



Claim form for possession of a property located wholly in Wales

(Accelerated procedure)

Is the property you are claiming possession of located wholly in Wales?

☐ Yes

☐ No, use form **N5B ENGLAND**.

Name of court

Claim number (completed by the court)

Enter the full name(s) of the claimant(s)

Issue date (completed by the court)

Day

Month

Year

Enter the full name(s) of the defendant(s)

SEAL

Important – to the defendant(s)

This claim means that the court will decide whether or not you have to leave the property and, if so, when. **There will not normally be a hearing. You must act immediately.**

Get help and advice from an advice agency or a legal representative.

Read all the pages of this form and the papers delivered with it.

Fill in the defence form **N11B WALES** and send or deliver it to the court named above.

You must send or deliver the defence form so that it arrives at court by

Day

Month

Year

(completed by the court)

If you fail to do so, the court may make a possession order against you.

The claimant is claiming possession of
Building and street

Second line of address

Town or city

County (optional)

Postcode

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for the reasons given in the following pages.

Note: If an address does not have a postcode you will need to ask the judge for permission to serve the claim with this information missing. There is no additional fee for this, but the court will not allow your claim to be served without the postcode, unless you have permission from the judge.

1. Give the name(s) and address(es) of the claimant(s)

First claimant

First name(s)

Last name

Building and street

Second line of address

Town or city

County (optional)

Postcode

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Second claimant (if applicable)

First name(s)

Last name

Building and street

Second line of address

Town or city

County (optional)

Postcode

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2. Give the name(s) and address(es) of the defendant(s)

First defendant

First name(s)

Last name

Building and street

Second line of address

Town or city

County (optional)

Postcode

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Second defendant (if applicable)

First name(s)

Last name

Building and street

Second line of address

Town or city

County (optional)

Postcode

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3. Are you (the claimant) asking for an order that the defendant pay the costs of this claim?

☐ Yes

☐ No

4. You (the claimant) seeks an order that the defendant give possession of

Building and street

Second line of address

Town or city

County (optional)

Postcode

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5. Is the property a dwelling house or part of a dwelling house?

☐ Yes

☐ No

6. On what date did you (the claimant) entered into an occupation contract with the defendant(s)?

Day

Month

Year

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7. Have any subsequent occupation contracts have been entered into?

☐ Yes. The most recent one is dated.

Day

Month

Year

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☐ No

Note 4 – If the property of which you seek possession is part of a building identify the part e.g. Flat 3, Rooms 6 and 7

8. On what date were written terms served on the defendant(s)?

Day

Month

Year

9. Is it a prohibited conduct standard contract?

☐ Yes

A prohibited conduct standard contract order
(demotion order before 1st December 2022) was made on

Day

Month

Year

Name of county court where order made

☐ No

10. Is it an introductory standard contract?

☐ Yes

☐ No

11. On what date was a notice in writing, saying that possession of the premises was required, served on the defendant?

Day

Month

Year

12. Who served the notice?

13. This notice was given under the following provision of the Renting Homes (Wales) Act 2016 (tick as appropriate):

- ☐ Section 171 to bring a possession claim under section 170 (landlord's notice following contract-holder's notice)
- ☐ Section 173 to bring a possession claim under section 178 (landlord's notice)
- ☐ Section 186(1) to bring a possession claim under section 186 (5) (landlord's notice in connection with end of fixed term of contract within Schedule 9B) or, in the case of a converted contract, paragraph 25B(2) of Schedule 12 to bring a possession claim under paragraph 25B(6) of Schedule 12
- ☐ Section 192 to bring a possession claim under section 191 (landlord's notice following contract - holder's notice on break clause)
- ☐ Section 194 to bring a possession claim under section 199 (landlord's break clause where the fixed term standard contract is made for a term of two years or more or is within Schedule 9C of the Renting Homes (Wales) Act 2016)

13A. Did the defendant complain, or try to complain about the relevant condition of the property or the common parts to you (the claimant) before the above notice was given?

