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This Eviction Notice Under Section 8(1) of the Housing Act 2004 can be used in limited circumstances to evict a tenant or occupier who does not have the “right to rent”.

This Notice is in a form prescribed by the government website by clicking on the link to the relevant page: <https://www.gov.uk/government/publications/eviction-notice-and-end-of-tenancy>

Once you have opened the temporary version of it can be found on the government website, you should print off the PDF and complete the hard copy.

Since 1 February 2016, all landlords must check that a new tenant has the “right to rent” property in the UK. This includes checking the tenant’s identity documents to verify their immigration status.

The Home Secretary has the power to require a landlord advising them that one or more of the occupiers of a property does not have the right to rent. A landlord who receives such a notice must evict the tenant within a period of time.

Landlords in receipt of such a notice should refer to the government publication “Immigration Act 2014: Guidance on taking reasonable steps to ensure a residential tenancy agreement is entered into with a person who has the right to rent” available on the <https://www.gov.uk/government/publications/immigration-act-2014-guidance-on-taking-reasonable-steps-to-ensure-a-residential-tenancy-agreement-is-entered-into-with-a-person-who-has-the-right-to-rent> website.

If the Home Secretary’s notice refers to a specific occupier, the landlord has the power to terminate the tenancy of that occupier by completing the form, using the information provided in the notice as guidance, and send it to the tenant(s). The tenant(s) must be given a written notice to leave the property.

If the Home Secretary’s notice refers to a specific occupier, the landlord must serve a Section 8(1) Notice on the occupier(s) of the property, but not all of them, the landlord must serve a Section 8(1) Notice on the Ground 7B (relating to the immigration status of one or more occupiers) using our Section 8 Notice template.

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