

# Housing News Briefing

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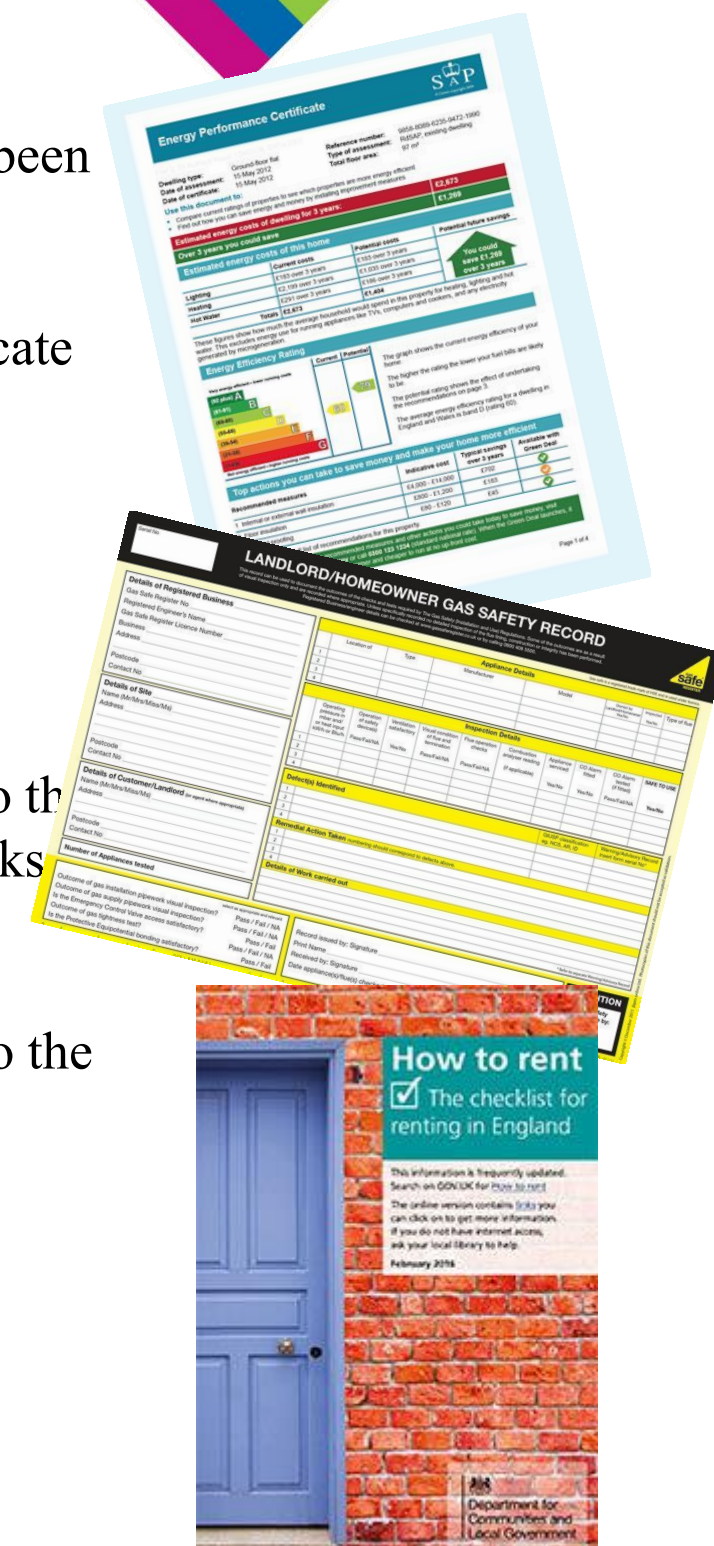
Homelessness Prevention Manager

# Additions to N5B

- Asking the Landlord to confirm that a valid energy performance certificate (EPC) has been given to the tenant and the date on which it was provided
- A requirement that, where necessary, a landlord provides proof that a gas safety certificate has been supplied to the tenant.
- Asking the landlord to confirm whether they are a private registered provider of social housing and, if not, providing proof that the 'How to Rent: the checklist for renting in England' has been provided to the tenant.
- A new check that the landlord has not been served with a 'relevant notice' in relation to the condition of the property under section 11, 12 or 40(7) of the Housing Act 2004 and asks for additional information where such a notice has been served.
- A new document checklist to confirm that all relevant documents have been attached to the claim form.

