

# Particulars of claim for possession

(rented residential premises)

Name of court	Claim No.
Name of Claimant	
Name of Defendant	

1. The claimant has a right to possession of:
  
2. To the best of the claimant's knowledge the following persons are in possession of the property:

## About the tenancy

3. (a) The premises are let to the defendant(s) under a(n) \_\_\_\_\_ tenancy which began on \_\_\_\_\_.
  
  - (b) The current rent is £ \_\_\_\_\_ and is payable each (week) (fortnight) (month).  
(other \_\_\_\_\_ )
  
  - (c) Any unpaid rent or charge for use and occupation should be calculated at £ \_\_\_\_\_ per day.
4. The reason the claimant is asking for possession is:
    - (a) because the defendant has not paid the rent due under the terms of the tenancy agreement.  
(Details are set out below)(Details are shown on the attached rent statement)
  
    - (b) because the defendant has failed to comply with other terms of the tenancy.  
Details are set out below.
  
    - (c) because: (including any (other) statutory grounds)

5. The following steps have already been taken to recover any arrears:

6. The appropriate (notice to quit) (notice of breach of lease) (notice seeking possession) (notice seeking a demotion order) (other ) was served on the defendant on 20 .

### **About the defendant**

7. The following information is known about the defendant's circumstances:

### **About the claimant**

8. The claimant is asking the court to take the following financial or other information into account when making its decision whether or not to grant an order for possession:

### **Forfeiture**

9. (a) There is no underlessee or mortgagee entitled to claim relief against forfeiture.

or (b) of

is entitled to claim relief against forfeiture as underlessee or mortgagee.

## What the court is being asked to do:

10. The claimant asks the court to order that the defendant(s):
- (a) give the claimant possession of the premises;
  - (b) pay the unpaid rent and any charge for use and occupation up to the date an order is made;
  - (c) pay rent and any charge for use and occupation from the date of the order until the claimant recovers possession of the property;
  - (d) pay the claimant's costs of making this claim.
11. In the alternative to possession, is the claimant asking the court to make a demotion order or an order suspending the right to buy?
- Yes       No

## Demotion/Suspension claim

This section must be completed if the claim includes a claim for demotion of tenancy or suspension order in the alternative to possession

12. The (demotion) (suspension) claim is made under:

- section 82A(2) of the Housing Act 1985
- section 6A(2) of the Housing Act 1988
- section 121A of the Housing Act 1985

13. The claimant is a:

- local authority
  - housing action trust
  - registered social landlord or a private registered provider of social housing
  - other please specify (suspension claims only)
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(Demotion claims only)

14. Has the claimant served on the tenant a statement of express terms of the tenancy which are to apply to the demoted tenancy?

- Yes       No

If Yes, please give details:

15. The claimant is claiming delete as appropriate (demotion of tenancy) (and) (an order suspending the right to buy) because: State details of the conduct alleged and **any** other matters relied upon.

# Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

**I believe** that the facts stated in these particulars of claim are true.

**The Claimant** believes that the facts stated in these particulars of claim are true. **I am authorised** by the claimant to sign this statement.

## Signature

Claimant

Litigation friend (where claimant is a child or a patient)

Claimant's legal representative (as defined by CPR 2.3(1))

## Date

Day

Month

Year

Full name

Name of claimant's legal representative's firm

If signing on behalf of firm or company give position or office held