

You have a court date

What happens now?

Letter from the court

The court will write to you, confirming the date of the hearing. It is in your best interests to attend. You can access a Citizens Advice Bureau (CAB) Advisor at the court – if you would like to ask them to help you, please arrive 30 minutes before your hearing is due to start. You may prefer to ring them beforehand for advice on 03444 111 444.

In Court

The judge will ask you questions about your finances and why you have not paid your rent. Because the judge is being asked to give Howard Cottage possession of your home, you will need to provide a good reason why you should remain there. You can ask a representative of the CAB to accompany you in court but nobody else is allowed to attend the hearing.

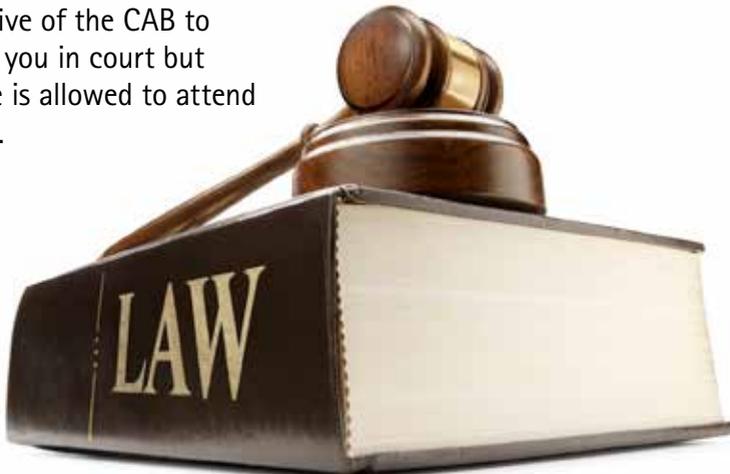
Having listened to the case, the judge will make a decision: either you stay in your home while you pay your arrears at a set amount each month; or Howard Cottage is given possession of the property immediately.

The judge can make one of four orders:

- **Adjourned hearing**

The judge decides to wait for additional information that was previously unavailable but may impact on the court's decision. The hearing will be held again on a later date and you will have to attend.

continued >



- **Adjourned on terms**
The judge delays making a possession order on the basis that you make the payments as ordered by the court. If you do not make the payments, Howard Cottage will ask for another hearing in order to obtain the possession order. You will have to attend again and explain why you have failed to make the payments.

- **Possession order**
This is the order we usually seek if we have not reached an agreement with you or you have failed to keep to an agreement.
The judge decides to give Howard Cottage possession of your home and orders you to leave the property within 14 or 28 days. You are not given the opportunity to make

payments by instalments and the only way to avoid eviction is for you to clear the arrears (plus all court costs) in full. A county court bailiff will come to the property at an appointed time to evict you.

- **Suspended possession order**
The judge gives Howard Cottage possession of your home but the order is suspended so that you have the opportunity to keep your tenancy by making payments as ordered by the court. If you fail to make these payments, Howard Cottage can ask for you to be evicted. If you clear your arrears, no further action will be taken in relation to these arrears. You can then stay in your home unless there is a further breach of tenancy and legal action is again necessary.



*Striving for excellence
in all that we do*

... in the ways that we work,
... in the homes we build and maintain,
... in the communities we serve.

Contact details

Howard Cottage Housing Association
Pioneer House
Norton Way South
Letchworth Garden City
Hertfordshire SG6 1NY
Telephone: 01462 683307
www.howard-cottage.co.uk

A charitable housing association



business for neighbourhoods