## Clarification:

- Use this form for ALL Claims for Possession (whatever the date of the tenancy)
- Landlords should use the new Defence Form 11B



# Claim Form



## Claim form for possession of a property located in England

(accelerated procedure)  
(assured shorthold tenancy)

Name of court	
Claim no.	
Fee Account no.	
Help with Fees - Ref no. (if applicable)	H W F - - - -

Is the property you are claiming possession of located wholly or partly in England?

☐ Yes ☐ No

If No, and the property is located wholly in Wales, use form 'NSB WALES'.

Seal

6. Is the property part of a house in multiple occupation?

☐ Yes ☐ No

If Yes, complete the following:

(a) The property is part of a house in multiple occupation and is required to be licensed under part 2 of the Housing Act 2004 and has a valid licence.

The licence was issued by  
(name of authority)

on

If the licence application is outstanding with the local housing authority, evidence of the application should be attached to this claim form marked 'D'.

Is the property required to be licensed under Part 3 of the Housing Act 2004?

☐ Yes ☐ No

If Yes, complete the following:

(b) The property is licensed under part 3 of the Housing Act.

The licence was issued by  
(name of authority)

on

If the licence application is outstanding with the local housing authority, evidence of the application should be attached to this claim form marked 'E'.



# Claim Form

8. Has the Claimant been served with a relevant notice in relation to the condition of the property or relevant common-parts under s.11 or 12 or 40(7) of the Housing Act 2004?

☐ Yes ☐ No

If Yes –

(a) on what date was the notice served?

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(b) has the operation of the relevant notice been suspended?

☐ Yes ☐ No

If Yes –

has the period of suspension ended?

☐ Yes ☐ No

on what date did the suspension end?

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(c) has the relevant notice been revoked under s.16 of the Housing Act 2004?

☐ Yes ☐ No

(d) has the relevant notice been quashed under paragraph 15 of Schedule 1 of the HA 2004?

☐ Yes ☐ No

(e) has a decision of the local housing authority not to revoke the relevant notice been reversed under paragraph 18 of Schedule 1 to the HA 2004?

☐ Yes ☐ No

# Claim Form

9. Has a valid energy performance certificate been given free of charge to the tenant? ☐ Yes ☐ No

If Yes –

(a) when was the tenant given the certificate?

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10. Is there any relevant gas fitting (including any gas appliance or installation pipework) installed or serving the premises?

☐ Yes ☐ No

If Yes –

(a) has a copy of the gas safety record been provided to the tenant?

☐ Yes ☐ No

(b) when was the tenant given a copy of the gas safety record?

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(c) if there is no relevant gas appliance in any room occupied by the tenant has the landlord displayed in a prominent position in the premises a copy of the gas safety record with a statement endorsed on it that the tenant is entitled to have their own copy of the gas safety record on request to the landlord at an address specified in the statement?

☐ Yes ☐ No

11. Is the landlord a private registered provider of social housing?

☐ Yes ☐ No

If No –

(a) has the tenant been given a copy of the then current document 'How to Rent: the checklist for renting in England'?

☐ Yes ☐ No

(b) If the answer to (a) is Yes –

(i) when was the document provided?

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(ii) how was the document provided?

☐ Hard copy ☐ Email

# Homeless Reduction Act 2017

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## Code of Guidance

6.34 Authorities should not adopt a blanket policy or practice on the point at which it will no longer be reasonable for an applicant to occupy following the expiry of a section 21 notice. As well as the factors set out elsewhere in this chapter, factors which may be relevant include the preference of the applicant (who may, for example, want to remain in the property until they can move into alternative settled accommodation if there is the prospect of a timely move, or alternatively to leave the property to avoid incurring a county court judgement that could affect their future housing prospects); the position of the landlord; the financial impact of court action and any build up of rent arrears on both landlord and tenant; the burden on the courts of unnecessary proceedings where there is no defence to a possession claim; and the general cost to the housing authority. Housing authorities will be mindful of the need to maintain good relations with landlords providing accommodation in the district.

6.35 Throughout any period that an applicant remains in occupation whilst the landlord pursues possession action the housing authority should keep the reasonable steps in the applicant's personalised housing plan under regular review, and maintain contact with the tenant and landlord to ascertain if there is any change in circumstances which affects whether or not it continues to be reasonable for the applicant to occupy



# Rent Guarantee Insurance

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## **Rent Guarantee Insurance**

Coming soon

Reduces risk to landlord

Premium paid by Croydon Council

Covers full rent and legal costs of eviction