



# New Section 8 Grounds for Possession: Guide for Landlords

## Are you looking for clear guidance on the new Section 8 grounds for possession?

With the [Renters' Rights Act](#) scheduled to come into force on 1 May 2026, major changes are on the way. This legislation is the most significant reform of the private rented sector in more than 30 years. It will affect every landlord in England and Wales.

On this page, we explain the new rules in a way that's easy to follow.

You'll find:

- Seven key changes every landlord should understand
- A full overview of all new possession grounds, including notice periods
- Answers to the most common questions landlords are asking

Whether you're preparing for the transition or reviewing how the rules apply to an existing tenancy, this guide is designed to help you get informed and stay compliant before the changes take effect.

## 7 Key Changes Under the Renters' Rights Act 2026

With the Renters' Rights Act taking effect from May 2026, the headline reform is the abolition of Section 21.

This removal means landlords will no longer be able to end a tenancy without stating a legal reason. From this point forward, all possession claims must be made under the revised Section 8 framework.

But the end of Section 21 is only part of the story.

Alongside this change, the Act introduces a series of reforms that affect tenancy structure, rent increases, notice periods, compliance obligations and the way landlords can regain possession.

Below is a summary of the key changes landlords need to be aware of.

*NOTE: For a full breakdown of every new ground for possession, see the next section.*

### 1. Evictions and Possession Process

- Section 21 "no-fault" evictions are abolished.
- A 12-month protected period applies before a landlord can use sale or move-in grounds.
- Four months' notice is required when using sale or move-in grounds.
- Threshold increased to 3 months' arrears and the notice period extended to 4 weeks (previously 2 weeks at 2 months' arrears).



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## 2. Tenancy Structure

- Fixed-term tenancies will largely disappear.
- All tenancies become periodic and roll monthly by default.
- Rent periods cannot exceed one month.
- Tenants can end their tenancy with two months' notice.

## 3. Rent Rules

- Rent can only be increased once every 12 months and only in line with market rents.
- All rent increases must follow the Section 13 process.
- Tenants may challenge increases at the First-tier Tribunal, which can adjust or delay the increase.

## 4. Pets

- Requests to keep pets cannot be unreasonably refused, and landlords must respond within 28 days.

## 5. Student Accommodation

- A new specific ground (Ground 4A) applies to full-time student HMOs, with strict timing and notice rules.

## 6. Fees

- Upfront rent is capped at one month's payment.
- Clauses requiring further advance rent during the tenancy are unenforceable.

## 7. Enforcement and Compliance

- Local authorities will be responsible for enforcing the new rules.
- Fines for breaches will range from £7,000 to £40,000 for serious or repeat offenders.

## New Section 8 Grounds for Possession: Complete Overview

The Renters' Rights Act introduces a completely revised structure for [Section 8 possession claims](#).

To help landlords understand how the process will work in practice, the full list of grounds is set out below, along with a summary of how long tenants must be given before proceedings can begin.

Before looking at the individual grounds, the first table outlines the new notice periods that now apply depending on the reason for seeking possession.



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## Grounds for Possession – Notice Periods

| Ground(s) Specified in Notice                   | Notice Period                                                |
|-------------------------------------------------|--------------------------------------------------------------|
| 1, 1A, 1B, 2, 2ZA, 2ZB, 2ZC, 2ZD, 4A, 6, 6A, 6B | Four months beginning with the date of service of the notice |
| 5, 5A, 5B, 5C, 5D, 5H, 7, 9                     | Two months beginning with the date of service of the notice  |
| 5E, 5F, 5G, 8, 10, 11, 18                       | Four weeks beginning with the date of service of the notice  |
| 4, 7B, 12, 13, 14ZA, 14A, 15, 17                | Two weeks beginning with the date of service of the notice   |

## Overview of New Mandatory Grounds for Possession

Mandatory grounds are those where the court **must** grant possession – provided a landlord can prove the ground applies.

