

Important – Eviction Proceedings during the current coronavirus crisis



Many people will have heard about a so called “eviction ban” being imposed by the Government for a period of 3 months. Unfortunately, this is being misunderstood by many, landlords and tenants alike, as being a complete ban on all activities that are “eviction” related. In a nutshell the following is currently the case:

- From 26th March 2020, all notices, whether they be a section 21 notice requiring possession or section 8 notice seeking possession, will need to be for a minimum of three months.
- The Government have stated that there will be a suspension of all possession proceedings for a 90 day period from 27th March 2020
- Possession claims already submitted to court prior to 26th March 2020 will not go ahead until after the 90 day period is up.
- Possession claims for which there are hearing dates already in place, will be adjourned to a date after the expiration of 90 days from 26th March 2020.

As well meaning as the Government is, and as understandable as it is to put the brakes on the eviction process, – the fact remains that many of you will have had tenants who were not paying the rent prior to the spread of coronavirus. Also there may well be other reasons for seeking possession. A recent commentator suggested that landlords were likely to lose around £15 Billion as a result of COVID-19 and lost revenue.



So what can you do?

1. Don't forget that communication is key – keep lines of communication open with your tenants, especially during this difficult time
2. If you need to serve notice, don't put it off until the end of the 90 days – some landlords have misinterpreted the “eviction ban” to mean that you cannot do anything for 90 days – you can! Serving notice now will save you time even though you don't have to enforce it.
3. If you are uncertain as to how to serve a notice, especially a section 8 notice – get help. It can be a lot more technical than it seems and the Government website doesn't tell you how to do it. A mistake can set you back 3-4 months now due to the additional notice period required.
4. Be aware that after the 90 days there is likely to be a huge spike in the number of new possession claims submitted to court – in addition there will be a backlog of claims that have been adjourned.

If you need further help and advice with serving a section 21 notice or section 8 notice during the period of this current eviction suspension, we will be only too pleased to help.