

Ground 10 – The Poor Payer Ground

What is the ground?

Ground 10 of Schedule 2 of the Housing Act 1988 & 1996 allows a landlord to recover possession when the tenant is behind with their rent, both when the landlord serves notice seeking possession and when court proceedings begin. This ground is usually relied on as a back-up to Ground 8. If the rent account is up to date by the time of the Court hearing, it would be unusual to obtain a possession Order under this ground.

What notice is required?

The landlord must have served a section 8 notice giving at least 2 weeks 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 discretionary ground of possession.