

2021 No. 562

LANDLORD AND TENANT, ENGLAND

**The Assured Tenancies and Agricultural Occupancies (Forms)
(England) (Amendment) and Suspension (Coronavirus)
Regulations 2021**

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CORRECTION

Page 3, in the Schedule, page 2 of form 3, in paragraph (d): “grounds” should read “ground”;
and

Page 3, in the Schedule, page 2 or form 3, in paragraph (d): “does not apply” should read “do
not apply”.

*A corrected version of the relevant page of this form is attached for reference in the Annex to
this correction slip.*

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ANNEX

Notes on the grounds for possession

- If the court is satisfied that any of grounds 1 to 8 is established, it must make an order (but see below in respect of fixed term tenancies and breathing space).
- Before the court will grant an order on any of grounds 9 to 17, it must be satisfied that it is reasonable to require you to leave. This means that, if one of these grounds is set out in section 3, you will be able to suggest to the court that it is not reasonable that you should have to leave, even if you accept that the ground applies.
- The court will not make an order under grounds 1, 3 to 6, 9 or 16, to take effect during the fixed term of the tenancy (if there is one) and it will only make an order during the fixed term on grounds 2, 7, 7A, 8, 10 to 15 or 17 if the terms of the tenancy make provision for it to be brought to an end on any of these grounds. It may make an order for possession on ground 7B during a fixed-term of the tenancy even if the terms of the tenancy do not make provision for it to be brought to an end on this ground.
- Where the court makes an order for possession solely on ground 6 or 9, the landlord must pay your reasonable removal expenses.
- Where the landlord is notified that a breathing space has started, the landlord must not take any enforcement action against you (including serving a notice of possession or making a claim for possession in the county court) on any of grounds 8, 10 or 11 unless the court has given permission for them to do so.

5 The court proceedings will not begin until after:

Give the earliest date on which court proceedings can be brought

Notes on the earliest date on which court proceedings can be brought

- (a) Where the landlord is seeking possession on grounds 8, 10 or 11 (with or without other grounds) paragraphs b to e and g to k below set out the earliest date on which proceedings can be brought unless a breathing space has started.
- (b) Where the landlord is seeking possession on any of grounds 1 to 6, 9, 12, 13, 15 or 16, or grounds 8, 10 or 11, if at the time the notice is served less than four months' rent is unpaid, (without ground 7A or 14) unless a breathing space has started, court proceedings cannot begin earlier than four months from the date this notice is served on you, (except in the case of a notice served on or after 1 August 2021 on any of grounds 8, 10 or 11 without any other grounds).
- (c) Where the landlord is seeking possession on any of grounds 8, 10 or 11 without any other grounds if the notice is served on you on or after 1 August 2021 and less than four months' rent is unpaid, unless a breathing space has started, court proceedings cannot begin earlier than two months from the date this notice is served on you .
- (d) Where the landlord is seeking possession on ground 7 (without ground 7A or 14) and the paragraphs above do not apply, court proceedings cannot begin earlier than two months from the date this notice is served on you.
- (e) Where the landlord is seeking possession on grounds 8, 10 or 11 if at the time the notice is served at least four months' rent is unpaid (without ground 7A or 14) and the paragraphs above do not apply, unless a breathing space has started, court proceedings cannot begin earlier than four weeks from the date this notice is served on you.
- (f) Where the landlord is seeking possession on grounds 8, 10 or 11 (with or without other grounds) and has been notified after this notice has been served that a breathing space has started, court proceedings cannot begin while enforcement action against you has been paused in line the with the rules of the debt respite scheme. You should contact your debt advice provider for advice on the earliest date the court proceedings can begin.
- (g) Where the landlord is seeking possession on grounds 7B, 14A, 14ZA or 17 (without ground 7A or 14) and the paragraphs above do not apply, court proceedings cannot begin earlier than two weeks from the date this notice is served on you.
- (h) Where the landlord is seeking possession on grounds 1, 2, 5 to 7, 9 or 16 (without ground 7A or 14) court proceedings also cannot begin before the date on which the tenancy (had it not been assured) could have been brought to an end by a notice to quit served at the same time as this notice.
- (i) Where the landlord is seeking possession on ground 7A (with or without other grounds), court proceedings cannot begin earlier than 1 month from the date this notice is served on you and not before the date on which the tenancy (had it not been assured) could have been brought to an end by a notice to quit served at the same time as this notice. A notice seeking possession on ground 7A must be served on you within specified time periods which vary depending on which condition is relied upon:
 - Where the landlord proposes to rely on condition 1, 3 or 5: within 12 months of the conviction (or if the conviction is appealed: within 12 months of the conclusion of the appeal);