



# Tenancy types and notices

## Information for landlords

### **This leaflet tells you about:**

- Assured shorthold tenancies
- Notice to seek possession
- Ending a tenancy when the fixed term has ended
- Ending a tenancy during the fixed term
- Seeking possession under section 21

### **Assured shorthold tenancies**

The contract tells you and the tenant how much rent the tenant will pay.

The agreement will state how long the fixed term lasts and who is responsible for repairs.

After the fixed term ends, you and the tenant can agree for a new fixed-term contract to be signed.

**Or**

You can also let the agreement become periodic; the contract automatically becomes a month-to-month rolling contract upon the expiry of the fixed term. The monthly rental period stays the same.

### **Notice to seek possession:**

After the fixed term, you and your tenant have the opportunity to renew the fixed term for a further six or twelve months. If you do not renew this, then the agreement will become periodic until you or your tenant serves a notice to end the tenancy.

### **Ending a tenancy when the fixed term has ended**

You must give your tenant at least two months' notice that you require possession. You can give the notice after four months into the fixed term, but the date you require possession must not be before the end of the fixed term, unless it is a 12-month contract and there is a break clause. However, this cannot expire before the first six months.

Any notice that you serve must state that you are seeking possession of your property under section 21 of the Housing Act 1988. The date you require possession should be on the last day of a tenancy period.

The form for this can be found [here](#)

## Ending a tenancy during the fixed term

You can only seek possession during the fixed term if a ground for possession applies, this is usually a breach of the tenancy agreement, but more information can be found on the government's website: [here](#)

You will need to obtain a court order to get a date for possession. A tenancy cannot be ended before four months of the initial fixed term have passed.

## Evicting your tenant once you have served a notice or have a possession order in place

You must follow a set process if your tenants have an assured shorthold tenancy:

1. Give your tenants a [Section 21 notice](#) if you want the property back after a fixed term ends. Give them a [Section 8 notice](#) if they have broken the terms of the tenancy.
2. Apply to the court for a [standard possession order](#) if your tenants do not leave by the date specified on the notice and they owe you rent. You can apply for an [accelerated possession order](#) if you're not claiming any unpaid rent.
3. Apply for a [warrant for possession](#) if your tenants still will not leave - this means bailiffs can remove the tenants from your property.

## Seeking possession under section 21

If the tenancy was created after 1 October 2015, you must use a specific form entitled:

[Form 6a: Notice seeking possession of a property let on an assured shorthold tenancy](#)

This can be found on the gov.uk website or call our team for more information.

Prescribed Documents that need to be provided to the tenant to make this notice valid:

- an Energy Performance Certificate (Reg 6(5), The Energy Performance of Buildings (England and Wales) Regulations 2012); and
- a gas safety certificate (Reg 36(6)(a), The Gas Safety (Installation and Use) Regulations 1998) if applicable to property.

- Landlords are required to provide the tenant a copy of the Department for Communities and Local Government's publication '[How to rent: the checklist for renting in England](#)' It is recommended to give this at the start of the tenancy.

If the tenancy was created before 1 October 2015, you do not need to use a 6a form but you must give at least two months' notice in writing. The notice dates will need to be in line with the rental period for the tenancy.

Tenancies that started before 1 October 2015 can also use the Form 6a, but please be aware in doing so you must also provide the prescribed documents above.

For more information please contact the Private Sector Housing Team by telephone on 01442 228000 or email [pshousing@dacorum.gov.uk](mailto:pshousing@dacorum.gov.uk)

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