

## **Ground 14a – The Domestic Violence Ground**

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

Ground 14A of Schedule 2 of the Housing Act 1988 & 1996 allows a landlord to recover possession where the tenants were a married couple, civil partners or co-habitees and one of them leaves permanently because of domestic violence or the threat of domestic violence by the other towards them or any of their family living with them.

This ground can only be used by non-profit registered providers of social housing, registered social landlords or charitable housing trusts. Normal landlords would have to seek to argue general breach of the tenancy (ground 12) or nuisance (ground 14) if they wanted to obtain a possession Order against a tenant who was being violent to another tenant or their family living with them.

### **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. The landlord also has to take all reasonable steps to serve the notice on the partner who has left the home, if they were named as a tenant in the tenancy agreement.

### **Is it a mandatory or a discretionary ground?**

This is a discretionary ground of possession.