☐ Yes. Give details

☐ No

13B. ☐ I (or my authorized representative(s)) confirm I have complied with all of the requirements and obligations under the Renting Homes (Wales) Act 2016 to allow me to serve and rely upon the Notice. The requirements and obligations are set out in **'N5BA – Notes for claimant on completing a claim form for possession of a property located in Wales (accelerated procedure)'** which I confirm I have read and understood.

A copy of which is annexed to this claim form.

14. Was a deposit paid in connection with the current occupation contract or any prior occupation contract or tenancy to which the defendant was a party?

☐ Yes

☐ No

14A. Has the deposit been returned to the defendant (or the person if not the defendant) who paid the deposit?

☐ Yes, the deposit was repaid on

Day

Month

Year

☐ No

14B. Where a deposit paid in connection with the current occupation contract or any prior occupation contract or tenancy to which the defendant was a party but has not been returned,

i) have you (the claimant) lodged the deposit in an authorized deposit scheme?

☐ Yes. Give details

☐ No

ii) have you (the claimant) given to the defendant (and to anyone who paid the deposit on behalf of the defendant), the prescribed information?

☐ Yes, the prescribed information was given on

Day

Month

Year

☐ No

- 14C. ☐ I (or my authorized representative(s)) confirm I have complied with all of the requirements and obligations for holding a deposit under the Renting Homes (Wales) Act 2016. The requirements and obligations are set out in '**N5BA – Notes for claimant on completing a claim form for possession of a property located in Wales (accelerated procedure)**' which I confirm I have read and understood.

A copy of which is annexed to this claim form.

15. Have you (the claimant) required the defendant (or any guarantor or person acting on behalf of the defendant) to make a 'prohibited payment' (as defined by section 4 of the Renting Homes (Fees etc.) Wales Act 2019 ('The 2019 Act')) contrary to section 2 of the 2019 Act.

☐ Yes. Give details

☐ No

16. Is the property part of a house in multiple occupation?

☐ Yes

☐ No. **Go to question 17**

If Yes, is the property required to be licensed under part 2 or part 3 of the Housing Act 2004?

☐ Part 2

☐ Part 3

The licence was issued by

on

Day

Month

Year

17. Are you a Community Landlord?

☐ Yes. **Go to question 20**

☐ No

18. Were you the landlord when the relevant notice was given?

☐ Yes. **Go to question 19**

☐ No. Answer **questions 18A–C** and **question 19**

18A. When was the landlord's interest assigned to you?

Day

Month

Year

18B. Was the landlord a landlord by assignment?

☐ Yes, then state the nature of the assignment and its date

Day

Month

Year

☐ No

18C. Was the assignment registered?

☐ Yes, on what date did the registration take place?

Day

Month

Year

☐ No

19. Was the landlord registered under Part 1 of the Housing (Wales) Act 2014?

☐ Yes. The registration number is

☐ No

19A. Was the landlord licensed under Part 1 of the Housing (Wales) Act 2014?

☐ Yes. The license number is

☐ No

19B. Had the landlord appointed a licensed agent to be responsible for all the property management work in relation to the dwelling as permitted under Part 1 of the Housing (Wales) Act 2014?

☐ Yes

☐ No

If Yes, give details of the licensed agent

Name

Licence number

Date of appointment

Day

Month

Year

20. If the defendant(s) seek(s) postponement of possession on the grounds of exceptional hardship, is the claimant content that the request be considered without a hearing?

☐ Yes

☐ No

21. You (the claimant) ask the court to order that the defendant(s)

☐ deliver up possession of the property

☐ pay the costs of this claim

Court fee

What you need to pay

You can find out the court fee for this application at:

www.gov.uk/government/publications/fees-in-the-civil-and-family-courts-main-fees-ex50

the court fee is

If you cannot afford the court fee

You may not have to pay a fee, or you may get some money off it if you only have a small amount of savings and investments, receive certain benefits or are on a low income.

