

Canllawiau ar gyfer llenwi manylion y ffurflen hawlio (adeilad preswyl ar rent)

Mae'r nodiadau isod yn rhoi arweiniad gam wrth gam i lenwi ffurflen N119. Maent yn dweud wrthydd chi pa wybodaeth sydd ei hangen ar gyfer pob un o'r paragraffau sydd wedi'u rhifo ar y ffurflen.

1. Rhowch cyfeiriad llawn yr eiddo rydych chi'n ceisio meddiant ohono.
2. Enwch bob person, hyd eithaf eich gwybodaeth, sydd â meddiant o'r eiddo.

Am y denantiaeth

3. (a) Nodwch y math o denantiaeth (e.e. penodedig, byrddaliad penodedig), a pha bryd y dechreuodd y denantiaeth honno.

(b) Rhowch fanylion ynghylch faint o rent y cytunwyd arno a pha bryd y mae'n daladwy.

(c) Rhowch faint o rent a godir yn ddyddiol.

4. (a) Os ydych chi'n hawlio meddiant am fod y rhent heb ei dalu, nodwch fanylion faint o rent sy'n ddyledus hyd at adeg codi'r hawliad, gan gynnwys datganiad rhent sy'n dangos sut y cododd yr ôl-ddyledion hyn. Rhaid i chi roi digon o fanylion i gefnogi eich hawliad am feddiant. Nodwch y manylion yn unol â Pharagraff 2.3 y Cyfarwyddyd Ymarfer sy'n cyd-fynd â Rhan 55 y Rheolau Trefn Sifil h.y. hanes ôl-ddyledion rhent o 2 flynedd cyn dyddiad codi'r hawliad neu ddyddiad cyntaf y diffyg dalu os yw'n llai na 2 flynedd. Os dibynnir ar hanes hirach, dylid nodi hyn ym manylion yr hawliad ac atodi'r hanes i ddatganiad tyst.

(b) Os ydych chi'n hawlio meddiant ar sail yr ôl-ddyledion rhent yn unig, dilëwch y paragraff hwn. Rhowch fanylion os yw'r diffynnydd wedi methu â chydymffurfio gydag unrhyw delerau eraill yn y cytundeb tenantiaeth.

(c) Llenwch y paragraff hwn os ydych chi'n hawlio meddiant ar sail arall ar wahân i'r ôl-ddyledion rhent neu doriad o amodau'r denantiaeth. Fel arall, dilëwch y paragraff hwn.

Notes for guidance on completing particulars of claim form (rented residential premises)

The following notes are a step by step guide to completing form N119. They tell you what information is needed for each of the numbered paragraphs in the form.

1. Give the full address of the premises of which you are seeking possession.
2. Name each person, to the best of your knowledge, in possession of the premises.

About the tenancy

3. (a) State the type of the tenancy (e.g. assured, assured shorthold) and when it began.

(b) Give details of how much the agreed rent is and when it is payable.

(c) Give the daily rate at which rent is charged.

4. (a) If you are claiming possession because the rent has not been paid, set out details of how much rent is outstanding up to the time the claim is issued, including a rent statement showing how the arrears arose. You must give sufficient detail to support your claim for possession. Set out the details in accordance with Paragraph 2.3 of Practice Direction accompanying Part 55 of the Civil Procedure Rules i.e. rent arrears history of 2 years preceeding date of issue or first date of default if less than 2 years. If a longer history is relied on, this should be stated in particulars of claim and the history exhibited to a witness statement.

(b) If you are claiming possession on the grounds of rent arrears only, delete this paragraph. Give details if the defendant has failed to comply with any other terms of the tenancy agreement.

(c) Complete this paragraph if you are claiming possession on a ground other than rent arrears or breach of tenancy. Otherwise delete it.

5. Rhowch fanylion llawn y camau a gymerwyd i adfer unrhyw ôl-ddyledion. Os cynhaliwyd unrhyw achos llys yn y gorffennol, rhowch ddyddiad ei ddechrau a'i orffen a thelerau unrhyw orchymyn (orchmynion) a wnaethpwyd.
6. Rhowch y dyddiad pan roddwyd yr hysbysiad i adael, yr hysbysiad o doriad o amodau'r les, neu'r hysbysiad ceisio meddiant i'r diffynnydd. Dilêwch y geiriau mewn cromfachau i ddangos pa fath o hysbysiad a gyflwynwyd.

Os ydych chi'n awdurdod lleol ar ymddiriedolaeth gweithredu tai a'ch bod yn hawlio meddiannu eiddo a osodir ar denantiaeth israddedig, rhaid i chi amgau, gyda manylion yr hawliad, gopi o'r rhybudd o achos dan Adran 143E Deddf Tai 1996.

