Possession & £5,366 Arrears Secured

Property Law Success Story

How specialist legal representation secured a possession order, judgment for rent arrears, ongoing occupation payments and a substantial costs award for a private landlord

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The Challenge

A landlord facing persistent default and a resistant tenant

The Client's Situation

Our client, a private landlord, faced a tenant who paid only the first month's rent and made no further payments, allowing substantial arrears to accrue over the course of the tenancy

Context: Despite the ongoing default, the tenant remained in occupation, failed to maintain the property, engaged in anti-social behaviour and kept a violent dog without consent

Tenant Resistance at Court

The tenant attended the final hearing and sought to resist the possession claim by raising various complaints about the property, tenancy management and other occupiers

Implication: The tenant attempted to justify non-payment of rent by reference to these issues and also challenged the level of costs being sought by our client

Costs Recovery Limitation

Possession proceedings ordinarily allow only limited recovery of fixed costs, such as the court fee, rather than the landlord's full legal costs

Complication: Our client required a strategy to maximise costs recovery beyond the standard fixed costs regime applicable to possession claims

Complex possession disputes require specialist expertise

Our Approach

How we delivered results

01

Rigorous Evidential Preparation

Pursued possession under the mandatory Ground 8 rent arrears provisions, ensuring that all evidential requirements were satisfied at each stage of the claim and within our client's witness evidence

Presented clear evidence at the final hearing demonstrating that the arrears substantially exceeded the statutory threshold, directly addressing the tenant's objections to both the possession claim and the costs sought

Kept the Court firmly focused on the statutory requirements of the mandatory Ground 8 possession regime throughout the proceedings

02

Strategic Costs Recovery

Identified and relied upon specific contractual provisions within the tenancy agreement to support a claim for contractual costs, going beyond the standard fixed costs ordinarily recoverable in possession proceedings

Carefully presented both the arrears evidence and the contractual costs provisions together to strengthen the client's overall recovery position

Secured an award of £2,114 in legal costs — a notably higher level of costs recovery than is commonly achieved in possession proceedings

£5,366

Possession & Full Judgment Successfully Secured!

Full Recovery Achieved

Possession order granted within 14 days, judgment for arrears of £5,366.07, ongoing use and occupation payments of £18.09 per day, and £2,114 in costs awarded

Client able to regain control of the property and pursue recovery of all outstanding sums owed

Act Promptly on Rent Arrears

Once arrears reach the mandatory Ground 8 threshold, specialist advice on serving a valid Section 8 Notice and commencing possession proceedings is essential

Early legal intervention protects your position and prevents arrears from escalating further during delay

Expert Property Law Advice

Identifying contractual costs provisions and ensuring rigorous compliance with mandatory Ground 8 requirements can significantly enhance your overall recovery beyond standard fixed costs

Robust legal strategy delivers possession and maximised financial recovery even where tenants actively contest proceedings

> ***"By ensuring strict compliance with the mandatory Ground 8 provisions and leveraging contractual costs clauses, it is often possible to secure not only possession but a substantially enhanced financial recovery , even where a tenant raises active challenges at the final hearing."***