

Possession during the Covid-19 pandemic

This factsheet explains how the possession process has been affected by the coronavirus (Covid-19) pandemic and what you need to do if you have a possession hearing coming up.

Staying and reactivating possession proceedings

Between 27 March and 20 September 2020 the courts didn't process possession claims. Seek advice if your landlord's possession claim went ahead during the stay and you didn't agree to it.

The stay didn't apply to you if:

- your landlord applied for an injunction, for example to prevent anti-social behaviour
- you were a lodger
- you were in emergency accommodation waiting for a homelessness decision

Reactivation notice

If your landlord applied to court before 3 August 2020 and their claim was stayed, they had until 30 April 2021 to serve a reactivation notice to 'restart' the process. If they missed the deadline, the court should have put their claim on hold.

Landlords must tell the court how the pandemic affected you

Landlords must tell the court what they know about how the pandemic has affected you and your household. This requirement applies to most possession claims until 30 June 2022. Get advice asap if your landlord hasn't done it.

Longer notice periods

Before 1 October 2021 your landlord might have had to serve you a longer notice if they wanted you to leave. If they didn't, the notice might be invalid. Get advice asap if you think your landlord gave you less than the minimum period.

Factsheet

If you got a notice between 26 March and 28 August 2020, you were entitled to a minimum of 3 months, even if you had rent arrears.

If you got a notice between 29 August 2020 and 31 May 2021, you were entitled to at least 6 months.

If you got a notice between 1 June 2021 and 30 September 2021, you were entitled to at least 4 months.

Sometimes the notice could be shorter. For example, if you owed rent, you were accused of anti-social behaviour or you failed the right to rent check. The rules for notices are complicated. Get advice as soon as possible if you think your landlord wants to evict you.

Court hearings

The court may decide to set a review date before the actual possession hearing. It could be possible to negotiate an agreement with the landlord at the review stage. Seek advice before you agree to anything.

Possession hearings may be conducted on-line or by phone. Keep an eye out for any letters or emails telling you about any changes and how to prepare. The court should give you specific directions in relation to what technology will be needed and how to present your case. If you have a legal representative, they should know. Tell the court about any difficulties. Don't wait until the last minute. If you are unclear about anything, ask for an explanation. It might be possible to agree with the landlord to postpone steps due to be taken in your case. Contact the court or seek further advice to check if you have to formally notify the court.

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.

