

Section 21 -> Section 8 Transition Map 2026

Section 21 was abolished on 1 May 2026. Use this 2-page map to convert any Section 21 / Form 6A scenario into a valid post-RRA Section 8 ground - with notice periods, evidence requirements and the 12-month bars to watch.

Decision tree

Step 1: Was the Form 6A served (date stamp) before 1 May 2026? YES -> still valid until expiry; reason for possession can stay no-fault. NO -> you must serve a Section 8 with a stated ground (table below).

Step 2: What is the underlying reason you want possession? Map it to a ground using the table. If your reason is "tenant breached the agreement" + non-statutory, you are in discretionary-ground territory - prepare for a contested hearing.

Reason -> Section 8 ground mapping

Real-life reason	Ground	Type	Notice	Evidence required
I want to move into the property	1A	Mandatory	4 months	Statutory declaration; no other home in same area; 12-month bar on re-letting
I want to sell the property	1B	Mandatory	4 months	Marketing instruction; 12-month bar on re-letting
Family member moving in	1A (close family only)	Mandatory	4 months	Specified close-family relationship; same 12-month bar
Demolition or redevelopment	6	Mandatory	4 months	Planning permission, no work without vacant possession
Mortgage repossession	2	Mandatory	2 months	Lender notice; pre-tenancy disclosure to tenant
Rent arrears 13+ weeks	8	Mandatory	4 weeks	Rent statement showing 13 weeks owing on date of service AND hearing
Persistent late rent (under 13 wks)	10/11	Discretionary	4 weeks	Statement of past 12-24 months payment behaviour
Anti-social behaviour	14	Discretionary	0 days (hearing)	Witness statements, police logs, neighbour evidence
Breach of tenancy term	12	Discretionary	4 weeks	Specific clause + breach evidence (photos, comms)
Property in serious disrepair (caused by tenant)	13	Discretionary	4 weeks	Inspection log + photos + contractor estimate
Tenant gave notice but stayed on	No S8 needed	N/A	N/A	Treat as trespasser; civil possession proceeding

What used to invalidate a Section 21, and what actually bars a Section 8

Most of the old Section 21 preconditions did NOT migrate to Section 8. Only one compliance failure stops a court making a Section 8 possession order.

- BARS a Section 8 order: an unprotected deposit, unmet scheme requirements, or Prescribed Information not served. Applies to every ground except 7A and 14. Returning the deposit cures it.
- BARS possession once the register opens: not being registered on the PRS Database.
- Does NOT bar Section 8: a missing or expired Gas Safety Certificate. Still an unlimited fine and up to 6 months, and it hands the tenant a disrepair argument.
- Does NOT bar Section 8: a missing EICR or unaddressed C1/C2 code. Still up to GBP 30,000.
- Does NOT bar Section 8: a missing EPC. Still GBP 5,000 under MEES.
- Does NOT bar Section 8: the "How to Rent" guide. It was a Section 21 precondition, and GOV.UK withdrew the guide itself on 1 May 2026.
- An unlicensed HMO or selective-licensing breach carries its own penalties and a Rent Repayment Order risk. Check the current position before relying on any possession ground.

What is genuinely new under the RRA 2025

- Notice periods extended for tenant-favourable grounds (1A, 1B, 6 - now 4 months).
- Ground 8 threshold raised: was 8 weeks (monthly) / 8 weeks rent owed - now 13 weeks of rent owed AT BOTH service AND hearing.
- 12-month bar on re-letting after a Ground 1A or 1B - cannot relet for 12 months from possession date.
- First-12-months tenancy freeze: no possession on Grounds 1A/1B/6 within first 12 months.

Pre-flight checklist before you serve Section 8

- ☐ All safety certs in date and served (Gas, EICR, EPC).
- ☐ Deposit protected + Prescribed Information served within 30 days.
- ☐ Form 3A (current 2026 version) downloaded fresh from GOV.UK - never re-use a stored copy.
- ☐ Notice period correct for the ground (4 weeks vs 4 months).
- ☐ First 12 months of tenancy elapsed (if Ground 1A/1B/6).
- ☐ Service method documented (Royal Mail signed-for + tenancy-permitted email).
- ☐ Evidence pack ready for the hearing (rent statement, photos, certs).