

Your Tenancy Agreement

with the Council and grounds for possession



Why your Tenancy Agreement is important



Your tenancy agreement is more than just a document you sign when you move into your home. It sets out both your rights and responsibilities as our tenant, and our obligations as your landlord. By following the terms of your agreement, you protect your tenancy, avoid unnecessary stress, and build a positive relationship with your landlord.

You can find a copy of your agreement on the Council's web page www.cannockchasedc.gov.uk/tenancyagreement.

If you have not already read your agreement, please do so, understanding your responsibilities can avoid problems and protect your tenancy.

How we can help



If you find yourself struggling to maintain your tenancy, pay your rent or comply with the conditions of your agreement, our advice is always to speak to either our Income Management Team, Neighbourhoods Team or Tenancy Sustainment officers. We can help you through difficulties you are having with your tenancy or refer you to our partner agencies who can support you.

If you breach your tenancy agreement, the Council can take legal action to regain possession of your property, by applying to court for an order for possession for any of the valid reasons set out in the Housing Act 1985 (these are called grounds).

The court will only grant a possession order if the Council can prove it has a valid reason to ask for possession. For some of the reasons the Council also has to prove it is reasonable for the court to make a possession order or that there is suitable alternative accommodation available for you, or both.

The grounds under which the Council can apply for a Possession Order fall into two categories: "Mandatory" (the court must grant possession if proven) and "Discretionary" (the court decides based on the circumstances). Below are the most common grounds upon which the Council seeks possession. A full list of grounds can be found in sections 84, 84A and Schedule 2 of the Housing Act 1985





Grounds on which the court may order possession (if it considers reasonable)

Ground 1 | Rent Arrears (or other breach of the Tenancy Agreement)

The tenant has failed to pay rent or broken a condition of the tenancy agreement.

Ground 2 | Anti Social Behaviour / Conviction for Serious Offence

The tenant, a household member, or a visitor is convicted of a serious criminal offence (e.g. violence, sexual offences, or drug-related crimes) which were committed in the locality.

Ground 2A | Domestic Violence

The tenant has caused Domestic Violence towards a partner that caused them to flee the home.

Ground 3 | Deterioration of Property

The tenant or visitors to the property have caused the property to deteriorate by their neglect or acts of damage.

Ground 4 | Deterioration of Furniture

The tenant or visitors to the property have caused damage to the landlord's furniture.

Ground 5 | False Statement

The tenant has provided false information to obtain a tenancy fraudulently. For example, already owning a property elsewhere which the tenant has failed to declare on the application for housing.



Grounds on which the court may order possession (if suitable alternative accommodation is available)

Ground 9 | Overcrowding

The property is overcrowded.

Ground 10 | Works Required

Landlord needs possession to carry out major works or demolish the property.

Ground 10a | Demolition / Redevelopment

The Council requires the tenant to leave the property to complete extensive works for safety reasons or redevelopment. In these circumstances an alternative suitable property will be offered.



Grounds on which the court may order possession

(if it considers it reasonable and suitable alternative accommodation is available)

Ground 13 | Suitable Alternative Accommodation

The home was specifically adapted for a tenant with physical disabilities or medical needs who is no longer resident. In these circumstances the Council requires the property to offer to re-let to someone requiring the adaptations.

Ground 15 | Property suitable for a person with Special Needs

The property is specialised for persons with special needs and the landlord requires the property for a person with those needs.

Ground 15a & Ground 16 | Tenancy obtained through Succession and is more extensive than required

A person has succeeded a tenancy but the property is more extensive (or larger) than their needs. For example, only 2 people left residing in a 3 bedroomed property.

Cannock Chase Council

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This leaflet can be provided in **large print** on request to
Cannock Chase Council on **01543 462621**.

