

## **Grounds for Refusal for secure tenancies prior to 1<sup>st</sup> April 2012**

### **Ground 1:**

The tenant or proposed exchange partner has a possession order outstanding against them, whether or not it has already come into force.

### **Ground 2:**

The tenant or proposed exchange partner has outstanding possession proceedings against them, or a notice of seeking possession is still in force. This only applies if one or more of possession grounds 1 - 6 apply:

- Breach of tenancy conditions or rent arrears
- Nuisance or annoyance to neighbours or immoral/illegal use of the property
- Damage to property
- False application
- Sale of previous exchange tenancy (or bribe)

### **Ground 3:**

The incoming tenant would under occupy the property.

### **Ground 4:**

The extent of the accommodation is not reasonably suitable to the needs of the incoming tenant (this could be wider than statutory overcrowding and could include such things as layout or storey level)

### **Ground 5:**

The property is mainly non-housing, used for non-housing purposes, or is in a cemetery, and was previously tied accommodation while the tenant was employed by the landlord or another specified body.

### **Ground 6:**

The landlord is a charity and the incoming tenant's occupation of the property would conflict with the objects of the charity (note that it is the objects of the charity, not its allocations policy, which is material).

### **Ground 7:**

The dwelling has substantially different features from ordinary dwellings, and is designed for the physically disabled, and if the exchange occurred, there would not be anyone disabled living there.

### **Ground 8:**

If an association or housing trust lets its houses only to those whose circumstances (other than financial) make it difficult for them to find accommodation, and if the exchange occurred, there would no longer be such a qualifying person living there.

### **Ground 9:**

The house is one of a group, which it is the practice of the landlord to let to those with special needs, and a social service or special facility is provided for them (e.g. sheltered housing) and, after the exchange there would not be such a person living there.