

Form 6A has been changed to reflect new legislation which came into force on 26 March 2020. This version should be used by landlords in England up to 30 September 2020.

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

During the coronavirus outbreak, we would strongly advise landlords not to commence or continue eviction proceedings without a very good reason to do so. For more information please see our government guidance on renting and the coronavirus, which is available at <https://www.gov.uk/government/publications/covid-19-and-renting-guidance-for-landlords-tenants-and-local-authorities>.

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.

From 26 March 2020 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 AST's created before 1 October 2015.

The minimum period of notice which must be given in respect of an AST while the relevant provisions of the Coronavirus Act are in force is three months.

This form is valid for six months following the date of its issue unless the tenancy is a periodic tenancy under which more than three months' notice is required, in which case it is valid for four months from the date the tenant is required to leave (see notes section on form 6a).

You cannot use this form if:

- it's less than 4 months since the tenancy started
- The property is a house in multiple occupation and requires a licence under Part 2 of the Housing Act 2004 S55 – unless a temporary exemption applies, an application for a licence has been made and is still effective or the landlord has notified their local authority that they are seeking a temporary exemption and that notification is still effective (This applies even if a licence application or notification could not be made due to COVID-19 outbreak).
- The property is other residential accommodation and requires a licence under Part 3 of the Housing Act 2004 S79 - unless a temporary exemption applies, an application for a licence has been made and is still effective or the landlord has notified their local authority that they are seeking a temporary exemption and that notification is still effective (This applies even if a licence application or notification could not be made due to COVID-19 outbreak).
- the tenancy was granted on or after 6 April 2007 or is a statutory periodic tenancy that arose on or after that date and the landlord has not complied with the relevant [tenant deposit protection legislation](#)
- the council has served an improvement notice or an emergency remedial notice in the last 6 months
- the landlord has not repaid any unlawful fees or deposits they charged the tenant - read the guidance for landlords on the [Tenant Fees Act 2019](#)

Prescribed Information

This section applies to tenancies which started on or after 1 October 2015

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" (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, the section 21 possession procedure (for which this form is used to give notice) 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:

This section applies to tenancies which started on or after 1 October 2015

Where the landlord has failed to comply with certain existing legal obligations, the section 21 possession procedure (for which this form is used to give notice) may not be used. 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) if the property has gas appliances installed.

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.

What to do if this notice is served on you

If you have been served with this notice and are unsure how to respond, you should seek advice as soon as possible.

Tenants can get free, independent, expert advice by getting into contact with:

- the housing charity Shelter on Shelterline on 0808 800 4444, or use their webchat service at https://england.shelter.org.uk/get_help/webchat
- Citizens Advice, by contacting their Adviceline on 03444 111 444 or chatting with an Adviser online at <https://www.citizensadvice.org.uk/about-us/contact-us/contactus/web-chat-service/>