

Going to court during the Covid-19 pandemic

This factsheet explains how court proceedings have been affected by the coronavirus (COVID-19) pandemic and what you need to do if you have a court case coming up.

Because of the need to safeguard the public from the coronavirus (COVID-19) pandemic, temporary changes have been introduced to court processes. If you have an upcoming court hearing, it will likely be affected.

Staying possession proceedings

All possession proceedings have been suspended until 20 September 2020. It means that if your landlord has applied to court for:

- a possession order, or
- a warrant to enforce a possession order they already have

the court won't consider the case until after the stay.

Keep an eye out for a letter from the court telling you when the hearing date will be. The stay also applies to court directions, unless both parties agree to proceed. Seek advice if you think your landlord's possession claim is going ahead and you haven't agreed to it.

After 20 September, your landlord may have to serve a 'reactivation notice' for their claim to be considered by the court.

The stay doesn't apply to applications for an injunction, so a landlord would be able to ask the court for an order to prevent anti-social behaviour or harassment.

The factsheet 'Covid-19 and housing' in the 'Covid-19' section on the [NHAS factsheets page](#) offers general information on how the coronavirus pandemic has affected housing.

For general information about possession proceedings, see factsheets in the section 'Landlord seeking possession' on the [NHAS factsheets page](#).

If you have a mortgage, your lender will not be able to start or continue with their possession claim until 31 October 2020.

Illegal eviction

If you've been illegally evicted by your landlord, you can apply for an injunction to get back in straight away. For more information, see the factsheets in the section 'Harassment and illegal eviction' on the [NHAS factsheets page](#) and the section about what you can do about illegal eviction on [Shelter's housing advice page](#).

Remote hearings: courts and tribunals

Hearings not related to possession proceedings are still going ahead but proceedings may be delayed. This may include:

- appealing benefits decisions
- appealing negative review decisions on homelessness applications
- seeking damages, for example if your home is in disrepair or is unfit for habitation
- applying for a court order telling the landlord to carry out repairs.

It is likely that your hearing will be conducted remotely, either on-line or by phone. Keep an eye out for any letters or emails from the court or the tribunal telling you about any changes and how to prepare. If you have a legal representative, they should be aware of the situation.

It is important that you tell the court about any difficulties you may have with technology or equipment straight away. Don't wait until the last minute because it could have a negative impact on the outcome of your case. The court should give you specific directions in relation to what technology will be needed and how to present your case. 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 about this.

Money claims

It was possible to make a money claim on-line even before the pandemic, so you may still be able to start a claim if, for example, your landlord hasn't returned your deposit to you.

Further advice

You can get further advice from england.shelter.org.uk/housing_advice, 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.



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Note

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