**New rules on notices seeking possession**  
From 29 August 2020 landlords are required to give tenants at least 6 months notice seeking possession in most cases, however, there are significant exceptions.

In the Coronavirus Act 2020, the government changed the notice periods required before possession proceedings can be started. The Act has now been revised and notice periods have this week changed again. This note summarises what has changed. How much notice a tenant must have will depend on all of the following:

* when the notice was served
* the type of tenancy they have
* the reason/s the landlord is seeking possession.

For notice served before 26th March 2020, the usual rules for notices apply, for example, at least 2 months was required for a Section 21 Notice.

For notices served on or after 26th March 2020 and before 29th August 2020, the Coronavirus Act changed the rules so that a minimum 3 months notice is required in most cases.

**The new notice periods**  
The effect of the [new regulations](https://citizensadvice.us9.list-manage.com/track/click?u=f2e5709e33ab37630d8a8d4be&id=b00e1dc617&e=588bae1b2e) is that for notices served on or after 29th August 2020 until 31 March 2021, a minimum of 6 months notice is required in most circumstances, except as noted below. In some cases the position is now the same as it was pre-Coronavirus Act.

**Assured and Assured Shorthold tenancies**  
All Section 21 notices must be for at least 6 months and claims for possession need to be brought within 10 months from the date of issue of the notice.

For Section 8 Notices, a minimum of 6 months notice is required except:

* 3 months where only:
  + death of tenant (Ground 7) and/or
  + no right to rent (Ground 7B) and
* 4 weeks where only:
  + rent arrears or late payment of rent (Grounds 8, 10 and 11) where arrears are not less than 6 months and no other ground is relied on
* a period equivalent to a notice to quit (NTQ) where there is a periodic tenancy - this will usually be 4 weeks - for the mandatory ground for conviction of specified criminal offences (Ground 7A)
* 1 month where there is a fixed term tenancy for the mandatory ground for conviction of specified criminal offences (Ground 7A)
* 2 weeks where only:
  + domestic violence and perpetrator remains after the victim has left (Ground 14A)
  + the tenant has been convicted of an indictable offence at riot (Ground 14ZA)
  + tenancy granted on a false representation (Ground 17)
* no notice period:
  + for nuisance, annoyance, illegal or immoral use of the property (Ground 14), so long as not combined with 7A - see below.

**Secure tenancies**  
All notices must be for at least 6 months except:

* 4 weeks notice where only the following grounds are relied on:
  + rent arrears (Ground 1) where there are 6 months or more arrears and/or
  + the tenant has been convicted of an indictable offence at a riot (Ground 2ZA)
  + domestic violence where the victim has left and perpetrator remains (Ground 2A)
  + tenancy was obtained by false statement (Ground 5)
* No notice period required
  + antisocial behaviour including nuisance or annoyance (Ground 2)

**Introductory tenancies & demoted (former secure) tenancies**  
All notices must be for at least 6 months except:

* 4 weeks where there are allegations of antisocial behaviour which correspond with (secure tenancy) grounds 2ZA, 2A and 2 of Schedule 2 or  section 84A of Housing Act 1985.

**Protected/Statutory tenancies**  
All notices must be for at least 6 months except:

* 4 weeks notice for (Case 2 - rent arrears) but only where the arrears are over 6 months’ worth of rent
* 3 months notice where the tenant has no right to rent (Case 10A)

**Relying on multiple grounds which have different notice periods**  
Where a landlord intends to rely on two or more grounds with different notice period requirements, then they will have to give the greater notice period required, except, if relying on:

* Ground 2 for secure tenancies where no notice is required, or
* Ground 14 for Assured/Shorthold tenancies, where no notice is required, unless combined with 7A (see below).
* Ground 7A combined with any ground where there is a periodic tenancy - notice equivalent to a period for a notice to quit is required (usually this will be four weeks’)

Ground 7A combined with any ground where there is a fixed term tenancy -  one month notice needs to be given