup>and]
    - <sup>F13</sup>(b) .....
    - (c) the court will give directions about the future management of the claim following receipt of the acknowledgment of service.
  - <sup>F14</sup>(4) Where the claim is an opposed claim the claimant must use the Part 7 procedure.]
- (<sup>F15</sup>Practice Direction 56] contains provisions about evidence, including expert evidence in opposed claims)]

**Textual Amendments**

- F11** Rule 56.3 substituted (1.6.2004) by The Civil Procedure (Amendment) Rules 2004 (S.I. 2004/1306), rules 1(a), **16** (with rule 20(1))
- F12** Word in rule 56.3(3)(a)(ii) inserted (1.10.2008) by The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **29(c)(i)**
- F13** Rule 56.3(3)(b) omitted (1.10.2008) by virtue of The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **29(c)(ii)**
- F14** Rule 56.3(4) substituted (1.10.2008) by The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **29(c)(iii)**
- F15** Words in rule 56.3 substituted (6.4.2010) by The Civil Procedure (Amendment No.2) Rules 2009 (S.I. 2009/3390), rules 1(2), **31(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Cross  
Heading: I-LANDLORD AND TENANT CLAIMS.