Defence form

(accelerated possession procedure) (assured shorthold tenancy) where the property is located wholly or partly in Wales

Name of court Grangetown County Courty	Claim No. 5RK563241
Name of Claimant John Smith	
Name of Defendant(s) Abdul Karim	

To the Defendant

Please read the claim form and all papers delivered with it before completing this form.

Some of the questions in this form refer to numbered sections in the claim form. You will find it helpful to have that open as you answer them.

Please note that if section 1 of the claim form has been completed because you are a tenant of premises let under a demoted assured shorthold tenancy, you need only answer questions 1 and 6 onwards.

If you cannot give exact dates, make it clear that the dates given are approximate.

In all cases you must complete and sign the statement of truth.

Please write clearly and in black ink. If there is not enough room for an answer, continue on the last page.

1.	Are you the tenant(s) named in the tenancy agreement, marked 'A' (or 'A1'), attached to the claim form?	✓ Yes	☐ No	
	Does that tenancy agreement (or do both) set out the present terms of your tenancy (except for any changes in the rent or the length of the tenancy)?	✓ Yes	No	
	If No, say what terms have changed and what the changes are:			
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2.	Do you agree the date, in section 2 of the claim form, when the claimant says the tenancy began?	✓ Yes	□No	
	If No, on what date did it begin?	D O W	Marian A. A. A.	
3.	If the claimant has completed section 3 of the claim form, did you receive the notice (a copy of which is attached to the claim form and marked 'B') and, if so, when?	Yes	☐ No ✓ Not applicable	
	If Yes, please give date	D D M	May y v	

4.	Do you agree with the rest of what is said in section 3 of the claim form?	✓ Yes	
	If No, what do you disagree with and why?	1	
5.	Do you agree that what is said in section 4 of the claim form is correct?	✓ Yes No	
	If No, what do you disagree with and why?		
6.	Did you receive the notice referred to in section 5 of the claim form, (a copy of which is attached to the claim form and marked 'C')?	✓ Yes ☐ No	
	If Yes, please give date	3 0 0 8 2 0 2 0	
7.	Do you agree that what is said in section 6 of the claim form is correct?	✓ Yes No	q.
	If No, what do you disagree with and why?		a a
В.	Do you agree that what is said in section 8 of the claim form is correct?	✓ Yes No	
	If No, what do you disagree with and why?		
9.	Do you agree that what is said in section 9 of the claim form is correct?	✓ Yes No	
	If No, what do you disagree with and why?		

10.		you agree that what is said in section 10 of the claim n is correct?	☐ Yes	✓ No		
	If No, what do you disagree with and why?					
	1 w As	as not given the prescribed information in relation to the such the s. 21 notice that I have been served is not va	e deposit lid under	and the operation of the TDS. s. 215 of the Housing Act 2004		
11.	the	ere is some other reason, not covered above, why you say claimant is not entitled to recover possession of the property, ase explain it here.				
		ish to defend the case on the basis that my landlord is ghbour with his claim against my landlord for race disc				
	vic	sked as a witness for my neighbour and as soon as I d timisation and is unlawful under s. 27 Equality Act 2010 ore detail.)	id that I re 0 (see Ad	eceived a s. 21 notice. This is ditional Information page for		
Pro	hib	ited payments and holding deposits				
12.		you make any payment to the Landlord before entering into tenancy agreement other than rent or a deposit?	Yes	☑ No		
	If Ye	s, what was the payment for?				
13.	(a) If	Yes, has the money been repaid in full	Yes	No		
	(b)	If the answer to 13(a) is 'Yes' , please give date when you received it	D G M	MYYYY		
	(c)	If the answer to 13(a) is 'No', have you agreed to that money (or any part of it which has not been repaid to you) being used for rent or a deposit?	☐ Yes	□ No		
	(d)	If the answer to 13(c) is 'Yes', when did you agree?	D 0 at	MYYYY		

Pos	stponement of possession				
14.	Are you asking the court, if it makes a possession order, to allow you longer than 14 days to leave the premises because you would suffer exceptional hardship?				
	If Yes, please explain why the hardship you would suffer would be exceptional.				
	I will struggle to find another property that is suitable for me as I have a low income and there aren't many properties that are affordable. I have nowhere else to go.				
	Say how long you wish to be allowed to remain in the premises. (The court cannot allow more than 42 days after the order is made.) up to 26 August 2021				
Pay	ment of costs				
15.	If the court orders you to give possession, do you agree that you Yes No should be ordered to pay the claimant's costs?				
	If No, what do you disagree with and why?				
	Because the only reason I am being evicted is because I supported my neighbour in bringing a claim against our mutual landlord.				
16.	If the court orders you to pay the claimant's costs, do you ask it to Yes No allow you more than 14 days to pay?				
	If Yes, give details of your means (continue onto last page if necessary)				
	I am in receipt of Employment and Support Allowance and am already struggling with my finances so won't be able to pay any costs off within 14 days. If I am ordered to pay costs I can afford to pay £5 per week.				

*(I believe)(The	e defendant(s) believe(s)) that the facts stated	in this defence form (and any attached sheets) are true.			
*I am duly aut	horised by the defendant(s) to sign this statem	ent.			
	- Viin	Date 1 5 0 7 2 0 2 1			
	ndant)(Litigation friend(where claimant is a child or a	protected party))(Defendant's solicitor)			
*delete as approp	riate				
Defendant's da	ate of birth 0 1 0 4 1 9 6 4				
Full name	Abdul Karim				
Name of defer	ndant's solicitor's firm				
Position or offi (if signing on beh	ice held alf of firm or company)				
Defendant's	4 Town Street	If applicable			
or defendant's solicitor's	200.000	Ref. no			
address to which documents shou		Fax no.			
be sent.		DX no.			
		e-mail			
	Postcode L L 3 3 5 A H	Tel. no.			

Statement of Truth

Claim No. 5RK563241

Additional Information

(Include the number of the section which is being continued or to which the information relates)
I am the tenant of the above property. I iwsh to defend this claim on the basis that:

- 1. The Section 21 notice that I received is not valid because I have not served any prescribed information as required by s. 213 of Housing Act 2004. This means that under s. 215 of Housing Act 2004 no s.21 notice can be given whilst my landlord is in breach of their obligations.
- 2. It is victimisation under section 27 Equality Act 2010 because my landlord is only evicting me because I have helped my neighbour by acting as a witness in his claim against our mutual landlord for race discrimination.

I bring my claim under s. 27 and s.35 of the Equality Act 2010.

I acted for my friend as a witness in his recent case for race discrimination - this is a protected act under s. 27. My friends case was under claim number 5GH56789 which was dealt with at Grangetown County Court on 29 August 2020. Please see my attached witness statement and also a letter from my friend's solicitor which confirms that I was due to attend the hearing as a witness.

After the hearing my landlord wasn't very happy and he said he felt let down by me and then the next day I received a notice. I've been a good tenant and haven't had any problems before. The only reason that I was served the notice was because I had witnessed the racial abuse that my friend suffered and I felt I had to support my friend with his case as I knew it was wrong.

Signed A. Lww

Date 1 5 0 7 2 0 2 1