



Department for Levelling Up, Housing & Communities

These notes are in relation to the form prescribed by SI 2021/994 which came into force on 1 October 2021.

Guidance notes for landlords and tenants

This guidance note is advisory and is designed to help landlords and tenants understand their rights and responsibilities in relation to Notice requiring possession of a property in England let on an Assured Shorthold Tenancy (Form 6A)

Notice requiring possession of a property in England let on an Assured Shorthold Tenancy (Form 6A)

This form (or a document setting out the same information) must be used where possession of accommodation let under an assured shorthold tenancy (AST) is sought under section 21(1) or (4) of the Housing Act 1988.

The minimum period of notice that must be given in respect of an AST under section 21(1) or (4) of the Housing Act 1988 is two months. A longer period may be required under the terms of a periodic tenancy agreement.

Where the tenant is entitled to the statutory 2 months' notice, the completed form can be relied upon to commence possession proceedings for a period of 6 months beginning with the day it is given to the tenant. Where the tenant is entitled to a longer notice period under the terms of a periodic tenancy agreement, the completed form can be relied upon for a period of 4 months beginning with the date specified in section 2 of the form as being the date after which possession is required.

Further information about this notice and the possession process can be found at: <https://www.gov.uk/government/publications/understanding-the-possession-action-process-guidance-for-landlords-and-tenants>.

You cannot use this form:

- if it's less than 4 months since the tenancy started
- the property is a house in multiple occupation (HMO) and requires a licence under Part 2 of the Housing Act 2004, Section 55 – unless the person having control of or managing the HMO has given to the local authority a notification in relation to a temporary exemption, or an application for a licence has been made, and that notification or application remains effective.
- the property is other residential accommodation and requires a licence under Part 3 of the Housing Act 2004, Section 79 – unless the person having control of or managing the HMO has given to the local authority a notification in relation to a temporary exemption, or an application for a licence has been made, and that notification or application remains effective)
- 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 local authority has served an improvement notice or an emergency remedial notice in relation to hazards at the property within the last 6 months
- prohibited payments or a holding deposit were taken from the tenant and have not been repaid - 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 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 although it is good practice. 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 to provide a copy of “How to rent: the checklist for renting in England” does not apply where a landlord is a private registered provider of social housing or where the tenant entered into occupation of the property under a previous tenancy and the landlord has already provided the tenant with an up-to-date version of the guidance.

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 guidance.

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 current gas safety certificate (Reg 36(6)(a), the Gas Safety (Installation and Use) Regulations 1998) if the property has gas appliances installed.

What to do if this notice is served on you

If you have been served with this notice **you should seek advice as soon as possible**. If you are in danger of becoming homeless, you should contact your local authority for support. You can find your local authority at: <https://www.gov.uk/find-local-council>

You can get free, independent, expert advice through the **Housing Loss Prevention Advice Service (HLPAS)**. A housing law expert will be able to discuss your next steps and options. They can also provide legal advice on connected issues such as housing disrepair, rent arrears, welfare benefits payments and debt. They will be able to represent you in court if there is a hearing.

For more information and to find a legal expert in your area please visit the HLPAS website: <https://www.gov.uk/guidance/legal-aid-for-possession-proceedings>

You can also contact Civil Legal Advice (CLA), who may be able to direct you to legal advice on other housing and debt matters:

- **Website** <https://www.gov.uk/civil-legal-advice>
- **Phone** 0345 345 4345 - Monday to Friday, from 9am to 8pm and Saturday from 9am to 12:30pm;
- **Text** You can also text 'legalaid' and your name to 80010 to ask the CLA to call you back. It costs the same as a normal text message.

You can also find a list of local experts by typing in your postcode and ticking the box 'Housing' at: find-legal-advice.justice.gov.uk.

Alternatively, you can also get free, independent expert advice by contacting:

- the housing charity Shelter 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/contact-us/web-chat-service/>

If you are a debtor who is in a 'breathing space', you have a duty to inform your debt advice provider of any material change in your circumstances, so you should let them know that you have received this notice.

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