These grounds include situations such as the landlord wishing to sell the property, move back in, serious rent arrears or certain compliance, redevelopment and student accommodation scenarios.

| Ground | Summary                                                                                                                                                                                                | Notice Period |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 1      | Occupation by landlord or family. The landlord or their close family member wishes to move into the property. Cannot be used for the first 12 months of a new tenancy and cannot re-let for 12 months. | 4 months      |
| 1A     | Sale of dwelling-house. The landlord wishes to sell the property. Cannot be used for the first 12 months of a new tenancy.                                                                             | 4 months      |

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|            |                                                                                                                                                                                                                              |                 |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>1B</b>  | <b>Sale of dwelling-house under rent-to-buy. The landlord is a private registered provider of social housing and the tenancy is under a rent-to-buy agreement.</b>                                                           | <b>4 months</b> |
| <b>2</b>   | <b>Sale by mortgagee. The property is subject to a mortgage and the lender exercises a power of sale requiring vacant possession.</b>                                                                                        | <b>4 months</b> |
| <b>2ZA</b> | <b>Possession when superior lease ends. Can only be used by a private registered provider of social housing, agricultural landlords, supported accommodation providers or a company majority owned by a local authority.</b> | <b>4 months</b> |
| <b>2ZB</b> | <b>Possession when superior lease ends. The landlord's lease is under a superior tenancy that is coming to an end or has ended and the superior lease was a fixed term over 21 years.</b>                                    | <b>4 months</b> |
| <b>2ZC</b> | <b>Possession by superior landlord. Used when the superior landlord becomes the direct landlord after a superior tenancy ends. Limited to specific landlord types (as above).</b>                                            | <b>4 months</b> |
| <b>2ZD</b> | <b>Possession by superior landlord. Can be used after a fixed-term superior lease of more than 21 years expires or ends early within 12 months of expiry.</b>                                                                | <b>4 months</b> |
| <b>4</b>   | <b>Student accommodation. Property previously let to students within 12 months of tenancy start. Only available to specified educational providers.</b>                                                                      | <b>2 weeks</b>  |
| <b>4A</b>  | <b>Properties rented to students for occupation by new students. Applies to student HMOs where the tenancy was agreed less than 6 months before move-in.</b>                                                                 | <b>4 months</b> |
| <b>5</b>   | <b>Ministers of religion. The property is required for occupation by a minister of religion.</b>                                                                                                                             | <b>2 months</b> |



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|    |                                                                                                                                                                           |          |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 5A | Occupation by agricultural worker. Required to house someone employed by the landlord as an agricultural worker.                                                          | 2 months |
| 5B | Occupation by person who meets employment requirements. For private registered providers of social housing where the property is reserved for employment-linked tenants.  | 2 months |
| 5C | End of employment by the landlord. Expanded former Ground 16. The tenancy existed due to employment and that employment has ended.                                        | 2 months |
| 5D | End of employment requirements. Tenant no longer meets the employment criteria in the tenancy agreement (e.g., key worker housing).                                       | 2 months |
| 5E | Occupation as supported accommodation. Tenant did not enter into tenancy to receive support or supervision.                                                               | 4 weeks  |
| 5F | Dwelling-house occupied as supported accommodation. Circumstances have changed making continued occupation unsuitable or unviable.                                        | 4 weeks  |
| 5G | Tenancy granted for homelessness duty. Property used as temporary accommodation under s193 Housing Act 1996 and no longer required.                                       | 4 weeks  |
| 5H | Occupation as "stepping stone accommodation". Tenant no longer meets eligibility criteria (e.g., age limit) or the permitted time period has ended.                       | 2 months |
| 6  | Redevelopment. Property requires substantial redevelopment or demolition. Specific requirements apply for social landlords and alternative accommodation may be required. | 4 months |

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|    |                                                                                                                                                      |                                                         |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| 6A | <b>Decant accommodation.</b> Tenant has been temporarily rehoused during redevelopment and possession is required to continue the programme.         | 4 months                                                |
| 6B | <b>Compliance with enforcement action.</b> The landlord must regain possession to comply with enforcement requirements. Compensation may be ordered. | 4 months                                                |
| 7  | <b>Death of tenant.</b> Applies where tenancy has passed via will/intestacy and the successor was not living in the property beforehand.             | 2 months                                                |
| 7A | <b>Severe ASB/Criminal Behaviour.</b> Applies where there is conviction, a breach of order, or a closure order exceeding 48 hours.                   | Immediate — proceedings may begin without notice period |
| 7B | <b>No right to rent.</b> At least one tenant has no lawful immigration status and the Secretary of State has notified the landlord.                  | 2 weeks                                                 |
| 8  | <b>Rent arrears.</b> Tenant must have at least 3 months (or 13 weeks for weekly/fortnightly rent) arrears at notice and at the hearing.              | 4 weeks                                                 |

## Overview of New Discretionary Grounds for Possession

When using discretionary grounds, the court will decide whether granting possession is reasonable in the circumstances.