You can apply for help with court and tribunal fees online at www.gov.uk/help-with-court-fees or through the 'EX160 Apply for help with fees' form and 'EX160A – How to apply for help with fees' guidance.

How to pay the court fee

☐ **I have not included payment because**

- ☐ I have applied for Help with Fees online and my reference number is

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- ☐ I am applying for Help with Fees, see attached form **EX160**

- ☐ Other – please explain why

☐ **A debit or credit card payment**

- ☐ I will pay over the phone, please call me on this number

- ☐ email me details on how to pay, my email address is

- ☐ **Prepayment** – If you have already made a payment please write the reference number here

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- ☐ I attach a **cheque or postal order**, made payable to 'HMCTS'

- ☐ **In person at** the court/office counter

☐ **Fee account details – for use by legal professionals**

Your account number

P	B	A							
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Your reference (if applicable)

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Fee account – a way for solicitors, local authorities and other regular users to make payments relating to civil and family cases.

Statement of truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- ☐ **I believe** that the facts stated in this claim form and any attached sheets are true.
- ☐ **The claimant(s)** believe(s) that the facts stated in this claim form and any attached sheets are true. **I am authorised** by the claimant(s) to sign this statement.

Signature

- ☐ Claimant
- ☐ Litigation friend (where claimant is a child or a protected party)
- ☐ Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
<div></div>	<div></div>	<div></div>

Full name

Name of legal representative's firm

If signing on behalf of firm or company, give position or office held

Claimant's or claimant's legal representative's address to which documents should be sent, if different from that on pages 2 and 3.

Building and street

Second line of address

Town or city

County (optional)

Postcode

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If applicable

Ref. number

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DX number

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Email

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Phone number

Attachments

Please tick the boxes to show which documents you have attached in support of the claim

- ☐ Copy of the [first] written occupation contract/tenancy agreement marked '**A**'
- ☐ Where one or more occupation contracts/tenancy agreements have been entered into a copy of each such occupation contract tenancy agreement marked '**A1**', '**A2**', '**A3**' etc.
- ☐ Copy of any Prohibited Conduct Standard Contract Order marked '**B**'
- ☐ Copy of any Notice saying possession was required by the Claimant marked '**C**'
- ☐ Proof of service of the Notice requiring possession marked '**C1**'
- ☐ Copy of the licence issued under Part 2 or Part 2 of The Housing Act 2004 marked '**D**'
- ☐ Evidence of any outstanding licence application, notification, or appeal under Pt 2 or 3 of the Housing Act (Wales) 2014 marked '**E**'
- ☐ Copy documents or statements as to evidence of the position of registration and or licence under Housing (Wales) Act 2014, marked '**F**'
- ☐ Copy of the Tenancy Deposit Certificate marked '**G**'
- ☐ Copy of the Energy Performance Certificate marked '**H**'
- ☐ Copy of the Gas Safety Record, marked '**I**'
- ☐ Copy of the Electrical Condition Certificate, marked '**J**'
- ☐ Copy of the documents relating to compliance by a community landlord with part 3 of the Pre Action Protocol for Possession Claims by Social Landlords marked '**K**'

Certificate of service (completed on court copy only)

I certify that the claim form of which this is a true copy was served by me on

by posting it to the defendant(s) on

Day

Month

Year

at the address stated on page 5 of the claim form.

OR

The claim form has not been served for the following reasons:

Officer of the Court

You (the defendant) may qualify for legal aid.

Visit www.gov.uk/legal-aid for more information or citizens advice at www.adviceguide.org.uk

Returning the forms

Copy the completed claim form and annexes so that you have

- one copy for **yourself**,
- one copy for **the court** and
- one copy for **each defendant**.

and send the your completed form and other documents to the court office at:

Phone number