

## Commercial

Commercial Property  
Company & Commercial  
Employment  
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## Private Client

Employment  
Family law issues  
Injury claims  
Legal disputes  
Moving home & buy-to-let  
Professional negligence  
Wills, probate & tax planning  
Elderly client & Incapacity Law  
Court of Protection

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# Guaranteed possession at a sensible price



**Mullis & Peake LLP**  
Solicitors

*Better advised*

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# Guaranteed possession at a sensible price

**Don't let any of your tenants run rings around you.** If you have a valid Assured Shorthold Tenancy Agreement that has expired or is about to, we can guarantee possession at a one-off price of £750 plus VAT and court fees if appropriate. There will be no open-ended solicitors' fees. If your tenant moves out at an early stage, you may pay considerably less.

Using the Accelerated Possession Procedure, we will carry out the three steps required:

1. Draft and serve a section 21 notice giving your tenant two months to leave.
2. If they do not comply with the notice, we will prepare and lodge the court papers applying for possession
3. If the tenant fails to leave within the period allowed by the court we will instruct the court bailiffs to evict them

It's a straightforward process at a straightforward price. The only other cost would be the fee of £245 which you may have to pay to the court, if proceedings are issued.

Once they are served with the notice, many tenants move out ahead of court proceedings. If it is necessary to issue proceedings, the court will order the tenant to give you possession within 14 days. If the tenant can show that this will cause exceptional hardship, the court can delay possession by 6 weeks.

## If it's that simple, what about rent arrears?

Although this is the most efficient means of regaining possession, you cannot claim any arrears of rent under the Accelerated Procedure. You may issue a separate claim for the arrears, but unless you know where the tenants work or that they have assets against which you can enforce a judgment, this may not prove cost effective. Once tenants have left the property they are frequently difficult, if not impossible to trace. For the same reason it is unlikely that you will actually be able to recover any legal costs which the court may order the tenants to pay.

## Our one-off fee guarantees you possession, and it could be even less...

- service of the 2 month notice, court proceedings and instructing the bailiffs to take possession – £750 plus VAT plus the court fees of £245
- if the tenant moves out before the court papers are prepared – £350 plus VAT and no other fees
- if the tenant moves out after we prepare the court papers but before we instruct the bailiffs – £650 plus VAT (plus a court fee of £150 if incurred)

There is an alternative procedure by which you can apply for possession if the tenant is in arrears of rent of more than 2 months. You can use this procedure even if the contractual term of the tenancy has not expired. You must give the tenants 14 days' notice of your intention to apply to court for possession. You will have to attend court to prove the arrears, and a tenant could defeat you by reducing the arrears of rent below 2 months before the hearing. There must be a hearing so the costs are higher. If you would like advice on this procedure, please contact us.

## Why delay? For only a month's rent on a typical local property, your problem's solved. Talk to us today.

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