

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.

Reactivating possession proceedings

Between 27 March and 20 September 2020 possession proceedings were suspended and the courts did not grant:

- possession orders
- warrants or writs 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 or harassment
- you were a lodger
- you were in emergency accommodation waiting for a decision on your homeless application.

After 20 September, your landlord may have to:

- serve a [reactivation notice](#) to get the court to consider their possession claim
- tell the court what they know about the impact of the coronavirus pandemic on you and your dependants.

If you have a mortgage, your lender will not be able to start or continue with their possession claim until 31 January 2021.

You may also be entitled to a longer notice. 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.

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

Suspended evictions

Evictions are paused between 17 November 2020 and 11 January 2021. It means that even if your landlord has a possession order

against you, they won't be able to evict you unless the eviction notice or the possession order relates to:

- anti-social behaviour
- tenancy fraud
- domestic violence
- owing at least 9 months' worth of rent from before 23 March 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

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 about this.

The government has published [guidance](#) for court and tribunal users on maintaining safety during the coronavirus (COVID-19) outbreak.

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

Information contained in this factsheet is correct at the time of publication. Please check details before use.