

Illegal eviction by a private landlord

It's a criminal offence for your landlord to evict you without following the correct legal steps. Call the police straight away if you or anyone else is at risk of violence.

What is the legal eviction process?

Your landlord must get a court order as the first step to evicting you. If you don't leave by the time and date on the order, they can ask court bailiffs to evict you.

You still have rights whether you have a written tenancy agreement or not. Even if your contract gives a date for you to leave, your landlord can't evict you without going to court first.

Your landlord doesn't need a court order to evict you if you're a lodger

What counts as illegal eviction?

It's an illegal eviction if your landlord, or anyone acting for them:

- changes the locks to your home
- bars access to part of your home
- cuts off your gas, electricity or water to make you leave
- threatens or harasses you into leaving

The council or police can prosecute a landlord for illegal eviction. If the landlord is found guilty, they could be fined, imprisoned or ordered to pay you compensation.

Explain your rights

Your landlord might not understand what rights you have as a tenant. Show your landlord this factsheet and explain:

- you are a tenant with a right to a court order
- they may be committing a criminal offence

Get help if your landlord tries to illegally evict you

If your landlord says they are going to evict you, contact your local council and ask to speak to the person who deals with illegal eviction. Some councils have a dedicated Tenancy Relations Officer who can speak to the landlord on your behalf.

A housing adviser or solicitor can help you get a court order called an injunction. An injunction can stop your landlord from doing anything stated on the order, such as threatening you, cutting off your power supply or changing the locks.

Call the police if the landlord or anyone else is threatening or using violence.

What to do after illegal eviction

Contact the council straight away, especially if you have nowhere to sleep.

Get housing advice to find out if you can apply for an illegal eviction injunction to get back in the property and to make sure you get your belongings back. Ask whether you could apply for compensation and a refund of your deposit.

Don't force your way back in until you have spoken to the council or a housing adviser. If someone else has moved into the property you could be committing an offence.

You can get further advice from england.shelter.org.uk/housing_advice, a local Shelter advice service or local Citizens Advice.

If you have nowhere to sleep tonight, are at risk of harm or losing your home within the next 2 months, call Shelter Helpline on 0808 800 4444 for advice and information on your options. Calls are free from UK landlines and main mobile networks.

