

Defence form

(accelerated possession procedure) (assured shorthold tenancy) where the property is located wholly or partly in England

Name of court

Claim no.

Name of claimant
(including any reference)

To the Defendant

Please read the claim form and all papers delivered with it before completing this form.

Some of the questions in this form refer to numbered sections in the claim form.

You will find it helpful to have that open as you answer them.

If you cannot give exact dates, make it clear that the dates given are approximate.

In all cases you must complete and sign the statement of truth.

Please write clearly and in black ink. If there is not enough room for an answer, continue on the last page.

Name of defendant
(including any reference)

Please w The Tenancy Agreement

1. Are you the tenant or one of the tenants named in the tenancy agreement, marked 'A' (or 'A1', 'A2' etc), attached to the claim form or (if more than one is attached) the most recent of those tenancy agreements?

Yes

No

Does that tenancy agreement set out the present terms of your tenancy?

Yes

No – say what terms have changed and what the changes are

2. Do you agree the date, in section 6 of the claim form, when the claimant says the tenancy began?

Yes

No, the tenancy began on

Day Month Year

3. Do you agree with what is said in section 9a–9g of the claim form?

Yes

No – say why you disagree with any of the statements made:

The s.21 Notice

4. Did you receive the notice (a copy of which is attached to the claim form and marked 'B') and, if so, when?

Yes, please give date

Day Month Year

No

Don't know

5. Do you agree with the rest of what is said in section 10 of the claim form about the s.21 Notice?

Yes

No – what do you disagree with and why?

Licensed properties: Houses in Multiple Occupation and Selective Licensing

6. Do you agree that what is said in section 11 of the claim form about licensing of the property is correct?

Yes

No – what do you disagree with and why?

The Tenancy Deposit

7. Do you agree that what is said in section 12 of the claim form, about whether a deposit was paid, is correct?

Yes

No – what do you disagree with and why?

8. Do you agree that what is said in section 13 of the claim form (about the deposit being returned) is correct?

Yes

No – what do you disagree with and why?

9. Do you agree that what is said in section 14 of the claim form (about receiving the prescribed information) is correct?

Yes

No – what do you disagree with and why?

Retaliatory eviction, energy performance certificate, gas safety records and 'How to Rent'

10. Do you agree that what is said in section 15 of the claim form (about any complaint to the Local Authority about the condition of the property) is correct?

Yes

No – what do you disagree with and why?

11. Did you receive the energy performance certificate referred to in section 16 of the claim form, (a copy of which is attached to the claim form and marked 'F')?

Yes, please give date

Day Month Year

No

Don't know

12. Do you agree that what is said in section 17 of the claim form (about whether there are gas fittings in or serving the property) is correct?

Yes

No – what do you disagree with and why?

13. Did you receive the gas safety record(s) referred to in section 17a and section 17b of the claim form, (a copy of which is attached to the claim form and marked 'G', 'G1', 'G2' etc)?)

Yes, please give the date when you received the first record

Day Month Year

Please give the date(s) when you received any further records.

No

Don't know

14. Do you agree that what is said in section 17c of the claim form (about any notice being displayed in the premises) is correct?

Yes

No – what do you disagree with and why?

15. Do you agree with the Claimant's answer to section 18?

Yes

No

16. Do you agree with the Claimant's answer to section 18a?

Yes

No

Not applicable

17. If the Claimant has completed section 18b–18d, have you received the document 'How to Rent' marked 'H'?

Yes, please give the date when you received it

Day Month Year

This document was

A paper copy

An email – (with your prior agreement)

No

Don't know

Prohibited payments and holding deposits

18. Did you make any payment to the Landlord before entering into the tenancy agreement other than rent or a deposit?

Yes, what was the payment for?

No

19a. If you have answered Yes to question 18, has the money been repaid in full?

Yes, it was repaid on

Day Month Year

No, in which case have you agreed to that money (or any part of it which has not been repaid to you) being used for rent or a deposit?

Yes, it was agreed on

Day Month Year

No

Other information

- 20.** If there is some other reason, not covered above, why you say the claimant is not entitled to recover possession of the property, please explain it here.

Postponement of possession

21. Are you asking the court, if it makes a possession order, to allow you longer than 14 days to leave the property because you would suffer exceptional hardship?

Yes, please explain why the hardship you would suffer would be exceptional.

Say how long you wish to be allowed to remain in the property.

I wish to stay in the property until

Day Month Year

Note – The court cannot allow more than 42 days after the order is made.

No

Payment of costs

22. If the court orders you to give possession, do you agree that you should be ordered to pay the claimant's costs?

Yes

No, what do you disagree with and why?

23. If the court orders you to pay the claimant's costs, do you ask it to allow you more than 14 days to pay?

Yes, give details of your means
(continue on last page if necessary)

No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I believe that the facts stated in this defence and any continuation sheets are true.

The Defendant(s) believe(s) that the facts stated in this defence and any continuation sheets are true. **I am authorised** by the Defendant(s) to sign this statement.

Signature

Defendant

Litigation friend (where Defendant is a child or a protected party)

Defendant's legal representative (as defined by CPR 2.3(1))

Date

Day Month Year

Defendant's date of birth

Day Month Year

Full name

Name of defendant's legal representative's firm

If signing on behalf of firm or company, give
position or office held

Defendant's or defendant's solicitor's address to
which documents should be sent

Building and street

Second line of address

Town or city

County (optional)

Postcode

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If applicable Ref. no.

DX no.

Email

Phone no.

Additional Information Claim no.

Include the number of the section which is being continued or to which the information relates.

Signature

Date

Day Month Year

If necessary, continue on a separate sheet,
remembering to sign and date it and heading
it with the Claim number