



Housing Act 1988

1988 CHAPTER 50

PART I

RENTED ACCOMMODATION

CHAPTER I

ASSURED TENANCIES

Security of tenure

8 Notice of proceedings for possession.

- (1) The court shall not entertain proceedings for possession of a dwelling-house let on an assured tenancy unless—
 - (a) the landlord or, in the case of joint landlords, at least one of them has served on the tenant a notice in accordance with this section and the proceedings are begun within the time limits stated in the notice in accordance with subsections (3) and (4) below; or
 - (b) the court considers it just and equitable to dispense with the requirement of such a notice.
- (2) The court shall not make an order for possession on any of the grounds in Schedule 2 to this Act unless that ground and particulars of it are specified in the notice under this section; but the grounds specified in such a notice may be altered or added to with the leave of the court.
- (3) A notice under this section is one in the prescribed form informing the tenant that—
 - (a) the landlord intends to begin proceedings for possession of the dwelling-house on one or more of the grounds specified in the notice; and
 - (b) those proceedings will not begin earlier than a date specified in the notice which, without prejudice to any additional limitation under subsection (4)

Status: Point in time view as at 23/04/1993. This version of this provision has been superseded.

Changes to legislation: Housing Act 1988, Section 8 is up to date with all changes known to be in force on or before 18 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

below, shall not be earlier than the expiry of the period of two weeks from the date of service of the notice; and

- (c) those proceedings will not begin later than twelve months from the date of service of the notice.
- (4) If a notice under this section specifies, in accordance with subsection (3)(a) above, any of Grounds 1, 2, 5 to 7, 9 and 16 in Schedule 2 to this Act (whether with or without other grounds), the date specified in the notice as mentioned in subsection (3)(b) above shall not be earlier than—
- (a) two months from the date of service of the notice; and
 - (b) if the tenancy is a periodic tenancy, the earliest date on which, apart from section 5(1) above, the tenancy could be brought to an end by a notice to quit given by the landlord on the same date as the date of service of the notice under this section.
- (5) The court may not exercise the power conferred by subsection (1)(b) above if the landlord seeks to recover possession on Ground 8 in Schedule 2 to this Act.
- (6) Where a notice under this section—
- (a) is served at a time when the dwelling-house is let on a fixed term tenancy, or
 - (b) is served after a fixed term tenancy has come to an end but relates (in whole or in part) to events occurring during that tenancy,
- the notice shall have effect notwithstanding that the tenant becomes or has become tenant under a statutory periodic tenancy arising on the coming to an end of the fixed term tenancy.

Status:

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