

Landlord Information Pack

Property condition guaranteed - subject to general wear and tear, up to one and half months rent



Evicting a Tenant

New Rules, Risks, and Legal Obligations

Overview

Evicting a tenant is becoming one of the most complex and regulated aspects of property management. With the introduction of the Renters' Reform Bill, the abolition of Section 21 'no-fault' evictions and major reforms to Section 8, landlords must now follow a tightly defined legal route to regain possession of their property.

Even minor procedural errors can result in eviction notices being thrown out by the courts, leading to costly delays, potential rent loss, and damage to a landlord's credibility. This guide outlines the key changes, new legal obligations, and why professional support is essential.

Abolition of Section 21

The End of 'No-Fault' Evictions Under the Renters' Reform Bill:

- Landlords can no longer evict tenants simply because they choose to.
- All evictions must now proceed via Section 8, where a specific legal ground for possession is required.
- Tenants will have significantly more protection and stability in their homes.

The Updated Section 8 Framework:

The Government is expanding and revising Section 8 to support legitimate evictions while deterring misuse. Landlords will now need to understand:

1. Grounds for Possession There are two categories:

- Mandatory Grounds – If proven, the court must grant possession.
- Discretionary Grounds – The court will decide based on evidence and circumstances.

2. New and Modified Grounds Include:

- Ground 1B – Landlord or Family Member Moving In: The landlord or close family member needs to occupy the property.
- Ground 1C – Intention to Sell: Landlords may evict tenants to sell the property. However, they cannot re-let the property for 12 months after using this ground.
- Ground 8A – Repeated Rent Arrears: If a tenant has been two months in arrears on three occasions in three years, this ground applies, even if the arrears are cleared.
- Ground 14 – Anti-Social Behaviour: The definition has been expanded and the threshold lowered to speed up the process.
- Ground 8 – Current Rent Arrears: Remains a mandatory ground if rent arrears exceed two months at the time of the hearing.

3. Other Grounds Include:

- Breach of tenancy
- Neglect or damage to the property
- Unauthorised subletting

Changes to Notice Periods

Each ground has a specific notice period that must be adhered to:

- Selling the property (Ground 1C): Two months' notice
- Anti-social behaviour (Ground 14): Immediate notice
- Repeated arrears (Ground 8A): Four weeks' notice

Failing to use the correct notice period or paperwork can invalidate the entire process.

All Tenancies to Be Periodic

With fixed terms abolished, all tenancies will be periodic from the outset. Landlords will no longer be able to rely on contract end dates to regain possession. This significantly changes how and when landlords can plan to reclaim their property.

Strict Pre-Action Protocols

Landlords will be required to demonstrate they have attempted to resolve issues before court action, particularly in rent arrears and anti-social behaviour cases. These protocols include:

- Sending warning letters
- Offering payment plans
- Keeping accurate communication records

Legal Complexity and Court Delays

With more tenant protections, higher evidential standards, and stricter procedures, eviction is now a legal minefield:

- Courts may dismiss applications over technical or procedural flaws.
- Missing evidence or wrong forms could restart the entire process.
- Possession cases could be delayed for months or longer.

Why Self-Managing Landlords Are at Risk

Without in-depth legal knowledge and procedural accuracy, landlords risk:

- Loss of rent during drawn-out proceedings
- Rejected eviction applications
- Potential claims by tenants for unlawful eviction

Why Bates & Co Lettings Is Essential



Correct Notice Service: We use legally compliant notices tailored to the correct grounds.



Document Preparation: All paperwork and evidence are handled to court-ready standards.



Dispute Resolution: We mediate and resolve issues early to avoid escalation.



Court Representation: We support and prepare landlords for court appearances.



20+ Years of Experience: Our expertise reduces your risk and ensures full compliance every step of the way.

Next Steps

Speak to us today for an Eviction Risk Review or to discuss full property management support. Don't leave eviction to chance – let Bates & Co protect your property, income, and legal standing.