

Ground 6 – The Redevelopment/Renovation Use Ground

What is the ground?

Ground 6 of Schedule 2 of the Housing Act 1988 & 1996 allows a landlord to recover possession where they intend to demolish or redevelop the whole or a substantial part of the property and cannot do so with the tenant living there. This ground cannot be used where the landlord (or someone before them) bought the property with an existing tenant, or where the work does not require the tenant to move out. If a possession Order is made the landlord must pay the tenant's reasonable moving expenses.

What notice is required?

The landlord must serve a section 8 notice giving at least 2 months notice that possession is being sought on this ground before any proceedings are issued.

Is it a mandatory or a discretionary ground?

This is a mandatory ground of possession. However, whether the ground is made out can often be arguable.