

---

STATUTORY INSTRUMENTS

---

**1998 No. 3132**

**The Civil Procedure Rules 1998**

**[<sup>F1</sup>PART 55**

**POSSESSION CLAIMS**

***II—ACCELERATED POSSESSION CLAIMS OF PROPERTY  
LET ON AN ASSURED SHORTHOLD TENANCY***

**[<sup>F1</sup>Claim referred to judge**

- 55.15.**—(1) On receipt of the defence the court will—
- (a) send a copy to the claimant; and
  - (b) refer the claim and defence to a judge.
- (2) Where the period set out in rule 55.14 has expired without the defendant filing a defence—
- (a) the claimant may file a written request for an order for possession; and
  - (b) the court will refer that request to a judge.
- (3) Where the defence is received after the period set out in rule 55.14 has expired but before a request is filed in accordance with paragraph (2), paragraph (1) will still apply.
- (4) Where—
- (a) the period set out in rule 55.14 has expired without the defendant filing a defence; and
  - (b) the claimant has not made a request for an order for possession under paragraph (2) within 3 months after the expiry of the period set out in rule 55.14,
- the claim will be stayed.]

---

**Textual Amendments**

- F1** Pt. 55 inserted (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 1](#) (with [rule 31](#))

**Status:**

Point in time view as at 04/12/2008.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 55.15.