## THE PRINCIPLES OF LAND LAW EMMA LEES

Process of Forfeitur



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Process of going in to possession

- residential must get a court order
- commercial in theory peaceful physical re-taking of possession is possible (but relief still available)

For forfeiture, need a forfeiture clause/ right of re-entry Rent. Need to have a formal demand for the repayment of the rent.

- long residential lease, delay and minimum sum

Relief from forfeiture if the tenant pays.

Not rent - section 146

- specify the breach
- require that the tenant remedy the breach if the breach can be remedied
- require that the tenant make compensation for breach

Relief from forfeiture possible depending upon the seriousness of the breach, the circumstances of the breach, and keeping in mind the seriousness of the effect on the tenant.