

Covid-19: Going to court during the 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.

Reactivating possession proceedings

Between 27 March and 20 September 2020 possession proceedings were suspended and the courts did not grant possession orders or warrants of eviction. The stay also applied to court directions, unless you and your landlord agreed to carry on with the case. 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

If your landlord applied for possession before 3 August 2020 and the claim was then stayed, they had until 30 April 2021 to serve a [reactivation notice](#) and tell the court what they knew about the impact of the coronavirus pandemic on you and your dependants. If they missed the deadline, the court should have put their claim on hold.

Your landlord didn't have to serve the reactivation notice to get the case back into court if they:

- already had a possession order or a warrant before 27 March 2020
- made a claim on or after 3 August 2020, but they still had to tell the court what they knew about the impact of the pandemic on you and your dependants

If you have a mortgage, your lender couldn't start or continue with possession claim until 1 April 2021.

Factsheet

You may also be entitled to a longer notice. From 1 June 2021 the minimum notice period is 4 months but there are exceptions. The factsheet 'Covid-19 and housing' in the 'Covid-19' section on the [NHAS factsheets page](#) has more information about the longer notice requirements for landlords.

Review hearings

The possession process in court has been temporarily changed. The courts schedule two hearings: a review hearing and a substantive hearing. It's possible to negotiate an agreement with the landlord at the review hearing stage. Seek advice before you agree to anything. These changes will end on 30 July 2021.

Remote hearings

Your hearing may be conducted 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.

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.

