



HM Courts &
Tribunals Service

Property possession: Important information for Defendants

The Claimant has applied to Court to evict you.

You must act now as you are at risk of losing your home

You must not ignore possession proceedings. Please read this guidance and take advantage of the help available to you – including **free legal advice**.

Avoid Court

You should try to resolve matters by agreement with the Claimant. If you are having trouble paying your rent or mortgage, seek advice.

If the claim against you is marked '**accelerated procedure**', it may be decided very quickly and without a Review date or a hearing before a Judge. In such a case, you should **immediately** seek legal advice.

Get legal advice now

You should seek legal advice as soon as possible to help you try and resolve the case.

Legal aid is normally available to those on low incomes to defend possession claims. You can find this help here - www.gov.uk/civil-legal-advice.

You can also get free advice from:

- Shelter – visit www.shelter.org.uk or call 0808 800 4444
- Citizens Advice – visit www.citizensadvice.org.uk or call 03444 111 444
- National Debt Line – visit www.nationaldebtline.org or call 0808 808 4000

Alternatively, you can get advice that you will have to pay for from a local solicitor or from a barrister who takes instructions under the direct access scheme.

The Court will notify you of a Review date. On this day any Defendant will have the opportunity to get **free legal advice**.

To arrange for on the day advice from the duty solicitor, use the contact details in the **Notice of review**.



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Prepare your defence

You should let the Court know as soon as possible why you should not be evicted from your home. You can either use the defence form you have been sent or you can send a short statement to the Court and to the Claimant explaining your circumstances and why a possession order should not be made.

Review

You will be notified of the date when the Judge will review the Court file. **You are not required to attend before the Judge.** This is an opportunity to obtain free legal advice (using the contact details in the **Notice of review**) and for the duty solicitor to help you resolve the case with the Claimant.

If you have been affected by Covid-19

Tell the Court and the Claimant as soon as possible if you have faced hardship as a result of the Covid-19 pandemic. This includes illness, shielding or loss of work. The case will be 'Covid-19 marked' and this kept in mind throughout. You should do this by sending the Court and the Claimant a letter by post or email.

To 'Covid-19 mark' the case, the Court will require the following information from you:

- brief details of the hardship you have faced;
- whether there were arrears outstanding before March 2020;
- whether you have been placed on furlough, and whether you have offered to pay or paid some or all of your rent or mortgage arrears;
- whether you have obtained Universal Credit since March 2020, and whether you have offered to pay or paid some or all of your rent or mortgage arrears;
- whether you have been unable to earn by reason of Covid-19;
- whether you have been shielding; and
- what proposals you have to pay the rent or mortgage arrears.