



Application for an interim possession order

In the	
Claim no.	
Fee Account no.	

Claimant's full name and address

Address for service (if different from above) Ref / Tel No.

Defendant's name (if known including title e.g. Mr, Mrs or Miss) and address



The claimant is claiming possession of

on the grounds that the claimant has an immediate right to possession and that the person(s) in occupation of the premises is (are) in occupation without consent.

Application issued on

The court will consider whether an interim possession order should be made on

at am/pm

at

Service

Insert time, day and date 24 hours after time of issue

For this notice to be valid it **must** be served before am/pm on the day of 20 . It must be **affixed** to the main door or another conspicuous part of the premises and, if practicable, inserted through the letterbox in a sealed transparent envelope addressed to 'the occupiers'. In addition it may be attached to stakes in the ground in conspicuous parts of the adjoining land if this is appropriate.

What you should do

- if you have no right to occupy the premises you must leave.
- if you think you have a right to occupy the premises or you believe that the applicant is not entitled to an interim possession order you may file a witness statement at the court before the date and time shown on this notice. The form you must use is attached to this notice.
- if you need advice you should go to a Solicitor, Legal Advice Centre or Citizens Advice. Court staff are unable to give legal advice.

If you give a false or misleading information in your witness statement you will be guilty of a criminal offence and on conviction you may be sent to prison and/or fined.

What can happen next

- if the court makes an interim possession order you will have 24 hours from the time it is served on you to leave the premises. It will be served on you in the same way that this notice was – it does not have to be served on you personally. The interim possession order must be served within 48 hours of its being approved by the court.
- after you have left the premises you may apply to the court for the interim possession order to be set aside. If you wish to do so, you should go to a Solicitor, Legal Advice Centre or Citizens Advice.
- if you do not obey an interim possession order (by leaving the premises within 24 hours) you may be arrested and on conviction sent to prison and/or fined.
- a date for hearing (when the claim for possession will be considered) will be shown on the interim possession order. You have a right to attend that hearing.
- if the court does not make an interim possession order you will be told in writing.

Further Information

- a leaflet is available free of charge from any county court office.

Statement to support an application
for possession and
for an interim possession order

Paragraph 1
Insert your full name, address
and occupation of person
making this statement.

1

I

make this statement in support of the claim for possession and
for an interim possession order

Paragraph 2
Give the address of the
premises

2

I

have an immediate right to possession of

Give a description of the
premises (house, flat, shop etc.)

which is a

and have had this right since

Paragraph 3
Give details of proof of interest
(deeds, lease etc.)

3

Proof of my interest in the premises is in the form
of

Paragraph 4
Give the date when you found
out that the premises were
being occupied illegally. Explain
how you found out and why you
could not have been expected
to find out sooner

4

I

first knew of the occupation of the premises on
the day of 20 by
and could not reasonably have been aware of this earlier because

Paragraph 6

Delete if you do not know the names of any of the occupier(s)

Paragraph 7

Give the names of those people and which part of the building they occupy. Delete the words in brackets as appropriate.

Paragraph 8

The court must take into account whether or not you have given undertakings when deciding whether to make an interim possession order. Delete any undertakings you are not prepared to give.

5

The defendant(s) entered the premises without my consent and without the consent of anyone who on the date of entry had an immediate right to possession of the premises. Since that date I have not granted the defendant(s) any such consent.

6

As well as the defendant(s) named in this application there are (no) other occupiers whose names I do not know.

7

There are (no) other people who are entitled to possession of other parts of the building in which the premises are situated (and they are:)

8

I hereby give the following undertakings:

(a) to re-instate the defendant, if so ordered by the court

(b) to pay such damages as the court may order

AND

(c) before the claim for possession is finally decided, not to damage the premises

(d) not to grant a right of occupation to any other person

(e) not to damage or dispose of any of the defendant's property

9

I ask the court to grant me an interim possession order in relation to the premises described at paragraph 2.

I also ask the court to grant me possession of the premises.

Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone 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 form are true.

☐ **The claimant** believes that the facts stated in this form are true.
I am authorised by the claimant to sign this statement.

Signature

☐ Claimant

☐ Litigation friend (where claimant is a child or a patient)

☐ Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day

Month

Year

Full name

Name of claimant's legal representative's firm

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