

Plans to ban no fault evictions - Landlords take note

Under new plans proposed, private landlords will not be able to evict tenants at short notice without good reason.

Under current legislation, landlords are able to evict tenants by serving a S.21 notice, most commonly known as “two month’s notice”. Landlords do not have to provide a reason for evictions provided they have complied with the necessary legal requirements, which go beyond placing the deposit in a scheme.

Under the proposed plans, landlords would have to provide concrete, evidenced reasons specified in law in order to bring the tenancy to an end. Unless the reasons can be demonstrated to the Court, possession may not be granted.

Currently, landlords use S.21 where the tenant is in breach of their tenancy agreement. The most obvious breach is that the tenant has not paid rent and the landlord’s losses are increasing on a daily basis. Further, if all the requirements have been met, the court must order possession.

It can take up to six months before the landlord’s claim for possession is heard and in my view the government should instead focus on improving the court system for such claims in order to minimise the losses incurred by landlords.

Evicting a tenant can be difficult and it is vitally important that you obtain expert legal advice at the outset. For specialist advice, please contact me on 01384 371622 or vy@wjclaw.co.uk.

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