**Delete drafting notes in red text before serving**

**Notice requiring possession under section 21 of the Housing Act 1988 (Wales)**

To: [NAME OF TENANT] of [ADDRESS] (**Tenant**)

From: [NAME OF LANDLORD] of [ADDRESS OR REGISTERED OFFICE DETAILS AS APPROPRIATE] (**Landlord**)

Housing Act 1988

1.1

**[Section 21(1)(b) OR Section 21(4)(a)]**

**Assured Shorthold Tenancy: Notice Requiring Possession**

**[Fixed term tenancy OR Periodic tenancy]**

***Landlord and tenant***

* Just one joint landlord can serve the section 21 notice (*sections 21(1)(b) and 21(4)(a), HA 1988*) but all joint landlords should be party to any subsequent possession proceedings (*CPR 19.3*).
* Where there are joint tenants the landlord must give the notice to all of them (*section 45(3)*, *HA 1988*).

Premises: [DETAILS OF PREMISES] [as demised by the tenancy agreement dated [DATE OF TENANCY AGREEMENT] made between [PARTIES TO THE LEASE]].

***Tenancy agreement***

*If the AST was not the subject of a written agreement, then the relevant wording can be deleted. If there is no written tenancy agreement, the landlord cannot use the accelerated possession procedure.*

We/I, [NAME OF LANDLORD **OR** NAME AND ADDRESS OF SOLICITORS OR AGENTS SERVING NOTICE ON BEHALF OF THE LANDLORD, for and on behalf of the Landlord,] give you notice that we/I/the Landlord require(s) possession of the Premises by virtue of section [21(1)(b) **OR** 21(4)(a)] of the Housing Act 1988 after [INSERT DATE **OR** the day on which a complete period of your tenancy expires next after the end of two months from the service of this notice].

***Date of possession***

*The date to be specified will depend on whether the landlord is serving notice under section 21(1) or section 21(4) of the HA 1988.*

*The landlord should allow time for service of the notice to be properly effected.*

*Notice under section 21(1) of the HA 1988*

* *The notice does not need to expire on a particular day, but the landlord must give the tenant at least two months' written notice that the landlord requires possession of the property.*
* *The landlord can serve the notice before the fixed term of the tenancy expires, to take effect on the date the tenancy expires . This is subject to the rule that no order for possession will take effect earlier than six months after the beginning of the original tenancy.*

*Notice under section 21(4) of the HA 1988*

* *The landlord must give the tenant at least two months' written notice that the landlord requires possession of the property. The notice must expire on the last day of a tenancy period specifying that possession is required* ***after*** *that day.*
* *The landlord does not have to specify a calendar date in the notice however, and many landlords instead use a formula approved by the Court of Appeal in Lower Street Properties v Jones [1996] 28 HLR 877. The approved wording is set out above as optional wording. The landlord can also use this formula in addition to specifying a date.*

*If the landlord uses the Lower Street formula, it is advisable to state in the covering letter to the claim form that the formula was approved in Lower Street Properties v Jones [1996] 28 HLR 877 and Notting Hill Housing Trust v Roomus [2006] EWCA Civ 407, in case the district judge is unfamiliar with the formula.*

SIGNED: .............................................

[NAME OF LANDLORD **OR** NAME OF SOLICITORS, solicitors for and on behalf of [LANDLORD]]

[ADDRESS OF LANDLORD'S SOLICITORS]

DATED: .............................................