

Notice of Possession Hearing

POSSESSION CLAIM: IMPORTANT AND URGENT: YOU MUST ACT NOW

This case has been listed for a **POSSESSION HEARING** on the [day] of [month] [year] at [time] at [Address].

A Judge has decided that this case should proceed to a Possession Hearing.

You must attend this hearing. If you do not an Order may be made in your absence. If you are unable to attend for any reason **you must** contact the Court and the other party immediately and explain the position.

You should comply with local Covid-19 safety procedures that will be in place on the day.

If an Order is enclosed setting out any additional directions from the Judge you should ensure that you comply with them. You may reach the Court by post or by email [local inbox details]. **Always** state the case number and Possession Hearing date.

Both parties should continue to engage with each other. If agreement is reached before the date of the Possession Hearing, you should inform the Court immediately.

TO THE DEFENDANT

YOU ARE AT RISK OF LOSING YOUR HOME

It is very important you obtain legal advice before, and representation at, the hearing.

If you cannot get legal advice and arrange representation before the hearing, you can access **free legal advice and representation on the day of the Possession Hearing**.

Take this opportunity. Your home is at stake. A legal adviser may be able to speak to the claimant and help you resolve the case.

To obtain free of charge legal advice and representation on the hearing date you should [details of local procedure].

TO THE CLAIMANT

In any claim brought to Court on or after 3 August 2020, you must bring to the hearing two copies of a notice:

1. in a claim to which the Pre-Action Protocol for Possession Claims by Social Landlords is applicable, confirming that you have complied with that Pre-Action Protocol and detailing how you have done so; and
2. in all claims, setting out what knowledge you have as to the effect of the Coronavirus pandemic on the Defendant and their dependants.

For a claim to which the Pre-Action Protocol for Possession Claims based on Mortgage or Home Purchase Plan Arrears in Respect of Residential Property is applicable, you must bring to the hearing two completed copies of Form N123 (the mortgage pre-action protocol checklist).