

## **Ground 12 – The General Breach Ground**

### **What is the ground?**

Ground 12 of Schedule 2 of the Housing Act 1988 & 1996 allows a landlord to recover possession where the tenant has breached any of the terms of the tenancy agreement except the obligation to pay rent. As long as the agreement has been breached the Court can Order possession even if it has been rectified by the time of the possession hearing. Examples of the type of breaches that may justify possession would be sub-letting in breach of the tenancy or using the premises to run a business.

### **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.