

## PROP.PP.05 - Form N5B Claim for Possession of Property in England (Accelerated Procedure)

This PROP.PP.05 - Form N5B Claim for Possession of Property in England (Accelerated Procedure) should be used by a Landlord to apply to Court for a Possession Order for Residential Property that has been let on an Assured Shorthold Tenancy (AST) in England.

The up to date version of it can be found on the Gov.uk website by clicking on this link to the relevant page: <https://www.gov.uk/guidance/form-n5b-england-claim-for-possession-of-a-property-in-england-accelerated-procedure>

Once you have opened the template on the Gov.uk website, you should save a copy to a location of your choice and then print a copy.

Note that a claim may also be started using the online option on the Gov.uk website. The guidance below is designed for Landlords who are not using the online option. It will also assist Landlords who are using the online option.

Before applying to Court, the Landlord must serve a Section 21 Notice on the Tenant. See our Repossession Guidance for more information.

Once Form N5B has been completed, it should be filed at the County Court in the area in which the Property is situated. See our Filing N5B for more information.

On page 1 of form N5B, the Landlord must provide details of the Claimant (Landlord(s)), Defendant (Tenant(s)) and Property.

If the Landlord wants the Court to order the Defendant to pay the costs of the claim (court fee and legal costs) a tick should be put in the relevant box.

The Defendant's address for service must be provided. If the Tenant is living there, it must be the current address or such other correspondence address as the Landlord knows.

The legal representative's costs can be claimed if the Landlord is acting through a solicitor. See rule 45.6(2) of the Civil Procedure Rules. The current version of the form can be found here: <https://formfinder.hmctsformfinder.n5b-england-accelerated-procedure.pdf>.

The issue date should be left blank.

On page 2, section 1 asks for details of the Property.

In section 2, the Landlord needs to provide details of the first (or only) Tenancy Agreement entered into between the Landlord and the Tenant. Details of any subsequent renewals of the Tenancy must also be given.

In section 3 either the first or second form must be completed depending on whether the Tenancy began before or after 28 February 2007.

Section 4 relates to replacement (successive) Tenancy Agreements.

In section 5 details of the Section 21 Notice must be given.

Section 6 relates to houses in multiple occupation.

Section 7 relates to the Tenancy Deposit Scheme.

Section 8 relates to improvement notices served under the Housing Act 2004.

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Section 8 relates to improvement notices served under the Housing Act 2004.

Section 9 relates to energy performance

Section 10 relates to gas safety

Section 11 asks whether the Tenant has received a copy of: "How to Rent: the checklist for renting in England".

Section 12 asks whether the Tenant is required to present at any court meeting.

Section 13 contains the Landlord's obligations to the Tenant give up possession and, if applicable, pay the Landlord's costs.

The Statement of Truth must be signed by the Landlord (or on the Landlord's behalf if the Landlord is a company).

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