

Housing Factsheets

Homelessness- Covid 19 Impact

- During the outbreak or if you know someone who needs help. Councils are working to find accommodation for homeless people regardless of eligibility and whether they were previously turned down.
- This means you can contact your council even if you have been turned down for help in the past, even if an homelessness application was previously rejected. You may not be able to visit councils in person if they have closed buildings, but you can usually contact them by phone and email
- The government guidelines are that people should stay at home for the three week stay at home duration, which has now been extended for a further 3 weeks. No one should be faced with the threat of being made homeless at present. Landlords, agents and tenants will need to work together and show goodwill in order to comply with the public health guidance over the coming weeks

Possessions Claims- Covid 19 Impact

- The provisions of the Coronavirus Act 2020 in relation to possession proceedings came into force on 26 March 2020
- The following day, the Master of the Rolls and Lord Chancellor issued Practice Direction 51Z (CPR PD51Z) to the Civil Procedure Rules which took effect immediately. This practice direction now stayed all possession proceedings for a period of 90 days from 27 March 2020 until 25 June 2020.
- The significance of this and what it means is that all proceedings currently in the court are suspended for 90 days.
- This also means notices of two months which landlords were required to give before are now extended to 3 months (90 days).
- There are exceptions to the 90-day rule. This applies to directions agreed between the parties
- It is noted that the Practice Direction provides that the stay does not apply to applications for case management directions which are agreed by all the parties before the suspension.
- The courts continue to deal with agreed case management directions, which will undoubtedly come as welcome news to landlords, as parties to an existing claim can now be confident that the court should deal with agreed directions. What this also does is that it adds some additional weight to the attempts to encourage those acting for defendants to agree such directions with the landlord's party in order to further the overriding objective for the court which is to facilitate the efficient management of the case once the stay is lifted. Thereby also avoiding delays in proceedings commencing after the stay is lifted.
- Paragraph 3 of the CPR PD 51Z (which imposed a 90 day suspension on claims) has now been amended to clarify - that possession proceedings may still be issued even if they will then be 'stayed'.

- However, the Ministry of Housing, Communities and Local Government's guidance in - *'Coronavirus Act 2020 and renting'* (April 2020 v2) - states (quite literally in **bold** print):
- ***"We strongly advise landlords not to commence or continue possession proceedings during this challenging time without a very good reason to do so. It is essential we work together during these unprecedented times to keep each other safe."***