**Notice of Intention to**

**Seek Possession (NSP)**

The NSP is the first legal notice we will serve on you to let you know we intend to apply to the court to re-possess your home if you do not abide by your tenancy conditions.

**What is a Notice of Intention to Seek Possession (NSP)?**

* An NSP is the first legal notice your Landlord will hand to you letting you know of its’ intention to apply for possession of your home through the County Court
* This legal document will let you know the reasons your Landlord is taking this action and will state the Grounds from the legislation (Housing Act 1985) and the breach of tenancy conditions they intend to rely on
* An NSP will usually give you 28 days to rectify any anti-social behaviour you, your family or visitors/s are causing but action can be taken immediately if the behaviour is serious.
* An NSP is valid for 12 months

**Why have you served me with a Notice of Intention to Seek Possession?**

There are a number of reasons why you may be served an NSP, listed below are some of them:

* Your rent is not being paid
* You are in breach of your tenancy conditions i.e. anti-social behaviour is being committed at your home and this is affecting the community
* You are not living in your property or are subletting it
* The property is not the correct size for your needs
* Somebody in your household has been involved in rioting
* You are hoarding causing a significant risk to property and person
* You have been convicted of a serious offence (for example assault, dealing drugs, domestic abuse)
* You have denied access to complete an annual service to your gas supply
* You are damaging the Landlord’s property

**What should I do if I am served an NSP?**

Unless the behaviour is extremely serious, you will already have received warning letters, visits or telephone calls from your Landlord asking you to put the situation right.

The NSP will provide advice on who to contact and this should be someone who can give you legal advice. This could be the Citizens Advice Bureau, Shelter or a legal advice centre.

**What does the tenancy agreement say?**

We will “*not interfere with your right to possession of your property provided you fulfil all of your obligations under this agreement*”.

You can *“live in this property without interference from us as long as you occupy the property as your only or principal home and you, your friends and relatives and any other person living in or visiting the property (including children) do not break any of the conditions in this agreement. If any of the conditions are broken, we may apply to the court to end your tenancy”.*

You can find all tenancy conditions on our website at [www.tamworth.gov.uk](http://www.tamworth.gov.uk) under Housing Policies.

All grounds used in a Notice of Seeking Possession are listed in the Housing Act 1985 and can be found at [www.legislation.gov.uk](http://www.legislation.gov.uk)

**Absolute Grounds**

The Anti-Social Behaviour, Crime & Policing Act 2014 introduced ‘Absolute Grounds’ for Possession. This means that if you have been convicted of particularly serious offences such as Possession of Class A Drugs with Intent to Supply or Offences Against the Person, you will be offered the opportunity to appeal the Notice served on you. However if the possession action is considered to be a proportionate response to the offence, the Court must issue an Outright Possession Order.