

Advice and representation at court

Get advice and representation from a duty adviser if your landlord or lender has applied to court to evict you.

What is duty advice?

Every county court has a duty adviser to help people whose landlord or lender has applied for possession of their home. Duty advice is always free, whatever your income.

Duty advisers are specialists in housing law. They might work for an advice charity like Shelter, a local Law Centre or a private solicitors firm.

How can a duty adviser help?

A duty adviser can give you advice over the phone at a review date and even come with you to a court hearing and speak to the judge and your landlord or lender.

A duty adviser could help you:

- work out if you could have the case thrown out
- get the possession case suspended or adjourned
- ask the court for more time for you to move

The duty adviser can negotiate with your landlord or lender. They can explain your case to the court for you and help you find a solution to stay in your home long term.

When you can get help from a duty adviser

If you have a review hearing you can get duty advice over the phone on the day. The contact details are on the letter you'll get with the review date. The adviser can talk to the judge and the landlord or lender to try and reach an arrangement. The adviser can tell you how to prepare if you have to go to a court hearing.

If you have a letter to go to court for a hearing, you can turn up and ask the court usher where to find the duty adviser.

Factsheet

What to bring to court

Gather important documents and have them to hand when you speak to the duty adviser over the phone and at court. This could include:

- the notice from your landlord
- the claim form you received from the court
- recent rent or mortgage statements
- proof of any payments you have made since the claim started
- proof of your benefits, or letters about awards you expect to receive
- your tenancy or mortgage agreement

What happens after the hearing?

Ask the duty adviser to explain what you need to do next. You might need to wait for them to finish another hearing first.

The duty adviser will send you a letter explaining what you need to do after the hearing. The letter will include contact details in case you are not sure about what you need to do.

If your case isn't resolved on the day the duty adviser might take your case on or refer you to someone else.

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.