Even where the ground is proven, the judge may refuse possession, issue a suspended order, or set conditions. This is particularly true in cases involving minor rent arrears, anti-social behaviour, deterioration of the property or breach of tenancy terms.



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| Ground | Summary                                                                                                                      | Notice Period                     |
|--------|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| 9      | Suitable alternative accommodation is available for the tenant.                                                              | 2 months                          |
| 10     | Any rent arrears. The tenant is in any amount of arrears.                                                                    | 4 weeks                           |
| 11     | Persistent arrears. The tenant has persistently delayed paying their rent.                                                   | 4 weeks                           |
| 12     | Breach of tenancy. The tenant has breached a tenancy term other than rent.                                                   | 2 weeks                           |
| 13     | Deterioration of property. The tenant has caused the condition of the property to deteriorate.                               | 2 weeks                           |
| 14     | Anti-social behaviour. Covers behaviour causing nuisance or annoyance, criminal activity, or illegal use of the property.    | Proceedings may begin immediately |
| 14A    | Domestic abuse. A social landlord may evict the perpetrator if the survivor has fled and is unlikely to return.              | 2 weeks                           |
| 14ZA   | Rioting. The tenant or another adult occupier has been convicted of an indictable offence committed during a riot in the UK. | 2 weeks                           |
| 15     | Deterioration of furniture. The tenant has caused deterioration to the landlord's furniture.                                 | 2 weeks                           |
| 17     | False statement. The tenancy was obtained through a false statement made knowingly or recklessly.                            | 2 weeks                           |
| 18     | Supported accommodation. The tenancy is for supported accommodation and the tenant is refusing to engage with the support.   | 4 weeks                           |



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## Common Questions Landlords Are Asking

### Can Section 21 still be used to evict a tenant?

No. Under the Renters' Rights Act, Section 21 "no-fault" evictions are abolished. All future possession claims must be made using the revised Section 8 framework.

### What is the difference between mandatory and discretionary grounds?

Mandatory grounds require the court to grant possession if the landlord can provide sufficient evidence that the ground applies. Discretionary grounds allow the court to decide whether it is reasonable to grant possession based on the facts and circumstances.

### Has the notice period for rent arrears changed?

Yes. The mandatory serious rent arrears ground now requires at least three months' arrears at both the notice stage and the hearing. The notice period has increased to four weeks, whereas previously a tenant could be served notice after falling two months behind with two weeks' notice.

### Do tenants have more flexibility to end their tenancy?

Yes. Under the new rules, tenants can end their tenancy by giving two months' notice, even if the landlord intended the tenancy to last longer.

### Can landlords still raise the rent during a tenancy?

Yes, but only once every 12 months, and only in line with market rents, and only by following the formal Section 13 procedure. Tenants may challenge increases at the First-tier Tribunal if they believe the proposed rent is above market value.

### Do the new rules apply to student accommodation?

Yes. There are new specific grounds (including Ground 4A) allowing possession for student HMOs and academic-year turnover, but strict timing and eligibility rules apply.

### What happens if a landlord gets the process wrong?

Local authorities will have enforcement powers under the Act. Breaches can result in fines ranging from £7,000 to £40,000, depending on severity and whether the landlord is a repeat offender.

### Professional Support with serving a Section 8 Notice

Even with the recent reforms, landlords can still serve Section 21 and Section 8 notices up until the Renters' Rights Act comes into force in May 2026.

So what if you need to serve a notice before the rules change?

If you're unsure which route applies to your situation, seeking professional support may help avoid delays, errors, or a failed claim.



## New Section 8 Grounds for Possession: Guide for Landlords

[Strikes Property Services Group](#) is one of the UK's leading providers of eviction support, possession claim management and end-to-end landlord legal compliance services. We assist landlords throughout the full process – from issuing the correct notice and preparing evidence, to court representation and, where necessary, [High Court enforcement](#).

We are recognised by the [NRLA](#) (National Residential Landlords Association) and are a member of several key industry bodies, including: [Propertymark](#), High Court Enforcement Officers Association, [Civil Court Users Association](#) and the [Commercial Property Network](#).

### How Our Service Works

Our team handles possession cases from start to finish.

We provide:

- Early case assessment
- Notice preparation under the correct legal grounds
- All required paperwork preparation
- Representation during possession proceedings
- Enforcement support if a tenant fails to leave following a court order.

Throughout the process, landlords receive clear communication, updates at each stage and practical guidance on what to expect next.

Think you may have even greater problems come 1st May?

Don't wait to take action. [Book a free consultation](#) with our MD, Chris Bane, to discuss your situation and next steps.