

## TENURE POLICY

### Appendix 1 – Grounds for Possession

#### Schedule 2, Housing Act 1988 (as amended)

##### **Ground 6**

The landlord intends to demolish or reconstruct the whole or part of the property or carry out major works to all or part of it and the works cannot be carried out if the tenant is there (e.g. because the tenant will not agree to give access or agree to be restricted to living in part of the property whilst works are carried out on the other part). The landlord must pay the tenant's reasonable removal expenses if the possession is granted under this ground.

##### **Ground 7**

Where the previous tenant has died and the new tenant is not entitled to "succeed" to the tenancy and the tenancy is a periodic tenancy which has passed to the new tenant on death or under a Will. The landlord must bring proceedings within twelve months of the death of the tenant or twelve months of the date the Landlord became aware of the tenant's death.

##### **Ground 8**

Rent is unpaid at the time of service of Notice seeking possession and at the time of the hearing for a Possession Order:

- a) In the case of rent paid weekly or fortnightly at least eight weeks rent is owing;
- b) In the case of rent paid monthly, at least two month's rent is owing.

##### **Ground 9**

That there will be suitable alternative accommodation available for the tenant if a Possession Order is made. The landlord must pay the tenant's reasonable removal expenses if a Possession Order is made. A tenant can oppose a Possession Order on this ground if the alternative accommodation is not suitable.

##### **Ground 10**

Rent which is lawfully due from the tenant has not been paid by the time the possession proceedings are started and was owed at the time the Notice seeking possession was served.

##### **Ground 11**

The tenant has repeatedly failed to pay rent on time. There need not be rent arrears at the time possession proceedings are started.

##### **Ground 12**

Any obligation of the tenancy (other than one related to the payment of rent) has

been broken or not performed.

**Ground 13**

The tenant, or anyone living with him/her have allowed the property or parts of it (including common parts) to deteriorate. If the deterioration has been caused by someone living with the tenant, and the tenant has failed to get rid of that person then a Possession Order may be made.

**Ground 14**

The tenant or a person residing in or visiting the dwelling-house-

(a) has been guilty of conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality, or

(b) has been convicted of –

(i) using the dwelling-house or allowing it to be used for immoral or illegal purposes, or

(ii) an arrestable offence committed in, or in the locality of, the dwelling-house.

**Ground 14A**

A married couple or common law couples live in the property and one of them is the tenant of the property and one of them has left the property because of violence or threats of violence from the other partner or a member of that partner's family who is also living in the property.

**Ground 17**

The tenant is the person, or one of the persons, to whom the tenancy was granted and the landlord was induced to grant the tenancy by a false statement made knowingly or recklessly by –

(a) the tenant, or

(b) a person acting at the tenant's instigation