



miramar legal

# RESIDENTIAL LANDLORD EVICTION SERVICE

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**Most tenants are honest. However every once in a while you will encounter a tenant who is a “professional” bad tenant and will exploit the eviction procedure to their every advantage.**

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In the event you are unlucky enough to encounter such a bad tenant then you will need specialist legal help to guide you through the eviction process.

This process is not easy. Should you get any part of the notices wrong then the Court will deem them invalid and you will have to resubmit your papers which could lead to significant delays to the eviction process. That is why it is important that you use qualified lawyers to submit your forms.

Our Landlord and Tenant Litigation Solicitors have over 30 years combined experience in this specialist area of law, acting for both property management companies and corporate and individual landlords. The team at Miramar Legal offer a cost effective and efficient residential landlord and tenant service.

Having now streamlined out systems we have positioned our services to provide landlords with a reduced eviction time and save them costs in evicting unwanted tenants.

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**The main Landlord Litigation Services undertaken include the following:**

- ▶ Letters before action for rent arrears.
- ▶ Serving section 8 and section 21 notices for the recovery of possession.
- ▶ Conducting court proceedings for the recovery of rent arrears and/or possession.
- ▶ Enforcing judgments for rent arrears and/or possession.
- ▶ Advising on rent deposits.
- ▶ Disputes over repairs and the return of deposits.
- ▶ Actions against squatters.



CALL OUR HOTLINE : 0203 328 1600

We propose a fixed charge which includes VAT and all court fees. We find that our clients prefer to work with fixed fees as it provides peace of mind that costs will not exceed a certain level. It also assists with risk assessment and business strategy decisions.

Our proposed pricing structure is set out below:

### RECOVERY STAGE 1 : PREPARING AND SERVING A NOTICE

<b>Preparing and serving a letter before action to tenant claiming rent arrears.</b>	<b>£30.00</b>
<b>Rent arrears</b>	
<p>If the tenant still owes rent, then you need to serve the tenant with a notice, this is commonly known as a Section 8 Notice. The tenant must be eight weeks or two months in arrears, both at the time when the notice is served and at the date of the hearing.</p> <p>We will draft and serve (by post) a Section 8 Notice on your behalf and provide you with a Certificate of Service. A warning letter will also accompany the Section 8 Notice, giving the tenant notice that you will be seeking possession of the property on grounds of rent arrears, unless the arrears are paid within fourteen days.</p> <p>We will write to you to let you know when the notice will expire.</p> <p>The valid notice must have expired before you can move to Recovery Stage 2.</p> <p><i>(Please note that extra charges applicable for process server's fees if hand delivery of notice is required).</i></p>	<b>£90.00</b>



<b>Recovery of the property</b>	<b>£90.00</b>
<p>In the case of an Assured Shorthold Tenancy, the Landlord will not be able to recover possession of their property without serving a notice on their tenant. This notice is known as a Section 21 Notice. This Section 21 Notice is a two month notice.</p> <p>If your Tenancy began after April 2007 and you took a deposit from your tenant, then you must have registered the deposit in an approved Deposit Protection Scheme (DPS). If you failed to do so, you will not be able to recover possession of your property using Section 21 Notice.</p> <p>We will draft and serve (by post) a Section 21 Notice on your behalf and provide you with a Certificate of Service.</p> <p>The valid notice must have expired before you can move onto Recovery Stage 2.</p> <p><i>(Please note that extra charges applicable for process server's fees if hand delivery of notice is required).</i></p>	

**RECOVERY STAGE 2 : ISSUING AND CONDUCTING COURT PROCEEDINGS**

If a tenant does not respond to the notice to pay the outstanding rent arrears (Section 8 Notice) or to vacate the property (Section 21 Notice) the landlord will need to obtain a possession order (the next step in the tenant eviction process). We can obtain an order based on a valid notice served by the landlord or agent.

▶ <b>Issuing and conducting Court proceedings pursuant to Section 21 of Housing Act 1988 (with no claim for rent arrears) where no Court hearing is necessary.</b>	<b>£550.00</b>
▶ <b>Issuing and conducting Court proceedings pursuant to Section 21 of Housing Act 1988 (with no claim for rent arrears) where a Court hearing is necessary (ordered by the Court). The fee includes attendance of an advocate.</b>	<b>£750.00</b>
▶ <b>Issuing and conducting Court proceedings pursuant to Section 8 of Housing Act 1988 where no Court hearing is necessary.</b>	<b>£550.00</b>
▶ <b>Issuing and conducting Court proceedings pursuant to Section 8 of Housing Act 1988 where a Court hearing is necessary (ordered by the Court). The fee includes attendance of an advocate.</b>	<b>£750.00</b>

Once we have issued the proceedings we will notify you of the hearing date and arrange for an advocate to attend Court with you at the hearing. If you do not wish to attend Court with the advocate, we will prepare a Witness Statement which you will need to sign. Where an agent has served the notice a Witness Statement will need to be prepared confirming service. The drafting of Witness Statements cost an additional £50.00 (including VAT) each.

Your Witness Statement will be filed at the Court and sent to the tenant before the hearing takes place. The advocate will attend the Court hearing and apply for possession of your property, judgment in respect of the arrears of rent, and fixed costs.

After the hearing we will inform you of the outcome.

*(Please note an additional fixed cost of £200.00 (including VAT) is charged for dealing with each subsequent hearing for recovery of possession and rent arrears after first hearing).*



**RECOVERY STAGE 3 : ENFORCEMENT**

If the property is not vacated following an eviction order we will instruct the Court bailiffs to remove the occupiers. This is the last step of the tenant eviction process.

Typically the police will assist the bailiffs in this unpleasant task.

We will draft up the warrant of possession and submit to Court on your behalf and notify you once we hear from the bailiff with a date for possession.

**£175.00**

PRICING STRUCTURE SUMMARY

We hope that the above structure is clear and that the proposed fixed fees will be of interest to you.

If you have any queries regarding this service please contact Mohit Chopra via email at [mohit.chopra@miramarlegal.co.uk](mailto:mohit.chopra@miramarlegal.co.uk) or by telephone on 020 3328 1600.