

FORM RHW23

NOTICE BEFORE MAKING A POSSESSION CLAIM

This form is for use by a landlord to give notice to a contract-holder under section 159(1), 161(1), 166(1), 171(1) or 192(1) of the Renting Homes (Wales) Act 2016 that the landlord intends to make a possession claim to the court.

Part A: Landlord	Part B: Contract-Holder(s)
Name: Address:	Name(s):

Part C: Dwelling
Address:

Part D: Notice of Possession Claim
The landlord gives notice to the you, the contract-holder(s) of the above dwelling that the landlord intends to make a possession claim to the court on the following ground of the Renting Homes (Wales) Act 2016:
<input type="checkbox"/> Breach of contract (section 157) <i>Clearly state the particulars of the breach, including whether section 55 (anti-social behaviour and other prohibited conduct) is relied upon.</i>
<input type="checkbox"/> Estate management grounds (section 160 and Schedule 8) <i>Tick as applicable to indicate the paragraph of Schedule 8 relied upon.</i> <ul style="list-style-type: none"><input type="checkbox"/> Ground A (building works)<input type="checkbox"/> Ground B (redevelopment schemes)<input type="checkbox"/> Ground C (charities)<input type="checkbox"/> Ground D (dwelling suitable for disabled people)<input type="checkbox"/> Ground E (housing associations and housing trusts: people difficult to house)<input type="checkbox"/> Ground F (groups of dwellings for people with special needs)<input type="checkbox"/> Ground G (reserve successors)<input type="checkbox"/> Ground H (joint contract-holders)<input type="checkbox"/> Ground I (other estate management reasons) <i>State the reasons overleaf.</i>

Part D: Notice of Possession Claim (continued)

If Ground I (other estate management reasons) is relied upon, clearly state the reasons, e.g. overcrowding under Part 10 of the Housing Act 1985.

Contract-holder's failure to give up possession of the dwelling following the contract-holder providing notice to end the contract (section 165, 170 or 191)

Part E: Signature

Signed by, or on behalf of, the landlord:

Date:

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Guidance notes for contract-holders

This notice tells you that your landlord intends to begin proceedings for possession of the dwelling identified at Part C. You should read it carefully and seek advice about your circumstances as quickly as possible.

The earliest date on which possession proceedings can begin will depend on the ground(s) on which possession is sought, which are listed at Part D. Explanations of the restrictions applicable to particular grounds are provided below.

If you are in any doubt or need advice about any aspect of this notice, you should first contact your landlord. Many problems can be resolved quickly by raising them when they first arise. If you are unable to reach an agreement with your landlord, you may wish to contact an advice agency (such as Citizens Advice Cymru or Shelter Cymru) or independent legal advisors. If you believe you are at risk of homelessness as a result of receiving this notice, you should contact your local authority for support.

Restrictions on proceedings following this notice

Restriction applicable to the breach of contract ground

The landlord may make a possession claim in reliance on a breach of section 55 (anti-social behaviour and other prohibited conduct) **on or after the day** on which the landlord gives the contract-holder a possession notice specifying a breach of that section.

The landlord may not make a possession claim in reliance on a breach of any other term of the occupation contract before the end of the period of **one month** starting with the day on which the landlord gives the contract-holder a possession notice specifying a breach of that term.

In either case, the landlord may not make a possession claim after the end of the period of **six months** starting with the day on which the landlord gives the contract-holder the possession notice.

Restriction applicable to the estate management grounds

The landlord may not make a possession claim before the end of the period of **one month** starting with the day on which the landlord gives the contract-holder a possession notice, or after the end of the period of **six months** starting with the day on which the landlord gives the contract-holder the possession notice.

If a redevelopment scheme is approved under Part 2 of Schedule 8 to the Renting Homes (Wales) Act 2016 and is subject to conditions, the landlord may give the contract-holder a possession notice specifying estate management Ground B before the conditions are met.

Restriction applicable to the estate management grounds (continued)

The landlord may not give the contract-holder a possession notice specifying estate management Ground G (accommodation not required by successor):

- (a) before the end of the period of **six months** starting with the day on which the landlord (or in the case of the joint landlords, any one of them) became aware of the previous contract-holder's death, or
- (b) after the end of the period of **12 months** starting with that day.

The landlord may not give the contract-holder a possession notice specifying estate management Ground H (departing joint contract-holder) after the end of the period of **six months** starting with the day on which the joint contract-holder's rights and obligations under the contract ended.

Restrictions applicable to the recovery of possession ground provided by sections 165, 170 and 191

The landlord may make a possession claim **on or after the day** on which the landlord gives the contract-holder a possession notice, but the landlord may not make a possession claim after the end of the period of **six months** starting with that day.

The landlord may not give the contract-holder a possession notice specifying the ground in section 165, 171 or 191 (as applicable) after the end of the period of **two months** starting with the date specified in any notice given under section 163 or 168 or the contract-holder's break clause (as applicable) as the date on which the contract-holder would give up possession of the dwelling.