Am y diffynnydd

7. Rhowch unrhyw fanylion a wyddoch am sefyllfa ariannol y diffynnydd neu ei amgylchiadau fel arall. Dywedwch yn benodol:
 - a oes budd-dal tai'n cael ei dalu i chi neu i'r diffynnydd;
 - a oes arian yn cael ei dynnu o fudd-daliadau'r diffynnydd, tuag at yr ôl-ddyledion. Os oes, dywedwch faint.

Am yr hawlydd

8. Dilêwch y paragraff hwn os nad ydych chi am roi manylion eich sefyllfa ariannol chi neu eich amgylchiadau fel arall i gefnogi'r hawliad meddiannu.

Fforffedu

9. (a) Dilêwch y paragraff hwn os nad oes dim islesai neu forgeisai.

(b) Os oes, rhowch enw a chyfeiriad y person hwnnw, a ffeiliwch, yn y llys, gopi ychwanegol o fanylion yr hawliad i gyflwyno i'r person hwnnw.

Beth y gofynnir i'r llys ei wneud

10. Dilêwch baragraffau (a) i (d) fel sy'n briodol.
11. Ticiwch fel sy'n briodol.

5. Give full details of steps taken to recover any arrears. If there have been previous court proceedings, give the date they were started and concluded and the terms of any order(s) made.
6. Give the date the notice to quit, notice of breach of lease, or notice seeking possession was given to the defendant. Delete the words in brackets to show which type of notice was served.

If you are a local authority on housing action trust and are claiming possession of premises let on a demoted tenancy, you must attach to the particulars of claim a copy of the notice of proceedings under Section 143E of the Housing Act 1996.

About the defendant

7. Give what details you know of the defendant's financial and other circumstances. Say in particular whether:
 - housing benefit is being paid to you or to the defendant;
 - deductions are being made from the defendant's benefits, towards the arrears. If so, say how much.

About the claimant

8. Delete this paragraph if you do not wish to give details of your financial and other circumstances to support the claim for possession.

Forfeiture

9. (a) Delete this paragraph if there is no underlessee or mortgagee.

(b) If there is, give that person's name and address and file, in court, an additional copy of the particulars of claim for service on that person.

What the court is being asked to do

10. Delete paragraphs (a) to (d) as appropriate.
11. Tick as appropriate.

Hawliad Israddio/Atal

Os ydych chi'n hawlio israddio tenantiaeth neu orchymyn yn atal yr hawl i brynu fel opsiwn arall yn lle meddiannu, rhaid i chi gwblhau paragraffau 12-15

12. Nodwch o dan ba adran y gwneir yr hawliad.
13. Nodwch a ydych chi'n awdurdod lleol, yn ymddiriedolaeth gweithredu tai neu'n landlord cymdeithasol cofrestredig neu os yw'n briodol (yn achos hawliadau atal yn unig) categori arall o landlord.
14. Os ydych chi wedi cyflwyno i'r tenant ddatganiad o delerau penodol y denantiaeth a fydd yn berthnasol i'r denantiaeth israddedig, rhaid i chi nodi'r manylion.
15. (a) Nodwch fanylion yr ymddygiad honedig ac unrhyw faterion eraill y dibynnir arnynt.

Datganiad gwirionedd:

- Rhaid i chi, eich twrnai neu eich cyfaill cyfreitha, fel sy'n briodol, lofnodi hwn. Lle bo'r hawlydd yn gwmni cofrestredig neu'n gorfforaeth, rhaid i'r ffurflen hawlio gael ei lofnodi naill ai gan gyfarwyddwr, trysorydd, ysgrifennydd, prif weithredwr, rheolwr neu un o swyddogion eraill y cwmni neu (os yw'n gorfforaeth) y maer, y cadeirydd, y llywydd neu glerc y dref.
- Gellir dwyn achos dirmyg llys yn erbyn unrhyw un sy'n lofnodi datganiad gwirionedd heb gredu'n onest ei fod yn wir.

Demotion/Suspension claim

If you are claiming demotion of tenancy or an order suspending the right to buy in the alternative to possession, you must complete paragraphs 12-15

12. Specify under which section the claim is made.
13. Indicate whether you are a local authority, housing action trust or registered social landlord or if appropriate (in the case of suspension claims only) other category of landlord.
14. If you served on the tenant a statement of express terms of the tenancy which are to apply to a demoted tenancy, you must set out the details.
15. (a) State details of the conduct alleged and any other matters relied upon.

Statement of truth:

- This must be signed by you, by your solicitor or your litigation friend, as appropriate. Where the claimant is a registered company or a corporation the claim form must be signed by either a director, treasurer, secretary, chief executive, manager or other officer of the company or (in the case of a corporation) the mayor, chairman, president or town clerk.
- Proceedings for contempt of court may be brought against any person who signs a statement of truth without an honest belief in its truth.