



Ministry of Housing, Communities & Local Government

Notice seeking possession of a property let on an Assured Shorthold Tenancy (Form 6a)

This form should be used where a no fault possession of accommodation let under an assured shorthold tenancy (AST) is sought under section 21(1) or (4) of the Housing Act 1988.

This form must be used for all ASTs created on or after 1 October 2015 except for statutory periodic tenancies which have come into being on or after 1 October 2015 at the end of fixed term ASTs created before 1 October 2015.

The validity period of this form is six months following the date of its issue unless the tenancy is a periodic tenancy under which more than two months' notice is required, in which case the validity period is four months from the date the tenant is required to leave (see notes accompanying the form).

You cannot use this form:

in the first four months of the tenancy (but where the tenancy is a replacement tenancy, the four month period is calculated by reference to the start of the original tenancy and not the start of the replacement tenancy – see section 21(4B) of the Housing Act 1988);

where the landlord is prevented from retaliatory eviction under section 33 of the Deregulation Act 2015;

where the landlord has not provided the prescribed information and/or prescribed documents as set out below;

where the landlord has not complied with the tenancy deposit protection legislation;

where a property requires a licence but is unlicensed – see section 75 of the Housing Act 2004 which relates to Houses in Multiple Occupation (HMO); or

where the landlord is prevented under section 17 of the Tenant Fees Act 2019.
(No section 21 notice may be given in relation to a tenancy where a landlord has breached section 1(1) or Schedule 2 of that Act so long as all or part of the prohibited payment or holding deposit has not been repaid to the relevant person or applied to the rent or deposit with the consent of the relevant person.)

Prescribed Information

The landlord is required to provide a copy of the Ministry of Housing, Communities and Local Government's publication "How to rent: the checklist for renting in England" by providing a pdf copy (which may be obtained from www.gov.uk/government/publications/how-to-rent). We recommend that this should be given at the start of the tenancy. Landlords are not required to supply a further copy of the publication each time a different version is published during the tenancy.

Where the landlord has failed to provide the publication, this form may not be used. However, this restriction is lifted as soon as the publication has been provided.

The requirement does not apply where a landlord is a private registered provider of social housing or where a landlord has already provided the tenant with an up-to-date version of the booklet under an earlier tenancy.

If the tenant has not notified the landlord, or a person acting on behalf of the landlord, of an e-mail address at which the tenant is content to accept service of notices and other documents given under or in connection with the tenancy, the landlord must provide a paper copy of the publication.

Prescribed documents:

Where the landlord has failed to comply with certain existing legal obligations, this form may not be used. However, this restriction is lifted as soon as the obligations have been complied with. The obligations are the requirement on a landlord to provide the tenant with:

- 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)

The London County Court has upheld a decision that a section 21 notice could not be used to evict tenants if a valid gas safety certificate had not been issued at the start of the tenancy. The ruling confirmed that issuing the certificate after the tenancy commenced would not remedy this. While this ruling is not binding outside of central London it is likely to be followed by other courts.

This ruling does not prevent a landlord from using a section 8 notice to evict tenants who have broken the terms of their tenancy.

Tenants that need advice about this notice, and what to do about it, should take it immediately to Citizens Advice, a housing advice centre, a law centre or a solicitor.

Tenants can also get expert, independent advice free from Shelterline on 0808 800 4444. Their advisers will be able to give expert advice, independent advice.